School Building Reopening and Educator Rights

I am unable or do not feel comfortable returning to school or campus because…

Personal concerns

I have an underlying health condition that puts me at greater risk for infection, serious **illness** if I contract COVID-19.

You may be entitled to work from home as a reasonable accommodation under the ADA or FL Human Rights Act, which will depend on the nature of your work and other factors.

Seek a doctor's note or medical documentation of your condition(s).

Seek local union support in requesting work from home or other accommodations.

Someone in my household has a health condition that puts them at greater risk for infection or serious illness/death if they contract COVID-19

While there is no clear legal right to work from home in these cases, you would be entitled to use paid sick leave and/or FMLA to care for an immediate family member who is sick with COVID-19 or has been advised to quarantine.

Seek local union support to see if arrangements can be made or negotiated

I don't have childcare because my child's daycare or school is completely or partially closed due to COVID-19. **See FFCRA**

Local negotiations may address paid leave or remote work arrangements for employees in these categories.

Expanded unemployment benefits pursuant to the CARES Act. Seek counsel from your local union before resigning your employment.

Workplace concerns

I have one of the following concerns about conditions in my classroom or school building:

- Lack of social distancing or impossible to social distance at planned capacity
- Lack of masks provided to staff and students or district refusal to mandate mask wearing
- Inadequate or non-existent hygiene procedures
- Inadequate or non-existent screening procedure
- Inadequate or non-existent cleaning supplies
- Other deficiencies in building reopening and safety

See CDC Readiness and Planning Tool to Prevent the Spread of COVID-19 in K-12 Schools regarding what is required and what is recommended on each of these topics, which differs depending on whether the building is in an in-person, hybrid, or distance learning model.

My district or building is not following CDC requirements or recommendations.

Document and attempt to discuss concern with building administrator or COVID coordinator, seek clarity on what the building or district policy is, copy local president.

The number of positive COVID-19 cases in my community is too high, but my school district or building is still going forward with in-person or hybrid instruction.

Work with your local to decide on a strategy for influencing the district administration or school board.

Most local statements to the district or the public regarding safety would be protected under FL whistleblower and/or labor law.

If no change, request support from your local union. Possible options:

- Organizing by the local to address concern, including engaging school board and/or parents
- Reporting violations of safety *requirements* to your local union
- Demanding to bargain over safety concerns; Health and Safety are mandatory subjects of bargaining
- Researching additional Covid-19 resources; here.