



## Office of Children and Family Services

**ANDREW M. CUOMO**  
Governor

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Commissioner

### **Emergency Child Care Employment Guidance**

As a result of Executive Orders recently issued by Governor Cuomo as a result of the COVID-19 emergency, OCFS has been granted the authority to waive certain background check and training requirements so that child care programs can onboard employees without those new employees completing the comprehensive background check process and the pre-service health and safety training requirements. This will help programs to more quickly onboard new staff.

OCFS requires completion of the following activities by the child care program if the program wishes to use the new onboarding process. These actions must be completed for OCFS licensed/registered and legally-exempt child care programs:

1. Complete and submit the OCFS Waiver Request Form, [OCFS – 4887](#), to your Regional or Enrollment Office requesting to waive the Comprehensive Background Check and pre-service health and safety training requirements. The waiver request must list all of the employees in the program for which the comprehensive background checks and health and safety training are being waived, and include their full name and date of birth. We are also strongly recommending that the submitter also include an email address with the waiver request, to support prompt and expedited communication during the emergency. The waivers will be reviewed and approved on a case-by-case basis and must be maintained onsite at the program for their approved duration.
  - a. The NYC Department of Health and Mental Hygiene is in the process of establishing a dedicated email mailbox for the submission of waiver requests. Licensed/registered programs located in NYC should submit their waiver requests via email to [cbcwaivers@health.nyc.gov](mailto:cbcwaivers@health.nyc.gov).
2. Complete an online search of the NYS Sex Offender Registry for each new employee being hired. This can be done by going to <https://www.criminaljustice.ny.gov/nsor/>. Results of the completion of the NYS Sex Offender Registry Check must be documented for each employee and maintained onsite at the program and clearly indicate the name of the individual and date of completion.
3. Each employee must complete the Emergency Employment Attestation for Adults form, OCFS-6051, and this form must be maintained onsite. This form can be found at <https://ocfs.ny.gov/programs/childcare/#t1-Updates-and-Important-Announcements>.

For onboarding new program directors and onsite providers (where applicable), the search of the NYS Sex Offender Registry will be completed by OCFS licensing/registration or enrollment staff and similarly documented. For these roles, the required attestation forms should accompany the submitted waiver request form.

The ability to issue waivers for comprehensive background checks and health and safety training is a temporary measure being taken to support programs in their ability to provide essential services during the COVID-19 emergency. While the issuance of a waiver will exempt the requirement for pre-service health and safety training, programs may still elect to have employees complete this training and OCFS strongly recommends this practice. Any employees being onboarded in this manner will ultimately be required to complete the OCFS comprehensive background check and pre-service health and safety training requirements, as these exemptions will only be applicable for the duration of the emergency. To the extent practicable, child care employees who have not undergone the comprehensive background checks will remain under the supervision of individual who has been previously cleared and approved. Any questions regarding this guidance should be directed to your licensing, registration or enrollment office.