



Unified Court System

OFFICE OF COURT ADMINISTRATION


JOHN W. MCCONNELL, ESQ.
EXECUTIVE DIRECTOR

CAROLYN J. GRIMALDI, ESQ.
DIRECTOR, DIVISION OF HUMAN RESOURCES

NANCY J. BARRY, ESQ.
CHIEF OF OPERATIONS

MEMORANDUM

To: All Judicial and Nonjudicial Personnel

From: Carolyn Grimaldi, Esq., Director of Human Resources 

Date: March 30, 2021

Subject: Updated Guidance Regarding Quarantine Requirements for Individuals Exposed to COVID-19, UCS COVID-19 Daily Self-Assessment and Leave for Quarantine Form

This Memorandum provides:

- I. Updated information regarding exemptions to the quarantine requirements for individuals exposed to COVID-19.
- II. Updated UCS COVID-19 Daily Self-Assessment & Instructions for Completion.
- III. Leave for Quarantine Form.

Unless otherwise stated, the below shall be effective April 1, 2021 (and shall supersede the information set forth in Sections VII and VIII in our March 17, 2021 Memorandum).

I. **Exemptions to Quarantine Following an Exposure to COVID-19¹**

If you do not meet all of the criteria in either (1) or (2) below, you are still subject to the quarantine requirements that apply to individuals that have had close contact with a confirmed or suspected case of COVID-19.²

1. ***If you are fully vaccinated and you do not have any COVID-19 symptoms***, you are not required to quarantine following an exposure to someone with COVID-19. The date on which you are considered fully vaccinated is 2 weeks from receipt of your second dose for 2-dose vaccines, or 2 weeks from receipt of one dose for single-dose vaccines.

A copy of your vaccination card showing your name and the date(s) the vaccine was administered is sufficient to demonstrate that you are exempt from the quarantine requirements following an exposure to COVID-19, i.e. that you do not pose a risk to the health and safety of others and may safely report/return to work.

2. ***If you tested positive for COVID-19 within the last 3 months, have since recovered and you do not have any COVID-19 symptoms***, you are not required to quarantine following an exposure to someone with COVID-19.

¹ See *Interim Public Health Recommendations for Fully Vaccinated People* issued by the CDC on March 8, 2021. <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html>. Questions about whether you meet the criteria for one of the exemptions to the quarantine requirement should be directed to your health care provider.

² See *Public Health Guidance for Community-Related Exposure* issued by the CDC on March 1, 2021. <https://www.cdc.gov/coronavirus/2019-ncov/php/public-health-recommendations.html>

Documentation from a health care provider that either confirms you are exempt from quarantine on this basis or that you do not pose a risk to the health and safety of others will be required to confirm that you may safely report/return to work.

The Court System uses a 14-day period solely as a measurement tool for assessing if individuals may be at risk of infection following close contact with someone that has COVID-19. However, the Court System is neither a public health authority nor a health care provider and therefore, it does not issue quarantine orders or otherwise direct employees to quarantine. Rather, consistent with our existing “Coronavirus – Courthouse Procedures” (since March 2020), whether you are required to quarantine, the specific duration of any such quarantine and/or when it is safe for you to return to work following an exposure to COVID-19 is something that must be determined by a health care provider.³

Accordingly, if you have been in close contact with someone that has COVID-19 and you do not meet the criteria for one of the two quarantine exemptions set forth above, you should not report or return to work until you have consulted with a health care provider regarding the safety precautions you should take based upon the particular facts and circumstances of the exposure, e.g. when you were exposed, how long after the exposure you were notified, whether the person you were exposed to is/was symptomatic (and/or when they tested positive), etc.

UCS personnel that meet the criteria for one of the two quarantine exemptions explained above are not considered to be a “COVID risk” based upon exposure to someone with COVID-19. Therefore, such personnel are not required to leave work upon notice of a COVID-19 exposure from the Court System or otherwise, or to remain home/not report to work following an exposure to COVID-19 so long as they provide proof of their quarantine exemption, as set forth in (1) or (2) above.

All other UCS personnel that receive notice of a COVID-19 exposure from the Court System or otherwise, shall leave work/not report to work until such time as they provide documentation from a health care provider substantiating that they do not pose a risk to the health and safety of others to their local HR Administrator and have been authorized to return to work pursuant to same.

NOTE: Proof of a negative test following exposure to COVID-19 is not sufficient to permit you to report/return to work. Proof of a negative test (alone) is only sufficient to permit you to report/return to work where you are experiencing COVID-19 symptoms or to confirm that you’ve tested-out of quarantine following international travel.

II. **UCS COVID-19 Daily Self-Assessment**

Effective April 1, 2021, the UCS COVID-19 Daily Self-Assessment will be updated to reflect the above changes to the quarantine requirements following an exposure, the changes to the Travel Advisory set forth in the March 17th Memorandum, as well as other modifications pertinent to assessing whether your presence at work poses a (potential) risk to the health and safety of others.

Attached is a *sample* of the updated UCS COVID-19 Daily Self-Assessment & Instructions for Completion. (See Exhibit 1).

³ See March 30, 2021 Memorandum from John W. McConnell and Nancy Barry Re: “Coronavirus - Updated Safety and Operational Protocols.”

III. **Leave for Quarantine**

The leave benefits previously available under the Families First Coronavirus Response Act (“FFCRA”) expired on December 31, 2020. However, nonjudicial personnel continue to be eligible for paid leave, i.e. *Leave for Quarantine*, to cover absences attributable to the following COVID-19 qualifying events:

- (i) You are experiencing COVID-19 symptoms and seeking a diagnosis from a health care provider; or
- (ii) You are currently infected with COVID-19, i.e. have tested positive, and have been directed by a health care provider or public health official to isolate and/or quarantine to prevent infecting others; or
- (iii) You have been directed by a health care provider or public health official to quarantine and/or isolate out of concern that you may be infected with COVID-19.

Attached is a copy of the form that must be submitted to the Division of Human Resources in order to request *Leave for Quarantine*. (See Exhibit 2) Documentation to substantiate that absences are/were attributable to one of the above three qualifying events will be required for such leave to be approved.

NOTE: Nonjudicial personnel that have recovered from a previous COVID-19 infection but continue to test positive for the virus thereafter will only be eligible for *Leave for Quarantine* to cover absences attributable to such ongoing positive test results where they have been directed by a health care provider or public health official to continue isolation and/or quarantine during such period, i.e. where it has been determined that the individual continues to present a risk to the health and safety of others.

Questions regarding this leave benefit should be referred to the Division of Human Resources at:

HR-FFCRA@nycourts.gov

EXHIBIT 1

(UCS COVID-19 Daily Self-Assessment & Instructions for Completion)

UCS COVID-19 DAILY SELF-ASSESSMENT

Effective April 1, 2021

Instructions for Completion:

Travel Quarantine

Effective April 1, 2021, there is no longer a quarantine required following return from travel in any U.S. state or territory, i.e. there is no quarantine required following travel from any of the 50 states, the District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico or the U.S. Virgin Islands. Accordingly, the inquiry regarding travel now pertains only to international travel, i.e. travel to any location that is not a U.S. state or territory.¹ The quarantine period has also been reduced from 14 to 10-days.

Q: Have you traveled outside of the U.S. (to any place other than a U.S. state or territory) in the last 10 days?

A: Answer “NO” if you have traveled outside the U.S. in the last 10 days but you quarantined for 7 days upon your return and have since been approved by the Court System to return to work based upon testing-out of quarantine early.

Quarantine following Close Contact to Someone who has COVID-19

Given the exemptions to quarantine for fully vaccinated individuals and those who have recovered from a COVID-19 infection within the last 3 months, the inquiry regarding close contact with someone that has COVID-19 and whether you have tested positive in the last 14 days will be separated as follows:

Q: Have you had close contact with anyone who has tested positive for COVID-19 in the last 14 days?

A: Answer “NO” if you are either: (i) fully vaccinated and have no COVID-19 symptoms; **or** (ii) have recovered from a prior COVID-19 infection within the last 3 months and have no COVID-19 symptoms.

OR

Answer “NO” if you have been in close contact with COVID-19 in the last 14 days but you have since been cleared by the Court System to return to work pursuant to documentation from your health care provider that you are not a risk to the health and/or safety of others.

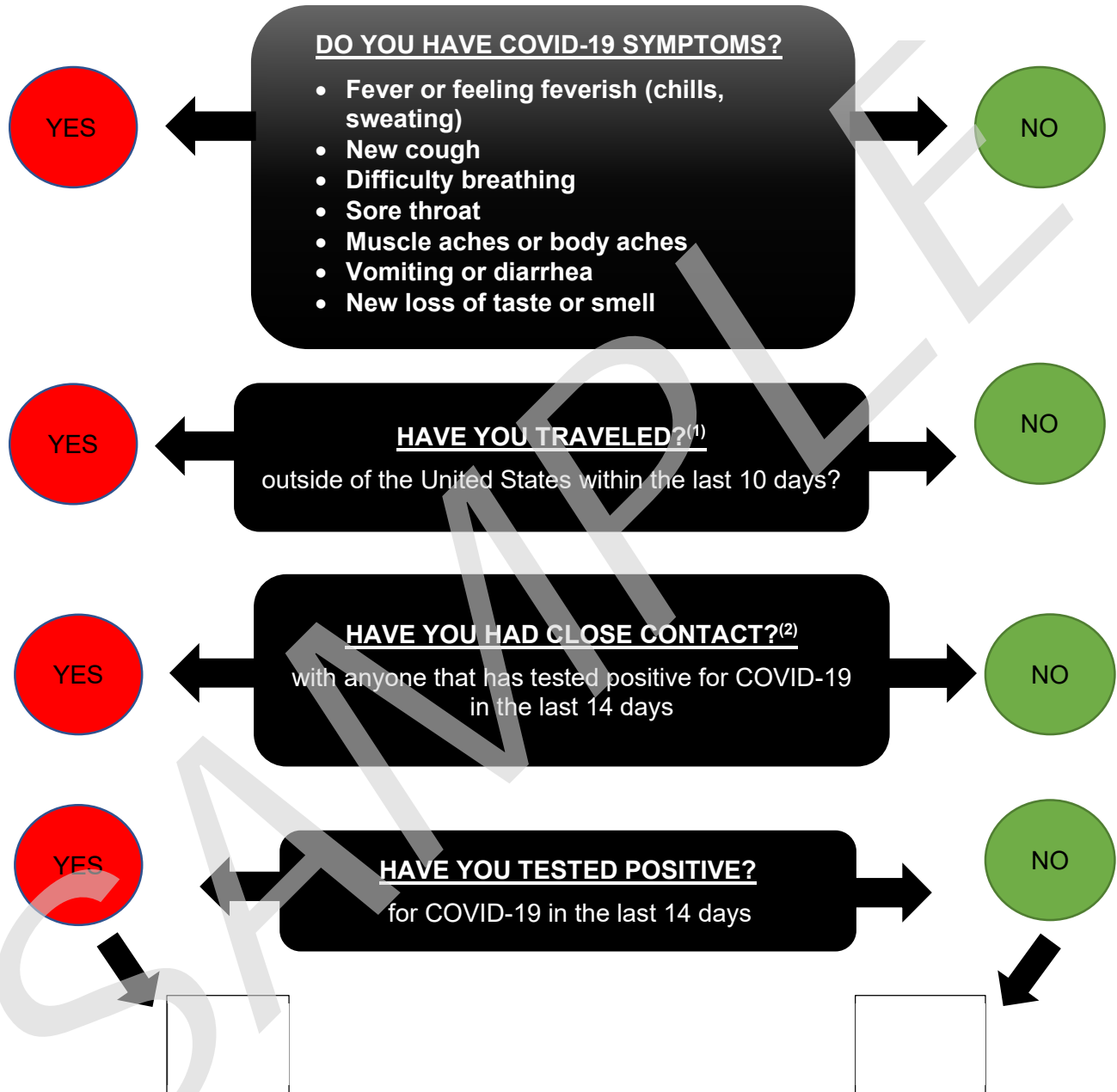
Q: Have you tested positive for COVID-19 in the last 14 days?

A: Answer “NO” if you have tested positive for COVID-19 in the last 14 days but have since been cleared by the Court System to return to work pursuant to documentation from your health care provider that you are not a risk to the health and/or safety of others.

¹ Note, however, that UCS personnel residing in Canada may cross the Canadian/U.S. border (by land) for the sole purpose of reporting to work/returning home without being subject to a quarantine. Accordingly, UCS personnel whose travel outside the U.S. meets these criteria are not considered to be a “COVID risk” and therefore, should answer “NO” to the question: “Have you traveled outside of the U.S. (to any place other than a U.S. state or territory) in the last 10 days?”

UCS COVID-19 DAILY SELF-ASSESSMENT

IF YOU HAVE QUESTIONS ABOUT COMPLETING THIS SELF-ASSESSMENT,
CONTACT YOUR HR ADMINISTRATOR



IF ANY "YES", CHECK HERE

YOU ARE IN A COVID RISK CATEGORY

**YOU MUST LEAVE WORK IMMEDIATELY
AND NOTIFY YOUR SUPERVISOR
UPON SUBMITTING THIS FORM**

IF ALL "NO", CHECK HERE

YOUR ASSESSMENT IS SATISFACTORY

STAY SAFE -- REMEMBER TO WEAR YOUR PPE!!

(1) Outside of the U.S. means: to any other location besides one of the 50 U.S. states, the District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico or the U.S. Virgin Islands.

(2) "Close contact" is defined by the CDC as being within 6 feet of an infected person for at least 15 minutes starting from 2 days before that person first exhibited COVID-19 symptoms (or, for asymptomatic individuals, 2 days prior to being tested for COVID-19).

<https://www.cdc.gov/coronavirus/2019-ncov/php/contact-tracing/contact-tracing-plan/appendix.html#contact>

EXHIBIT 2

(Leave for Quarantine Form)

Leave for Quarantine Form

To request Leave for Quarantine for one of the COVID-19 qualifying events listed below, please complete this Form and submit it to the Office of Court Administration, Division of Human Resources (OCA-HR), along with such supporting documentation, as indicated or otherwise appropriate, *via* email to:

HR-FFCRA@nycourts.gov

or *via* fax: 212-428-2513

(Please Print)

Name (Last, First): _____ Employee ID: _____

Title: _____ Work Location: _____

Primary Phone: (_____) _____ Primary Email: _____

I am unable to work (including telework) due to one of the conditions/events described below.

I am unable to physically report to work due to one of the conditions/events described below but physically capable of performing duties remotely (i.e. telework) and have requested authorization from my supervisor to do so.

**I AM REQUESTING LEAVE FOR QUARANTINE FROM _____ THROUGH _____
BECAUSE:**

I am experiencing COVID-19 symptoms and seeking a medical diagnosis. (**Attach a copy of documentation from a health care provider**)

I tested positive for COVID-19 and have been directed to isolate and/or quarantine to prevent infecting others. (**Attach a copy of the test result along with documentation from a health care provider explaining what safety precautions you are required to take**)

I have been directed by a health care provider or public health official to isolate and/or quarantine due to concerns that I may be infected with COVID-19. (**Attach a copy of documentation from the health care provider or quarantine order**)

I attest that the above information is accurate and complete to the best of my knowledge. I understand that the granting of leave does not extend my employment beyond a period where it would otherwise terminate by operation of law, rule or regulation. I also understand that it is my responsibility to stay in contact with and to be responsive to my local HR Administrator during my leave and regarding my return to work.

Employee Signature: _____ Date: _____

DIVISION OF HUMAN RESOURCES USE ONLY

This request is: Granted as requested Granted as modified below Denied

By Director of Human Resources or designee (print name/title): _____

Signature _____ Date: _____

cc: Employee OCA Payroll
Local HR Administrator OCA Time Management