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CORONAVIRUS FREQUENTLY ASKED QUESTIONS:

1. **What resources are available for more information about the coronavirus?**

- a. Executive Order Number 2020-004
- b. Administrative Office of the Courts press release March 11, 2020
- c. The New Mexico Department of Health is the lead agency for the statewide coronavirus response. Department of Health coronavirus hotline: (855)-600-3453. Community members are encouraged to visit <https://cv.nmhealth.org> and follow the NMDOH on [Facebook](#), [Instagram](#), or [Twitter](#) for the latest information.
- d. [Click here for the latest CDC Update](#)
- e. Centers for Disease Control (CDC) and Prevention: <https://www.cdc.gov/coronavirus/index.html>
- f. World Health Organization (WHO): <https://www.who.int/health-topics/coronavirus>

2. The department encourages employees to self-monitor for signs and symptoms of coronavirus. Employees who suspect possible exposure, are sick or experiencing symptoms of coronavirus, must immediately inform the Department of Health, their immediate supervisor, and LOPD-HR. The state Department of Health coronavirus hotline is (855)-600-3453. If you feel like you are at high risk for this infection or have been exposed.

3. **If an employee is ordered by the New Mexico Department of Health (DOH) or the U.S. Centers for Disease Control (CDC) to mandatory isolation related to coronavirus, what leave should be used by an employee during this period?**

Since the employee would be under a mandatory isolation as ordered by either the DOH or the CDC, the employee would be eligible to use their accrued sick leave, compensatory time, annual leave if sick leave has been exhausted, or leave without pay, if all leave has been exhausted for work time missed while on an ordered isolation period, regardless of whether the employee has tested positive for coronavirus. However, if an employee is not ill and is not ordered to remain in isolation by DOH or CDC, or any other health care practitioner, an employee is eligible to use sick leave, but may use annual leave, compensatory leave or leave without pay, subject to the approval of the agency.

4. **Are LOPD employees eligible for paid administrative leave off during an isolation period?**

At this time, additional administrative leave has not been authorized. Employees are able to use the accrued leave, as stated in #2 above.

5. **Are managers and supervisors authorized to send sick employees home?**

As always, if an employee is exhibiting observable symptoms of the coronavirus, managers and supervisors have the authority and obligation to require the employee to leave the workplace. Where practicable, the manager or supervisor should first consult with the district defender, before

sending a sick employee home. Symptoms of coronavirus include fever, cough, or shortness of breath.

6. **Are leave requests under the Family and Medical Leave Act permitted for a qualifying personal illness or to care for sick family members during the response to the coronavirus?**

Yes. Employer obligations under the federal FMLA continue. LOPD does support employees seeking medical assistance for themselves and their families including the approval of FMLA for eligible employees, when appropriate.

7. **If a school or day care center closes in response to coronavirus and employees request leave to be off with their children, may employees use sick leave to stay home with their children?**

Yes, sick leave is authorized for an employee who needs to care for a child when their school or day care has closed in response to coronavirus.

Note: If schools and day care centers are closed in response to coronavirus, employees will not be allowed to bring their children to work.

8. **Does LOPD have the authority to require a medical certification before allowing an employee to return to work due to leave triggered by coronavirus concerns?**

Yes, LOPD has the authority to require medical certification for the employee to return to work. Employees are required to communicate with DOH regarding return to work.

9. **If an individual is under isolation and/or experiencing symptoms consistent with coronavirus, may LOPD permit and/or encourage employees to telework as an option in order to minimize in-person contact between employees at the office (social distancing)?**

If the District Defender determines that the nature of an employee's work responsibilities can be accomplished away from the assigned workplace and if any necessary technological/equipment needs can be satisfied, LOPD may permit and encourage employees to telework as a way to reduce in-person contacts between employees at the regular work location.

10. **Can LOPD require employees to work from home?**

Yes, if an employee is not experiencing symptoms of coronavirus and if the employee has not been asked to self-isolate by either DOH or the CDC, LOPD may require an employee to work from home to ensure critical functions are met.