

## Frequently Asked Questions – COVID Healthy Worksite

### Why did the State of Nevada enact a policy around routine COVID testing?

The State of Nevada is committed to making our buildings and worksites as safe as possible for our employees and citizens. Because our employees are the most important part of Nevada State Government, without a healthy workforce, we cannot provide essential services for our residents and visitors to our state.

This policy is designed to ensure physical worksites have the lowest risk possible for spread of COVID. In some cases, many agencies may have staff at a shared building/worksites (ex: Grant Sawyer in Las Vegas), so the policy will focus more on the building rather than a certain agency or program.

### Which staff are included in this policy?

This policy applies to all staff within Nevada's executive branches as well as individuals employed through Nevada's System of Higher Education.

### What is considered unvaccinated for testing purposes?

Nevada follows the Centers for Disease Control and Prevention (CDC) [guidelines](#) on vaccination. If the employee meets the following criteria for being fully vaccinated, they do not need to undergo weekly testing.

- 2 weeks after their second dose in a 2-dose series, such as the Pfizer or Moderna vaccines, or
- 2 weeks after a single-dose vaccine, such as Johnson & Johnson's Janssen vaccine

If the employee does not meet the above status for full vaccination, they must wear a mask when working in buildings and in the community and be tested weekly until they reach fully vaccinated status.

### Does this policy relate to contractors, volunteers, interns?

The current policy is in affect for State employees. However, each agency should do everything possible to ensure the worksite is meeting the intent of the policy and therefore should encourage the policy be adhered to by anyone working onsite.

The State of Nevada is assessing the ability to add language to all contracts requiring compliance with the COVID Healthy Worksite Policy, however, a policy for non-State employees will be effective later than the proposed effective date of this policy in August 2021.

### Will there be efforts to ensure testing sites are established at each of our 24-hour facilities and can accommodate 3 shifts?

Yes. The Department of Health and Human Services (DHHS), in partnership with the Division of Emergency Management (DEM), is working to provide clear guidance and opportunities for both testing and vaccinations onsite or within close proximity to 24-hour work locations.

DHHS and DEM are also working to increase opportunities for testing across Nevada to make the policy implementation easier for all agencies and employees, regardless of their shifts.

### Who will be conducting the testing?

Testing will be conducted by a variety of contractors and staff on behalf of the State. Employees can also access free testing through private pharmacies. A comprehensive list of free testing sites will be provided prior to August 15<sup>th</sup> and updated regularly.

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How will each worksite be assessing the 70% threshold for workplaces and will any resources be provided to divisions to assist with this?

The DHHS Office of Analytics (OoA) is working with the Division of Human Resource Management (DHRM) to develop metrics for each work location using the Nevada immunization registry and the work location on record for each employee. This information will be provided to each agency head, or designee, that may have staff at that work location. Please note: this assessment is not based on agency or budget account but based on the work location noted on the employee's record.

How does this policy apply to staff who telecommute (part-time from a site outside their official duty location) or are "outstationed" (no State office work location)?

As this policy is designed to ensure physical worksites have the lowest risk possible for spread of COVID, those employees who have a work location noted as "outstationed" or field employees, will be exempt. If the agency does not reflect "outstationed" as the work location for staff, they will be counted based on the work location provided by the Human Resources data management systems. However, if the employee regularly interacts with the public or other employees in an indoor setting this policy will apply. These employees are encouraged to utilize testing sites close to their home (a list will be provided) or get fully vaccinated to ensure the risk of COVID-19 is lessened for both the employee and those they interact with while working.

For those employees that work part-time in an office and part-time at another location (ex: their home), which is often referred to as "telecommuting," this policy does apply. They will be counted as part of the worksite metrics. If the employee finds it more convenient to be tested close to their home, a full list of free testing sites can be provided, or they may choose to test at a site closer to their worksite.

Who is responsible for the testing cost (employer or employee), specifically for those State employees working in areas with no State-provided testing options?

There are many free testing options throughout Nevada. Employees are encouraged to utilize free testing locations when possible. The employee would be subject to paying for the test should they choose not to utilize the free testing locations. If there is a specific geographic location where testing is not currently offered for free, an employee should notify their supervisor and testing can be arranged.

Are employees given administrative leave time to get tested (especially if not at an office that has onsite testing)?

No, employees will not be given administrative leave time to get tested. However, there will be testing options throughout the state to make the testing as easy and time sensitive as possible. Employers are encouraged to authorize release time for employees who cannot get tested outside of work hours.

If an employee is late to work due to testing, does this become a "make-up situation" as part of Collective Bargaining Agreements (CBA).

Employees should obtain pre-approval for leave or approval to flex their time from a supervisor, but for situations where that is not possible or being late for work is unavoidable, staff should be allowed to make up the time, as allowed within the applicable CBA.

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The policy notes “weekly” testing. What is the definition of “weekly?”

Weekly, within this policy, means every 7 days regardless of the days or shifts the employee works. This means if an employee tested first on a Tuesday, they would need to get the weekly test each Tuesday thereafter. If they are unable to maintain a weekly testing pattern, they will need to ensure a test is on record within 7 days after the latest test.

What if a person misses a week of testing or the test date falls a day longer (had to test on the 8<sup>th</sup> day after the last test)?

The policy reflects that weekly testing must occur. The testing could occur at a more frequent interval if the employee cannot participate in the weekly test on the specific day noted. For example, the employee tests weekly on Tuesdays, but cannot be available for a specific Tuesday subsequently - that employee would need to ensure they get tested prior to that day (ex: Monday). If the employee exceeds the 7-day testing interval, they may be subject to progressive disciplinary action.

What kind of testing is required – PCR only or will antigen be allowed?

It is recommended that only nucleic acid amplification tests (NAATs)/PCR tests be utilized for this program. If the employee gets an antigen test, the results must be sent for confirmation using a NAATs/PCR which may delay test results. Please note that “over-the-counter” or “at home” tests do not meet the testing requirements of this policy.

How do we implement the policy for new employees?

New employees will need to show proof of full vaccination on their first day at the worksite or will need to be tested prior to the first day onsite. They will need to ensure weekly testing occurs as required until they are considered fully vaccinated if they choose to be vaccinated.

What if I am afraid to get tested?

There are a variety of tools for testing, some are more invasive than others (ex: some swabs go higher in the nose than others). There are also saliva testing options. If there is concern about testing options due to physical or emotional reasons, please reach out to your physician to discuss the right testing mechanism for you.

What if I have personal or religious reasons why I do not want to get vaccinated?

This policy does not require vaccination. Employees who choose not to get vaccinated due to personal or religious reasons must undergo weekly testing consistent with this policy.

What if the employee refuses to adhere to the policy?

The employee will be subject to discipline or corrective action pursuant to NAC 284.650(19).

Are the test results immediate?

There are point-of-care, or “rapid” tests that generally show results in less than 30 minutes. Laboratory-based tests generally show results in 24 to 48 hours. It is the responsibility of the employee to ensure testing within the established 7-day interval. It is understood that reporting may be outside of the employee’s control for the 7-day timeline. The employee will need to furnish the test results upon receipt.

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### Does the employee work while the test results are pending?

Yes, the employee is to work as they are scheduled while awaiting test results. Only upon receipt of a positive test will quarantine be necessary. If an employee, regardless of vaccination status, is exhibiting symptoms reflective of COVID, they should not be working onsite and should access testing services immediately.

### Who do I give my tests results to?

Each agency will have the opportunity to specify who the employee is required to provide the test results to at the work location. The appropriate contact person's name and contact information will be shared with the employee. It is ultimately the responsibility of the agency director/administrator to ensure that this policy is implemented correctly for their department or agency. As long as the employee is asymptomatic, they are allowed to work while waiting for their test results to be received. If the results are not received within 48 hours after the test, the employee should follow up with the provider who completed the test to assess the reason for the delay.

### How should an agency request testing resources or engage if testing locations/times are a challenge for their employees?

If you would like to request testing be offered near your worksite, please email the ESF8 desk at: [esf8desk@health.nv.gov](mailto:esf8desk@health.nv.gov).