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MEMO TO: All Judicial Branch Employees and Judges

FROM: Judicial Branch Administrative Services Division

SUBJECT: COVID 19-related personnel situations

As the Judicial Branch continues to respond to the rapidly changing circumstances presented by the COVID-19 pandemic, we must make every effort to continue our operations and provide the services and programs that are relied upon by the citizens and businesses of Connecticut. The following information is provided to assist division leadership plan for employee coverage.

1. Employees are impacted by COVID-19 in different ways. How should the Judicial Branch respond?

The response depends upon the specific circumstances as set forth below:

LEVEL A – EMPLOYEE SHALL NOT COME TO WORK

REASON	GUIDANCE
<ul style="list-style-type: none">• Actually sick with COVID-19 symptoms• Caring for sick family with COVID-19 symptoms	Employee will be paid for the scheduled, non-worked hours within a 14-day calendar period If the employee's illness or need to care for sick family members continues beyond the 14 calendar days, employee may use earned accruals or choose to go unpaid, provided that sick employees must use their sick leave accruals first. Once the employee has exhausted sick leave accruals, they can use other accruals, take unpaid leave, or apply for additional benefits as provided by Judicial Branch policy or collective bargaining agreement (e.g. advanced/emergency sick bank hours).

LEVEL B – EMPLOYEE SHALL NOT COME TO WORK

REASON	GUIDANCE
<ul style="list-style-type: none"> Employee is returning from a country designated by the CDC as a Level 3 Country Employee has been directed by a medical provider or government official to self-monitor at home 	<p>Employee will be paid for the scheduled, non-worked hours within a 14-day calendar period</p>

LEVEL C – EMPLOYEE IS NOT PROHIBITED FROM COMING TO WORK

REASON	GUIDANCE
<ul style="list-style-type: none"> Employee needs to stay at home to care for children or other dependents because school, daycare or eldercare has closed Employee cannot get to work because of transportation disruptions 	<p>Temporary flexible schedule, if approved by supervisor. Flexible schedule means varying the work hours during the normal work day. Total hours within a work week still equal employee’s regular hours</p> <p>Employee will be paid for the scheduled, non-worked hours within a 14-day calendar period.</p> <p>If an employee utilizes the flexible work schedule option for part of their standard work hours during the 14 calendar day period, paid leave will be provided for the balance of hours scheduled to work</p> <p>If the employee’s inability to come to work because of COVID-19 disruptions continues beyond 14 calendar days, the employee has the choice of using any earned accruals, including sick leave, or unpaid leave</p>

LEVEL D - EMPLOYEE IS NOT PROHIBITED FROM COMING TO WORK

REASON	GUIDANCE
<ul style="list-style-type: none"> Employee is returning from a Level 2 country or has engaged in inter-state travel within the United States Employee who is domiciled with or had contact with a person who has been directed by a medical provider or government official to self-monitor at home Employee had contact with someone who had contact with a person who has been directed by a medical provider or government official to self-monitor at home Employee who has concerns about exposure through contact with persons in public settings, including the workplace Employee is medically fragile (per medical documentation on file at the agency) but has no apparent exposure 	<p>Come to work as usual</p> <p>Employee may request to use accruals to take time away from work consistent with standard policies</p> <p>Consistent with the Governor’s directives regarding social distancing, supervisors may consider whether granting a temporary flexible schedule is possible in light of the agency’s overall operational needs and existing resources</p> <p>Employees who have a medical condition that may put them at higher-than-average risk for infection who believe that they need other or additional workplace modifications should follow the standard process for requesting accommodations under the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act and the Connecticut Fair</p>

	Employment Practices Act. The Judicial Branch will assess such requests in accordance with standard policies. All questions related to other or additional workplace modifications should be directed to the Human Resource Management.
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2. What countries has the CDC designated as Level 3? Level 2?

Because this list is changing rapidly, please visit the CDC website:
<https://www.cdc.gov/coronavirus/2019-ncov/travelers/after-travel-precautions.html>

3. When the guidance above notes a “14-day calendar period,” what does that mean?

For work hours purposes, it means the work hours that normally occur within a 14-day calendar period. For most employees, this equates to 10 work days. *It does not mean 14 work days.*

4. Can you clarify the parameters of the flexible work schedule for eligible Level C and D employees?

Temporary flexible work schedules may be considered in order to reduce the total number of employees in the workplace at any given time. In the limited circumstances noted above, a flexible work schedule may be appropriate to address an employee’s situation. Employees may work earlier than their normal starting time or later than their normal ending time. In any case, the total number of hours worked in a week must equal 40 for full time employees or the number of hours in the employees standard part time work week. For Level D employees, if the number of hours actually worked in the work week does not equal the standard work week (40 for FT employees, less than 40 for PT employees), the employee must use the appropriate accrued or unpaid leave. A work week is defined as Friday-Thursday.

All decisions regarding flexible work schedules must be approved by the supervisor and will be considered based on operational need and facility accessibility.

5. Can employees combine flexible work hours and paid leave for dependent child/elder care during the 14 calendar day period?

Yes, employees who are able to work on some days, but need to provide dependent child/elder care (or cannot get to work because of transportation disruptions) on other days, will be provided paid leave for the difference between actual hours worked and the standard number of hours the employee normally works.

Example: A full-time employee works Friday and Monday, eight hours per day, but remains home to provide dependent child/elder care on Tuesday, Wednesday and Thursday. This employee would be credited 16 hours of actual work and 24 hours of paid leave.

6. Does the supervisor need to submit each individual request to HRM before approving a flexible schedule, in the limited circumstances it is appropriate?

No. Supervisors have the discretion to approve a temporary flexible schedule on the basis of operational needs and existing resources without getting preapproval from HRM. Approval should be documented in an email to the employee and retained in supervisory personnel files for future reference.

7. Do we require an employee to self-monitor at home if they live in or travel from a state or country that has not been designated as Level 3 by the CDC?

No. According to the CDC guidance issued on March 12, 2020, individuals returning from a Level 3 country should self-monitor at home for 14 days from the date they left the country. Individuals who are returning from *Level 2 countries are no longer directed to self-monitor at home for 14 days.*

8. Can an employee be approved for a Voluntary Schedule Reduction Program in lieu of taking COVID-19 leave (paid or unpaid)?

No.

9. If an employee cannot provide a medical certification, what alternative documentation should an employee provide?

If an employee cannot provide a medical certification, the employee shall provide a written explanation to Divisional HR or HRM describing their symptoms, the directions they have received from medical providers or government officials (if any), and any other supporting documentation they may possess.

10. Does the Judicial Branch offer telework, similar to that offered to some executive branch employees?

The vast majority of the Judicial Branch's critical functions are public-facing or involve interacting with members of the public or clients regularly. Currently, the Judicial Branch does not allow employees to work from home.

11. Should I come to work when ill, even if my illness does not include COVID-19 symptoms?

Employees who are sick should stay home and consult with their medical provider. Employees who come to work and who are obviously sick may be asked to go home until they are not sick. Those employees who are asked to go home may be asked to provide documentation that they are no longer sick and able to return to work.

12. How should an employee code COVID-19 related leaves in attendance systems?

HRM is developing guidelines for attendance codes related to this memo. Guidelines will be distributed through attendance coordinators.

OTHER FREQUENTLY ASKED QUESTIONS

1. What measures are being taken to ensure that Judicial Branch facilities state office buildings are clean?

In addition to the normal cleaning procedures, which remain in place, all Branch locations are now also receiving disinfecting cleaning nightly. For court locations, in addition to the normal cleaning routine and nightly disinfecting, additional disinfecting cleaning is occurring during the day as well. The disinfecting cleaning places special emphasis on high touchpoint areas such as:

- Door knobs
- Handrails
- Faucet handles
- Light switches
- Door touch plates
- ATM/vending machines
- Counters
- Interior and exterior stair railings
- Metal detectors
- Elevator call buttons and elevator panel inside cabs
- At entrance, all door knobs/pulls
- All benches throughout courthouse lobby areas
- All public rest rooms, stairs, lobby doors (door knobs/pulls)

2. Is the Judicial Branch approving out-of-state travel for business purposes?

No. In accordance with Judge Carroll's March 9, 2020, email to all Judicial Branch employees, there is an immediate freeze on all Judicial Branch employee travel on state business outside of Connecticut until further notice.

3. Does the Judicial Branch offer support for employees who may be feeling anxious or stressed because of the COVID-19 pandemic?

Yes. It can be unsettling and frightening when any public emergency surfaces, whether it is health or weather-related. The Judicial Branch's Employee Assistance Program provides counselors and coaches to deal with stress or anxiety. For more information, you may call the EAP at 1-800-252-4555.