



CDC: [Coronavirus Disease 2019 \(COVID-19\)](#) ▪ Kentucky Public Health: [COVID-19](#) ▪ KCOJ: [COVID-19 and the Courts](#)

Update for August 7, 2020

Justices, Judges, Circuit Court Clerks and Kentucky Court of Justice Personnel:

Asymptomatic court employees now eligible for paid leave to obtain COVID-19 testing

Since the first days of the pandemic, court employees who have been exposed to or who have experienced symptoms of COVID-19 have had access to paid leave for testing through state and federal emergency sick leave policies. However, we now know that the virus can be present in those who do not know they've been exposed and do not have any symptoms.

That's why the Supreme Court has taken another step to ensure the safety of our workplaces by authorizing asymptomatic employees to claim up to two hours of paid leave to obtain COVID-19 testing each calendar month through December 2020. [Supreme Court Administrative Order 2020-58](#) was entered today to amend Order 2020-48 by including authorization for asymptomatic COVID-19 testing leave.

Eligibility for Asymptomatic COVID-19 Testing Leave

To be eligible for paid leave for COVID-19 testing, an employee must:

1. Be asymptomatic and working in-office some hours each week.
2. Be scheduled to and actually work the day the testing is obtained.
3. Obtain prior approval from his or her appointing authority if testing is obtained during scheduled work hours.
4. Not have previously claimed COVID-19 testing leave during that calendar month.

Eligible employees must provide documentation of the test to his or her appointing authority during the pay period in which the leave is claimed. However, the appointing authority may specify the time in which the eligible employee will be approved to be absent from work. If the eligible employee does not use all two hours of testing leave or if he or she does not miss any work hours, then he or she will be credited with compensatory time.

If an employee is turned away by the testing center, he or she will not qualify for COVID-19 testing leave that day and must provide proof to his or her appointing authority of the attempt to be tested in order to be excused. Any employee who claims testing leave will be subject to disciplinary action if it is determined that he or she did not actually obtain a COVID-19 test.

COVID-19 Testing for Asymptomatic Employees

State employees and contractors are being offered [special COVID-19 testing](#) locations and times through a partnership with First Care Clinics. All asymptomatic Judicial Branch employees can receive COVID-19 testing at any of First Care Clinics' [13 testing sites](#) throughout the state or at the drive-thru site at the [Sower Building in Frankfort](#), which are set up to test asymptomatic employees on these dates:

Special Testing Dates for Asymptomatic Employees

September 1-3 ▪ October 20-22 ▪ November 17-19 ▪ December 15-17

When registering online through First Care, indicate that you are a state employee and include your state employee ID if prompted. Also, if you are eligible for paid leave, be sure to submit documentation of your test to your appointing authority and include two hours of agency sponsored event leave (EVNT) in addition to the hours you worked on the day of your COVID-19 test. (Employees may also obtain testing through any other provider at any time and receive paid leave if eligible.)

Employees With COVID-19 Exposure or Symptoms

If an employee needs to obtain COVID-19 testing due to exposure to or symptoms, he or she may be eligible to claim emergency sick leave or federal sick leave, in addition to his or her accumulated leaves. Employees who have been directed to obtain testing due to exposure or illness should contact their local health department or health care provider.

If you have questions about leave for COVID-19 testing, please email the Department of Human Resources at COJHR2@kycourts.net.



John D. Minton, Jr.
Chief Justice of Kentucky
Capitol Building
700 Capital Avenue, Room 231
Frankfort, Kentucky 40601
Telephone 502.564.4162

Kentucky Court of Justice Confidentiality Notice

This message and/or attachment is intended only for the addressee and may contain information that is privileged, confidential and/or proprietary work product. If you are not the intended recipient, or an authorized

employee, agent or representative of the intended recipient, do not read, copy, retain or disseminate this message or any attachment. Do not forward this message and attachment without the express written consent of the sender. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachment. Transmission or misdelivery shall not constitute waiver of any applicable legal privilege.