NEW YORK STATE
Unified Court System
OFFICE OF COURT ADMINISTRATION

LAWRENCE K. MARKS
CHIEF ADMINISTRATIVE JUDGE

JOHN W. MCCONNELL, ESQ.
EXECUTIVE DIRECTOR

NANCY J. BARRY, ESQ.
CHIEF OF OPERATIONS

MEMORANDUM

July 10, 2020

To: Judges and Non-Judicial Personnel of the Unified Court System

From: John W. McConnell
Nancy Barry

Re: Coronavirus – Self-Assessment and Thermal Temperature Screening of UCS Judges and Non-Judicial Personnel

As we continue to address the operational problems created by the COVID-19 pandemic, an important additional protocol will shortly be instituted throughout the court system for the safety of all court users, judges, and non-judicial personnel. As you know, the best current protection against transmission of the coronavirus in the workplace consists of diligent attention to three simple practices: (1) wearing a face mask; (2) social distancing; and (3) frequent hand hygiene. In addition to these steps, however, offices and businesses returning to operations have been strongly encouraged by various health authorities to adopt screening practices for those entering the workplace.[1] As you know, earlier this week the Unified Court System commenced a statewide temperature screening and questioning practice for all court visitors. In this same vein, the following screening protocol will apply to all judges and non-judicial personnel **commencing on Wednesday, July 15, 2020**:

1. All judges and non-judicial personnel shall undertake daily temperature screening upon their arrival at the workplace, administered by uniformed personnel (or, in locations where no uniformed personnel are available, by a court manager) wearing appropriate personal protective equipment, at a central location in the courthouse or office.[2]

[1] See, for example, the New York State Department of Health's "New York Forward Safety Plan Template," p. 5 (https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/NYS_BusinessReopeningSafetyPlanTemplate.pdf; Centers for Disease Control and Prevention, "Interim Guidance for Businesses and Employers Responding to Coronavirus Disease 2019 (COVID-19)," (https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html). This guidance is consistent with the advice on the subject provided by an epidemiologist retained by the UCS.

[2] This screening location should be selected by the chief clerk or other senior manager, in consultation with the senior uniformed officer; it should not be the location where court visitors are screened.

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2. In addition, all judges and non-judicial personnel shall perform a daily COVID-19 self-assessment consisting of the following or similar questions:

a. Did I receive a positive COVID-19 diagnosis, or have close contact with someone with such a diagnosis, within the last two weeks?

b. Am I awaiting the results of a COVID-19 diagnostic test (not an antibody test) that I took recently?

c. Do I currently have any flu-like symptoms (including among others fever or chills, cough, difficulty breathing, or fatigue)?

d. Did I travel in any foreign nation, or in any State meeting the criteria set forth in Governor Cuomo's Executive Order 205,[3] within the last two weeks?

3. The self-assessment shall be completed in one of two ways:

a. Judges and non-judicial personnel shall log in to the UCS computer network and complete a short on-line questionnaire upon their arrival at work.

b. Non-judicial personnel without daily access to a computer shall complete a brief questionnaire in hard copy format (Exh. A) upon their arrival at work, and shall submit it to their direct supervisor for transmission to the local human resources administrator.

c. Only limited and nonspecific information will be provided in response to the questionnaire. All such information will be kept confidential, will not be maintained in any personnel file, and will be used exclusively to assess suitability to remain at the workplace and to protect the health and safety of the public, judges, and non-judicial personnel.

d. As necessary, the temperature scanning process will be adjusted to accommodate constraints and other circumstances in UCS facilities located in private office buildings.

e. Additional information and instructions on this self-assessment process will be distributed early next week.

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[3] Governor Cuomo's Executive Order 205 (June 24, 2020), provides that "[a]ll travelers entering New York from a state with a positive test rate higher than 10 per 100,000 residents, or higher than a 10% test positivity rate, over a seven day rolling average, will be required to quarantine for a period of 14 days consistent with Department of Health regulations for quarantine." A list of states covered by the Executive Order is found at https://coronavirus.health.ny.gov/covid-19-travel-advisory; travel through these states is permitted "for a limited duration (i.e., less than 24 hours) through the course of travel" for reasons of rest stop or layover, without a quarantine requirement.

4. Any person who answers "yes" to any questions on the self-assessment, or who registers a temperature of 100.0° F. or higher, shall leave the workplace, contact their supervisor or supervising/administrative judge and report the situation immediately, consult with a physician, and follow all medical advice.

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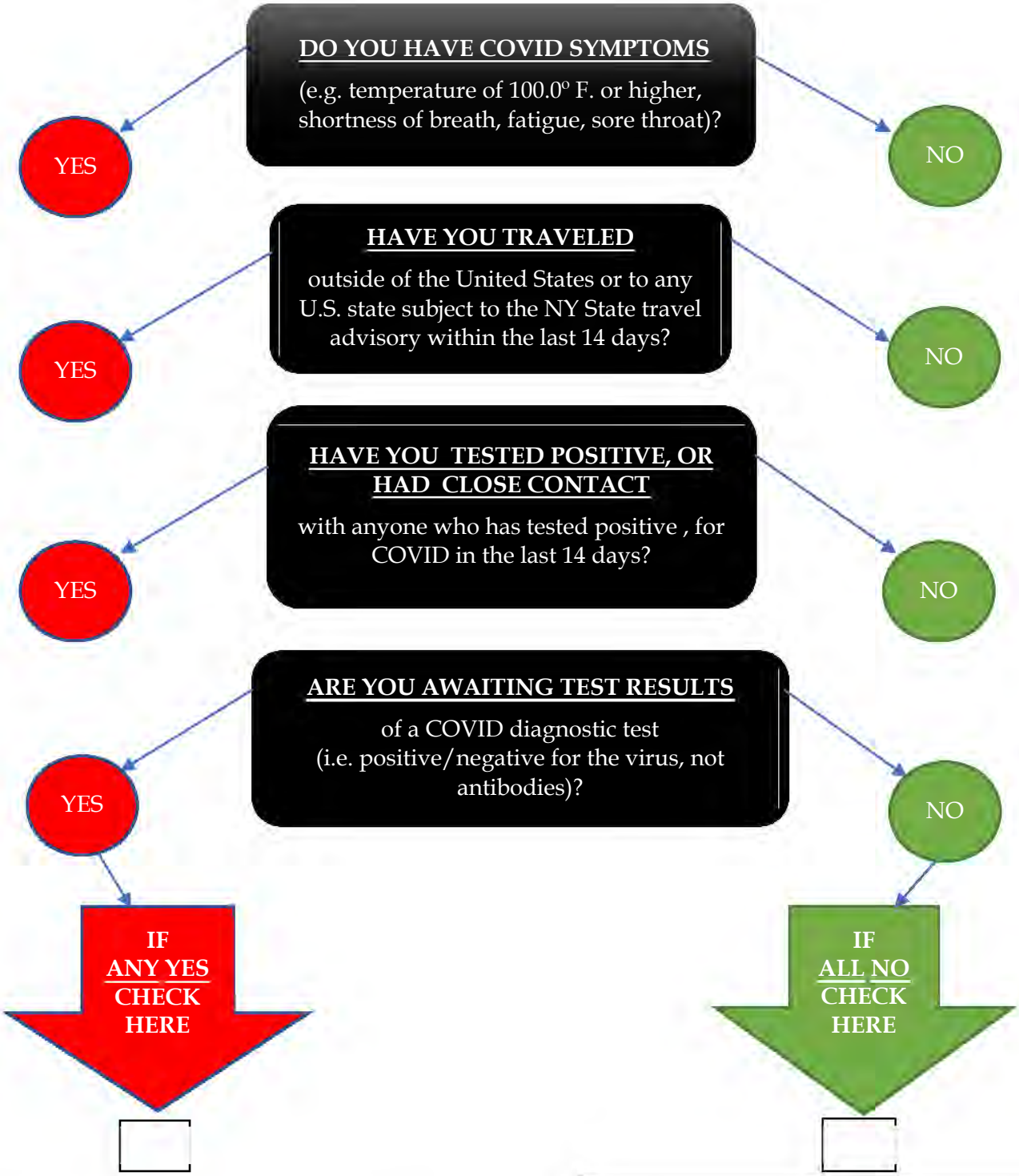
As always, the health and safety of our workforce and of the public remain the top UCS priorities as we return to courthouse and office settings around the State in coming days and weeks. If you have any questions about these protocols, please contact the Division of Human Resources. Thank you for your dedication and cooperation in this effort.

c: Hon. Lawrence K. Marks
County Clerks

EXHIBIT A

UCS COVID-19 DAILY SELF-ASSESSMENT

(If you have questions about this self- assessment, contact your HR administrator.)



YOU ARE IN A COVID RISK CATEGORY
YOU MUST LEAVE WORK IMMEDIATELY AND NOTIFY YOUR SUPERVISOR UPON SUBMITTING THIS FORM

YOUR ASSESSMENT IS SATISFACTORY

STAY SAFE -- REMEMBER YOUR PPE!

PRINT NAME: _____

SIGN NAME: _____

WORK LOCATION: _____ **DATE:** _____