



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF INDUSTRIAL ACCIDENTS

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Administrative Bulletin # 6

To: All Interested Parties
From: Sheri Bowles, Interim Director
Re: Reopening of DIA Offices
Date: September 4, 2020

The Department of Industrial Accidents (DIA) will reopen its offices to the public on September 28, 2020, to resume limited in-person hearings. The Department reserves the right to adjust and make modifications to its processes, procedures and protocols based on guidance provided by federal, state, and local officials as it relates to the COVID-19 pandemic. We will notify stakeholders of any changes.

The health and safety of our staff and all visitors to the DIA remain our highest priority. Protocols have been designed to ensure the safety of everyone and will be strictly adhered to. Any person who fails or refuses to abide by the guidelines set forth below will not be granted access to the DIA offices and/or will be asked to leave.

1. Prior Administrative Bulletin:

This bulletin shall replace the administrative bulletin issued on June 23, 2020 and will remain in place until further notice.

2. Scope:

This bulletin applies to all persons seeking entry to any DIA office, including Boston, Fall River, Lawrence, Springfield, and Worcester. In addition to compliance with this bulletin, persons entering the DIA offices shall comply with all other federal, state, and local orders, and building specifications as required by the DIA landlords regarding the COVID-19 pandemic.

3. Persons Prohibited Entry to the DIA Offices:

The following persons shall **not** enter the DIA Offices:

- a. Persons **not** wearing a mask or cloth face covering. The mask/face covering must cover both the nose and mouth. When coming to the DIA, visitors should have their own masks or face coverings. The DIA will provide masks only as supplies allow.

- b. Persons who have tested positive for COVID-19 or have been in close contact or live with a person who has tested positive for COVID-19 in the last 14 days.
- c. Persons who have been placed under quarantine in the last 14 days by a medical doctor or licensed healthcare provider.
- d. Persons who have traveled to a high-risk area in the last 14 days. Additional information regarding the travel order can be reviewed by going to the following website, <https://www.mass.gov/info-details/covid-19-travel-order>.
- e. Persons who exhibit any COVID-19 symptoms, including but not limited to: temperature 100° or above, shortness of breath/difficulty breathing, recent loss of taste or smell.

4. What to Do if Not Permitted to Enter:

If any person is scheduled to appear for an in-person proceeding but is not permitted to enter for any reason/s listed in Section 3, the person shall proceed as follows:

- a. If represented by an attorney, contact your attorney to either reschedule the proceeding or make necessary arrangements to participate through a virtual platform.
- b. If not represented by an attorney or appearing pro se, please contact the judge's office to reschedule the proceeding or make necessary arrangements to participate through a virtual platform. In addition, please contact opposing counsel.

5. Protocols Upon Entrance and While in the DIA Offices:

All persons shall comply with the following:

- a. A mask or cloth face covering is required at all times. The face covering must cover the person's mouth and nose at all times. Persons who need to testify during a hearing will be given a clear face mask. The face mask will be individually wrapped and provided at the time of testimony.
- b. Members of the Massachusetts Bar shall present bar cards and then proceed to the main reception desk to check-in with the DIA representative. Bar members shall provide their name and phone number for contact tracing purposes. The DIA representative will direct the member to the appropriate courtroom.
- c. All other visitors shall check-in with the security officer and undergo a security screening. Upon completion of the security screening, visitors should proceed to the main reception desk and check-in with the DIA representative. The visitor shall provide his/her name and phone number for contact tracing purposes. The DIA representative will direct the visitor to the appropriate courtroom.

6. Physical Distancing:

All persons shall engage in physical distancing by standing 6 feet apart from others when it is practical to do so. Signs will be posted for additional guidance.

7. Maximum Capacity:

The number of persons allowed in waiting areas, attorney rooms, attorney/client rooms and courtrooms will be limited to the maximum capacity for that room while also allowing for physical distancing. Signs will be posted for additional guidance.

- a. The rooms not accessible to visitors will be cleared marked as “CLOSED”. Public entry is prohibited.
- b. All parties must exit the DIA upon completion of their proceeding. This will allow time for cleaning and sanitizing before the next proceeding.

8. Hand Hygiene:

All persons entering the DIA offices are encouraged to engage in hand washing or using hand sanitizer. The DIA will endeavor to have hand sanitizer and disinfecting wipes available for use in various locations throughout the public space. Visitors are encouraged to bring their own hand sanitizer with them. Public restrooms will be available for hand washing.

9. Common Use Items Such as Pens:

All persons are encouraged to bring their own pens to sign documents. This will help reduce the number of common touch points. The use of the printer and copier in the attorney room will be permitted. Disinfecting wipes will be available to clean the machines before and after use.

The following changes will be implemented pursuant this administrative bulletin:

10. Hearings:

1. A limited number of courtrooms will be used to conduct in-person hearings. All other courtrooms will be marked “CLOSED” and public entry is prohibited.

The parties must notify the judge by email **forty-eight hours** in advance to advise the judge whether or not the Hearing is going forward. During the hearing, only the attorneys and witnesses in that particular case will be allowed in the room.

- a. Number of Open Courtrooms Per Day:
 - Boston – 3
 - Fall River – 2
 - Lawrence – 2
 - Springfield – 2
 - Worcester – 2

- b. Number of Hearings Per Day:
 - One morning session in each courtroom
 - One afternoon session in each courtroom

- c. Testimony via a virtual platform may be allowed for persons not able to attend in person.

Each courtroom will be cleaned after each session.

11. Microfilm-Insurance Room Access:

Access will be granted by appointment only on Mondays, Wednesdays, and Thursdays between 9 a.m. and 12 p.m. Please call 617.727.4900 to schedule an appointment.

As a reminder, Conciliations, Conferences, Lump Sum Conferences, Section 15 Petitions, OEVR Mandatory and Team Meetings and Stop Work Order Hearings will continue to be conducted via phone conference, WebEx, or other similar virtual platform until further notice.

Your cooperation and patience during this time is greatly appreciated. Please contact us with any questions at 617.727.4900 or visit our website, www.mass.gov/dia.