



Department of Transportation

Henry B. Gutman, Commissioner

WORKING IN THE OFFICE IN THE AGE OF COVID, SEPTEMBER 13, 2021 FREQUENTLY ASKED QUESTIONS

1. **What are the return to the office expectations as of 9/13/2021?**

Starting 9/13/2021 all staff are now expected to return to the office full time. Teleworking will no longer be allowed except under very limited circumstances (e.g., reasonable accommodation). Additionally, as per the COVID-Safe Requirement effective 9/13/21, staff will need to provide proof of vaccination or a weekly basis, provide proof of a negative COVID-19 PCR diagnostic test (not an antibody test). For more detail on this requirement, see the "COVID-Safe Requirement" section below. Also all staff, regardless of vaccination status, must wear masks while indoors except when eating or drinking.

2. **Will fully vaccinated employees be exempt from any of these policies?**

As per the COVID-Safe Requirement, fully vaccinated employees who have submitted proof of vaccination will not be required to provide weekly proof of a negative COVID-19 test to HR. Previous exemptions from the face covering policy will no longer be in place as of 9/13/21 – **all staff, regardless of vaccination status, will be required to wear a face covering while in all communal spaces in our facilities (any spaces where you cannot be separated from a door). This includes desks & cubicles.** Any employee who is **not** vaccinated will need to wear a face covering at all times, even in private spaces such as an office. Refer to the "Face Covering" section below for more details.

3. **How do I provide proof of vaccination to HR for the 9/13, COVID-Safe Requirement?**

To submit proof please email HR here: VaxProof@dot.nyc.gov with a picture, screenshot, or PDF of the original Vaccination Record Card, NYC COVID SAFE app contents, or Excelsior Pass and provide the info below:

- **Employee ID:**
- **First Name:**
- **Last Name:**
- **Date of Birth:**

Employees also earn three hours of compensatory time upon completion of the vaccination. Submitting proof of vaccination for comp time is a different process than submitting proof of vaccination for the COVID-Safe Requirement. For comp time, please submit proof to citytimehelp@dot.nyc.gov

If you have already submitted proof of vaccination to HR for comp time or sick leave you may email VaxProof@dot.nyc.gov giving your consent to allow them to use the previously submitted proof along with info above.

An individual is considered fully vaccinated two or more weeks following receipt of the second dose in a 2-dose series of a COVID-19 vaccine, or two or more weeks following receipt of one dose of a single-dose COVID-19 vaccine.

4. **I have submitted proof of vaccination for the 9/13, COVID-Safe Requirement but I have been told by my Division that HR has not received it. How can I resolve?**

The best way to resolve is to open the email you sent and forward to HR at VaxProof@dot.nyc.gov. Please be sure you have included all the information listed above in its entirety. If you have previously submitted for comp time please be sure you provide consent to use that proof.

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- 5. Are there any exceptions (e.g. underlying condition) to the mandatory return to office?**
Only staff with a reasonable accommodation will be able to continue teleworking. Please see "Reasonable Accommodation" section for details.
- 6. Why is DOT required to fully return to the office?**
As the Mayor had previously announced, on September 1, 2021, City Hall officially informed all City agencies that they must bring all staff back to the office full time on 9/13/2021. In response to this City requirement, DOT has implemented a return to office plan for its teleworking employees with safety as the top priority.
- 7. Will there be any exemptions or situations that allow for teleworking?**
Staff will only be able to continue teleworking if they have a reasonable accommodation. Staff will be able to temporarily telework for COVID related situations (e.g. positive COVID test, required to quarantine) as well as for school closures due to Covid. See the "Childcare/Elder Care" section below for more details. City Hall will inform us if staff are allowed to telework during weather events.
- 8. Am I allowed to telework to attend public meetings (e.g., community boards) outside of normal business hours?**
In the case where a public meeting is being held virtually and after normal business hours it is OK to telework to attend.
- 9. If I work a full day in the office, am I allowed to go home and telework at night as OT?**
No. As teleworking is no longer allowed, overtime must be done in the office. However, in very limited cases for staff who are working on time sensitive & critical items (e.g., Covid-19) Division leads may request an exception to Janice Stroughter by emailing jstroughter@dot.nyc.gov

Reasonable Accommodation

- 10. May I submit a reasonable accommodation request to allow me to continue teleworking?**
DOT may provide reasonable accommodations to qualified individuals based on their (1) disability, (2) religion, (3) status as a victim of domestic violence, sex offenses, or stalking, and for (4) pregnancy, childbirth or related medical condition, unless providing such an accommodation would create an undue hardship for DOT or pose a direct threat of harm to the health and safety of the requestor or others in the workplace.
Requests for accommodations MUST be based on one of the four categories identified above. Requests must be submitted to DOT's Office of Equal Employment Opportunity, Diversity & Inclusion (EDI) by calling 212-839-6600, emailing EEODiversityInclusion@dot.nyc.gov, or visiting the office at 59 Maiden Lane, 37th Floor. Once made, EDI will engage all necessary parties in a cooperative dialogue to determine whether a requested accommodation poses an undue hardship or poses a direct threat of harm. In doing so, EDI will consider, among other things, its nature, cost, and the impact on operations.
- 11. If I request permission to telework as my reasonable accommodation, will I be mandated to report to the office while EDI processes my request?**
For employees, interns and contractors teleworking fulltime because of the pandemic, who now request permission to continue teleworking fulltime based on one of the four (4) recognized bases for accommodations, EDI may grant those persons interim approval to continue teleworking fulltime during the pendency of EDI's review of their accommodation request.

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NOTE: Interim approval to telework is not automatic and will be decided by EDI on a case by case basis. A person who submits a request for an accommodation cannot continue teleworking fulltime without receiving written interim approval from EDI.

12. What if I live with someone with underlying conditions and do not want to return to the office?

Certain provisions of the COVID-19 Leave Guidance provides leave for employees caring for someone in quarantine. Please click the link below:

http://sharepoint/Finance2/PDAM/Coronavirus%20documents/Updated%20Leave%20Guidance%20Applicable%20to%20Employees%20During%20Outbreak_ARP%206.11.21.pdf

If you have questions, please email Andrea Rookwood-Brown, arookwoodbrown@dot.nyc.gov.

Childcare/Elder Care

13. What should I do if my child's school/childcare center is closed unexpectedly due to Covid-19? I have childcare commitments and am unable to report to the office. What should I do?

If an employee is having difficulty securing care for a child under the age of 18 whose school or daycare facility is closed due to COVID-19 restrictions, they may be eligible for leave under the Emergency Family and Medical Leave Expansion Act (Division C of the Families First Coronavirus Response Act (FFCRA)). Please contact HR for additional information pertaining to FFCRA.

An employee may telework for any FFCRA-qualifying event, if they are able to do so. With regards to child and dependent care, this includes care of someone under a quarantine or isolation order, or care for a child whose childcare provider is unavailable due to COVID-19 precautions. The employee must be approved to telework by their HR manager, have provided appropriate documentation, and be able to complete their work successfully. Documentation must be submitted to HR at COVID-19inquiry@dot.nyc.gov

For all other circumstances, teleworking is no longer permitted as of 9/13 and staff must report to the office full time. If you have an issue related to childcare, please have a conversation with your manager/supervisor to come up with a solution. Division Heads must review and approve all work plans.

Note: Half days (e.g., reporting to the office for 4 hours and then teleworking for 4 hours) are **not** permitted. Some examples of alternative schedules include:

- Alternative hours (e.g. 7 am - 3 pm).
- Working a day on the weekend (if available by your civil service title and division needs).
- As it has been throughout the pandemic, The Families First Coronavirus Response Act (FFCRA) child care Leave is also still available. FFCRA Leave must be scheduled in advance and taken in full day increments. If you have questions, please email Desiree Odom, dodom@dot.nyc.gov. For additional information, please see the following link:
http://sharepoint/Finance2/PDAM/Coronavirus%20documents/Updated%20Leave%20Guidance%20Applicable%20to%20Employees%20During%20Outbreak_ARP%206.11.21.pdf

14. I have elder care commitments and am unable to report to the office. What should I do?

Staff are required to report to their work location full time and teleworking is not permitted for elder care commitments. Please work with your supervisor to come up with a day that works best for you. You also have the option of using your annual leave or applying for FMLA intermittent leave if the elderly relative has a qualifying health condition.

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Entering the Building

15. What do I need to do to enter the building?

Prior to entering any indoor DOT office space/sites for work, all DOT staff and visitors must complete the daily health screening and wear a mask regardless of vaccination status. This guidance applies to all DOT facilities, even leased facilities that provide exemptions for vaccinated employees. DOT staff must follow City policy.

16. Where can I find a link to the health screening?

The link to the daily health screening for DOT employees is <https://dotcovidscreening.info/>. You can also find a link to this on your DOT issued smartphone or in the Quick Links on SharePoint. If after taking the health screening you are NOT cleared to enter the work site you must inform your supervisor.

17. If I leave the building during the day, do I need to complete the health screening again?

No, if you complete the health screening in the morning, it is good for the whole day and for all DOT facilities.

18. Do I need to show my cleared health screening to anyone in order to enter?

All employees, if entering a DOT facility must complete the DOT health screening before entering. At 28-11 Queens Plaza North, 10 Richmond Terrace, or Queensboro Hall, DCAS security will ask you to show your health screening cleared screen in order to enter the facility.

19. What happens if staff cannot access the health screening before they come to the office?

Staff are allowed to self-screen and then complete the e-screening at their desk.

COVID-Safe Requirement/Vaccinations

20. Are staff required to be vaccinated?

As per the COVID-Safe Requirement effective 9/13/21, all staff must submit proof of vaccination or provide weekly proof of a negative COVID-19 PCR diagnostic test. For each day that an employee reports to work onsite, they must have had a negative COVID-19 PCR test taken within the preceding seven days. All NYC employees are eligible for the vaccine and can take up to four hours of excused leave, per shot, to travel to the vaccination site. Employees also earn three hours of compensatory time upon completion of the vaccination. Submitting proof of vaccination for comp time is a different process than submitting proof of vaccination for the COVID-Safe Requirement. Instructions below:

- For comp time, please submit proof to citytimehelp@dot.nyc.gov
- For the Covid-Safe Requirement, please submit proof to vaxproof@dot.nyc.gov

Note: As of 8/2/21 all new employees must be vaccinated. New employees will not be allowed to test out of this vaccination requirement.

21. I am vaccinated. Do I need to submit weekly tests?

Staff must submit proof of vaccination to HR to not be subject to weekly testing.

22. I have had 1 shot with my 2nd scheduled. Do I need to submit weekly tests?

An employee who receives the first dose of any COVID vaccine on or **after September 13, 2021** will be required to undergo weekly testing until they have submitted proof of full vaccination.



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A City employee who provides documentation of having received one dose of any COVID-19 vaccine **before September 13, 2021** will not be required to undergo weekly testing. However, if the City employee received a two-dose vaccine, the employee must provide documentation that the second dose has been administered within 45 days of the first dose (at the latest by October 28, 2021). If the employee does not provide proof of a second dose in a two-dose vaccine series within that time, a weekly negative test is required until the employee submits proof of full vaccination.

23. I am unvaccinated. What is the procedure to submit weekly tests?

Staff who are unvaccinated must provide a weekly record of a negative PCR test as evidence that they are in compliance with the mandate. The negative test result must be submitted to HR. An employee who has been tested within the preceding seven days but is still waiting for the result may report to work with a pending test result as long as they meet the criteria of the health screening, and provided that the test result is submitted to HR as soon as it becomes available.

In the interim of an e-submission form being built, weekly test **RESULTS** should be emailed to COVIDTestProof@dot.nyc.gov

Staff must take their first COVID-19 test for submission **no later than Monday, 9/20** and will be expected to submit once every seven days after.

24. What do I do if my test result is still pending?

Employees who have been tested, but whose test results are pending should come to work as long as they meet the criteria of the health screening. They must provide proof of test collection to the DOT staff member who is enforcing compliance for their Division while they await the result. Repeated delays in compliance will be reviewed by HR, with disciplinary action taken, as necessary.

25. What happens if an employee arrives to work without having been tested in the preceding 7 days?

If an employee arrives to work without proof of having been tested in the preceding 7 days, they must get tested. Staff can get tested on City time, however, this comes with restrictions including testing should "not have any detrimental impact on operations". The supervisor and staff member should speak to determine a testing plan. If there is a continual failure to follow the rules, then progressive discipline will apply.

26. How will staff be disciplined for non-compliance? Will non-compliant employees be subject to termination?

City staff who are in violation of either the COVID-Safe Requirement to be vaccinated or complete weekly testing will be placed on Leave Without Pay until they are in compliance. Employees who refuse to comply will be terminated. As stated above, staff may work with a pending test result.

27. What type of tests are accepted for the COVID-Safe requirement?

Only polymerase chain reaction (PCR) tests processed by medical professionals qualify for the City's COVID-Safe Requirement. These tests usually take one-two days to process at a lab, but



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some PCR tests are rapid tests. Both rapid and non-rapid PCR tests can be used. At-home tests will not be accepted at this time.

28. Who is responsible for paying for tests at non-City sites?

Tests are widely available at no cost to individuals across dozens of City-sponsored test sites. Full list can be found here: <https://www.nychealthandhospitals.org/test-and-trace/testing>

Private providers may charge for testing or charge a co-pay and all New Yorkers are strongly encouraged to ask about associated costs before being tested. Most providers across the City will attempt to bill insurance for test collection. Additionally insurance companies may not cover testing related to returning to the office. Please check with your insurance provider.

29. Can City and contracted employees take time from their shift to get tested?

City employees may use City time to be tested, but some restrictions apply:

- Employees should work with their supervisors to schedule a time for testing.
- Employees may be required to get tested at the beginning or end of their shift.
- If testing is offered at an employee's place of work, they may not use work hours to be tested off-site.
- If testing is not onsite at the workplace, employees should get tested in a place close to their home or work.
- Employees will be required to document time taken to seek testing and will be required to seek the fastest option available.
- Testing time should be scheduled so that it does not have any detrimental impact on operations.

30. Am I allowed to be asked about my vaccination status?

Only HR or DOT EDI (in response to a request for a reasonable accommodation) may inquire about a staff's vaccination status. Any employee who prefers to keep their vaccination status private can do so by providing a weekly negative COVID-19 PCR test result.

31. What is the definition of "fully vaccinated"?

Individuals are considered fully vaccinated two or more weeks following receipt of a second dose in a 2-dose series of a COVID-19 vaccine, or 2 or more weeks following receipt of a single-dose COVID-19 vaccine.

32. Is there someone I can speak to if I have questions on vaccines?

Yes. The City provides many resources in regards to the COVID-19 vaccine from literature to providing doctors to speak to staff and answer questions. If you have any questions please email COVID-19Inquiry@dot.nyc.gov and DOT will be sure to get an answer for you.

Face Coverings

33. Do all employees and visitors have to wear a face covering, even if fully vaccinated?

Yes. Anyone in a shared indoor City workspace able to medically tolerate a face covering must wear a face covering that covers their mouth and nose at all times (except when eating or drinking). A shared indoor

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City workspace is a communal or open office setting in which individuals cannot be separated by a closed door.

An employee who has provided proof of full vaccination may remove their face covering when in an unshared indoor City workspace.

Any City employees and contractors conducting City business outside, who are able to medically tolerate a face covering, must wear a face covering at all times (except when eating and drinking) when interacting with members of the public.

Further, a face covering is required for all individuals (including those who are fully vaccinated) at all times when interacting with the public or present in a pre-kindergarten to twelfth grade school, public transit, homeless shelter, correctional facility, nursing home, or health care setting.

34. If I am in a private office, can I remove my face covering?

Vaccinated employees may remove their face covering if in their own private office. Unvaccinated employees must wear a face covering at all times even if in a private office or conference room.

35. How will this face covering policy be enforced?

If there is concern over non-compliance, staff may submit a complaint to HR or to the COVID-19inquiry@dot.nyc.gov inbox. HR will investigate the complaint, but given confidentiality concerns, will not be able to inform the individual who submitted the complaint of the resolution. If HR determines there is probable cause that an employee has violated the City's face covering policy, discipline may be pursued by DOT against such employee if warranted.

36. May I wear a face shield instead of a face covering?

A face shield is permitted only if worn with a mask. It is not an acceptable substitute for a face covering at this time.

Ventilation and Personal Protective Equipment (PPE)

37. What has been done to improve the ventilation in DOT office spaces?

Facilities has done a review of all DOT locations and made upgrades to the systems where possible. MERV-13 and MERV-16 filters have been installed at sites where the HVAC system can handle the upgrade. Where possible, outside air flow has been increased and a two hour purge before and after shifts is completed on a daily basis. At sites where higher filtration has not been possible, five stage air filtration systems with infection control technologies are being installed. Please reach out to Facilities if you have any specific questions on your facility.

38. What PPE will be provided to office staff?

Office staff will receive one disposable mask per day and five cloth masks, one bottle of hand sanitizer per month to start (PPE supplies may increase as schedule frequencies increases), and one tub of disinfecting wipes that should last at least a month. Please use these items as needed, but keep in mind our resources of these items are limited.

39. How will the PPE be distributed?

PPE will be distributed through your Division's PPE coordinators and/or liaisons based on the requests

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they submit to Facilities. Please contact COVID-19Inquiry@dot.nyc.gov if you do not know your Division's PPE coordinator or liaison, or for any additional needs and questions.

In the Office – Work Stations and Conference Rooms

40. Are staff allowed to meet in conference rooms?

Yes, staff are permitted to meet in conference rooms for in person meetings. However, staff who do not feel comfortable are not required to attend in person and may join virtually.

41. Are staff allowed to travel to meetings at other agencies, City Hall, etc.?

Yes, as long as safety protocols are followed.

42. Are consultants allowed in the office?

Consultants are allowed in the office if necessary. Before entering, all consultants must complete a health screening at <https://dotcovidscreening.info/>.

43. Will desktops and conference rooms be equipped with cameras and microphones to allow for virtual meetings?

All staff will be provided with a webcam and headset for their desk. Many of the bigger conference rooms will be outfitted with webcams and microphones.

44. Will Wi-Fi be made available for staff to use their laptops or personal devices?

There are Wi-Fi hotspots available throughout 55 Water Street and other DOT buildings for DOT devices. Please do not connect your personal devices to DOT Wi-Fi. To connect to Wi-Fi, please connect to WLAN02 and enter your DOT login and password.

In the Office – Other Common Areas (Elevators, Pantries, Corridors, etc.)

45. What if staff need access to a lactation room?

If staff require access to a lactation room, please send an email to Parents@dot.nyc.gov. Access will be provided.

46. Will staff be allowed to eat in the pantries?

Staff are permitted to eat in the pantries.

47. Will the stairwells at 55 Water Street be open?

The building will not permit tenants to use the stairwells other than during emergencies due to New York City code concerns.

COVID Case Protocol

48. What should I do if I test positive for COVID-19 or have developed symptoms of COVID-19?

If you test positive for COVID-19 or have developed symptoms of COVID-19, please follow the established agency protocol based on DCAS guidance, including requirements for Contact Tracing:

- a. Staff who have been diagnosed with COVID-19, or have developed symptoms of COVID-19, must immediately report the diagnosis or likelihood of infection to Human Resources (HR) by one of the following options:

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- i. Emailing HR at COVID-19Inquiry@dot.nyc.gov
 - ii. Calling the DOT COVID Notification Hotline #212-839-2000 and leaving a voicemail w/ name and number so HR can call you back
 - iii. You may also choose to, but are not required, inform your supervisor, should you feel comfortable doing so. Your supervisor will then contact HR on your behalf.
- b. If you test positive for COVID-19 – or if you have symptoms and have consulted a doctor - you must submit documentation (e.g. test result) to COVID-19Inquiry@dot.nyc.gov with your name and Employee ID if you plan to receive excused leave. You may also send the documentation to your Personnel Coordinator who is acting as an extension of HR. Documentation is required for Excused Leave.
- c. If you have tested positive for COVID, or you exhibit COVID-19 symptoms, you are required to then immediately begin a 10 day quarantine period. You cannot end quarantine early with a negative test result. You must inform your supervisor if you are not able to come into work.
- d. Staff who (1) have been in close contact with another staff member who has tested positive or (2) have been in close contact with another staff member who has COVID-19 symptoms are required to quarantine as well, unless they have been vaccinated or if they are an essential worker as provided for in more detail below. Staff who are fully vaccinated against COVID-19 and have been identified as a close contact do not need to quarantine, as long as they have no COVID-19 symptoms following their exposure. Supervisors and managers may ask fully vaccinated employees (two weeks have passed since they completed their vaccination) who have been identified as a close contact to come into work if they have been asymptomatic since being in close contact with the employee that tested positive for COVID-19 or exhibited symptoms of COVID-19. Supervisors and managers may also require an essential worker to come into work without quarantining, as long as they have no COVID-19 symptoms or have not tested positive for COVID-19 following their exposure and they are determined by HR to be critical to the operation and safety of the agency. Please see the guidance for full details: <https://www1.nyc.gov/assets/doh/downloads/pdf/covid/covid-19-understanding-quarantine-and-isolation.pdf>
- e. If you develop symptoms you should get tested or contact your doctor or teledoc. Without proper documentation of COVID-19 symptoms you may be unable to receive Excused Leave. All leave policies related to COVID-19 are set forth in the following link: <https://www1.nyc.gov/assets/dcas/downloads/pdf/guidelines/Updated%20Leave%20Guidance%20Applicable%20to%20Employees%20During%20Outbreak%20011221.pdf>
- f. Staff and supervision should be mindful of fellow employees, and **must keep all health related and sensitive information confidential.**
- g. DOT has established a Rapid Response Team (“RRT”) to manage COVID-19 cases in the workplace, composed of the agency’s Agency Chief Restart Officer (“ACRO”), Safety and Health Coordinator, and HR appointee; and trained by DOHMH, Test and Trace Corp (“T2”), the Law Department, and DCAS.
- h. HR on behalf of the established Rapid Response Team (RRT) will contact the employee to initiate contact tracing. They will ask questions including who you have had close contact with. Close contact is defined as someone who was within 6 feet of an infected person for at least 10

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minutes over a 24-hour period. Any staff who have been determined as a close contact will be required to quarantine for 10 days. In notifying close contacts of the confirmed positive case, the RRT will make best efforts not to identify the employee who has been diagnosed with COVID-19 without that employee's consent. Additionally HR will contact Facilities to alert them of a positive/possible case in the workplace. For locations that have multiple divisions, Facilities will facilitate the notification process confidentially across the divisions.

49. What may I expect if one my co-workers in my office area tests positive for COVID-19?

- a. If there is a positive case reported, the agency's Rapid Response Team (RRT) will take the necessary measures to contact appropriate staff, for immediate cleaning of the site, and subsequent contact tracing. Facilities will conduct cleaning of the affected areas if it has been less than 4 days since the employee was onsite.
- b. Facilities will close off any affected areas until cleaning has been completed, and will notify any affected staff and their supervisors.
- c. Staff who are identified as close contacts of employees who have tested positive (defined as someone who was within 6 feet of an infected person for at least 10 minutes over a 24-hour period) will be notified and sent home to quarantine. Other staff who are not identified as close contacts but whose workstations are affected by the cleanings will be sent home to telework until cleaning is completed.
- d. The identity of the individual who tested positive will remain confidential.

50. What happens if someone has perceived symptoms of COVID-19?

Employees who exhibit symptoms of covid, but who do not have a positive Covid test result, should be sent home. To be eligible for excused leave, an employee must provide documentation that they have exhibited symptoms of COVID-19 and that they sought diagnosis of COVID-19 with a COVID-19 diagnostic test within three days from symptom onset. Employees must use their own sick leave for any additional time taken after receiving a negative COVID-19 test result or if they do not seek COVID-19 testing. This is not optional, and supervisors should use diplomacy in speaking to the employee. If there is a dispute over whether the employee is sick and the employee refuses to leave, please contact HR.

Contacts

51. Who may I contact if I would like to report to Human Resources regarding staff who are not complying with the safety protocols in DOT workspaces?

Please contact Human Resources at the following address for any concerns relating to staff who are not complying with DOT's safety protocols, or for any other inquiry relating to this Return to Office plan: COVID-19Inquiry@dot.nyc.gov.

52. If I would like to anonymously report non-compliance with safety protocols in DOT workspaces, how may I do that?

For anonymous reporting, you can access the DOT Employee Suggestion Box on the DOT SharePoint home page: <http://sharepoint/>

Note: If you report anonymously we are unable to respond if we have any questions. Please be sure to list out all details.

53. Who may I contact if I'm experiencing anxiety over this requirement to return to office?

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You may contact WorkWell NYC workwell@olr.nyc.gov or the Employee Assistance Program eap@olr.nyc.gov.

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