



# Reopening New York



## Mall Guidelines for Employers and Employees in New York City

This guidance will apply to all indoor, strip, and outlet malls permitted to operate in New York City.

Pursuant to the Governor’s Executive Orders, malls in New York City may reopen Wednesday, September 9, 2020 in accordance to the following guidance. See “Interim COVID-19 Guidance for Malls in New York City” for full details.

During the COVID-19 public health emergency, all proprietors/owners/operators of malls should stay up to date with any changes to state and federal requirements related to mall activities and incorporate those changes into their operations. This guidance is not intended to replace any existing applicable local, state, and federal laws, regulations, and standards.

	Mandatory	Recommended Best Practices
<b>Physical Distancing</b>	<ul style="list-style-type: none"> <li>✓ In coordination with any tenants, ensure that workforce and customer presence is limited to no more than 50% of the maximum occupancy, inclusive of customers, who must maintain 6 ft. of separation from individuals who are not in their immediate party/household/family and, in all cases, must only be permitted entry into the mall and businesses within the mall if they wear an acceptable face covering and keep such face covering on during the duration of the visit; provided that they are over age 2 and able to medically tolerate one.</li> <li>✓ Malls in New York City must have a staff person present at external entrances to the mall area to ensure that both the capacity and the face covering requirement are adhered to.</li> <li>✓ Ensure 6 ft. distance between employees and customers, unless safety or the core activity requires a shorter distance (e.g. operating cash registers, moving merchandise). All individuals, including employees and customers, must wear face coverings at all times while in the mall or businesses located within the mall.</li> <li>✓ Strictly monitor and control the flow of traffic into the mall to ensure adherence to maximum capacity requirements and, at all times maintain an accurate count of current capacity of the facility.</li> <li>✓ Ensure sufficient employee/security presence to enforce limitations on gatherings, social distancing, face covering use, and adherence to guidance.</li> <li>✓ Prohibit loitering and unnecessary congregating by customers and maintain sufficient employee/security presence to strictly monitor traffic flow and eliminate such congregating and loitering.</li> <li>✓ Close or modify amenities where applicable, including: <ul style="list-style-type: none"> <li>• Closing common seating areas within the mall.</li> <li>• Closing self-serve bars and samplers.</li> <li>• Closing water fountains.</li> </ul> </li> <li>✓ Suspend valet services.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Adjust mall hours to reduce interpersonal contact and congregation and allow for enhanced cleaning and disinfection procedures.</li> <li>✓ Modify the use and/or restrict the number of work spaces and seating areas to maintain 6 ft. distance in all directions.</li> <li>✓ Designate curbside pick-up areas for interior stores.</li> <li>✓ Provide clearly designated, separate entrances and exits.</li> <li>✓ Implement a touchless delivery system for merchandise deliveries, where drivers stay in the vehicle while delivery takes place.</li> <li>✓ Encourage customers to use touchless payment options or pay ahead.</li> <li>✓ Implement control methods to help ensure customers can maintain social distance while in, or waiting to use, a shared restroom.</li> </ul>



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<b>Physical Distancing (cont’d)</b>	<ul style="list-style-type: none"> <li>✓ Put in place measures to reduce bi-directional foot traffic of customers, and post signage and distance markers denoting spaces of six feet in all commonly used areas and any areas in which lines are commonly formed or people may congregate (e.g., clock in/out stations, health screening stations, in-mall kiosks, break rooms).</li> <li>✓ Establish designated areas for deliveries, limiting contact to the extent possible.</li> <li>✓ Ensure that any indoor dining areas, including food court seating areas, remain closed; additionally, all restaurants in the mall, including food services establishments located within the food court, can operate only for outdoor dining, if they have a separate external entrance for the public, and must operate in accordance with DOH’s <a href="#">"Interim Guidance for Outdoor and Take-Out/Delivery Food Services During the COVID-19 Public Health Emergency."</a></li> </ul>	
<b>Air Filtration &amp; Building Systems</b>	<ul style="list-style-type: none"> <li>✓ Before occupants return to a building that has been entirely closed, complete pre-return checks, tasks, and assessments to ensure a healthy and safe environment. These systems include but are not limited to mechanical systems, water systems, elevators, and HVAC systems.</li> <li>✓ For <a href="#">malls</a> that are greater than 800,000 square feet, ensure building HVAC system filtration meets the highest rated filtration compatible with the currently installed filter rack and air handling systems, at a minimum MERV-13, or industry equivalent or greater (e.g., HEPA), as applicable, and as certified and documented by a certified HVAC technician, professional, or company, <a href="#">ASHRAE</a>-certified professional, certified retro-commissioning professional, or New York-licensed professional building engineer.</li> <li>✓ If a <a href="#">mall</a> greater than 800,000 square feet is unable to meet a building HVAC system filtration rating of MERV-13 or greater, malls must have a certified HVAC technician, professional, or company, <a href="#">ASHRAE</a>-certified professional, certified retro-commissioning professional, or New York licensed professional building engineer certify and document that the currently installed filter rack and air handling system would be unable to perform to the minimum level of heating and cooling that it was</li> </ul>	<ul style="list-style-type: none"> <li>✓ For <a href="#">malls</a> that are greater than 800,000 square feet and meet a building HVAC system filtration rating of MERV-13 or greater, and for malls that are less than 800,000 square feet, consider adopting additional ventilation and air filtration mitigation protocols per <a href="#">CDC recommendations</a>, particularly for buildings older than 15 years, including: <ul style="list-style-type: none"> <li>• Increasing ventilation rates and outdoor air ventilation to the extent possible;</li> <li>• Keeping systems running for longer hours (e.g., 24/7 if possible);</li> <li>• Disabling demand-controlled ventilation, where reasonable, but still maintaining systems that increase fresh air supply (e.g., conference or meeting rooms);</li> <li>• Opening outdoor air dampers to reduce or eliminate recirculation to the extent possible;</li> <li>• Considering the installation of appropriately designed and deployed ultraviolet germicidal irradiation (UVGI) to deactivate airborne virus particles;</li> <li>• Sealing edges of the filter to limit bypass; and/or</li> <li>• Regularly inspecting systems and filters to ensure they are properly operating, and filters are appropriately installed, serviced and within service life.</li> </ul> </li> </ul>



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	Mandatory	Recommended Best Practices
<b>Air Filtration &amp; Building Systems (cont’d)</b>	<p>otherwise able to provide prior to the COVID-19 public health emergency if such a high degree of filtration (i.e., MERV-13 or greater) was installed. Further, malls must submit such documentation to DOH for review and approval to operate at a lesser filtration rating of MERV-11 or MERV-12 with additional ventilation and air filtration mitigation protocols. In all instances, however, Responsible Parties must maintain a building HVAC system filtration rating of, at least, MERV-11.</p> <ul style="list-style-type: none"> <li>In addition, malls that are unable to meet a filtration rating of MERV-13 or greater must put in place additional ventilation and air filtration mitigation protocols per <a href="#">CDC recommendations</a>, where appropriate, including: <ul style="list-style-type: none"> <li>Increasing ventilation rates and outdoor air ventilation to the extent possible;</li> <li>Keeping systems running for longer hours (e.g., 24/7 if possible);</li> <li>Disabling demand-controlled ventilation, where reasonable, but still maintaining systems that increase fresh air supply (e.g., conference or meeting rooms);</li> <li>Opening outdoor air dampers to reduce or eliminate recirculation to the extent possible;</li> <li>Considering the installation of appropriately designed and deployed ultraviolet germicidal irradiation (UVGI) to deactivate airborne virus particles;</li> <li>Sealing edges of the filter to limit bypass; and/or</li> <li>Regularly inspecting systems and filters to ensure they are properly operating, and filters are appropriately installed, serviced and within service life.</li> </ul> </li> </ul> <p>✓ For <a href="#">malls</a> that are less than 800,000 square feet, ensure building HVAC system filtration meets the highest rated filtration compatible with the currently installed filter rack and air handling systems, at a minimum MERV-11, or industry equivalent or greater (e.g., HEPA), but ideally MERV-13, as applicable, and as certified and documented by a certified HVAC technician, 8 professional, or company, <a href="#">ASHRAE</a>-certified professional, certified retro-commissioning professional, or New York-licensed professional building engineer.</p>	<p>(For specific guidance on air filtration and building systems, please consult “Interim COVID-19 Guidance for Malls in New York City”).</p>





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<b>Protective Equipment</b>	<ul style="list-style-type: none"> <li>✓ Ensure customers are only permitted entry into the mall and businesses within the mall if they wear an acceptable face covering and continue to wear the face covering during the duration of the visit; provided, however, that they are over age 2 and able to medically tolerate one. Malls in New York City must have sufficient staff present and available at entrances to the mall to enforce this requirement as well as monitor the occupancy restrictions.</li> <li>✓ Ensure that employees wear an acceptable face covering at all times.</li> <li>✓ Employers must provide employees with an acceptable face covering at no-cost to the employee and have an adequate supply of coverings in case of replacement.</li> <li>✓ Acceptable face coverings include but are not limited to cloth (e.g. homemade sewn, quick cut, bandana) and surgical masks, unless the nature of the work requires stricter PPE (e.g. N95 respirator, face shield).</li> <li>✓ Face coverings must be cleaned or replaced after use and may not be shared.</li> <li>✓ Employers must train employees on how to put on, take off, clean and discard PPE, including face coverings.</li> <li>✓ Limit the sharing of objects (e.g. tools, registers, and vehicles) and touching of shared surfaces; or, when in contact with shared objects or frequently touched areas, require employees to wear gloves (trade-appropriate or medical); or, require employees to perform hand hygiene before and after contact.</li> <li>✓ Ensure employees wear gloves while handling any food products.</li> </ul>	
<b>Hygiene, Cleaning, and Disinfection</b>	<ul style="list-style-type: none"> <li>✓ Adhere to hygiene and sanitation requirements from the <a href="#">Centers for Disease Control and Prevention</a> (CDC) and <a href="#">Department of Health</a> (DOH) and maintain logs on site that document date, time, and scope of cleaning and disinfection.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Place hand sanitizer at mall entrances, information kiosks, and entrances to stores.</li> </ul>

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Hygiene, Cleaning, and Disinfection (cont'd)	<ul style="list-style-type: none"> <li>✓ Provide and maintain hand hygiene stations, including handwashing with soap, water, and paper towels, as well as an alcohol-based hand sanitizer containing 60% or more alcohol for areas where handwashing is not available/practicable.</li> <li>✓ Make hand sanitizer available throughout the mall for use by employees and customers.</li> <li>✓ Conduct regular cleaning and disinfection of the mall and more frequent cleaning and disinfection for high-risk areas used by many individuals and for frequently touched surfaces. Refer to Department of Environmental Conservation (DEC) <a href="#">products</a> identified by the Environmental Protection Agency (EPA) as effective against COVID-19.</li> <li>✓ Ensure employees perform hand hygiene before and after transferring a load (e.g. truckload) of merchandise.</li> </ul>	
Communication	<ul style="list-style-type: none"> <li>✓ Affirm you have reviewed and understand the state-issued industry guidelines, and that you will implement them.</li> <li>✓ Develop a communication plan for employees and customers with a consistent means to provide updated information.</li> <li>✓ Post signage inside and outside of the mall to remind personnel and customers to adhere to proper hygiene, social distancing rules, appropriate use of PPE, travel advisory restrictions, and cleaning and disinfection protocols.</li> <li>✓ Conspicuously post completed safety plans on site.</li> </ul>	
Screening	<ul style="list-style-type: none"> <li>✓ Implement mandatory daily health screening practices for employees and, where practicable, visitors, but such screening shall not be mandated for customers or delivery personnel.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Perform screening remotely (e.g. by telephone or electronic survey), before employees report to the mall location, to the extent possible.</li> <li>✓ Screeners should be trained by employer identified individuals familiar with CDC, DOH, and OSHA protocols.</li> <li>✓ Temperature checks may also be conducted per Equal Employment Opportunity Commission or DOH guidelines.</li> </ul>

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Screening (cont'd)	<ul style="list-style-type: none"> <li>✓ Screening must ask about, at minimum: (1) COVID-19 <a href="#">symptoms</a> in past 14 days, (2) positive COVID-19 diagnostic test in past 14 days, (3) close contact with confirmed or suspected COVID-19 case in past 14 days; and/or (4) traveled within a state with significant community spread of COVID-19 for longer than 24 hours within the past 14 days.</li> <li>✓ Refer to DOH <a href="#">travel advisory</a> for the most up to date information on states with significant spread of COVID-19 and quarantine requirements.</li> <li>✓ Individuals who screen positive for COVID-19 symptoms must not be allowed to enter the mall or workplace and must be sent home with instructions to contact their healthcare provider for assessment and testing.</li> <li>✓ Immediately notify the state and local health department of any positive COVID-19 test result and cooperate with health department contact tracing efforts.</li> <li>✓ Provide for the cleaning and disinfection of exposed areas in the event of a positive case, with such cleaning and disinfection to include, at a minimum, all heavy transit areas and high-touch surfaces (e.g. bathrooms, door knobs, vending machines).</li> </ul>	<ul style="list-style-type: none"> <li>✓ Maintain a log of employees and visitors who may have close or proximate contact with other individuals at the workplace or area; excluding customers and excluding deliveries that are performed with appropriate PPE or through contactless means.</li> <li>✓ Provide an option for customers to provide contact information so they can be logged and contacted for contact tracing, if necessary.</li> <li>✓ Refer to DOH <a href="#">guidance</a> regarding protocols and policies for employees seeking to return to work after a suspected or confirmed case of COVID-19 or after the employee had close or proximate contact with a person with COVID-19.</li> </ul>

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