

In re:

ST. LOUIS COUNTY CIRCUIT COURT

ADMINISTRATIVE ORDER

WHEREAS, the Missouri Supreme Court has instructed courts in this state to “prepare for potential infection in their community” and further directed its courts to “consider strategies to prevent the spread of respiratory germs into, within, and between facilities.”;

WHEREAS, this Court has issued Administrative Order 13 on March 13, 2020 modifying operations of the judiciary and staff of the 21st Judicial Circuit;

WHEREAS, the Circuit Court Budget committee of the Missouri Supreme Court has authorized presiding judges throughout the Missouri judiciary to authorize administrative leave for staff who are directed or allowed to be away from the office for reasons related to the coronavirus (COVID-19);

WHEREAS, presiding judges may authorize such administrative leave by local administrative order to meet the essential needs of the court, their staff, and the public;

WHEREAS, the St. Louis County Executive issued Executive Order No. 12 “Policies Concerning Operational Adjustments, Employee Policies and Access to Facilities”;

WHEREAS, the 21st Judicial Circuit consists of employees from the State of Missouri and St. Louis County Government; and

WHEREAS, it is imperative to take steps to protect the health and safety of the 21st Judicial Circuit, including all judicial officers, attorneys and parties with business in this Judicial Circuit, while also balancing the rights of all employees.

IT IS HEREBY ORDERED:

1. Until further Order of this Court, the appropriate appointing authorities are directed to continue taking measures to ensure appropriate social distancing of staff members. Any staff member who is required to be away from the office for reasons related to the Coronavirus (COVID-19) may use such administrative leave in lieu of sick, annual or other leave, as authorized by the applicable State or County appointing authority and consistent with this Administrative Order.

2. Until further Order of this Court, all judges shall notify the Presiding Judge and all employees shall notify the Director of Human Resources whenever they have traveled outside the United States, or they have had contact with someone who has traveled outside the United States, prior to returning to the courthouse. All judges shall notify the Presiding Judge and all employees shall notify the Director of Human Resources whenever: (1) they have traveled to locations within the United States with widespread or ongoing community-spread of the COVID-19 virus, or have had contact with someone meeting these criteria, prior to returning to the court; (2) they have traveled to any foreign country within the last 14 days; (3) they have resided or have had close contact with someone who has traveled to any foreign country within the last 14 days; (4) they have been asked to self-quarantine by any doctor, hospital or health agency; (5) they have tested positive, been diagnosed with, or had contact with someone who has been diagnosed with COVID-19; and (6) they have fever or unexplained coughs or shortness of breath.

In addition to any other means of notification, all judges notifying the Presiding Judge and employees notifying the Director of Human Resources should also send an e-mail with “Notice of Travel/COVID-19” in the subject line.

If a judge or employee is unsure whether the location(s) within the United States to which they, or individuals with whom they have had contact, have traveled meet the criteria of “locations with widespread or ongoing community spread of the COVID-19 virus”, notification of the Presiding Judge by judges and the Director of Human Resources by employees and staff should be made in order to protect the court community and the community at large.

3. The Judicial Administrator is hereby authorized to instruct the Director of Human resources to implement administrative leave consistent with the 21st Judicial Circuit COVID-19 leave policy which is as follows:

21st Judicial Circuit COVID-19 Leave Policy

<u>Definition</u>	<u>Work Requirements</u>	<u>Pay</u>
Employee is isolated	The employee will have no work requirement during the isolation period.	Paid regular rate of pay during the isolation period.
Employee is quarantined	During the quarantine period, the employee shall work as directed by the appointing authority.	Paid regular rate of pay during the quarantine period.
Employee is in a high-risk group	The employee is required to work in the ordinary course of business except as authorized by the appointing authority. The employee has the sole discretion to decide whether to work from home or to work in the ordinary course of business. If the employee decides to work from home, the employee must perform work as directed by the	Paid regular rate of pay while complying with work requirements.

	<p>appointing authority. If the employee decides to work from home but it is not possible for the employee to perform job duties from home, the appointing authority may assign the employee other job duties that can be performed from the employee's home.</p>	
<p>Employee is (a) a parent or legal guardian of a dependent in the employee's custody, (b) the dependent is isolated or quarantined outside of the employee's household, and (c) the employee is actively providing the dependent supportive services relating to COVID-19</p>	<p>The employee is required to work in the ordinary course of business except as authorized by the appointing authority. The employee's appointing authority shall authorize the employee time off to provide supportive services to the extent reasonably necessary.</p>	<p>Paid regular rate of pay while complying with work requirements.</p>
<p>Employee is (a) a parent or legal guardian of a dependent, (b) the dependent's school or daycare is closed in connection with COVID-19, and (c) the dependent is in the parent or legal guardian's physical custody</p>	<p>The employee is required to work in the ordinary course of business except as authorized by the appointing authority. The employee's appointing authority shall authorize the employee to work from home to the extent reasonably possible.</p>	<p>Paid regular rate of pay while complying with work requirements.</p>
<p>Employee who is a household member of a person who is in a high-risk group</p>	<p>The employee is required to work in the ordinary course of business except as authorized by the appointing authority. The employee's appointing authority shall authorize the employee to work from home to the extent reasonably possible, and, if the employee decides to work from home but it is not possible for the employee to perform job duties from home, the appointing authority may assign the employee other job</p>	<p>Paid regular rate of pay while complying with work requirements.</p>

	duties that can be performed from the employee's home.	
Employee who is a non-household family member of a person who is isolated or quarantined and the employee is actively providing supportive services relating to COVID-19	The employee is required to work in the ordinary course of business except as authorized by the appointing authority. The employee's appointing authority shall authorize the employee time off to provide supportive services to the extent reasonably necessary.	Paid regular rate of pay while complying with work requirements.
Employee who is a non-household family member of a person who is in a high-risk group and the employee is actively providing supportive services relating to COVID-19	The employee is required to work in the ordinary course of business except as authorized by the appointing authority. The employee's appointing authority shall authorize the employee time off to provide supportive services to the extent reasonably necessary.	Paid regular rate of pay while complying with work requirements.
Employee does not fit into SOE Classes 1 through 8	The employee is required to work in the ordinary course of business except as authorized by the appointing authority.	Paid regular rate of pay while complying with work requirements.
Employees who are defined as essential employees under an executive order	The employee is required to work in the ordinary course of business except as authorized by the appointing authority.	Paid regular rate of pay while complying with work requirements.


Clarifications:

- What is isolation? "Isolation" and "isolated" mean the separation of a Positive Person or of a Person under Investigation from any other person. A person who is infected with COVID-19 is required to be isolated. Refer to other restrictions and guidance as set forth in St. Louis County Department of Public Health 2019 Novel Coronavirus ("COVID-19") Quarantine and Isolation Order
- What is quarantine? "Quarantine" means the restriction of movement and separation of a person or group of people reasonably believed to have been exposed to COVID-19 but who is not symptomatic from people who have not been exposed to COVID-19. Refer to other restrictions and guidance as set forth in St. Louis County Department of Public Health 2019 Novel Coronavirus ("COVID-19") Quarantine and Isolation Order.

- What is a high risk group? "High risk group" means a person who is any one of the following: (a) over sixty years of age; (b) has a health condition such as heart disease, lung disease, or diabetes; (c) has a weakened immune system; or (d) is pregnant. This term is subject to change.
- If an employee falls into more than one classification, the employee may choose their own classification.
- There will be no impact to PTO, Sick/Vacation or health insurance for any SOE class of employee who complies with work requirements and therefore remains in Paid Status.
- Paid family leave policy applies as normal.
- If required to work from home, usual telecommuting policies prohibiting the care of dependents are waived.
- While working from home, the employee must remain in regular contact with their supervisor as directed by the appointing authority.
- Employees may be asked to perform duties that are not currently part of their job.
- Employees should provide as much advance notice to their supervisors as possible.
- No supervisor shall require a note from a doctor for COVID-19 related leave.
- No FMLA paperwork will be required for FMLA-qualifying leave that also qualifies as a COVID-19 related absence.

This policy may be amended or repealed and as necessary by the presiding judge.

SO ORDERED:


Michael D. Burton, Presiding Judge

Date: 3/19/20

CC: Circuit Court Budget Committee