

This document is one of a number of Toolkit items designed to help courts in their planning to return to full capacity while continuing to mitigate risk to protect the public and staff. While every effort has been made by SCAO staff to compile as much helpful and accurate guidance as possible, we understand that during the months ahead courts will be responding to their individual situations with creativity and innovation. Moreover, we know that advice from outside authorities continues to change to reflect analysis of additional data. Anticipating occasional updates to these documents as new information becomes available, the SCAO welcomes ongoing input on these documents, and in particular, sharing insights and experiences that can be added so that other courts can benefit from each other's work. Comments can be sent to hr@courts.mi.gov

What to Do When an Employee Tests Positive for COVID 19: Practical Recommendations for Court Leaders

1. **Positive Employee Steps.** Encourage any employee who tests positive for COVID-19 to stay home from work and urge the employee to follow medical advice, remain home, and self-quarantine.
2. **Notifications.** Notify Human Resources/Corp Counsel and provide the employee information on leave options.
3. **Closure.** Determine if closure of court facility is necessary. Contact SCAO Regional Administrator and submit an Emergency Closure LAO. Notify staff, media, bar and/or post on social media if applicable regarding closure.
4. **Clean and Sanitize.** Arrange for a thorough cleaning/sanitizing and decontamination of the area where the employee(s) worked per guidelines issued by the Centers for Disease Control and Prevention (CDC) at <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html>.
5. **Confirm Safety.** Confirm with decontamination specialist when it is safe to return to the space. Arrange this with your facilities staff if applicable.
6. **Contact Local Health Department.** Contact local health department and work to determine at-risk employees.
7. **Identify Employee Work Locations.** Identify all areas in the office where the COVID-19 positive employee was physically present during the two-week period before testing positive.
8. **Notify Employees.** Review CDC guidelines and notify exposed employees as soon as possible; urge them to seek medical care as necessary and to consult their own doctors. <https://www.cdc.gov/coronavirus/2019-ncov/php/public-health-recommendations.html>
 - **Close Contacts.** The CDC recommends that asymptomatic individuals who have been in “close contact” for a prolonged period of time with an individual “with symptomatic COVID-19 during [the] period from 48 hours before symptoms onset until [that symptomatic individual] meets criteria for discontinuing home isolation” stay home until 14 days after the last exposure to such individual.

- **Confidentiality.** Healthcare information remains confidential under the ADA, so the employer should tell everyone who was possibly exposed at work to the positive employee *without* revealing that employee's identity.
- **Sensitivity.** When communicating with those who have been in close contact, be aware that this is a sensitive topic and it is probably best to alert them individually by phone call. It is important to act quickly, so if you cannot reach them personally, it may be necessary to e-mail them, as well.
- **Quarantine.** Determine in consultation with the health department if employees need to be quarantined and, if so, for how long.

9. **General Notifications:** *“The person tested positive on a certain date and is now self-isolating. The close contacts have been told and were asked to leave the workplace and self-quarantine. If you were not already told you were a close contact, then you are not one. If you have questions about COVID-19, or your situation, please call your doctor and look at the CDC website. Once the work area has been cleaned and it is determined to be safe to return to work, you will be notified.”*

10. **Notifications to Building Users.** Notify others who occupy the same building and/or interact frequently with the court or clerk's office that an employee of the court or clerk's office has tested positive for COVID-19. This notice should be provided without disclosing the name of the employee who tested positive.

11. **Have a Safety Plan for Continued Operations.** Before other employees return to work, the judge/clerk should work in collaboration with the local health department to make a plan to remain operational, and take steps to limit the number of people in the courtroom or office at any one time. Some examples of steps to limit exposure include:

- Locking doors and admitting one or two people at a time.
- Posting notices with contact information and requiring customers/court users to schedule an appointment.
- Using secure drop boxes to minimize in-person contact. Using telephone, e-mail, and two-way audio-visual communications as much as possible to minimize in-person contact.
- Staggering shifts to minimize the number of employees in the court/office at any one time.
- Reducing hours that the clerk is open to the public to process material submitted via drop box, e-mail, etc.
- Placing physical markings such as tape on the floor to maintain six feet of distance from court staff and between customers.
- Posting a public notice of how all matters will be handled to minimize in-person contact, and by carefully following precautions recommended by the CDC.
- Do not reopen the courthouse for in-person business until the health department advises that it's safe to do so. This could mean a hard close for up to 14 days or as little as 24 hours while the building is being cleaned.
- Look at rescheduling all in-person proceedings to be done remotely or push out 14 days.

12. **Review Return to Full Capacity Phase Plan.** Review the court’s phased plan, consult with SCAO Regional Administrator, and determine if moving back a phase or modifications to your existing phase LAO are necessary.
13. **Protective Gear.** Court employees should follow CDC guidelines to wear cloth face coverings in public settings where social distancing measures may be difficult to maintain. A mask is not an alternative to social distancing, but an additional measure meant to protect other people in case the wearer is infected. The CDC offers recommendations at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>.
14. **Press Inquiries.** When responding to the press or others who inquire, do not reveal the employee’s name, position, or any other details that would identify the person or the details of their health. If you need assistance with responding to the inquiries, you may contact the Public Information Office at the Michigan Supreme Court at www.courts.mi.gov/pio.
15. **Hygiene Practices.** All court employees, including those who do not have symptoms of the COVID-19 virus and have not been in “close contact” with anyone who has tested positive, should continue to practice social distancing and hand washing. They should also routinely sanitize work surfaces and take other precautionary measures, and should continue to monitor themselves and their family or other household members for any symptoms of the COVID- 19 virus (including, but not limited to, a dry cough, high fever, and body aches).

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