




**MEMORANDUM
EXECUTIVE CHAMBER
STATE OPERATIONS
Room 207**

Andrew M. Cuomo
Governor

TO: All State Agencies and Public Authorities

FROM: Director of State Operations and Infrastructure, Kelly Cummings 

SUBJECT: UPDATED: Statewide COVID-19 Non-Essential Employee Guidance

DATE: May 14, 2020

In response to the COVID-19 public health emergency, a memorandum was issued on April 25, 2020, in accordance with Executive Order 202.13, for all non-essential State employees of New York State's agencies and public authorities in every county, to not report to work through May 15, 2020. This memorandum extends this directive for all non-essential State employees through May 31, 2020.

Agencies are hereby directed to develop regional plans with a goal to re-open by June 1, 2020. The plans for returning non-essential employees to work will be developed in consultation with the agency's respective Deputy Secretary over the next week. The regional re-opening plans will then be communicated to employees, providing advance notice to make appropriate arrangements for their return to work. Non-essential employees may be expected to return to work, in designated regions, starting June 1, 2020.

For the purpose of this directive, essential employees are defined as anyone whose job function is essential to the effective operation of their agency or authority, or who must be physically present to perform their job, or who is involved in the COVID-19 emergency response. Non-essential employees are defined as anyone who does not need to be physically present to perform job functions, or they are not required to meet the core function and programs of their agency during this emergency response.

At this time, non-essential employees shall work from home, to the extent practicable. Where non-essential employees can be assigned to perform critical work outside of their normal state workplace, this is permitted. Employees will not be charged their accruals to fulfill this directive. Anyone designated non-essential shall call an agency contact no later than one hour prior to their regular start time, to ensure any change in status can be communicated.

Each agency or authority is responsible for working with their respective Deputy Secretary in the Executive Chamber to designate essential personnel, communicate to all employees their status and any expectations about expected work from home, or whether and where to report to perform essential functions for COVID-19 response. Agency leadership is expected to adjust their protocols and procedures for required health and safety policies, before non-essential employees return to work, in consultation with their Deputy Secretary. Agencies that host functions for other agencies shall communicate any

operational changes. Nothing in this directive shall prohibit agencies from recruiting volunteers or mandating staff to support the response efforts across the state for COVID-19.

Agencies and authorities may change an employee's designation as either essential or non-essential at any time and, as the operational needs of the response shift, the specific functions or locations may be modified accordingly at any time. Please distribute this memorandum to your employees and the employees of any agency you host. Thank you for your cooperation.