



Unified Court System

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MEMORANDUM

To: All Judicial and Nonjudicial Personnel

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

Date: March 17, 2021

Subject: Updated Guidance Regarding Travel Restrictions & Quarantine Requirements for Individuals Exposed to COVID-19

This Memorandum provides updated information concerning domestic and international travel restrictions, as set forth in the *Interim Guidance for Quarantine Restrictions on Travelers Arriving in New York State Following Out of State Travel*, issued by the New York State Department of Health on March 10, 2021 (and replaces our November 20th Memorandum).¹

Unless otherwise specified, the below policy/procedures shall be effective as of the date of this Memorandum and the November 20th Memorandum shall be of no further force or effect.

This Memorandum also provides updated information regarding quarantine requirements for individuals exposed to COVID-19.

THIS MEMORANDUM PROVIDES GUIDANCE FOR OUR JUDICIAL AND NONJUDICIAL PERSONNEL ONLY. WE WILL BE ISSUING UPDATED "CORONAVIRUS--COURTHOUSE PROCEDURES" SHORTLY, WHICH WILL PROVIDE GUIDANCE ON HOW THE CHANGES SET FORTH HEREIN ARE TO BE APPLIED TO OUR COURT USERS AND MEMBERS OF THE PUBLIC.

TOPICS COVERED:

- I. New York State Travel Advisory
 - a. Domestic Travel (Quarantine Requirements, Exemptions and Testing-Out)
 - b. International Travel (Quarantine Requirements and Testing-Out)
- II. Returning to Work Following Travel
- III. Exemption to Travel Advisory for Essential Workers
- IV. Restriction on Paid Leave & Telecommuting during Quarantine Resulting from Travel
- V. Notice of Travel to Restricted Locations
- VI. When Others in Your Household are Subject to Mandatory Quarantine Due to Travel
- VII. Quarantine Requirements for Individuals Exposed to COVID-19
- VIII. UCS COVID-19 Daily Self-Assessment
- IX. Safety Precautions Regardless of Quarantine Status
- X. Additional COVID-19 Resources

¹ https://coronavirus.health.ny.gov/system/files/documents/2021/03/update-interim-travel-advisory-march-10-2021_0.pdf

I. NEW YORK STATE TRAVEL ADVISORY

The New York State travel advisory (“Travel Advisory”) covers individuals traveling to New York from any U.S. state or territory that is not contiguous to New York, i.e. domestic travel, or from any other country, i.e. international travel.²

a. DOMESTIC TRAVEL

*****EFFECTIVE APRIL 1, 2021*****

QUARANTINE UPON RETURN FROM DOMESTIC TRAVEL IS NO LONGER REQUIRED

However, from March 10th through March 31st, the Travel Advisory remains in effect for travel from a “restricted state”, i.e. any U.S. state or territory besides NJ, CT, MA, PA and VT, as set forth below.³

Travel in a Restricted State for Durations of Less than 24 Hours

Individuals arriving in New York following travel in a restricted state of less than 24 hours are not required to quarantine. However, individuals falling into this category are required to undergo a COVID diagnostic test on the 4th day that they are in New York (i.e. the date of arrival in New York is counted as day 1).

Travel in a Restricted State for Durations of 24 Hours or More

Any individual arriving in New York following travel in a restricted state of 24 hours or more, must quarantine⁴ for 10 days upon arrival in New York *unless* otherwise exempt from the quarantine requirement or the individual “tests out” of quarantine earlier, as explained below.

Exemptions to Quarantine Following Travel in a Restricted State⁵

(1) Vaccination Status

If you have been vaccinated against COVID-19, you do not need to quarantine following travel from a restricted state during the 3 months following vaccination if you:

1. ***Are fully vaccinated***, i.e. 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; **and**
2. ***Have no COVID-19 symptoms currently*** (and have not experienced any COVID-19 symptoms since your fully vaccinated date); **and**
3. ***Are within 3 months*** of your fully vaccinated date.

² <https://coronavirus.health.ny.gov/covid-19-travel-advisory>

³ While individuals residing in NJ, MA, PA, CT or VT are not subject to New York State’s travel advisory, Court System personnel residing in these states remain subject to the provisions of this Memorandum in the same manner as Court System personnel residing in New York.

⁴ Quarantine means that you must: Stay home for 10 days from the date you returned from the restricted state (unless you “test out” earlier); Not report to work; Avoid close contact with others; Practice social distancing and ensure appropriate face covering for nose and mouth if you must leave quarantine for necessities such as food, cleaning supplies, prescriptions/medicines, medical advice/testing, etc., and 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.).

⁵ You are individually responsible for determining whether you meet the criteria for one of the two exemptions from the quarantine requirement. The Court System does not make determinations about exemption eligibility. Questions about whether you meet the criteria for an exemption to the quarantine requirement should be directed to your health care provider.

(2) Recovery from Prior COVID-19 Infection

If you were previously diagnosed with laboratory confirmed COVID-19 and have since recovered, you do not need to quarantine following travel in a restricted state if you:

1. *Have no COVID-19 symptoms currently; and*
2. *Are within 3 months* from your initial onset of COVID-19 symptoms (if you were symptomatic), or
Are within 3 months of your first positive test (if you were asymptomatic).

Testing-Out of Quarantine Following Travel in a Restricted State

If you are returning from travel in a restricted state and subject to a quarantine, you may test-out early by undergoing two separate COVID-19 diagnostic tests at set intervals (and receiving negative results on both):

- The first test must be *administered* within 3 days prior to your arrival in New York; and
- The second test must be *administered* no earlier than the 4th day from your return to New York.⁶

You must remain in quarantine from the date you return to New York until receipt of the second negative test result, or for 10 days, whichever comes first.

For purposes of this Memorandum, a COVID diagnostic test is a viral antigen or molecular test, e.g. **PCR and Antigen tests (including those administered on a “rapid” basis) are sufficient for purposes of testing out of quarantine.** Antibody tests are not acceptable.

b. INTERNATIONAL TRAVEL

International travel is travel in any country outside of the U.S.⁷

Mandatory Quarantine Following Return from International Travel

All individuals arriving in the U.S. from another country must quarantine for 10 days or, for 7 days upon proof of a negative diagnostic test administered on the 3rd, 4th or 5th day from arrival in the U.S. This applies regardless of an individual’s vaccination status or recovery from a previous COVID infection.

In other words, ***if you return from travel in any other country, you will be required to quarantine*** (whether for 7 days with proof of the requisite negative test or the full 10 days with no test) ***regardless of your vaccination status.***

⁶ “Administered” means the date the test was actually conducted of the individual, i.e. the date the health care provider collected the sample from the individual to be tested. This is not necessarily the same date that the results of the test are received -- what matters for purposes of the Travel Advisory is the date the test was conducted, not the date the results were received. A 3-day timeframe is now used [i.e. previously 72 hours before return] to provide more flexibility with regard to the timing of travel and requisite testing for the test to be considered valid. By using a 3-day window, test validity does not depend on the precise time of arrival in New York or the time of day that the test was administered. For example, if your flight is scheduled to leave Florida at 1:00 pm on a Friday, proof of a negative test that was taken at any time between the preceding Tuesday and the date of your departure is sufficient for meeting the 1st negative test requirement.

⁷ Where the international travel is by air, the CDC requires certain documentation of COVID-19 status prior to boarding. See <https://www.cdc.gov/coronavirus/2019-ncov/travelers/testing-international-air-travelers.html>

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

II. Returning to Work Following Travel

In order to ensure your safe return to work following travel from a restricted state or another country, you must notify your supervisor and/or local HR Administrator immediately should you develop any symptoms of COVID during the requisite quarantine period.

If you believe that you are exempt from quarantine following travel in a restricted state based upon fully vaccinated status or recovery from a prior COVID-19 diagnosis, you will be required to submit documentation from a health care provider substantiating same. To ensure that your return to work is not unduly delayed following return from such travel, it is recommended that you provide this documentation in advance of your travel.

- If you do not develop any COVID symptoms during the quarantine period, you are generally able to return to work on the next regular workday following such 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 the day after your quarantine period ends without confirming with your local HR Administrator that you are authorized to return to work
- If you develop any COVID symptoms during the 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, as set forth in the collective bargaining agreements and/or Rules of the Chief Judge, to substantiate that you are fit to return to work and that such return does not jeopardize the health and safety of others. Your local HR Administrator will provide you with the appropriate return-to-work requirements based on your specific situation.⁸
- If you test-out of quarantine early, following domestic travel you will need to provide documentation of two negative COVID tests (either PCR or Antigen), conducted at the requisite intervals before and after returning to New York, to your supervisor and/or local HR Administrator before you can be authorized to return to work.

For international travel, you will need to provide documentation of one negative COVID test (either PCR or Antigen), conducted between the 3rd and 5th day from your return to the U.S.

In no event may you report to work until the necessary documentation substantiating that you've tested out of quarantine has been submitted to your local HR Administrator and you have been notified that you are authorized to return to work.

III. Exemption to Travel Advisory for Essential Workers

The CDC, NYS DOH and the Governor continue to strongly discourage all non-essential travel. Moreover, non-essential work-related/business travel continues to be prohibited under Court System policy.

⁸ 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>

Accordingly, please be advised that any exemption to the Travel Advisory for “essential workers” is not applicable to judicial or nonjudicial Court System personnel, unless they have undertaken such travel at the direction of the Court System for an essential, work-related purpose. While the Court System is considered an essential service in New York and therefore, not subject to closure during the pandemic, this does not mean that Court System personnel are exempt from the Travel Advisory.

Note: Judicial or nonjudicial personnel that elect to check the “essential worker” box on the Traveler Health Form⁹ (generating a confirmation notice of same from the NYS DOH) will nonetheless be required to remain out of work for 10 days **unless** they submit proof of having tested-out earlier or proof that they are exempt from the quarantine requirement based upon fully vaccinated status or recovery from a prior COVID-19 infection.

IV. Restriction on Paid Leave & Telecommuting

For your own health and safety, we continue to discourage travel to restricted states or other countries. However, should you proceed with such travel, please be advised that **any period of quarantine required upon your return to New York or the U.S. will not be covered by paid leave**. Rather, 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 this period of absence, 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.*

Employees returning from travel in a restricted state or another country are not authorized to telecommute. Exceptions to the prohibition on telecommuting may be granted solely on the basis of operational exigency with the express permission of the Administrative Judge (or other appropriate administrative authority, e.g. Clerk of the Court of Appeals, Presiding Justice of the Appellate Division, Presiding Judge of the Court of Claims, OCA Chief of Operations, or authorized designee).

V. Notice of Travel to Restricted States or Other Countries

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 another country. Wherever possible, such notice should be made before commencing travel to the restricted location (e.g. when requesting Annual Leave) 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 another country 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 will be considered insubordination and/or misconduct for which appropriate action may be taken pursuant to the collective bargaining agreements, Rules of the Chief Judge or as may otherwise be applicable.

⁹ See <https://forms.ny.gov/s3/Welcome-to-New-York-State-Traveler-Health-Form>

VI. When Others in Your Household are Required to Quarantine Due to Travel

If you reside in the same household with someone required to quarantine because of travel, you are not subject to a mandatory quarantine order, i.e. you are expected to report to work unless otherwise approved for leave (charged to your accruals). In such case, 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.

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 and 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 and to discuss any restrictions concerning your return to work.

VII. Quarantine Requirements for Individuals Exposed to COVID-19

We will be issuing updated “Coronavirus - Courthouse Procedures” shortly, which will incorporate the above changes to the quarantine requirements following travel, as well changes issued by the CDC with regard to the quarantine requirements following an exposure to COVID-19. However, in general, the exemptions to quarantine set forth in Section I, *Exemptions to Quarantine Following Travel in a Restricted State*, similarly apply to COVID-19 exposures.

That is, where you have been exposed to someone that has tested positive for COVID-19, you are not required to quarantine during the during the 3 months following vaccination if you:

1. ***Are fully vaccinated***, i.e. 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; **and**
2. ***Have no COVID-19 symptoms currently*** (and have not experienced any COVID-19 symptoms since your fully vaccinated date); **and**
3. ***Are within 3 months*** of your fully vaccinated date.

If you were previously diagnosed with laboratory confirmed COVID-19 and have since recovered, you are not required to quarantine following exposure to someone that has tested positive for COVID-19 if you:

1. ***Have no COVID-19 symptoms currently***; **and**
2. ***Are within 3 months*** from your initial onset of COVID-19 symptoms (if you were symptomatic), **or**
Are within 3 months of your first positive test (if you were asymptomatic).

If you do not meet all of the criteria set forth for one of these two exemptions, you will be required to quarantine following an exposure to someone with a confirmed or suspected COVID-19 diagnosis.

Consistent with our existing “Coronavirus – Courthouse Procedures” (since March 2020), the specific duration of any quarantine and/or when it is safe for you to return to work following an exposure to COVID-19 is based upon the recommendations of your health care provider.

The blanket 14-day quarantine period is a general framework for assessing whether you may be at risk of COVID-19 infection following an exposure -- 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. will dictate whether and the extent to which you will be subject to a quarantine and/or can safely return to work.

Under no circumstances should you report/return to work following notice of COVID-19 exposure, from the Court System or otherwise, without submitting documentation from a health care provider substantiating that you are either exempt from having to quarantine or, that your return to work does not pose a risk to the health and safety of others to your local HR Administrator and being notified that you've been authorized to return.

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 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 travel).

VIII. 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 Travel Advisory and the quarantine requirements following an exposure, as well as other modifications pertinent to assessing whether your presence at work poses a (potential) risk to the health and safety of others.

In the meantime, however, employees shall complete the existing UCS COVID-19 Daily Self-Assessment as follows:

QUESTION: Have you traveled outside of the United States or to any U.S. state subject to the NY State Travel Advisory within the last 14 days in the last 14 days?

ANSWER: “No” (if any of the following apply):

- The travel was in NJ, CT, MA, PA or VT.
- The travel lasted less than 24 hours.
- Your travel was in a U.S. state or territory and you are exempt from quarantine because it is within 3 months of the date on which you were fully vaccinated or recovery from a prior COVID-19 infection.
- You have since tested out of quarantine and have been approved by the Court System to return to work.

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

ANSWER: “No”, if:

- You were in close contact with someone that tested positive within the last 14 days, but you are exempt from quarantine based on your fully vaccinated status or recovery from a prior COVID-19 infection.

OR

- You tested positive or had close contact with someone that tested positive within the last 14 days but you have since been approved by the Court System to return to work pursuant to documentation from a health care provider that you are no longer required to isolate or quarantine, i.e. that you do not pose a risk to the health and safety of others.

IX. Safety Precautions Regardless of Quarantine Status

The NYS DOH recommends that regardless of quarantine or vaccination status, any individual that has been exposed to COVID-19 or that is returning from any travel (e.g. domestic or international):

- Continue to monitor for symptoms through the 14th day following return from travel or exposure to a COVID-positive person.
- Continue strict adherence to all recommended non-pharmaceutical interventions, including hand hygiene and the use of face coverings.
- Immediately self-isolate/quarantine should any COVID-19 symptoms develop.

X. Additional COVID-19 Resources

- Please stay up to date regarding the Travel Advisory by visiting the NYS DOH website at: <https://coronavirus.health.ny.gov/covid-19-travel-advisory>.
- Detailed NYS DOH Guidance for Quarantine Restrictions on Travelers Arriving in New York State Following Out of State Travel can be found at: https://coronavirus.health.ny.gov/system/files/documents/2021/03/update-interim-travel-advisory-march-10-2021_0.pdf
- Knowing about a potential exposure allows you to self-quarantine immediately, get tested and reduce the potential exposure risk to your family, friends, neighbors, co-workers and others. To get an alert if you were in close contact with someone who tests positive for COVID-19, you may download the COVID 19 Alert app at: <https://coronavirus.health.ny.gov/covid-alert-ny>

These policies are necessary to ensure the health and safety of all Court System personnel and court users. Please think about the potential harm that might come to others by failing to take the necessary safety precautions, whether returning from travel or otherwise.

CONSIDERING THE SIGNIFICANT HEALTH AND SAFETY RISKS POSED BY THE FURTHER SPREAD OF COVID-19, YOU ARE PERSONALLY RESPONSIBLE FOR COMPLYING WITH THE TRAVEL ADVISORY AND/OR ANY OTHER REQUIREMENTS THAT MAY BE SET FORTH BY THE NYS DOH OR BY EXECUTIVE ORDER OF THE GOVERNOR PERTAINING TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

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.

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.

(A “Quick Reference Guide” of the guidance provided in this Memorandum, follows on the next page)

QUICK REFERENCE GUIDE
TRAVEL RESTRICTIONS & QUARANTINES FOLLOWING COVID-19 EXPOSURE

- If you are traveling, **you should let your supervisor and/or HR Administrator know in advance** so your court/office can appropriately plan for your absence from work upon return from your trip. If you plan to return to work immediately following domestic travel based upon an exemption to the quarantine requirement, **it is best to provide documentation substantiating the exemption in advance of your travel.**
- Fully vaccinated status or recovery from a previous COVID-19 diagnosis may provide for an exemption to the quarantine requirements following domestic travel between March 10th and March 31st. **Effective April 1, 2021, there is no quarantine required following return from travel in any U.S. state or territory.**
- **There are no exemptions to the quarantine requirements upon return from international travel.** If you are returning from travel in another country, you are required to quarantine for 10 days unless you test-out earlier.
- If you are traveling, **plan ahead for any testing** that may be required in order to return to New York/the U.S. and/or to exit the quarantine early. **Both PCR and Antigen tests are sufficient for testing-out of quarantine.**
- **Do not report to work** if you've just returned from travel in a restricted state or another country – you are putting your colleagues and court users at risk by failing to adhere to the quarantine requirements. Documentation substantiating that you're exempt from domestic quarantine you've "tested out" of quarantine early must be provided (and approved) before you can return to work early.
- **You are not covered by the essential worker exemption to the Travel Advisory.**
- **You will be required to charge your own accruals** during any period of quarantine resulting from travel in a restricted state or another country -- **teleworking is not authorized** under these circumstances.
- **The Court System does not impose quarantines.** If you are notified that you have been exposed to someone that tested positive for COVID-19 (whether by the Court System or otherwise), **you must consult with a health care provider** as to the appropriate safety precautions to be taken.
- **In order to authorize your return to work, documentation from a health care provider confirming that it is safe to do so is required**, e.g. confirmation that you are exempt from quarantine based upon fully vaccinated status or recovery from prior COVID-19 infection, or that you otherwise do not pose a risk to the health and safety of others. **Proof of a negative test is not sufficient to return you to work following an exposure to COVID-19.**
- **Proof of a negative test is only sufficient to authorize your return to work where you are experiencing COVID-19 symptoms** (or to confirm you've tested out of quarantine following travel).
- **The failure to comply** with the Travel Advisory and/or Court System policies/protocols with regard to this public health emergency is a very serious matter and will be handled as such in accordance with the Rules of the Chief Judge and/or collective bargaining agreements.
- **Regardless of your vaccination status**, you should continue to practice social distancing and wear a face covering when you can't and remember to wash hands frequently with soap and water (or use hand sanitizer).