

1. Why won't the APA agree to pay cuts or reductions in retirement matching? Wouldn't this save jobs?

Concessionary cuts do not save jobs. Layoffs occur when there is no work and agreeing to cuts and concessions does not bring back lost work or prevent layoffs. Your APA must maintain the current level of benefits for those that remain employed because we will never get them back if we give them away. Furthermore, APA bargaining unit members deserve and are entitled to the benefits as set forth in the collective bargaining agreement that they ratified. Additionally, APA members will likely get called back from furloughs and layoffs that occur as a result of the pandemic, and they will want to return to the same salary and benefits that they left, not to a permanently reduced salary and continuously compounded loss of retirement monies.

2. Can I refuse to work due to the pandemic?

In most cases, no, unless it is VERY CLEAR that by working it is likely to cause harm to you or someone else or if the work you are told to do is illegal.

3. What can I do if I have child care issues that make me unavailable to work?

First, the child care issues must be due to COVID-19 related reasons.

Second, the child must be your child or dependent who is not in school in person or is disabled and for whom you cannot find child care.

Third, if the child care issues are related to your child not going to school in person, it must be because in person school is unavailable for your child and not because you made the choice not to send your child to school in person.

Fourth, you will need documentation of the above.

If you met the above criteria, you may be eligible under the FFCRA/CARES Act for two weeks of paid leave followed by up to 10 additional weeks of partially paid FMLA leave.

4. If I have someone at home who is high risk and I am asked to return to work on campus, can I refuse?

Generally, no, but in some cases FMLA or an unpaid leave of absence might be available. You can also consider trying to work out alternate work arrangements with your supervisor. Feel free to consult your APA office for guidance in this regard.

5. What choices do I have if I am high risk for COVID-19 and my supervisor tells me I have to report to campus for work?

First, you should know that you will need medical documentation supporting the fact that you are high-risk in order to take advantage of the first two options below.

1. You can utilize FMLA, if eligible, but it is possible that some or all of your FMLA leave could be unpaid.
 2. Ask for accommodations under the Americans with Disabilities Act (ADA) that will allow you to continue to work but with extra precautions in place. You should be prepared to suggest ways in which you can continue to work without putting yourself at risk; such as, working from home, working in different office space on campus where you are more isolated, etc.
 3. You can request to take an unpaid leave of absence.
- The biggest difference between FMLA & ADA is that you will continue to work if you use the protections of ADA, but with FMLA, you will not work.
 - You may be able to utilize FFCRA/CARES Act leave to get paid for two weeks while you are not working. Those two weeks do not come out of your leave bank.
 - Please note that once you submit to your employer that you are unable to work (or at least unable to work on campus) due to your high risk status, you may not be able to return to work (or return to work on campus) until your doctor actually clears you. This may not coincide with when you, yourself, decide you want to return to work.