



# 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: July 7, 2020

Subject: Mandatory Quarantine for Certain Out-of-State Travel

As you are aware, the Governor recently signed an Executive Order instituting an incoming travel advisory for all individuals traveling from states with significant community spread of COVID-19. The metrics established by the NYS Department of Health (NYS DOH) for identifying those states subject to the travel advisory (restricted states) require that the state have a positive test rate higher than 10 per 100,000 residents over a 7-day rolling average or a 10% or higher positivity rate over a 7-day rolling average.

The travel advisory requires that any individual entering New York state from a restricted state, quarantine for 14 days from the last date the individual was present in the restricted state.<sup>1</sup> As of the date of this Memorandum, the NYS DOH has identified 19 states that are subject to the travel advisory and mandatory quarantine upon return:

- |               |                    |
|---------------|--------------------|
| 1. Alabama    | 11. Louisiana      |
| 2. Arkansas   | 12. Mississippi    |
| 3. Arizona    | 13. Nevada         |
| 4. California | 14. North Carolina |
| 5. Delaware   | 15. Oklahoma       |
| 6. Florida    | 16. South Carolina |
| 7. Georgia    | 17. Tennessee      |
| 8. Iowa       | 18. Texas          |
| 9. Idaho      | 19. Utah           |
| 10. Kansas    |                    |

The list of restricted states is maintained by the NYS DOH and can be found at the following link <https://coronavirus.health.ny.gov/covid-19-travel-advisory> (under the “Restricted States” tab). As the NYS DOH has the most accurate and up to date information about the travel advisory, including but not limited to the specific states that are subject to it at any given time, we encourage you to visit this site frequently and caution against reliance on information obtained from other sources.

<sup>1</sup> The requirements of the travel advisory do not apply where the individual is merely passing through restricted states for a limited duration (*i.e.*, less than 24 hours) in the course of their travel. Examples of such brief passage include but are not limited to: stopping at rest stops in the course of travel by vehicle, bus, and/or train; or lay-overs in such locations in the course of travel by air, bus or train (presuming social distancing protocols have been followed in transit).

In addition, please be reminded that a mandatory quarantine order issued by the Centers for Disease Control and Prevention (CDC) continues to be in effect for anyone traveling to the United States from any country.<sup>2</sup> Similar to the requirements of the state travel advisory, the CDC requires that any individual arriving to the U.S. from any country, quarantine for 14 days upon arrival/return to the U.S.

**Considering the significant health and safety risks posed by the further spread of COVID-19 (especially when the safety precautions deemed appropriate and necessary by public health officials are not followed), you are personally responsible for complying with these mandatory quarantine orders.**

**Mandatory quarantine means that you must:**

- **Stay home** for 14 days from the date you returned from the restricted state or international travel.
- **Not report** to work.
- **Avoid close contact** with others (e.g. do not take public transportation, taxis, or ride-shares).
- **Practice social distancing** and ensure appropriate face covering for nose and mouth if you must leave quarantine (e.g. to obtain necessities such as food, cleaning supplies, prescriptions/medicines, medical advice/testing, etc.).
- **Monitor for symptoms** of COVID, (e.g. take temperature twice per day to check for fever – 100.0 or above - and watch for other symptoms like cough, trouble breathing, etc.).

**UNDER NO CIRCUMSTANCES SHOULD YOU REPORT TO WORK WHILE YOU ARE SUBJECT TO A MANDATORY QUARANTINE**

If you have traveled recently and have any questions about whether you are subject to a mandatory quarantine, do not report to work -- consult with your supervisor or local HR Administrator to confirm that your return to work will not jeopardize the health or safety of others.

**Restriction on Paid Leave – Commencing Travel to Locations Subject to Mandatory Quarantine**

For your own health and safety, we encourage you to rethink any preplanned travel to a state that's since been restricted (or that may become restricted in advance of your travel date). If you commence travel to any restricted state or internationally, you will not be entitled to paid leave for the quarantine period required upon your return to New York (regardless of when travel may have been booked, planned, etc.). However, if canceling, postponing or otherwise modifying your trip is not an option and you must nevertheless proceed with travel to a restricted state, please be advised that the period of quarantine required upon your return to New York will not be covered by paid leave.

Rather:

- If it is determined that operational needs can be met through telecommuting, you will be directed to work from home during the mandatory quarantine period and receive your regular pay as if you were reporting to work. *In such case, your timecard will reflect Excused Leave (Quarantine);* or

---

<sup>2</sup> See <https://www.cdc.gov/coronavirus/2019-ncov/travelers/after-travel-precautions.html>

- If it is determined that operational needs cannot be met through telecommuting, you will be required to charge Annual Leave or Compensatory Time accruals (as applicable). If you do not have sufficient Annual Leave or Compensatory Time accruals available to cover the period of absence for which you are subject to the mandatory quarantine order, you will be provided with unpaid leave. *In such case, your timecard will reflect charges to the appropriate accruals or lost time, as may be applicable.*

This restriction on paid leave only applies to individuals that undertake travel internationally or to a state that has been identified as restricted before the individual commenced the travel. Individuals traveling to/from a state that is identified as “restricted” after their travel already commenced will be entitled to paid leave without charge to accruals for the mandatory quarantine period (where telecommuting is not available). *In such case, your timecard will reflect Excused Leave (Quarantine).*

#### Notice of Travel to Restricted States or Internationally

Given the risks to the health and safety of your colleagues and court users, as well as the operational implications resulting from an unanticipated (and extended) absence from work, you are required to notify your supervisor and/or local HR Administrator of any travel to/from a restricted state or internationally. Wherever possible, such notice should be made before commencing travel to the restricted location (e.g. when requesting Annual Leave, when preplanned travel is to a state now identified as restricted, etc.) so that operational needs can be considered and addressed as early as possible.

However, in no event should you return to work following travel to any restricted state or internationally without providing notice to your supervisor and/or local HR Administrator that you’ve returned from such a location and confirming that you’ve taken the necessary safety precautions to permit your return without jeopardizing the health and safety of others.

The failure to provide notice of travel requiring that you quarantine upon return or reporting to work when otherwise subject to a mandatory quarantine order unnecessarily jeopardizes the health and safety of others and therefore, may result in appropriate administrative action pursuant to the collective bargaining agreements and/or Rules of the Chief Judge.

#### Returning to Work Following Mandatory Quarantine Due to Travel

In order to ensure your safe return to work following a mandatory quarantine due to travel, you must notify your supervisor and/or local HR Administrator immediately should you develop any symptoms of COVID during this 14-day period.

- If you do not develop any COVID symptoms during the 14-day quarantine period, you are generally able to return to work on the next regular workday following such 14-day period. However, you must consult with your supervisor and/or local HR Administrator in advance of returning to ensure that all necessary precautions have been taken to allow you to return safely – in other words, do not just show up at work following the 14-day period without confirming your return with your supervisor or local HR Administrator. NOTE: because the incubation period for the virus (i.e. the time from exposure to development of symptoms) can be as long 14 days, you must remain out of work for the entire quarantine period even if you obtain a negative result on a COVID diagnostic test<sup>3</sup> before the 14 days.

---

<sup>3</sup> Testing for the presence of the virus, as opposed to the presence of antibodies, i.e. serological test.

- If you develop any COVID symptoms during the 14-day quarantine period, your return to work will be dictated by the specific facts/circumstances. However, in general, you must remain out of work for at least 10 days from the initial onset of any COVID symptom(s) and you may be required to provide documentation to substantiate that you are fit to return to work and that such return does not jeopardize the health and safety of others as set forth in the collective bargaining agreements and Rules of the Chief Judge. Your local HR Administrator will provide you with the appropriate return-to-work guidance based on your specific situation.<sup>4</sup>

#### When Others in Your Household are Subject to Mandatory Quarantine Due to Travel

If you reside in the same household with someone that has returned from travel in a restricted state or internationally, i.e. the household member is required to quarantine for 14 days, you are not subject to a mandatory quarantine order and therefore, not entitled to paid leave, without charge to accruals. Rather, you should ensure that you carefully review and follow the guidance of public health authorities with regard to quarantine of members in the same household.<sup>5</sup>

However, should you or someone in your household develop symptoms of COVID, or otherwise test positive for the virus, you must not report to work – notify your supervisor and/or local HR Administrator immediately to ensure the appropriate precautions to ensure your health and safety, and that of your colleagues, are taken prior to returning to work.

Questions regarding this Memorandum should be directed to your local HR Administrator.

*HR Administrators that have questions or require any guidance with regard implementing the provisions of this Memorandum in their District, Court or Office should contact the Labor Relations Office at 212-428-2585 or the Division of Human Resources at 212-428-2515.*

---

<sup>4</sup> CDC guidance about when it's safe to end home isolation can be found at <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/end-home-isolation.html>

<sup>5</sup> Guidance from the NYS DOH on precautionary quarantine requirements can be found at <https://coronavirus.health.ny.gov/covid-19-travel-advisory> (“Quarantine Requirements” tab). CDC guidance on how to safely quarantine can be found at <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/care-for-someone.html>.