Memorandum

Date: April 30, 2020
To: Executive Branch Agency Leadership & HR Directors
From: DeAngela Burns-Wallace, Secretary of Administration
Subject: State Agency Re-Opening Guidance

In accordance with Governor Kelly’s Executive Order 20-29 implementing a phased re-opening of businesses and gatherings in Kansas, the State of Kansas will also begin re-opening state government offices with a gradual roll-out aligning with the statewide phased approach.

Across all phases of re-opening, agencies and employees should maintain social distancing, practice good hygiene, remain home when sick, follow isolation and quarantine orders issued by state or local health officers, use cloth face masks when leaving their homes, and continue to clean and disinfect surfaces. These are basic public health guidelines that will slow the spread of this disease as we gradually re-open Kansas.

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<th>Re-Opening – Phase 1</th>
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<td><strong>When does this apply?</strong></td>
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| **Employee Guidance** | • Any employees who have effectively worked remotely during the drawdown will continue to work remotely.  
• Any employee who has been reporting to work during the drawdown will also continue to do so.  
• Agencies may need to require additional employees to start performing their duties in either of the above capacities starting on May 4, 2020, based on operational requirements. Any such employee is to be provided with at least 24 hours of notice regarding their requirement to report to work, remotely or on-site.  
• Agencies should work to avoid gatherings of employees in groups of more than 10 where social distancing protocols cannot be maintained except for infrequent or incidental moments of closer proximity AND phase in employees on-site as possible while maintaining six feet of distance between employee workstations. |
| **Capitol Complex** | • Capitol Complex State Office Buildings will remain closed to the public, allowing employee access only.  
• Beginning on May 6th, the Office of Facilities and Property Management will resume normal cleaning schedule for the Capitol Complex. All service requests can be directed to OFPM customer service center (CSC) by email or phone 296-3144.  
• Limited mail operations will continue to work out of our mail facility at MacVicar or directly with USPS pick up. |
| Building Entry Protocol | • Initial screening questionnaire and temperature checks will remain in effect in the Capitol Complex and are recommended for employees in all state facilities.  
• Screening stations are currently located at the entrances of Landon and Curtis State Office Buildings, as well as a drive-thru screening station located in the Curtis Access Alley between 10th and 11th Streets and between Kansas Avenue and Jackson Street. Additional screening stations may be added in later phases. |
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<td><strong>Re-Opening – Phase 2</strong></td>
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<td>When does this apply?</td>
<td>At a date determined by the Governor based on the overall progress of the State on outlined health metrics. The Governor will issue an Executive Order to move the state into this phase. This will occur no sooner than May 18, 2020.</td>
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| Employee Guidance | • Any employees who have effectively worked remotely during Phase 1 will continue to work remotely, unless otherwise directed.  
• Any employee who has been reporting to work during Phase 1 will also continue to do so.  
• Agencies may need to require additional employees to start performing their duties in either of the above capacities based on operational requirements. Any such employee is to be provided with at least 24 hours of notice regarding their requirement to report to work, remotely or on-site.  
• Agencies should work to avoid gatherings of employees in groups of more than 30 where social distancing protocols cannot be maintained except for infrequent or incidental moments of closer proximity AND continue to phase in employees on-site as possible while maintaining six feet of distance between employee workstations. |
| Capitol Complex | • Capitol Complex State Office Buildings will reopen to members of the public who have business to conduct.  
• Updates on mail operations will be provided prior to the start of this phase. |
| Building Entry Protocol | • Initial screening questionnaire and temperature checks will remain in effect in the Capitol Complex and are recommended for employees in all state facilities.  
• Screening stations are currently located at the entrances of Landon and Curtis State Office Buildings, as well as a drive-thru screening station located in the Curtis Access Alley between 10th and 11th Streets and between Kansas Avenue and Jackson Street. Additional screening stations may be added during this phase. |
## Re-Opening – Phase 3

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<tr>
<th>When does this apply?</th>
<th>At a date determined by the Governor based on the overall progress of the State on outlined health metrics. The Governor will issue an Executive Order to move the state into this phase. This will occur no sooner than June 1, 2020.</th>
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| **Employee Guidance** | • Agencies should begin to gradually bring larger numbers of employees back into state office facilities.  
• As employees begin to return in larger numbers, engineering controls such as physical barriers or repositioning staff to enable people to be located at least six-feet apart should be in place.  
• Some employees may still be allowed to work remotely. State or agency telework policies should be followed from this point forward.  
• Agencies should work to avoid large gatherings of employees in groups of more than 90 where social distancing protocols cannot be maintained except for infrequent or incidental moments of closer proximity AND continue to phase in employees on-site as possible while maintaining six feet of distance between employee workstations. |
| **Capitol Complex**   | • Capitol Complex State Office Buildings will be open to the public.  
• Public events will resume in the Statehouse so long as they can follow physical distance guidelines of six feet or more between individuals or groups with only infrequent or incidental moments of closer proximity. (e.g., receptions, trade shows).  
• Statehouse and Cedar Crest Tours will resume with some restrictions.  
• Updates on mail operations will be provided prior to the start of this phase. |
| **Building Entry Protocol** | • In consultation with KDHE, DofA will determine if screening questionnaire and temperature checks will continue during this phase. |

## Phase-Out (Until Otherwise Directed)

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<th>When does this apply?</th>
<th>At a date determined by the Governor based on the overall progress of the State on outlined health metrics. The Governor will issue an Executive Order to move the state into this phase. This will occur no sooner than June 15, 2020.</th>
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| **General Provisions** | • State agency operations should return to their steady state, close to pre-crisis levels. Some employees still may be able to work remotely.  
• Full building access and operations will resume.  
• Once the state is in “Phase Out”, additional guidelines may be established to continue to mitigate risk and support on-going agencies’ operations.  
• All agencies should continue to follow mass-gatherings guidelines and continue to institute appropriate public health measures, including hygiene protocols and appropriate social distancing. |
### State Public Facing Offices

#### General Provisions
- Each individual agency is responsible for developing a plan and timeline to re-open their public facing offices.
  - It is more important to have proper plans in place than to rush to re-open. Agencies need to ensure mitigating measures and proper protocols are in place before re-opening.
  - Where possible, public facing offices that can continue operations via mail and digital operations should continue to do so during Phase 1.
  - Agencies should communicate to their constituents their proposed opening date(s) and any new procedures that may be instituted as soon as they are identified.

#### Mitigating Measures
When considering re-opening timelines, agencies should ensure they have instituted appropriate mitigating measures that reduce risk and potential exposure.

Appropriate measures will vary based on operational needs. Measures to consider include but are not limited to:
- Incorporate engineering controls such as physical barriers like plexiglass screens, where appropriate.
- Reconfigure space to enable people to be located at least six feet apart.
- Utilize floor markings, stanchions, or other movable fixtures helping to create six feet of separation.
- Provide signage at public entrances to inform all employees and customers of social distancing guidelines.
- Use nonmedical cloth masks.
- Establish strict routine cleanings by sanitizing frequently-touched surfaces between customer exchanges.

Each location should review the Guidance for State Agencies to Address Persons Under Investigation and/or a Positive COVID-19 Case in the Workplace distributed on April 27th and ensure proper protocol has been established for their location.

#### Business Guidelines
All offices must follow business guidelines outlined in Governor’s Framework including:
- maintain at least six feet of distance between consumers (individuals or groups).
- follow fundamental cleaning and public health practices.
- avoid instances in which groups exceed identified limits for each phase where unable to maintain a six-foot distance with only infrequent or incidental moments of closer proximity. This does not limit the total occupancy of an office, but requires that offices limit mass gatherings in areas and instances in which physical distancing cannot be maintained, such as in tables, entrances, lobbies, break rooms, check-out areas, etc.
| Office Entry Protocol | • Phase 1 – more than 10 individuals  
• Phase 2 – more than 30 individuals  
• Phase 3 – more than 90 individuals  
• Initial screening questionnaire and temperature checks are recommended for employees in all state facilities through Phases 1 and 2.  
• It is not recommended that screening or temperature checks be required for members of the public. Signage reminding customers of social distancing requirements and health guidelines is encouraged. Contact State Office of Printing at (785) 296-0533 or DOA.PrintingCustomerService@ks.gov for samples and quotes. |
| County Authority | • Agencies with offices in multiple counties should also keep in mind that per Governor’s Framework, local governments retain the authority to impose additional restrictions that are in the best interest of the health of their respective residents.  
• Varying restrictions could impact proposed timelines. Monitoring of local guidelines will be critical. |
| Other Guidelines for Agencies | **General Guidelines**  
• Continue to use telework if possible and consider use of variable work schedules.  
• Consideration should be given for engineering controls such as physical barriers or repositioning staff to enable people to be located at least six-feet apart as early as possible to ensure measures are in place when employees return.  
• Frequent handwashing of employees and/or use of gloves. *Use of gloves does not take the place of good handwashing, and gloves must be changed frequently to be effective.*  
• Support and enable employees to remain at home if they are unwell or have been in close contact with someone who is sick.  
**Masks & Other PPE**  
• As per Governor’s Reopening framework, individuals are strongly encouraged to wear masks in public settings as appropriate, particularly during Phases 1 and 2.  
• Agencies should assess if an employee’s work functions and/or distancing requirements require the use of masks in the workplace.  
• If an Agency needs to secure masks and other Personal Protective Equipment (PPE), please contact Angela Brown with the DOA Procurement to place a resource request to the Kansas Division of Emergency Management (KDEM) State Emergency Operations Center (SEOC).  
• It is recommended to request no more than 14 days of supply, based upon your identified consumption rate. Agencies must identify needs as an entire agency, only one (1) request per type, per agency can be requested each day and submitted to KDEM.  
• Contact information angela.brown@ks.gov or 785-296-7251 |
Effective May 4, 2020, all State employees in agencies under Governor Kelly’s direct jurisdiction must be within one of the following five categories.

1 – Employees or Members of Their Household Showing Symptoms of COVID-19. Any employee who shows signs of COVID-19 or who resides with someone exhibiting symptoms of the virus will continue to be subject to a 14-day quarantine, and the employee will receive full paid leave of the appropriate type for that absence. Any employee in this situation should inform their agency of this fact and should make note of when they began exhibiting symptoms of COVID-19, as well as the last time they were in a State facility or had interactions with any other State employee.

2 – Employees Required to Report to Work and Teleworking Employees. Any employee who has been reporting to work or performing duties remotely over the past two pay periods will continue to do so through Phases 1 and 2 of the re-opening process. Agencies may need to require additional employees to start performing their duties in either of these capacities starting on May 4, 2020, based on operational requirements. Any such employee is to be provided with at least 24 hours of notice regarding their requirement to report to work. Employees in this category should record their time as they regularly would.

   Leave for Employees Required to Report to Work and Teleworking Employees. Employee will report any time away from work according to existing state leave policies.

3 – Employees Unable to Report to Work or Telework Due to Childcare. Pursuant to the Families First Coronavirus Response Act (FFCRA), any employee who is not considered a health care provider or first responder and is unable to report to work or telework due to a need to care for a child under the age of 18 whose school or place of care is closed or whose child care provider is unavailable for reasons related to COVID-19 continues to be eligible for partial paid leave if they have been employed by the State for at least 30 days.

   Leave for Employees Unable to Report to Work or Telework Due to Childcare. Employees utilizing leave provided by the FFCRA due to childcare will receive paid leave in the amount of two-thirds of their regular pay. Employees may use their own accrued leave for the remaining one-third of their regular pay or may use leave without pay for that amount. The Office of Personnel Services (OPS) will be providing additional guidance to HR staff on how this leave will be recorded. Administrative leave for the remaining one-third will no longer be provided starting May 4, 2020.

4 – At-Risk/High-Risk Populations. As defined in Executive Order 20-29, certain individuals have a higher risk of severe illness if they were to contract COVID-19 due to underlying medical conditions. A “high-risk individual” is defined as someone with underlying medical conditions, including, chronic lung disease, asthma, heart conditions, severe obesity, chronic kidney disease, liver disease, or someone who is otherwise immunocompromised. Employees with any of these
factors must notify their agency that they are within the at-risk/high-risk population and may be required to provide additional information to verify their claim.

**Leave for At-Risk/High-Risk Employees.** Employees who are unable to report to work due to being in an at-risk/high-risk population and are unable to telework will receive paid leave in the amount of two-thirds of their regular pay. Employees may use their own accrued leave for the remaining one-third of their regular pay or may use leave without pay for that amount. OPS will be providing additional guidance to HR staff on how this leave will be recorded.

**5 – Employees Who Choose Not to Report to Work.** Even though agencies are taking multiple steps to ensure the safety of employees, some employees may continue to be hesitant to report to work. Again, while every employee has a right to do what they feel is best for their health and safety, any employee who is required to report to work and is not exhibiting symptoms of COVID-19, does not have a household member exhibiting symptoms and is not in an at-risk/high-risk population but chooses to remain away from work will be required to utilize their own accrued leave or may record that time as leave without pay.

*If your agency has an employee(s) that does not fit into one of the aforementioned categories, the Office of Personnel Services within the Department of Administration will be providing additional guidance to HR staff on necessary next steps and information that must be submitted.*