

Vermont-NEA

Covid-19 Advice to “At Risk” Members

Introduction

Vermont-NEA has prepared this guidance for union members “at risk” for COVID-19 due to age and/or medical status, or who have family/household members at risk, and are now weighing whether or how to return safely to in-person learning when schools reopen.

We do not know yet what this next school year will bring. But thinking smartly and patiently about what it means to be at risk personally (or to live with someone who is) is critically important. Everything is in flux – there is uncertainty on all fronts – so do not make any employment decisions hastily that may impact the rest of your life.

And, please, reach out to your local union leaders and UniServ Directors for direct assistance.

We recommend the following course of homework and reflection for employees acting on their own behalf or on behalf of family and household members at risk:

1. Discuss your or your family members’ health issues and work concerns with your doctors, starting with your primary care provider, in light of COVID-19 science and the [health and safety guidelines](#) for reopening schools issued by the state.
2. Speak with your medical providers as well about what **reasonable accommodations** might be made by your employer to keep you and your family members as safe as possible.
 - You have a right to accommodations under the [Americans with Disabilities Act \(ADA\)](#), if you have a qualified disability. The accommodations you request must be “reasonable” and permit you to perform the “essential functions” of your job. Vermont-NEA has prepared an FAQ on these matters, which you can find at www.vtnea.org/adafaq.
 - The Job Accommodation Network may also be a useful tool for you and your doctors - [you can access that site here](#).
3. Be very careful using the forms provided by your school district concerning you or your family’s medical conditions, or your future employment status. Many such forms we have seen are invasive and not ADA compliant.
 - Contact your local union leadership before filling out any school form to determine if the form in question is compliant with state and federal privacy laws.

4. **DO NOT RESIGN, QUIT, or WALK-AWAY** from your job right now.

We understand your anxiety and fear. It is justified. But never act rashly.

If you quit work before getting the right guidance from your union and doctors – *and before knowing precisely what the school year and workplace is actually going to look like when in-person learning recommences* – you will be giving up something of great value that you can't get back.

There is so much we don't know yet about the 2020-21 school year. A decision you make today based on one set of facts may not be appropriate to later in the summer or early fall because the facts have changed, or your personal situation has changed.

For example, if you asked in July for a specific accommodation (working from home) and were denied it on August 15, under law you can ask again on September 5 or 15, or any point after that, when you know more about your school's education plan for in-person, virtual or hybrid learning.

5. Explore all potential leave options (personal, medical/sick, LTD, family, disability, FFCRA, leave of absence, workers' compensation, etc.) before even considering leaving your job.

You and your family should be able to remain free from harm without sacrificing your job security, income, health benefits, and pension; and you should be able to return to work at some point if you carefully consider your options for leave and other reasonable accommodations that fit within your school's re-opening plan.

Conclusion

Once again, always consult with your local leadership or UniServ Director before you act on any decision that will affect your employment and the economic security of your family.

You have been creative and cooperative in this time of national crisis adjusting your work schedule and family arrangements to serve your school community. Your employer needs to be at least as creative and cooperative about protecting your health and interests.