

Memorandum



Date March 15, 2021

To All Employees

From Patrick T. Warren, Chief Safety Officer 

Re 2021 Revision: MTA All Agency Return to Duty Process & Travel Guidance due to COVID-19 Precautions

Effective immediately, this memo sets forth the Return to Work and Travel policy applicable to all agencies' represented and non-represented employees, unless otherwise noted herein, and replaces the November 5, 2020 memo (Revised December 4, 2020), "MTA All Agency Updated Return to Duty Process & Travel/Leave Guidance due to COVID-19 Precautions." MTA's protocols have been revised based on recent guidance from the CDC and the New York State Department of Health ("NYS DOH"), including the March 10, 2021 "Interim Guidance for Quarantine Restrictions on Travelers Arriving in New York State Following Out of State Travel" from the NYS DOH. Please be advised that additional changes to the travel guidance may soon come from the NYSDOH. MTA will update its protocols accordingly.

In all cases of absence from work, employees must contact their supervisor and follow established absence reporting procedures. If an employee is represented, they must also submit any prescribed documentation required under their Collective Bargaining Agreement (CBA).

For updated guidance on the leaves available to employees in connection with COVID-19 scenarios, please refer to the March 3, 2021 Memorandum from Paul Fama, Chief People Officer.

I. Return to Work After COVID Exposure/Screening

A. Exposure Protocols for Employees that are Not Fully Vaccinated or Post Infection:

Please note, a negative test is not required in order to return to work under any of the MTA's protocols.

- (1) **Positive COVID test, experiencing symptoms:** The employee must self-isolate at home and not come to work for at least 10 calendar days from the onset of symptoms. The employee should not come to work unless they have been without a fever for 72 hours (without the use of fever reducing medicine).
- (2) **Positive COVID test, asymptomatic:** The employee must self-isolate at home and not come to work for at least 10 calendar days from the date of the test.

- (3) **Positive COVID test and asymptomatic at the time, but develops symptoms later:** If an employee initially is asymptomatic and then develops symptoms, they should self-isolate at home for 10 days after the onset of symptoms. The employee should not come to work unless they have been without a fever for 72 hours (without the use of fever reducing medicine).
- (4) **Close contact¹ with a confirmed infected person and now experiencing symptoms:** Employee may return to work upon completing at least 10 days of isolation from the onset of symptoms. Employee should not come to work unless they have been without a fever for 72 hours (without the use of fever reducing medicine).
- (5) **Close contact¹ with a confirmed infected person and remain asymptomatic:** Employees who are able to perform their regular work duties from home should do so for a minimum of 10 days from the date of contact. Employees whose work duties do not allow them to work productively from home should self-isolate at home for 5 calendar days from the date of contact and have a diagnostic test (RT-PCR, unless otherwise directed by OHS) for COVID-19 on day 5. Please visit the [MY MTA portal](#) to get the latest testing information and schedule an appointment. For essential employees, if the test is negative and the employee has no symptoms, the employee's supervisor can direct the employee to return to the workplace immediately after receiving the negative result, and the following protocols must be observed for at least 7 calendar days following the employee's return to work:
 - a. The employee must self-monitor their temperature every 12 hours and report a temperature greater than or equal to 100.0 degrees Fahrenheit and/or other symptoms consistent with COVID under the supervision of Occupational Health Services ("OHS").²
 - b. The employee must wear a face mask at all times, comply with social distancing policies, and the workplace will be regularly cleaned and disinfected.
 - c. While not at work, the employee should self-monitor for fever and other COVID symptoms.

Please note that if an employee obtains a quarantine order for the purpose of qualifying for NYS COVID-19 Paid Sick Leave, the employee must quarantine for the period of time provided for by that order and not follow the test-out process set forth in this paragraph (5).³

- (6) **Employee Sent Home With Fever:** Employees sent home by MTA when a fever (of 100.0 or more) is detected at a screening should be advised that they have up to 3 days to get tested and provide results with a rapid test, unless another test is directed by OHS. Please visit the [MY MTA portal](#) to get the latest testing information and schedule an appointment. Employees should self-isolate and call their healthcare provider for evaluation and report results to the hotline.

¹ Close contact refers to being within 6 feet of an infected person for at least 10 minutes during the period starting from 48 hours before onset of symptoms or the date of a positive test (whichever is earlier) until that time the person was isolated.

² Employees should call the MTA COVID Hotline and choose option 1 to report temperature or symptoms.

³ In limited cases, an employee who has received a quarantine order may be deemed critical for the MTA's operations or safety by OHS and the employee's department. Unless a return to work is prevented by the quarantine order, such employee may be directed to return to work after an exposure to a confirmed or suspected case of COVID-19 if they are asymptomatic and in accordance with the test out process in this paragraph (5).

B. Fully Vaccinated and Post Infection Employees

Employees in these groups do not need to quarantine after an exposure event:

- (1) Fully vaccinated: All three criteria must be satisfied:
 - a. Fully vaccinated (i.e., greater or equal to 2 weeks following receipt of the second dose in a 2-dose series, or greater or equal to 2 weeks following receipt of one dose of a single dose vaccine); AND
 - b. Are within 3 months following receipt of the last does in the series; AND
 - c. Have remained asymptomatic since the exposure event.
- (2) Post infection: Both criteria must be satisfied:
 - a. Tested positive for COVID-19 with a diagnostic RT-PCR, rapid molecular or rapid antigen test within the past 3 months and recovered; AND
 - b. Have remained asymptomatic since the exposure event.

Employees who meet the criteria above to be considered fully vaccinated or post infection should still watch for symptoms of COVID-19 for 14 calendar days following an exposure. Employees are responsible for updating the MTA Vaccine Portal with their vaccination information and for reporting positive tests to the MTA COVID Hotline. MTA will confirm post-infection status with the MTA COVID Hotline, and will confirm post-vaccination status using the MTA Vaccine Portal. If they experience symptoms, they should get a RT-PCR test unless another test is directed by OHS and follow reporting procedures if positive.

II. Return to Work After Travel/Use of Leave

The guidance in this section applies to all agencies' non-represented employees and represented employees, including all "essential employees", with the exception of MTA Police and MTA C&D personnel, who may be required to follow different procedures based on operational necessity.

All individuals regardless of state of residency coming into New York State (NYS) from either a non-contiguous state or US territory, or another country, must fill out the NYS Traveler's Health Form found at <https://forms.ny.gov/s3/Welcome-to-New-York-State-Traveler-Health-Form> upon arrival in New York. Please be advised that New York state and local health departments can issue significant penalties for individuals that do not fill out this form.

As a general matter, employees are not permitted to use Administrative Leave or the New York State COVID-19 Paid Sick Leave to cover travel-related quarantines for non-business travel. Using Administrative Leave for travel related **exceptional** circumstances will be considered on a case-by-case basis, at the discretion of the Agency HR Lead.

A. Employees Who Are Not Fully Vaccinated or Post Infection

(1) Domestic Travel: Non-contiguous states and U.S. territories

Asymptomatic employees who have been outside NYS for more than 24 hours for non-essential domestic travel to states or U.S. territories other than New Jersey, Massachusetts, Vermont, Connecticut and Pennsylvania,⁴ must either (a) self-isolate and not come to work for 10 calendar days upon return to New York or their state of residence or (b) follow the below testing protocol to return to work sooner than 10 calendar days.

As set forth in the NYSDOH guidance available at <https://coronavirus.health.ny.gov/covid-19-travel-advisory>, employees and residents can reduce the quarantine period to 4 days by following these instructions:

For asymptomatic employees who were in a state or U.S. territory (other than NJ, MA, VT, CT or PA) for more than 24 hours for personal reasons:

- Employees are required to obtain a COVID test within 3 calendar days of departure from the other location⁵;
- The employee, upon arrival in New York (NY) or their state of residence, must self-isolate for 3 calendar days and not come to work. During this time, the employee may telecommute if their job duties allow and their supervisor approves.
- On day 4 of their self-isolation, employees must obtain a diagnostic COVID test. If both tests are negative, the employee may return to work
- **For essential employees only:** If the employee is unable to get a test 3 calendar days before their departure from the other location, they may return to work if the test obtained 4 days after arrival in NY or their resident state is negative and they are asymptomatic.
- All other employees are required to get both tests, and if they are unable to, must self-isolate for the full 10 calendar days upon return from travel.
- Please visit the [MY MTA portal](#) to get the latest testing information and schedule an appointment. Employees should also call the MTA COVID Hotline and report the results of their tests.
- If an employee chooses not to follow the testing protocol described above with regard to personal travel, they must self-isolate for 10 calendar days and not come to work.
- During the time the employee is self-isolating and waiting for tests results, employees may use any available type of leave day (sick, personal, OR vacation – for example) to cover the period of time they are out of work if they are not able to telecommute.

⁴ Employees who live in DE or MD should telecommute to the extent that their job duties permit, with the permission of their supervisor. If employees residing in these states are not able to telecommute in order to do their job, those employees should come to work as long as they are not experiencing COVID symptoms and have not been in contact with a verified COVID-positive individual. These employees are encouraged to take advantage of any voluntary testing program offered by MTA to monitor their health. They must observe all safety protocols, monitor their temperature on a daily basis, and while they are in their home state, follow all state and local guidelines for avoiding COVID transmission (such as avoiding large gatherings, hand washing, and social distancing). If an employee resides in a state other than MD or DE, is not vaccinated or post-infection, and must come to work to do their job, they should contact Human Resources beforehand.

⁵ If an asymptomatic employee was in the other state or territory for more than 24 hours, but less than 3 calendar days, this is not applicable

For asymptomatic employees who were in a state or U.S. territory (other than NJ, MA, VT, CT or PA) for less than 24 hours for personal reasons:

- Employees do not need to get a test prior to their departure from the other state, and do not need to self-isolate upon arrival in NY or their state of residence. They may return to work immediately.
- However, employees must fill out a New York State Traveler Health Form upon their return and get a diagnostic test on the fourth day of their arrival in New York or their state of residence.

If at any time an employee experiences symptoms consistent with COVID-19, they should immediately get tested, stay home from work, and report results to the COVID-19 hotline.

(2) Contiguous States and Canada land crossings

Asymptomatic employees traveling from states contiguous to New York (Pennsylvania, New Jersey, Connecticut, Massachusetts and Vermont) and crossing at land borders between the United States and Canada need not quarantine upon return to NYS.

(3) International Travel Other than Canada land crossings

Current CDC guidance requires air passengers traveling from the U.S. from another country to show documentation of having recovered from COVID-19 within the previous 3 months or a negative test result from no more than 3 days prior to the day of travel to the airline before boarding the flight. At this time, documentation of vaccination status or antibody test results will not be accepted as proof of COVID status prior to boarding, per CDC guidance.

After arrival in the U.S., travelers must either quarantine for 7 days with a test 3-5 days after travel, or quarantine for the full 10 days without a tests. This requirement applies to all international travelers whether they were tested before boarding, are recovered from a previous COVID infection, or are fully vaccinated.

If an employee chooses not to follow the testing protocol described above with regard to personal travel, they must self-isolate for 10 calendar days and not come to work. During the time the employee is self-isolating and waiting for tests results, employees may use any available type of leave day (sick, personal, OR vacation – for example) to cover the period of time they are out of work if they are not able to telecommute. Employees should call the MTA COVID hotline and report the results of their tests.

If at any time an employee experiences symptoms consistent with COVID-19, they should immediately get tested, stay home from work, and report results to the COVID-19 hotline.

B. Post-Vaccination and Post-Infection Employees

(1) Domestic Travel (U.S. States and Territories)

Note that per Section A, asymptomatic travelers need not quarantine if traveling from states contiguous with New York or from Canada via land crossing. Asymptomatic travelers to NYS are exempt from quarantine for travel from **any U.S. state or territory** if they satisfy the following criteria:

- (1) Fully vaccinated: All three criteria must be satisfied:
 - a. Fully vaccinated (i.e., greater or equal to 2 weeks following receipt of the second dose in a 2-dose series, or greater or equal to 2 weeks following receipt of one dose of a single dose vaccine); AND
 - b. Are within 3 months following receipt of the last does in the series; AND
 - c. Have remained asymptomatic since the exposure event.
- (2) Post infection: Both criteria must be satisfied:
 - a. Tested positive for COVID-19 with a diagnostic RT-PCR, rapid molecular or rapid antigen test within the past 3 months and recovered; AND
 - b. Have remained asymptomatic since the exposure event.

Employees are responsible for updating the MTA Vaccine Portal with their vaccination information. MTA will confirm post-vaccination status using the MTA Vaccine Portal.

If at any time an employee experiences symptoms consistent with COVID-19, they should immediately get tested, stay home from work, and report results to the COVID-19 hotline.

(2) International Travel Other than Canada land crossings

Current CDC guidance requires air passengers traveling from the U.S. from another country to show documentation of having recovered from COVID-19 within the previous 3 months or a negative test result from no more than 3 days prior to the day of travel to the airline before boarding the flight. At this time, documentation of vaccination status or antibody test results will not be accepted as proof of COVID status prior to boarding, per CDC guidance.

After arrival in the U.S., travelers must either quarantine for 7 days with a test 3-5 days after travel, or quarantine for the full 10 days without a tests. **This requirement applies to all international travelers whether they were tested before boarding, are recovered from a previous COVID infection, or are fully vaccinated.**

If an employee chooses not to follow the testing protocol described above with regard to personal travel, they must self-isolate for 10 calendar days and not come to work. During the time the employee is self-isolating and waiting for tests results, employees may use any available type of leave day (sick, personal, OR vacation – for example) to cover the period of time they are out of work if they are not able to telecommute. Employees should call the MTA COVID hotline and report the results of their tests.

If at any time an employee experiences symptoms consistent with COVID-19, they should immediately get tested, stay home from work, and report results to the COVID-19 hotline.

Please note, this guidance is subject to change, as the COVID-19 pandemic continues to rapidly evolve