

## Frequently Asked Questions Regarding Reasonable Accommodations for Employees Who Are at Higher Risk for COVID-19

### **Question: Who is at Higher Risk?**

**Answer:** According to the Centers for Disease Control and Prevention (CDC), those at high risk for severe illness from COVID-19 include people aged 65 and older and people of all ages with underlying medical conditions, particularly if not well controlled, including: <sup>1</sup>

- People with chronic lung disease or moderate to severe asthma
- People who have serious heart conditions
- People who are immunocompromised
  - Many conditions can cause a person to be immunocompromised, including cancer treatment, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications
- People with severe obesity (body mass index [BMI] of 40 or higher)
- People with diabetes
- People with chronic kidney disease undergoing dialysis
- People with liver disease

The COVID-19 reasonable accommodation (RA) process is meant to support Members of the Service (MOS) that have increased risk of severe illness from COVID-19 while ensuring the NYPD is still operating at full capacity to support our City through this pandemic. Therefore, when assessing an RA request due to COVID-19, it is imperative to adhere to the CDC Guidelines reproduced above.<sup>2</sup> *Note: As the COVID-19 conditions continue to evolve, these guidelines may change.*

### **Question: Are pregnant employees eligible for the COVID-19 RA?**

**Answer:** Yes, the CDC includes pregnant individuals as part of their “Others at Risk” category. The CDC notes that pregnant individuals experience changes in their bodies that may increase their risk of some infections and that with viruses from the same family as COVID-19, and any other viral respiratory infections, such as influenza, women have had a higher risk of developing severe illness. The CDC reports that it is unknown at this time if COVID-19 would cause problems during pregnancy or affect the health of the baby after birth.<sup>3</sup>

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<sup>1</sup> <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html>

<sup>2</sup> As information regarding COVID-19 is constantly subject to change, members can visit the CDC website at [www.cdc.gov](http://www.cdc.gov) for updated information.

<sup>3</sup> <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/pregnancy-breastfeeding.html>

**Question: If I belong to a population who is at high risk, how can I request a COVID-19 RA?**

**Answer:** Members of the service who believe that they meet one or more of the high risk criteria should submit a request to EEOD via email at [EmployeeReasonableAccommodation@nypd.org](mailto:EmployeeReasonableAccommodation@nypd.org). Supporting medical documentation must be included with the request in order to be reviewed.

**Question: Who can approve a COVID-19 RA?**

**Answer:** EEOD

**Question: If I request a COVID-19 RA, do I have to follow the Administrative Guide procedure for requesting an RA?**

**Answer:** No. Submitting a COVID-19 RA by any means other than an email direct from the requesting employee to [EmployeeReasonableAccommodation@nypd.org](mailto:EmployeeReasonableAccommodation@nypd.org) may cause delays.

**Question: What information is required to request a COVID-19 RA?**

**Answer:** Employee must provide the following information to the EEOD when requesting a RA.

- Employee Name
- Tax ID
- Civil Service Title
- Command
- Telephone number where you may be reached
- Rank/Name of Commanding Officer
- Member's Assignment (chart, admin, patrol, etc.)
- Specific Condition (i.e. serious heart condition, condition causing compromised immune system).
- Medical documentation that clearly supports the employee's specific conditions as indicated by the CDC guidelines.

The EEOD may be contacted by emailing [EmployeeReasonableAccommodation@nypd.org](mailto:EmployeeReasonableAccommodation@nypd.org) or calling (646) 610-5330. Email is the preferred method of communication.

**Question: I have a condition that is not specifically mentioned on the CDC website, but I believe that I am part the population who is high risk for serious complications from COVID-19. Am I eligible for the RA?**

**Answer:** If you believe you have an underlying condition which places you at high risk, you may submit a COVID-19 RA request to EEOD, along with supporting medical documentation.

**Question: What may be provided as part of a COVID-19 RA?**

**Answer:** MOS may be provided an accommodation that includes adjusted tours, change in work location or work from home.

**Question: How do I know if my RA was approved?**

**Answer:** You will be contacted by department email (copied to the Commanding Officer provided in your email) and/or at the telephone number you provided with your request if your RA is approved.

**Question: My request for a COVID-19 RA was denied. Should I receive a log number as well?**

**Answer:** Yes. All MOS requesting a RA should receive a log number, regardless of whether it was approved or denied. Members who did not receive a log number should contact EEOD via email at [EmployeeReasonableAccommodation@nypd.org](mailto:EmployeeReasonableAccommodation@nypd.org) for more information.

**Question: Why would a request for a COVID-19 RA be denied?**

**Answer:** Each request is reviewed individually and there are several reasons that a request could be denied, however, the two most common reasons are: 1) it does not satisfy current CDC guidelines for those who are at high-risk or 2) the petitioner did not submit sufficient documentation to verify the condition.

**Question: What is the process if my request for a RA is denied?**

**Answer:** Your bureau liaison will be notified if your request for a RA is denied. An executive assigned to each bureau has been designated as an official liaison to ensure all employees are notified of their RA status. This liaison will contact you (either direct or through the chain of command) to ensure you are notified of your RA status.

**Question: Can I appeal a request for a RA that was denied?**

**Answer:** Yes. You may appeal a denied request for a RA by sending an email to [EmployeeReasonableAccommodation@nypd.org](mailto:EmployeeReasonableAccommodation@nypd.org). Your appeal email must indicate "APPEAL" and your log number in the subject as well as include additional medical documentation to support your claim. Additional documentation will be reviewed by Medical Division personnel, and a final determination will be made. Questions regarding the denial can be directed to the EEOD at (646) 610-5330.

**Question: Is there a time limit on the COVID-19 RA?**

**Answer:** The current situation is fluid and the length of the RA is subject to change based on CDC and Department of Health and Mental Hygiene guidelines, City, State, or federal executive orders or guidance, and the needs of the Department. MOS who have been granted a COVID-19 RA to work from home should be prepared to return to work at any time.

**Question: Can an employee request a COVID-19 RA if they are not at risk but have a family member who is high risk?**

**Answer:** No. This COVID-19 RA policy only applies to MOS with high risk conditions as defined above. However, the NYPD is working with external partners to potentially assist employees who are not at high risk but reside with high risk individuals by providing an accommodation for the MOS to stay in a hotel room. See Finest #37309857.

**Question: Can I elect to come back to work on my own if I am granted a COVID-19 RA?**

**Answer:** MOS can terminate/withdraw their request at any time via email to [EmployeeReasonableAccommodation@nypd.org](mailto:EmployeeReasonableAccommodation@nypd.org). Additionally, employees must notify their commanding officer that they are withdrawing their RA. EEOD must be notified of any employees with a RA returning to work. If the Department has reason to believe that the MOS is not ready to return to work, that MOS may be subject to a fitness for duty evaluation. Once an employee terminates/withdraws their request for a RA, they must re-apply and be re-approved if they choose to rescind their request for termination/withdrawal.

**Question: Does EEOD need to be notified when an employee with a COVID-19 RA returns to work?**

**Answer:** Yes. In addition to the employee notifying EEOD, the Commanding Officer or Bureau liaison should email [EmployeeReasonableAccommodation@nypd.org](mailto:EmployeeReasonableAccommodation@nypd.org) or call EEOD at (646) 610-5330 with the log number and return date for the employee.

**Question: Is documentation required to be granted a COVID-19 RA?**

**Answer:** Yes, for criteria other than age 65 and older, the requesting MOS must provide supporting medical documentation as an attachment to their email request. This documentation should indicate the condition that requires an accommodation and be from a health care professional that includes, but is not limited to, your primary care physician. MOS are reminded that all documentation provided remains confidential.

**Question: What documentation is accepted?**

**Answer:** For the purposes of this COVID-19 RA, supporting medical documentation may include but is not limited to the following: doctor's note, prescription history, copy of prescription(s), medical bands, etc. Documentation should clearly indicate the condition for which the employee is requesting an accommodation.

**Question: Where will supporting documentation be kept?**

**Answer:** Documents will be maintained at EEOD in a confidential file. The supporting documented information will be shared with the Medical Division.

**Question: Is overtime authorized while an employee has a COVID-19 RA?**

**Answer:** No. Overtime is not authorized for MOS who work from home. See Finest #37327907.

**Question: Is off-duty employment and paid detail authorized while an employee has a COVID-19 RA?**

**Answer:** No. employees with a COVID-19 RA are not permitted to participate in off-duty employment or the paid detail program until such request/approval has been withdrawn. See Finest #37327907.

**Question: How will I account for my MOS who are working from home with regard to roll call and timekeeping?**

**Answer:** Documents regarding timekeeping are posted on the Department intranet.

**Question: What if I had vacation scheduled or if I need time off while I have a COVID-19 RA?**

**Answer:** Normal leave procedures still apply during the length of the COVID-19 RA. Leave time must be requested and approved in the same manner as in the workplace.

**Question: Do I still call the Medical Division if I get sick while I have a COVID-19 RA?**

**Answer:** Yes. MOS are required to adhere to P.G. 205-06 "Reporting Sick" and follow the regular process for reporting sick. Note: Civilian Members of the Service must notify the Medical Division according to the guidelines in Finest #37264255 (March 27, 2020).