

Office of the District Attorney Bronx County

COVID-19 WORKPLACE RETURN POLICY



Darcel D. Clark

District Attorney

Pursuing Justice with Integrity

BXDA Office Reopening Advisory Committee September 28, 2020

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SECTION 1: INTRODUCTION

I am pleased that a significant portion of the staff will return in-person to the office tomorrow, September 29, 2020. Toward that end, I am providing the enclosed policies to assist our staff and ensure that our return will be as safe as possible. These policies represent countless hours of work by the members of the BXDA Office Reopening Advisory Committee and I am grateful to all of the subcommittee members for their careful consideration and hard work. I want to thank Odalys Alonso, Chief of Staff, and Beverly Ma, Chief of the Civil Litigation Bureau, for their diligent leadership.

As the health and safety of everyone in this Office remains my paramount concern, please remember that these policies form a “living document” that will be revised as circumstances evolve. The COVID-19 Health Crisis is far from over and we must continue to adapt as we discover new information. In following these policies, I ask you to keep in mind not only your own well-being, but that of your colleagues. I trust that we will show the consideration for each other that is the hallmark of the BXDA family.

Our shared top priority is making sure that our staff is as safe as possible in our working environment. We cannot stress enough the importance of adhering to six feet of social distancing, wearing necessary PPE in shared work space, and frequent hand washing.

I am proud of everyone’s contributions to the Office during this unprecedented time. I look forward to seeing all of you, whether in person or virtually, as we move forward with our continued pursuit of justice with integrity.

In solidarity,

A handwritten signature in black ink that reads "Darcel H. Clark". The signature is written in a cursive style with a long horizontal flourish at the end.

DA Clark

SECTION 2: UPDATED SCREENING PROTOCOL FOR BXDA OFFICE BUILDINGS

In order to best protect the health and safety of all staff and prevent the spread of the COVID-19 virus, we are implementing the following updated protocols for entering and working in our office space. These protocols follow the recommendations offered by the Centers for Disease Control and Prevention and local health agencies and apply to anyone wishing to enter any of our office buildings. We will continue to update everyone as circumstances evolve.

What you should know before your arrival at any of BXDA's office buildings:

1. In order to safeguard our employees and their workplace, anyone who has a temperature of 100°F or higher or exhibits any other COVID-19 symptom (symptoms listed below in paragraph 5(a)) will not be allowed into any BXDA office building.
2. Before coming into the office, each employee should self-screen daily and not come to work if the employee has a temperature of 100°F or higher or experiences any COVID-19 symptom. The employee must alert their supervisor, as well as either Naomi Strother (strothern@bronxda.nyc.gov) or Tamara Martinez (martinezt@bronxda.nyc.gov) in Human Resources at least one hour prior to the employee's assigned shift with an explanation of the symptoms experienced. The employee should clearly articulate any COVID-19-related symptoms experienced that will prevent the employee from being able to work, either on-site or remotely.
3. Anyone who wishes to enter any of BXDA's office buildings must proceed to a health and temperature screening station. Individuals will maintain a distance of at least six feet while waiting in line to be screened by BXDA security or courthouse staff. Social distances will be marked on the floors wherever possible.

Entering the 198 E. 161st Street building:

4. **Anyone wishing to enter this building must wear a mask or an appropriate face covering.** Face masks will be provided to anyone who arrives without a mask or appropriate covering. Anyone who refuses to wear a mask or appropriate covering will be denied entry into the building.
5. All employees and visitors must present photo identification and proceed to the security station (to the right of the Security Desk), which will be staffed by a BXDA Special Officer.

Employees and visitors will have separate lines for screening. The Special Officer will ask the following questions:

In the past 14 days:

(a) Have you had any of the following symptoms:

*fever

*cough

*shortness of breath or breathing difficulties

*chills

*muscle pain

*sore throat

*newly-developed loss of taste or smell

*less common symptoms: gastrointestinal symptoms such as nausea, vomiting or diarrhea

*any flu-like symptoms

(b) Have you tested positive for COVID-19 or been in close contact with anyone diagnosed with COVID-19?

(c) Have you recently returned from travel abroad or from a state covered by Governor Cuomo's Travel Advisory?¹

6. Any individual who affirmatively answers any of the above questions will be denied entry. If the answers to the screening questions do not raise any health concerns, the Special Officer will take the temperature of anyone seeking entry with a contact-free thermometer. If a person's temperature is below 100°F, that person will be given a "color of the day" wristband and permitted entry.
7. Employees who are given a wristband will be allowed to leave and re-enter the 198 building, as well as the 260 E. 161st Street building, on the same day.
8. Staff screened in the 198 building should be aware that they must still undergo the screening process in the courthouse buildings at 215 and 265 E. 161st Street. Staff who receive a wristband as a result of screening at the 198 building will also be allowed entry into the 260 E. 161st Street building without any need to undergo further screening.

¹ <https://coronavirus.health.ny.gov/covid-19-travel-advisory>

9. If the individual either has a temperature that is 100°F or higher or if answers to the initial screening questions indicate the presence of a COVID-19 symptom, that individual will be denied entry into the building and the Special Officer will notify Human Resources.

Entering the Criminal Court (215 E. 161st Street) or the Hall of Justice (265 E. 161st Street) buildings:

10. BXDA employees should enter the 215 building at the main entrance on E. 161st Street and undergo screening there by court officers. BXDA employees may undergo screening by court officers at the DA entrance to the Hall of Justice located on Sherman Avenue.
11. **Anyone entering these buildings must wear a face covering.**
 - (a) Anyone who does not wear a face mask or an appropriate face covering will be denied entry into the building.
 - (b) Court officers will **NOT** supply face masks. However, the Office will arrange for masks to be made available to employees who enter without a mask. Anyone who refuses to wear a mask will be denied entry.
12. **Anyone entering these buildings will be required to submit to a temperature check upon entering the building.**
 - (a) Anyone who refuses to submit to a temperature check will be denied entry into the building.
 - (b) Anyone whose temperature check reveals a temperature of 100°F or higher will be denied entry into the building.
 - (c) In instances of extremely warm weather, and if safety conditions permit, anyone whose temperature check which reveals a temperature of 100°F or higher will be asked to leave the building but will be allowed to submit to another later temperature check.
13. **Each person entering these buildings will be asked the same questions that are asked as part of the screening in the 198 building:**
 - (a) Have you experienced any COVID-19 symptoms in the past 14 days? (refer to the list of symptoms above)
 - (b) Have you recently returned from travel abroad or from a state covered by Governor Cuomo's Travel Advisory?
 - (c) Have you tested positive for COVID-19 or been in close contact with anyone diagnosed with COVID-19?
14. If the health and temperature screenings do not raise any health concerns, that person will be given a "color of the day" wristband and permitted entry.

15. Anyone who is denied entry into the 215 or 265 buildings as a result of the screening process must contact Tamara Martinez (martinezt@bronxda.nyc.gov) or Naomi Strother (strothern@bronxda.nyc.gov) in Human Resources by e-mail before the close of business that day.

Entering the 260 E. 161st Street building:

16. BXDA employees who enter the 260 E. 161st Street building will be subject to a health screening and temperature check with the security officers stationed on the second and fifth floors of that building. If the health and temperature screenings do not raise any health concerns, that person will be given a “color of the day” wristband and permitted entry.
17. As stated above, employees who pass the health and temperature screening and receive a wristband in the 198 building will be allowed to enter the second and fifth floors of the 260 building without further screening. More information will be provided regarding entry procedures in the lobby of the 260 building as it becomes available.
18. Anyone who is denied entry into the 260 building as a result of the screening process must contact Tamara Martinez (martinezt@bronxda.nyc.gov) or Naomi Strother (strothern@bronxda.nyc.gov) in Human Resources by e-mail before the close of business that day.

Visitors:

19. For visitors, only one person will be permitted into the building, unless the visitor is a minor and is accompanied by a parent or guardian or is an individual who needs to be accompanied due to a disability, injury or medical condition. Visitors must wear a face covering and will be subject to the same screening requirements in effect at all BXDA office buildings. All employees who are expecting visitors must ensure that the visitor has been listed in the Visitor Log on the Intranet.

Police Officers:

20. Police officers entering the BXDA’s office buildings are also required to wear masks and will be subject to the same screening requirements in effect at all BXDA office buildings.

After entry into BXDA’s office buildings:

21. All persons entering any BXDA office building or remaining on a designated District Attorney floor must continue to wear a mask or appropriate face covering that covers both the **mouth and nose**. Individuals who do not have such covering will be provided a mask at no cost. Hand sanitizer will also be available on each floor occupied by BXDA staff.

22. Once an individual is allowed entry following the health and temperature screening, that person must always wear a face covering unless the individual works alone in a private office. If another individual enters the office space, all occupants **must** wear a face covering. Anyone who is unable to wear a face covering for medical or other reasons must contact Human Resources in advance of their arrival at the office.
23. Anyone who is allowed entry into BXDA's office buildings or floors must always maintain a social distance of at least six (6) feet from other people.
24. There will be passenger limits of two (2) people per elevator in the 198 E. 161st Street building. However, when entering the 215, 265 or 260 E. 161st Street buildings, staff must follow the protocol posted in those buildings. The A and B staircases in the 198 E. 161st building will be open for staff to use as an alternative to the elevators.
25. **This protocol has been established for everyone's safety and well-being. It is incumbent upon all BXDA employees to abide by this protocol. If you do not, you will be asked to leave the premises, with time and leave consequences to follow.**

SECTION 3: PRECAUTIONS TO EXERCISE WHILE WORKING IN THE OFFICE

As we transition to the next phase and return partially to our office buildings, please remember to follow these basic guidelines whenever you are assigned to work in person in any of the BXDA office space.

1. Take a moment to think about the screening process in our buildings. If your answers to the screening questions may trigger a concern, or if you are not feeling well, please err on the side of caution and stay home, for your own safety and that of your colleagues, their children and families. Alert your supervisors and managers (early) of any circumstance that prevents you from coming into the office on the day(s) that you are assigned to work in person.
2. Remember that masks should be worn as you enter any of the BXDA office buildings, in all public or common areas within our buildings, and when you are meeting or speaking with another person in the office.
3. Please make every effort to observe the limits posted at the elevators in each building. Allow more time to get from one place to another if you are using the elevators. Keep in mind that the A and B staircases in the 198 building will also be open for staff use as an alternative to the elevators there.
4. Please maintain a social distance of at least six feet from others when you are in our office buildings. Whenever possible, limit your face-to-face interactions with other people, even if you are wearing your mask. Office meetings should be conducted virtually, even if you are next door to the person with whom you are meeting, and particularly when meeting in groups. If you must meet with a supervisor or another colleague, please limit your meetings to no more than two people in a conference room or other space where you can maintain social distance.

SECTION 4: TELEWORK POLICY

Due to the pandemic and unprecedented related circumstances, the District Attorney has instituted a telework (remote work) policy to maintain safety within the office, protect staff, and clarify remote work responsibilities.

In accordance with federal, state and local laws, the Bronx District Attorney's Office ("BXDA") provides a flexible work environment that is consistent with its primary obligation to maintain public safety and ensure the safety of all employees. Since mid-March 2020 (*see* NYC [Personnel Services Bulletin 600-3](#), "Temporary Citywide Telework Policy for City Employees During the COVID-19 Outbreak"), BXDA has allowed staff to work from home. Staff will continue to be permitted, in consultation with their supervisors and bureau chiefs, to telework (also known as remote work) to the extent consistent with the nature of their work and the needs of the Office. This policy also applies to staff who are assigned to work in person in the office to the extent that their staggered shifts will also require them to work from outside of the office.

The policies detailed herein are to be considered as additions to the policies set out in the BXDA Employee Manual and are to be incorporated therein. These policies provide guidance and directives for phasing in a gradual return to the work-site as well as continued remote working. The Employee Manual shall control any conflict or discrepancy between the terms of this policy and the Employee Manual.

Part I - General

Telework is a privilege granted by the Office under exigent circumstances and may be terminated or amended by the Office at any time.

The Office recognizes, in accordance with the Governor's Executive Orders and guidelines from the Centers for Disease Control and Prevention, that certain employees may have special health conditions that render them particularly vulnerable to contracting COVID-19 (also known as "the Coronavirus"). Thus, employees who are at high risk of contracting COVID-19 may continue to telework until the risk has abated, as long as the employee's duties and responsibilities can be effectively accomplished by remote work. Medical documentation concerning an employee's high-risk status that is not age-related must be provided to the Human Resources Department.

The teleworking employee's duties, obligations, responsibilities and conditions of employment remain unchanged as long as the employee is able to continue to accomplish their work through telework. The employee's salary, retirement, benefits and insurance coverage also remain unchanged under these circumstances. By the same token, employees who telework remain obligated to comply with all BXDA rules, policies, practices, and instructions, including timekeeping and leave policies. Violations of these rules or policies, or a failure to adequately

perform one's work duties or responsibilities, may result in preclusion from or reassignment of telework, or appropriate disciplinary action, up to and including termination of employment, if necessary.

Each teleworking employee will work with their manager or supervisor to establish the scope of the work to be performed remotely. The employee's work will be reviewed on a regular basis to ensure that work expectations are being met.

Employees should recognize that the needs of BXDA's on-site office may take precedence over telework days. Thus, employees may be required to report to work on-site, either occasionally or regularly, depending on the needs of the Office and the employee's bureau or unit, unless prohibited due to health risk. While teleworking, employees must be available to report to the office in a timely fashion whenever necessary, and promptly respond to all communications and work requests as if physically working in the office. Exceptions to this policy must be based on reasonable work necessity and approved by the employee's bureau chief.

Employees who are required to self-quarantine for any reason should continue to telework as long as they are physically able to do so.

Teleworking employees should exercise all reasonable efforts to safeguard electronic and paper information, and protect confidentiality, as the employee would in a traditional in-person office environment. See the Employee Manual regarding rules on confidentiality.

Part II - Work Hours

Teleworking hours, overtime compensation and vacation schedules must conform to local, state and federal law, and BXDA policies, the provisions agreed to in the work plan (i.e., approved work schedule) otherwise agreed upon by the employee and their manager or supervisor. Requests to work overtime, use sick leave, vacation or other leave must first be approved by the employee's manager or supervisor in the same manner as if physically working in the office.

Part III – Supplies, Equipment and Costs

When BXDA office equipment is provided to the employee, the employee is responsible for ensuring that the equipment is properly used. BXDA will provide for reasonable repairs to its office equipment, and as provided for in the Employee Manuals.

The costs associated with telework are primarily the responsibility of the employee. BXDA will provide standard office supplies (pens, paper, pencils, etc.) and, in many cases, has provided office laptops and/or remote access to teleworking employees as necessary for their remote work.

Employees must keep in mind that BXDA's equipment, software, and office supplies are intended for office business only and are not for the personal use of the employee, the employee's family members, or used to conduct non-Office-related business.

When the employee uses their own equipment, the employee is solely responsible for maintenance and repair of equipment.

SECTION 5: COVID-19 SICK LEAVE POLICY

This policy applies whenever a staff member physically returns to our offices and work-space in the event that the staff member is required to quarantine due to COVID-19. This policy has been drafted in accordance with CDC guidelines, NYS guidelines, NYS Executive Orders, and applicable NYS legislation.

Employees who have been diagnosed with or have exhibited symptoms of COVID-19 will be granted up to fourteen (14) paid sick leave days, separate and apart from their accrued sick leave.

An employee who is quarantined for any reason but is physically able to work from home is neither eligible to take COVID-19 sick leave, nor required to utilize accrued sick leave.² This includes employees who are required to quarantine due to voluntary travel to and from a state or territory listed in Governor Cuomo's New York Travel Advisory.³

In order to be eligible for paid COVID-19 sick leave, the employee must provide medical documentation to Tamara Martinez (martinez@bronxda.nyc.gov) or Naomi Strother (strothern@bronxda.nyc.gov) in Human Resources. The documentation must be based on the following circumstances:

- the employee has tested positive for COVID-19; or
- a licensed medical provider has certified in writing that the employee must quarantine due to conditions related to COVID-19; or
- the employee has attested as being symptomatic and has been in close contact with someone who has tested positive for the COVID-19 virus.

In cases where medical documentation is not possible, the employee should consult the New York State Department of Health's website at <https://www1.nyc.gov/assets/doh/downloads/pdf/imm/covid-19-paid-sick-leave-order.pdf> and fill out the self-certification form attached as Appendix B before submitting a request for COVID-19 sick leave. The employee should submit this document to Human Resources but should be aware that Human Resources may request further information or documentation depending on the circumstances of the request.

An employee is eligible to utilize COVID-19 paid sick leave if the employee is the primary caregiver for an individual who tested positive for COVID-19 or exhibits symptoms and is unable to be tested, regardless of whether the individual lives in the same household. Medical documentation must be provided to Human Resources in order for the employee to utilize

² <https://paidfamilyleave.ny.gov/system/files/documents/2020/03/covid-19-sick-leave-employers.pdf>

³ <https://coronavirus.health.ny.gov/covid-19-travel-advisory>

COVID-19 sick leave. Employees requesting longer-term leave beyond the COVID-19 sick leave described in this section that is necessitated by the employee's status as a primary caregiver should document and submit such requests to Human Resources for further review.

If circumstances require an employee to request extended sick or family leave benefits beyond the paid COVID-19 sick leave described in this policy,⁴ please contact Tamara Martinez (martinezt@bronxda.nyc.gov) or Naomi Strother (strothern@bronxda.nyc.gov) in Human Resources as soon as possible. Keep in mind that additional documentation may be necessary for extended leave.

Paid COVID-19 sick leave may be used more than one time upon submission of the required medical documentation in each instance. However, excessive use of COVID-19 sick leave may necessitate additional medical documentation and a discussion with Human Resources. A determination that an employee has used or has attempted to use COVID-19 sick leave excessively or in contravention of Office policy may result in consequences regarding time and leave calculations.

SECTION 6: REPORTING A POSITIVE COVID-19 TEST RESULT

The District Attorney is concerned about the safety and well-being of all staff, in addition to preventing the spread-of the COVID-19 virus. To curb the spread of the virus and ensure the safety and well-being of our entire staff, the following policy applies whenever someone physically returns to the office in the event the employee received a positive COVID-19 test result or had been in close contact with someone who tested positive for the COVID-19 virus. The Office will closely monitor these situations and take appropriate measures as outlined below for everyone's health and safety.

The Centers for Disease Control and Prevention (CDC) recommends that a person who has tested positive for COVID-19, has experienced symptoms, or has been in contact with someone confirmed as being infected with COVID-19, must self-quarantine for fourteen (14) days⁵ after (1) symptom onset, and/or (2) at least twenty-four (24) hours after a fever breaks without the use of fever-reducing medication. Additionally, the CDC recommends that any person who falls into one of these categories undergo a COVID-19 test with a negative result before returning to in-person work. The Office will follow the CDC's recommendations.

⁴ <https://paidfamilyleave.ny.gov/new-york-paid-family-leave-covid-19-faqs#obtaining-a-quarantine-order>

⁵ CDC website: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/quarantine.html#:~:text=You%20should%20stay%20home%20for,after%20exposure%20to%20the%20virus>

Please remember that any employee who receives a positive test result for COVID-19 must notify Tamara Martinez (martinezt@bronxda.nyc.gov) or Naomi Strother in Human Resources (strothern@bronxda.nyc.gov) immediately. Also, if an employee has been in contact with someone infected with COVID-19, they must inform Ms. Martinez or Ms. Strother in Human Resources immediately.

If an employee tests positive for COVID-19, regardless of whether the employee is symptomatic or asymptomatic, the employee may return to work upon completing at least 14 days of self-quarantine and upon receipt of a negative COVID-19 test result. Please provide the negative test result to Ms. Martinez or Ms. Strother in Human Resources.

If an employee has had close or proximate contact with a person who has had COVID-19 for a prolonged period of time and the employee is symptomatic, the employee may return to work upon completing at least 14 days of self-quarantine and upon receipt of a negative COVID-19 test result. Please provide the negative test result to Ms. Martinez or Ms. Strother in Human Resources.

Also, in accordance with CDC recommendations, if an employee has had close or proximate contact with a person who has had COVID-19 for a prolonged period of time, and the employee is not symptomatic, the employee may return to work upon completing 14 days of self-quarantine and upon receipt of a negative COVID-19 test result. Please provide the negative test result to Ms. Martinez or Ms. Strother in Human Resources.

Note: The New York State Department of Health considers a close contact to be someone who was within 6 feet of an infected person for at least 15 minutes starting from 48 hours before illness onset until the time the person was isolated.

Any employee who tested positive for COVID-19 before September 29, 2020 should have already reported that test result to Human Resources. Before attempting to return to the Office or to our on-site work-space, any such employee should contact Human Resources to determine whether a further COVID-19 test is necessary. Any employee who has exhibited symptoms during the week before September 29, 2020 should consider getting a COVID-19 test before returning to in-person work in the Office so that they can pass the health and temperature screening in the BXDA office buildings.

Similarly, any employee who takes leave from work due to an illness that is not related to COVID-19 should be aware of any symptoms that may be related to COVID-19 and consult with a doctor and Human Resources, if necessary, before returning to in-person work. While the Office will not require a COVID-19 test for an employee who takes sick leave for a non-COVID-19-related illness, employees should exercise good judgment with any illness before returning to in-person work in the Office, and undergo a COVID-19 test in an abundance of caution if an illness or symptom appears related to COVID-19.

SECTION 7: HIGH-RISK MEDICAL AND CHILD CARE CONCERNS

As we continue our efforts toward a safe return to our office space, we are mindful of the planning and considerations that each of us must undertake. Pursuant to Governor Cuomo's Executive Order 202.6, our staff is deemed essential, thus requiring us to work in-person and on site as necessary. However, we along with the federal and state governments, as well as the Centers for Disease Control and Prevention (CDC), recognize that there are circumstances that provide a legitimate basis for individuals to continue to telework rather than working on-site. Accordingly, the following protocol pertaining to employees in the following categories is effective immediately.

1. The employee's own high-risk medical condition

An employee with an underlying medical condition that increases the risk of severe illness from exposure to COVID-19 may be exempted from being required to work onsite. Employees who fall into this category must submit written documentation of the underlying medical condition to Tamara Martinez (martinezt@bronxda.ny.gov) or Naomi Strother (strothern@bronxda.nyc.gov) in Human Resources. Human Resources will follow up with the employee before a determination is made. If the employee is confirmed as high-risk, arrangements will be made with Human Resources and the employee's supervisor(s) for the employee to continue teleworking. Please note that, under such circumstances, the employee will be assigned to telework that corresponds to the employee's skills and experience as well as the needs of the Office.

In addition to the employee's own high-risk medical condition, the employee's age may be considered in determining high-risk status. Specifically, the CDC has identified employees who are 65 or older to have increased risk of severe illness from exposure to COVID-19 and thus may be exempted from being required to work onsite.

2. An employee who is the primary caretaker for high-risk family members

Similarly, an employee may be the primary caretaker for a family member(s) who is/are in a high-risk medical category and therefore should not expose such family member(s) by virtue of working in-person work on on-site in our office spaces. In order to be exempted from being required to work on-site, employees in this category must also submit written documentation of the family member's high-risk medical status to Tamara Martinez (martinezt@bronxda.nyc.gov) Naomi Strother (strothern@bronxda.nyc.gov) in Human Resources. Human Resources will follow up with the employee before a determination is made. If the employee's status in this category is confirmed, arrangements will be made with Human Resources and the employee's supervisor(s) for the employee to continue teleworking. Please note that, under such

circumstances, the employee will be assigned to telework that will correspond to the employee's current responsibilities as well as the needs of the Office.

3. An employee whose child care arrangements are interrupted by the COVID-19 Pandemic

The District Attorney recognizes that some of our staff must make alternative child care plans during this time either to accommodate modified school procedures as well as changes in child care availability. Accordingly, the Office is offering the following options to BXDA employees whose child care coverage has been interrupted by the COVID-19 pandemic. Please note that supervisors and managers will endeavor to be as flexible as possible in scheduling an employee's working hours and/or shifts.

- a. The employee will make their own child care arrangements. Employees should keep their supervisors informed of any unusual child care issues during this time.
- b. The employee may utilize resources from the Learning Bridges child care program offered by the New York City Department of Education. The site for the centers is <https://www.schools.nyc.gov/enrollment/enrollment-help/learning-bridges>.
- c. The employee may avail themselves of paid leave benefits provided by the Families First Coronavirus Response Act. Under this option, employees may take two (2) weeks of paid leave at 2/3 pay. Thereafter, the employee may submit a request to Human Resources to work an additional ten (10) weeks at 2/3 pay for a maximum of \$200 per day and \$12,000 in the aggregate over a twelve (12)-week period.
- d. The employee may opt to take time off from their accrued leave to devote to child care.

Any employee who is facing child care challenges should contact Tamara Martinez (martinezt@bronxda.nyc.gov) or Naomi Strother (strothern@bronxda.nyc.gov) in Human Resources, as well as the employee's supervisor. If an employee has periodic child care issues that do not require resort to one of the options described above, the employee should feel free to bring those issues to the attention of their supervisor and Human Resources. They will work with the employee to schedule working shifts in a manner that takes child care issues into consideration as well as the needs of the Office.

SECTION 8: UPDATES TO TIME AND LEAVE POLICY

The District Attorney recognizes that temporary adjustments to our Time and Leave Policy are appropriate given our unprecedented circumstances, as well as our transition to a combination of onsite work and telework. Therefore, the following temporary suspensions of office time and leave policies are in effect until further notice.

Please note that the following suspensions are accurate only as of the current date and are subject to change. We will update you as circumstances evolve.

Support Staff

1. The routine conversion of old comp time to sick leave which was originally anticipated to take place on August 31, 2020 has been deferred until August 31, 2021.
2. The routine conversion of excess annual leave to sick leave which was originally anticipated to take place on August 31, 2020 has been suspended until August 31, 2021.
3. Memos regarding Lateness, Missed Punch, and Attendance are suspended effective March 1, 2020 until further notice. There remains a duty to work a full day and to be prompt and timely for scheduled meetings and events.
4. Notices regarding the Doctor's Restriction List are suspended for the January – June and July – December 2020 periods. The next Doctor's Restriction List will be calculated for January – June 2021, due in July 2021.

Legal Staff

1. The accrual of comp days was suspended effective March 18, 2020 until further notice.
2. The anticipated routine expiration of comp days on August 31, 2020 has been extended until August 31, 2021.

SECTION 9: TRANSPORTATION AND PARKING UPDATE

Recognizing the concerns that our staff may have involving travel to and from our office buildings, the Office has been in discussions with the New York Yankees and the Bronx Parking Development Corporation regarding the possible use of their parking facilities by our staff.

They have offered the use of one of their parking garages at a reduced rate. The garage is located at 951 River Avenue, on the corner of River Avenue and 164th Street. It is open 24 hours a day, seven days a week. Parking would be offered to our staff at a monthly rate of \$150.00, which covers maintenance, staffing and security provided by City Parking. Parking will begin on November 1, 2020 and would continue on a month-to-month basis. This arrangement can be modified or end at any time if live baseball returns to Yankee Stadium.

Employees wishing to make use of this parking garage should contact Hector Barrientos, our Fleet Manager, at fleetservices@bronxda.nyc.gov. Hector will handle the administrative details for our staff, which includes, among other issues that may arise, registration of the staff member for parking, distributing swipe cards, and collecting payment.

Please note that the swipe cards will be tied to the license plate of the car that is registered to park. If you drive more than one car you must register it and/or notify City Parking security, as the license plates are checked throughout the day. Updates will be forthcoming as details are solidified with City Parking.

Additionally, the Office has arranged for a bicycle rack to be installed in the lobby of the 198 E. 161st Street building for staff who wish to bike to and from work. The Office is also attempting to secure additional bicycle racks to be installed immediately outside the 198 building so that more bicycles can be accommodated. Please stay tuned for further updates.

SECTION 10: UPDATE REGARDING STAFF SURVEY

Many of you may recall receiving an email from Daily Medina regarding the BXDA Employee Survey. This survey was created and administered by BXDA Staff, a subcommittee of the BXDA Office Reopening Advisory Committee, which is comprised of legal and support staff employees. The purpose of this subcommittee is to serve as a liaison between all staff and the executives.

We received 754 responses to the survey, accounting for approximately 75% of our staff. The responses to the survey provided insight into staff concerns that the Office was then able to take into consideration as part of the preparation for a partial and phased return to the work-space. We have summarized the information obtained from the survey and provided some insight as to how the Office is addressing staff concerns.

1. Transportation and parking

When asked about the ways in which employees commute to work, almost 60% of respondents selected that they take public transportation. When further asked if they would be comfortable taking public transportation to work when the office reopens, over 75% of respondents indicated that they would not be comfortable. About 35% of respondents said that they had an alternative means of transportation to work.

The Office recognizes the risks of taking public transportation during the pandemic. Accordingly, we have communicated with the New York Yankees and the Bronx Parking Development Corporation and secured parking spots at a garage located at 951 River Avenue, on the corner of River Avenue and 164th Street. Parking is now being offered on a month-to-month basis at a discounted rate of \$150.00/month. Registration and payment for those parking spaces must be arranged in advance by contacting Hector Barrientos, our Fleet Manager, at fleetservices@bronxda.nyc.gov. We have also arranged for a bicycle rack to be installed in the lobby of the 198 building to accommodate another alternative means of getting to and from work, with additional racks to be installed outside the 198 building in the near future. Keep in mind that the Office will also implement flexible and staggered shifts for staff returning to in-person work in order to reduce the number of people traveling to and arriving at work at the same time.

2. Personal Protective Equipment (PPE)

Employees raised concerns about the availability of personal masks and hand sanitizer at the Office. Many respondents indicated that they have access to these items. However, for those who do not have such access, the Office will provide a mask to anyone who does not have a mask when entering the building. Remember that masks are required for anyone entering and

remaining in the BXDA office buildings. The Office has also installed hand sanitizer stations throughout all BXDA office buildings for staff use.

Over 75% of respondents strongly agreed that all employees should wear masks inside the BXDA office buildings. A small percentage of employees indicated that they did not intend to wear a mask. In addition to requiring the wearing of masks as our office policy, please note that the wearing of masks has been mandated by Governor Cuomo under Executive Order 202.17, <https://www.governor.ny.gov/news/no-20217-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency>. This order was followed by Executive Order 202.34, which allows businesses to deny entry to individuals that do not comply with the mask policy. Executive Order 202.34, <https://www.governor.ny.gov/news/no-20234-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency>. The Office will comply with the Executive Orders.

3. “High touch” and “high traffic” areas in the Office

Staff are understandably concerned about the cleaning of “high touch” areas. The Office is working with DCAS to ensure that bathrooms, elevators, and other “high touch” areas, such as entry door handles, are cleaned frequently throughout the work day. Hand sanitizer is also available at various stations on each floor of the BXDA office buildings to ensure another level of germ prevention.

Additionally, the A and B staircases in the 198 building will be open for staff use as of September 29, 2020, as a means of reducing congestion in the lobby and elevators. Security officers will monitor the staircases Monday through Friday from 8:00 a.m. to 4:00 p.m.

The District Attorney appreciates the time taken by staff to respond to this survey and voice their concerns. The Office has heard and is analyzing these concerns. The health and safety of everyone in the Office continues to be the District Attorney’s top priority, and every subcommittee of the BXDA Office Reopening Advisory Committee has been engaged in addressing these concerns. Our Bronx DA family has a long road ahead but with your help and hard work, we will overcome these challenges. Please stay tuned for further updates.

SECTION 11: BXDA OFFICE REOPENING ADVISORY COMMITTEE

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