



# School Building Reopening and Educator Rights

## Personal concerns

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

## Workplace concerns

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

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

If possible, seek a doctor's note or medical documentation of your condition(s).

Seek local or UEA 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 FFCRA 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.

Locals may be able to negotiate flexible work arrangements for employees in this situation.

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

You may qualify for partially funded FFCRA FMLA. Seek counsel from Local UniServ Director or UEA before resigning your employment.

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

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 student hygiene procedures
- Inadequate or non-existent screening procedures
- Inadequate or non-existent cleaning supplies
- Other deficiencies in building reopening and safety

See [Utah Phased Guidelines and USBE Requirements and Recommendations on School Opening](#) 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 Utah Department of Health 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 and UniServ Director.

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 building or district's decision-making.

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

Locals should seek legal counsel from UEA before engaging in any type of coordinated work stoppage.

**If no change, request support from local UniServ Director or UEA. Possible options:**

- Organizing by the local to address concern, including engaging school board and/or parents
- Report violations of safety *requirements* to USBE, State and local Health Dept, and/or Utah Labor Commission
- Refusal to report to a building if situation poses a serious threat of infection. Be available to work.
- UEA legal will provide representation to members and locals in accordance with legal services policy, but success in a disciplinary proceeding will depend on facts of each case.