

MEMORANDUM

TO: Agency Directors

FROM: Marcia Adams, Executive Director

SUBJECT: Executive Order 2020-11 Guidance – State Employees

DATE: March 20, 2020

On March 19, 2020, Governor Henry McMaster issued the attached Executive Order concerning the ongoing State of Emergency related to the 2019 Novel Coronavirus (COVID-19).

Section one of the Executive Order relates to the “Health and Safety of State Employees and Continuity of Essential Government Operations and Emergency Services.” This section requires that all non-essential employees and staff of the State of South Carolina not report to work physically or in-person effective Friday, March 20, 2020, and until further notice.

For the purposes of this Executive Order, essential employees and staff are those identified as such by the Agency Head or their designee. These employees include those that are essential or mission-critical to the State’s ongoing preparation for and response to emergency conditions related to COVID-19 or otherwise necessary to serving the State of South Carolina by ensuring the continuity of critical operations of state government. Essential employee may be defined differently than it has been defined or applied in the context of hazardous weather events.

Only employees whose job functions are essential or mission-critical as described above and who must physically report to work to perform the essential or mission-critical functions of their job should report to work physically or in-person while this Executive Order is in effect. These individuals should be identified by the Agency Head or their designee and notified of this designation. To the extent possible, agencies should make every effort to practice social distancing for employees who must be physically present.

Employees who are not considered essential in relation to this Executive Order should not physically report to work and should be given the option to telecommute or work-from-home to the maximum



extent possible. Admin encourages agencies to be creative in developing work from home assignments and to consider activities outside of the employees' normal day-to-day job functions. Employees may be able to perform duties related to other areas of the agency, take online training, read manuals, document work processes, or forward their office phone to their cell phone to answer agency calls. We understand that technology resources are limited and encourage agencies to consider allowing employees to use their own personal computers or devices if it is secure to do so. Agencies may consider:

- Projects which can be done offsite.
- Tracking of COVID-19 related activities through telephone or email communication with coworkers.
- Administrative tasks which can be performed using personal computing equipment and do not require access to confidential information.
- Low or no-cost e-learning and virtual training opportunities that support the mission of the agency.
- Research of publicly available information. This can include research related to the response to COVID-19 by other similarly situated public entities or information related to the employees' job duties.
- Process documentation, including creation of standard operating procedures, flowcharts, checklist, etc.
- Review of current business processes to identify opportunities for increased effectiveness and efficiency.
- Review of an agency's online resources to identify necessary updates.
- Employees can be asked to contact members of the public to provide status updates or communicate resolutions to inquiries submitted to the agency.

In an effort to assist agencies in identifying work-from-home or telecommuting options, the Division of State Human Resources (DSHR) is asking agencies to share any additional suggestions they have for work that can be done from home by emailing suggestions to Eugenia.Howard@admin.sc.gov. DSHR will maintain a list of work from home ideas and provide the list to agencies.

Agencies who need assistance in identifying work-from-home or telecommuting options for their employees are encouraged to contact their Division of State Human Resources HR Consultant. The Division of State Human Resources will be hosting a conference call today for agency human resource directors to discuss details of the executive order as well as answer any questions agencies may have.

If an employee who has not be designated as essential is unable to work from home or telecommute, they may take sick leave, annual leave, compensatory time and holiday compensatory time for the time they are absent from work. If an employee has exhausted their sick leave, agencies are encouraged to provide 15 days of advanced sick leave as permitted by the State Human Resources Regulations.

Agencies are reminded that while every effort should be made to allow an employee to work-from-home or telecommute, state law prohibits paying state employees for time they do not work or take leave. Therefore, efforts should be made to document, to the extent practical, the work done by employees away from the work site.

This situation is evolving, and agencies should consider that directives may change quickly. Therefore, I again remind agencies to be as flexible as possible in allowing non-essential employees opportunities to work at home.

If you have any questions regarding this executive order, please contact Karen Wingo, Director of the Division of State Human Resources (803-422-8645), your HR Consultant (803-896-5300), or me.