



## INTERIM GUIDANCE FOR REAL ESTATE SERVICES DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

When you have read this document, you can affirm at the bottom.

As of March 12, 2021

### Purpose

This Interim Guidance for Real Estate Services during the COVID-19 Public Health Emergency (“Interim COVID-19 Guidance for Real Estate”) was created to provide owners/operators of businesses in the real estate sector and their employees, salespeople/brokers and contractors with precautions to help protect against the spread of COVID-19 as real estate businesses continue to operate or reopen.

This guidance applies to residential property management entities, real estate salespeople/brokers, building inspectors, building appraisers, and related activities. This guidance provides further guidelines in addition to that previously issued pursuant to Executive Order 202.6 for real estate services. This guidance does not address entities occupying office space; for more information, see “Interim COVID-19 Guidance for Office-Based Work.” This guidance also does not address non-residential/commercial property management; for more information, see, “Interim COVID-19 Guidance for Commercial Building Management.” However, if a residential property management entity is also responsible for non-residential/commercial property management in the same building, and if residential tenants and commercial tenants share entrances, parking, or other common spaces, the property management entity must also review and affirm the guidance for the commercial building management sector.

### Background

These guidelines are minimum requirements only and any Responsible Party is free to provide additional precautions or increased restrictions. These guidelines are based on the best-known public health practices at the time of Phase II of the State’s reopening, and the documentation upon which these guidelines are based can and does change frequently. The Responsible Parties – as defined below – are accountable for adhering to all local, state and federal requirements relative to real estate activities. The Responsible Parties are also accountable for staying current with any updates to these requirements, as well as incorporating same into any real estate activities and/or Site Safety Plan.

On March 7, 2020, Governor Andrew M. Cuomo issued [Executive Order 202](#), declaring a state of emergency in response to COVID-19. Community transmission of COVID-19 has occurred throughout New York. To minimize further spread, social distancing of at least six feet must be maintained between individuals, where possible.

On March 20, 2020, Governor Cuomo issued [Executive Order 202.6](#), directing all non-essential businesses to close in-office personnel functions. Essential businesses, as defined by Empire State Development Corporation (ESD) [guidance](#), were not subject to the in-person restriction, but were, however, directed to comply with the guidance and directives for maintaining a clean and safe work environment issued by the New York State Department of Health (DOH), and were strongly urged to maintain social distancing measures to the extent possible.

On April 12, 2020, Governor Cuomo issued [Executive Order 202.16](#), directing essential businesses to provide employees, who are present in the workplace, with a face covering, at no-cost, that must be used when in direct contact with customers or members of the public during the course of their work. On April 15, 2020, Governor Cuomo issued [Executive Order 202.17](#), directing that any individual who is over age two and able to medically tolerate a face-covering must cover their nose and mouth with a mask or cloth face-covering when in a public place and unable to maintain, or when not maintaining, social distance. On April 16, 2020, Governor Cuomo issued [Executive Order 202.18](#), directing that everyone using public or private transportation carriers or other for-hire vehicles, who is over age two and able to medically tolerate a face covering, must wear a mask or face covering over the nose and mouth during any such trip. It also directed any operators or drivers of public or private transport to wear a face covering or mask which covers the nose and mouth while there are any passengers in such a vehicle. On May 29, 2020, Governor Cuomo issued [Executive Order 202.34](#), authorizing business operators/owners with the discretion to deny admittance to individuals who fail to comply with the face covering or mask requirements.

On April 26, 2020, Governor Cuomo announced a phased approach to reopen industries and businesses in New York in phases based upon a data-driven, regional analysis. On May 4, 2020, the Governor provided that the regional analysis would consider several public health factors, including new COVID-19 infections, as well as health care system, diagnostic testing, and contact tracing capacity. On May 11, 2020, Governor Cuomo announced that the first phase of reopening would begin on May 15, 2020 in several regions of New York, based upon available regional metrics and indicators. Certain additional real estate activities are permitted to take place within a New York region only once a region has reached Phase II of its reopening plan. On May 29, 2020, Governor Cuomo [announced](#) that the second phase of reopening would begin in several regions of the state, and announced the use of a new early warning dashboard that aggregates the state's expansive data collection efforts for New Yorkers, government officials, and experts to monitor and review how the virus is being contained to ensure a safe reopening.

In addition to the following standards, both essential and non-essential businesses must continue to comply with the guidance and directives for maintaining clean and safe work environments issued by DOH.

Please note that where guidance in this document differs from other guidance documents issued by New York State, the more recent guidance shall apply.

### **Standards for Responsible Real Estate Activities in New York State**

No real estate activities can occur without meeting the following minimum State standards, as well as applicable federal requirements, including but not limited to such minimum standards of the Americans with Disabilities Act (ADA), Centers for Disease Control and Prevention (CDC), Environmental Protection Agency (EPA), and United States Department of Labor's Occupational Safety and Health Administration (OSHA).

The State standards contained within this guidance apply to all real estate activities – both essential and non-essential – in operation during the COVID-19 public health emergency until rescinded or amended by the State. The proprietor/owner of the real estate business, or another party as may be designated by the proprietor/owner (in either case, "the Responsible Parties"), shall be responsible for meeting these standards.

Note that, except where noted otherwise, any reference made to "employees" or "employee" shall also apply to agents, brokers, salespeople, sub-contractors, and vendors.

The following guidance is organized around three distinct categories: people, places, and processes.

## I. PEOPLE

### A. Physical Distancing

- Responsible Parties must ensure that for any work occurring indoors (e.g. HVAC maintenance or cleaning common areas), workforce presence and customers is limited to 50% of the maximum occupancy for a particular area as set by the certificate of occupancy.
- Responsible Parties must ensure that a distance of at least six feet is maintained among all individuals at all times, unless safety of the core activity requires a shorter distance (e.g. cleaning, maintenance, measurement for appraisals, unit inspections). Any time individuals must come within six feet of another person, acceptable face coverings must be worn. Individuals must be prepared to don a face covering if another person unexpectedly comes within six feet.
  - Acceptable face coverings for COVID-19 include but are not limited to cloth-based face coverings and disposable masks that cover both the mouth and nose.
  - However, cloth, disposable, or other homemade face coverings are not acceptable face coverings for workplace activities that typically require a higher degree of protection for personal protective equipment (PPE) due to the nature of the work. For those activities, N95 respirators or other PPE used under existing industry standards should continue to be used, as is defined in accordance with [OSHA guidelines](#).
  - Responsible Parties should remind individuals to wear face coverings in shared spaces (e.g. lobby corridors, elevators, apartment units) when a minimum six feet of separation is not possible.
  - Where possible, Responsible Parties must designate entrances/exits for residents and customers only and separate entrances for employees.
  - Responsible Parties should consider closing any common indoor or outdoor seating areas. To the extent that such spaces remain open, Responsible Parties must modify seating areas to ensure that individuals (e.g. employees and/or residents) are at least six feet apart in all directions (e.g. side-to-side and when facing one another).
- Responsible Parties may modify the use and/or restrict the number of work stations (e.g. reception desks) and employee or customer seating areas (e.g. break rooms, lunch rooms, waiting rooms, clock in/out stations), so that employees are at least six feet apart in all directions (e.g. side-to-side and when facing one another) and are not sharing workstations without cleaning and disinfection between use. When distancing is not feasible between workstations, Responsible Parties must provide and require the use of face coverings or enact physical barriers, such as plastic shielding walls, in lieu of face coverings in areas where they would not affect air flow, heating, cooling, or ventilation.
  - If used, physical barriers should be put in place in accordance with [OSHA guidelines](#).
  - Physical barrier options may include: strip curtains, cubicles, plexiglass or similar materials, or other impermeable dividers or partitions.
- Responsible Parties should prohibit the use of small spaces (e.g. elevators, storage and supply closets) by more than one individual at a time, unless all employees in such space at the same time are wearing acceptable face coverings. However, even with face coverings in use, occupancy must never exceed 50% of the maximum capacity of the space or vehicle, unless it is designed for use by a single occupant. Responsible Parties should increase ventilation with outdoor air to the greatest extent possible (e.g. opening windows and doors in stairwell, building entrances, or within units when maintenance work is taking place), while maintaining safety protocols. Responsible Parties should take

additional measures to prevent congregation in elevator waiting areas and limit density in elevators, such as enabling the use of stairs.

- Responsible Parties should put in place measures to reduce bi-directional foot traffic using tape or signs with arrows in narrow aisles, hallways, or spaces, 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. reception desks, health screening stations).
- Responsible Parties must post signs throughout the residential or commercial building consistent with DOH COVID-19 signage. Responsible Parties can develop their own customized signage specific to a workplace or setting, provided that such signage is consistent with the Department’s signage. Signage should be used to remind employees to:
  - Cover their nose and mouth with a face covering when six feet of social distance cannot be maintained.
  - Properly store and, when necessary, discard PPE.
  - Adhere to physical distancing instructions.
  - Report symptoms of or exposure to COVID-19, and how they should do so.
  - Follow hand hygiene and cleaning and disinfection guidelines.
  - Follow appropriate respiratory hygiene and cough etiquette.

## B. Gatherings in Enclosed Spaces

- Responsible Parties must limit in-person employee gatherings (e.g. meetings, conferences) to the greatest extent possible and use other methods such as video or teleconferencing whenever possible, per CDC guidance [“Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 \(COVID-19\)”](#). When videoconferencing or teleconferencing is not possible, Responsible Parties should hold meetings in open, well-ventilated spaces and ensure that individuals maintain six feet of social distance between one another (e.g. if there are chairs, leave space between chairs, have employees sit in alternating chairs).
- Responsible Parties must put in place practices for adequate social distancing in small areas, such as restrooms and breakrooms, and should develop signage and systems (e.g. flagging when occupied) to restrict occupancy when social distancing cannot be maintained in such areas; and
- Responsible Parties should stagger schedules for employees to observe social distancing (i.e., six feet of space) for any gathering (e.g. coffee breaks, meals, and shift starts/stops).
- Non-essential common areas (e.g. gyms, pools, game rooms) may reopen in accordance with any applicable industry-specific guidance. Specifically, gyms and fitness centers must follow the guidelines outlined in DOH’s [“Interim Guidance for Gyms and Fitness Centers during the COVID-19 Public Health Emergency;”](#) pool operations must follow the guidelines outlined in DOH’s [“Interim Guidance for Pools and Recreational Aquatic Spray Grounds During the COVID-19 Public Health Emergency;”](#) and recreational activities, such as pool and billiards, must follow the guidelines outlined in DOH’s [“Interim Guidance for Sports and Recreation during the COVID-19 Public Health Emergency.”](#)

## C. Workplace Activity

- Responsible Parties must take measures to reduce interpersonal contact and congregation, through methods such as:
  - limiting in-person presence to only those staff who are necessary;
  - adjusting workplace hours;
  - reducing on-site workforce to accommodate social distancing guidelines;
  - shifting design (e.g. A/B teams, stagger work schedules so that groups of employees are scheduled to sit at their desks at designated times, staggered arrival/departure times to reduce congestion in lobbies and elevators);
  - avoiding multiple crews and/or teams working in one area by staggering scheduled tasks and using signs to indicate occupied areas; and
  - segmenting and batching activities, where possible, so individuals can adhere to social distancing and reduce the number of hands touching equipment at the same time (e.g. one employee does all touchscreen activities etc.).

#### **D. Residential In-Person Property Showings and Related Activities**

- Responsible Parties may conduct in-person property showings while adhering to social distancing and required PPE safety guidelines. The following measures must be followed:
  - Showings and open houses will only be allowed in unoccupied (e.g., current owner or lessee is not inside the property) or vacant properties;
    - For all showings and open houses, Responsible Parties should limit the number of individuals viewing a property at any one time. If multiple parties (from different households) arrive for a showing at the same time, Responsible Parties should encourage those in line to wait outside until their turn.
      - As a best practice, appointments for showings should be scheduled in advance, when possible.
  - Responsible Parties as well as all individuals (e.g. building inspectors / appraiser or potential buyer/lessee) visiting the property will be required to wear a face covering at all times, and Responsible Parties may choose to require gloves and shoe-covers to be worn;
    - Responsible Parties should provide face coverings and gloves to prospective tenants and/or buyers, if necessary;
  - Responsible Parties should advise prospective tenants/buyers to only touch essential surfaces (e.g. handrails going up/down stairs if necessary) during their time in the property. Other areas or surfaces such as cabinets, countertops, appliances etc. should not be touched by tenants/buyers.
  - Responsible Parties must ensure employees, salespeople, agents and brokers clean and disinfect high-touch surfaces (e.g. handrails, doorknobs etc.) before and after every showing; and
  - Responsible Parties must stagger showings in order to avoid the congregation of people outside and inside properties.
- Responsible Parties are encouraged not to show common building amenities in-person (e.g. gym, roof deck, pool).
  - If the common areas mentioned above are shown, Responsible Parties must ensure that those areas are frequently cleaned and disinfected and appropriate social distancing of 6 feet is maintained for all parties at all times.

- Responsible Parties should encourage only one party (e.g. building inspector, home appraiser, prospective tenant/buyer, photographer, stager) to be allowed inside the property at a time. If more than one party is inside the property at the same time, 6 feet of distance must be maintained at all times between individuals, and face coverings must be worn.
  - Responsible Parties and prospective tenants/buyers are encouraged not to bring young children or extraneous guests to property showings, when possible, or leave attended children outside.
  - Responsible Parties should limit salespeople / brokers from driving in the same car with prospective tenants / buyers. If this cannot be avoided, face coverings must be worn by everyone in the vehicle and frequently touched areas of the vehicle should be cleaned and disinfected.
- Responsible Parties are encouraged, but not required, to conduct remote walkthroughs rather than in-person walkthroughs (e.g. recorded/live video), where possible.

## E. Movement and Commerce

- Responsible Parties should prohibit non-essential visitors on site.
- Responsible Parties must establish designated areas for pickups and deliveries, limiting contact to the extent possible.
  - In cases where essential visitors (e.g. sub-contractors or vendors) need to enter the premises, Responsible Parties must ensure the following:
    - A minimum distance of six feet will be maintained between individuals at all times;
    - All individuals will wear face coverings if others must be within six feet;
    - All tightly enclosed areas visited by sub-contractor/vendor (e.g. laundry room) will be cleaned and disinfected after use; and
    - Sharing of tools and equipment will be limited. If tools are shared, they will be cleaned and disinfected before use by employees.
- Responsible Parties should limit on-site interactions (e.g. designate an egress for employees leaving their shifts and a separate ingress for employees starting their shifts) and movements (e.g. employees should remain near their workstations as often as possible).

## II. PLACES

### A. Protective Equipment

- In addition to necessary PPE as required for certain workplace activities, Responsible Parties must procure, fashion, or otherwise obtain acceptable face coverings and provide such coverings to employees while at work at no cost to the employee. Responsible Parties should have an adequate supply of face coverings, masks and other required PPE on hand should an employee need a replacement or should a visitor be in need. Acceptable face coverings include, but are not limited to, cloth (e.g. homemade sewn, quick cut, bandana), surgical masks, N95 respirators, and face shields.
  - As mentioned in the State's "Interim COVID-19 Guidance for Professional Services," tenant entities are responsible for providing PPE to their own employees and contractors.

- Face coverings must be cleaned or replaced after use and may not be shared. Please consult CDC [guidance](#) for additional information on cloth face coverings and other types of PPE, as well as instructions on use and cleaning.
  - Note that cloth face coverings or disposable masks shall not be considered acceptable face coverings for workplace activities that require a higher degree of protection for face covering requirements. For example, if N95 respirators are traditionally required for specific activities, a cloth or homemade mask would not suffice. Responsible Parties must adhere to OSHA standards for such safety equipment.
- Responsible Parties must allow employees to use their own acceptable face coverings but cannot be required to supply their own face coverings. Further, this guidance shall not prevent employees from wearing their personally owned additional protective coverings (e.g. surgical masks, N95 respirators, or face shields), or if the Responsible Parties otherwise requires employees to wear more protective PPE due to the nature of their work. Employers should comply with all applicable OSHA standards.
- Responsible Parties must train employees on how to adequately put on, take off, clean (as applicable), and discard PPE, including but not limited to, appropriate face coverings. Such training should be extended to contractors if the Responsible Parties will be supplying the contractors with PPE.
- Responsible Parties must advise employees, tenants, and visitors to wear face coverings in common areas including elevators, lobbies, and when traveling around the building.
- Responsible Parties must ensure that employees wear face coverings when interacting with one another and/or other individuals within six feet distance AND without a physical barrier (e.g. plexiglass).
- Responsible Parties should install physical barriers at reception and security desks.
  - As mentioned above in Section I “PEOPLE,” Subsection A “Physical Distancing,” physical barriers (e.g. plexiglass or similar materials) should be put in place in accordance with [OSHA guidelines](#).
- Responsible Parties must put in place measures to limit the sharing of objects, such as tools, laptops, notebooks, telephones, touchscreens, and writing utensils, as well as the touching of shared surfaces; or require employees to wear gloves (trade-appropriate or medical) when in contact with shared objects or frequently touched surfaces; or, require employees to perform hand hygiene before and after contact.

### C. Hygiene, Cleaning, and Disinfection

- Responsible Parties must ensure adherence to hygiene and cleaning and disinfection requirements as advised by the CDC and DOH, including “[Guidance for Cleaning and Disinfection of Public and Private Facilities for COVID-19](#),” and the “[STOP THE SPREAD](#)” poster, as applicable. Responsible Parties must maintain logs that include the date, time, and scope of cleaning and disinfection.
- Responsible Parties must provide and maintain hand hygiene stations on site, as follows:
  - For handwashing: soap, running warm water, and disposable paper towels.
  - For hand sanitizing: an alcohol-based hand sanitizer containing at least 60% alcohol for areas where handwashing facilities may not be available or practical.
  - Make hand sanitizer available throughout the location. It should be placed in convenient locations, such as at entrances, exits, elevators, and security/reception desks. Touch-free hand sanitizer dispensers should be installed where possible.

- Real estate salespeople are encouraged to make hand sanitizer available to potential customers before and after visiting a property.
- Responsible Parties should place signage near hand sanitizer stations indicating that visibly soiled hands should be washed with soap and water; hand sanitizer is not effective on visibly soiled hands.
- Responsible Parties should place receptacles around the building for disposal of soiled items, including PPE.
- Responsible Parties must provide appropriate cleaning and disinfection supplies for shared and frequently touched surfaces and encourage their employees to use these supplies, following manufacturers' instructions, before and after use of these surfaces, followed by hand hygiene.
- Responsible Parties must conduct regular cleaning and disinfection of the site and more frequent cleaning and disinfection for high risk areas used by many individuals and for frequently touched surfaces. Cleaning and disinfection must be rigorous and ongoing and should occur at least after each shift, daily, or more frequently as needed. Please refer to DOH's "[Interim Guidance for Cleaning and Disinfection of Public and Private Facilities for COVID-19](#)" for detailed instructions on how to clean and disinfect facilities.
  - Responsible Parties must ensure regular cleaning and disinfection of restrooms. Restrooms should be cleaned and disinfected more often depending on frequency of use.
    - Responsible Parties must ensure distancing rules are adhered to by using signage, occupied markers, or other methods to reduce restroom capacity where feasible.
  - Responsible Parties must ensure that equipment and tools are regularly cleaned and disinfected using registered disinfectants, including at least as often as employees change workstations or move to a new set of tools. Refer to the Department of Environmental Conservation (DEC) [list of products](#) registered in New York State and identified by the EPA as effective against COVID-19.
  - If cleaning or disinfection products or the act of cleaning and disinfection causes safety hazards or degrades the material or machinery, Responsible Parties must put in place hand hygiene stations between use and/or supply disposable gloves and/or limitations on the number of employees using such machinery.
  - Responsible Parties must provide for the cleaning and disinfection of exposed areas in the event an employee is confirmed to have COVID-19, with such cleaning and disinfection to include, at a minimum, all heavy transit areas and high-touch surfaces (e.g. tools, touchscreens, printers, keypads, telephones, hand rails, door handles, vending machines, communal coffee stations).
- CDC guidelines on "[Cleaning and Disinfecting Your Facility](#)" if someone is suspected or confirmed to have COVID-19 are as follows:
  - Close off areas used by the person suspected or confirmed to have COVID-19.
    - Responsible Parties do not necessarily need to close operations, if they can close off the affected areas.
    - Affected areas need to be closed off and cleaned and disinfected.
  - Open outside doors and windows to increase air circulation in the area.
  - Wait 24 hours before you clean and disinfect. If 24 hours is not feasible, wait as long as possible.
  - Clean and disinfect all areas used by the person suspected or confirmed to have COVID-19, such as offices, bathrooms, common areas, and shared equipment.
  - Once the area has been appropriately cleaned and disinfected, it can be reopened for use.



- Employees without close or proximate contact with the person suspected or confirmed to have COVID-19 can return to the work area immediately after cleaning and disinfection.
  - Refer to DOH’s [“Interim Guidance for Public and Private Employees Returning to Work Following COVID-19 Infection or Exposure”](#) for information on “close or proximate” contacts.
- If more than seven days have passed since the person suspected or confirmed to have COVID-19 visited or used the facility, additional cleaning and disinfection is not necessary, but routine cleaning and disinfection should continue.
- Shared building spaces used by the employee and/or resident suspected or confirmed to have COVID-19 (e.g. elevators, lobbies, building entrances) must also be shut down and disinfected by the Responsible Parties. Responsible Parties must be immediately informed about employees suspected or confirmed to have COVID-19.
- Responsible Parties must provide notice to all employees working and residents living within the building if common areas are shut down.
- Responsible Parties should encourage social distancing by limiting occupancy or closing non-essential amenities and communal areas that do not allow for appropriate social distancing. If open, Responsible Parties must make hand sanitizer or disinfecting wipes available near such amenities (e.g. vending machines, communal coffee stations.)
- Responsible Parties must prohibit shared food and beverages among employees (e.g. self-serve meals and beverages), encourage employees to bring lunch from home, and reserve adequate space for employees to observe social distancing while eating meals.

### C. Phased Reopening

- Responsible Parties are encouraged to phase-in reopening activities so as to allow for operational issues to be resolved before production or work activities return to normal levels. Responsible Parties should consider limiting the number of employees, hours, and number of customers available to be served when first reopening so as to provide operations with the ability to adjust to the changes.

### D. Communications Plan

- Responsible Parties must affirm that they have reviewed and understand the state-issued industry guidelines, and that they will implement them.
- Responsible Parties should develop a communications plan for employees, visitors, and customers that includes applicable instructions, training, signage, and a consistent means to provide employees with information. Responsible Parties may consider developing webpages, text and email groups, and social media.
- Responsible Parties should encourage customers to adhere to CDC and DOH guidance regarding the use of PPE, specifically face coverings when a social distance of 6 feet cannot be maintained, through verbal communication and signage.
- Responsible Parties should post signage inside and outside of the retail location to remind personnel and customers to adhere to proper hygiene, social distancing rules, appropriate use of PPE, and cleaning and disinfection protocols.

- Where applicable and appropriate, Responsible Parties should coordinate with tenants to receive a list of essential visitors expected to enter the building.

### III. PROCESSES

#### A. Screening and Testing

- Responsible Parties must implement mandatory daily health screening practices.
  - Screening practices may be performed remotely (e.g. by telephone or electronic survey), before the employee reports to the site, to the extent possible; or may be performed on site.
  - Screening should be coordinated to prevent employees from intermingling in close or proximate contact with each other prior to completion of the screening.
  - At a minimum, screening must be required of all employees and visitors and completed using a questionnaire that determines whether the employee or visitor has:
    - (a) knowingly been in close or proximate contact in the past 14 days with anyone who has tested positive for COVID-19 or who has or had symptoms of COVID-19;
    - (b) tested positive for COVID-19 in the past 14 days; and/or
    - (c) has experienced any symptoms of COVID-19 in the past 14 days.
- Screenings will not be required for residents:
  - Responsible Parties may encourage residents to share if they have tested positive for COVID-19 and/or are symptomatic.
  - If a resident discloses that they have tested positive for COVID-19 and/or are symptomatic, Responsible Parties must immediately initiate the appropriate cleaning and disinfection protocols.
- For the purpose of property showings, Responsible Parties should:
  - Require buyer/lessee to complete screening questionnaire before entering a property;
  - Require seller/lessor to complete screening questionnaire before any individual enters their property;
  - Require seller/lessor to disclose if they become symptomatic and/or they test positive for COVID-19 within 48 hours of the last visit to their property; and
  - Require buyer/lessee to disclose if they become symptomatic and/or they test positive for COVID-19 within 48 hours of the last visit to a property.
- Refer to CDC guidance on [“Symptoms of Coronavirus”](#) for the most up to date information on symptoms associated with COVID-19.
- Responsible Parties must require employees to immediately disclose if and when their responses to any of the aforementioned questions changes, such as if they begin to experience symptoms, including during or outside of work hours.
- In addition to the screening questionnaire, temperature checks may also be conducted per Equal Employment Opportunity Commission or DOH guidelines. Responsible Parties are prohibited from keeping records of employee health data (e.g. the specific temperature data of an individual), but are permitted to maintain records that confirm individuals were screened and the result of such screening (e.g., pass/fail, cleared/not cleared).

- Responsible Parties must ensure that any personnel performing screening activities, including temperature checks, are appropriately protected from exposure to potentially infectious employees or visitors entering the site. Personnel performing screening activities should be trained by employer-identified individuals who are familiar with CDC, DOH, and OSHA protocols.
- Screeners should be provided and use PPE, including at a minimum, a face mask, and may include gloves, a gown, and/or a face shield.
- An employee who screens positive for COVID-19 symptoms must not be allowed to enter the workplace and must be sent home with instructions to contact their healthcare provider for assessment and testing.
  - Responsible Parties should provide such individuals with information on healthcare and testing resources.
  - Responsible Parties must immediately notify the state and local health department about the case if test results are positive for COVID-19.
- Responsible Parties should refer to DOH's "[Interim Guidance for Public and Private Employees Returning to Work Following COVID-19 Infection or Exposure](#)" 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.
- Responsible Parties must designate a central point of contact, which may vary by activity, location, shift or day, responsible for receiving and attesting to having reviewed all questionnaires, with such contact also identified as the party for individuals to inform if they later are experiencing COVID-19-related symptoms, as noted on the questionnaire.
- Responsible Parties must designate a site safety monitor whose responsibilities include continuous compliance with all aspects of the site safety plan.
- To the extent possible, Responsible Parties should maintain a log of every person, including employees and visitors, who may have close or proximate contact with other individuals at the work site or area; excluding deliveries that are performed with appropriate PPE or through contactless means. Log should contain contact information, such that all contacts may be identified, traced and notified in the event an employee is diagnosed with COVID-19. Responsible Parties must cooperate with state and local health department contact tracing efforts.

## B. Tracing and Tracking

- Responsible Parties must notify the state and local health department immediately upon being informed of any positive COVID-19 test result by an employee at their site.
- In the case of an employee or visitor testing positive, the Responsible Parties must cooperate with the state and local health department as required to trace all contacts in the workplace and notify the state and local health department where the building is located of all employees and visitors who entered the site dating back 48 hours before the employee first experienced COVID-19 symptoms or tested positive, whichever is earlier. Confidentiality must be maintained as required by federal and state law and regulations.
  - In the case of an employee or visitor showing symptoms while in the workplace, the Responsible Parties must notify appropriate building managers immediately with information on where the

individual has been throughout the building and follow-up if the symptomatic employee tests positive.

- State and local health departments will implement monitoring and movement restrictions of infected or exposed persons including home isolation or quarantine.
- Individuals who are alerted that they have come into close or proximate contact with a person with COVID-19, and have been alerted via tracing, tracking or other mechanism, are required to self-report to their employer at the time of alert and shall follow the protocol referenced above.

## IV. EMPLOYER PLANS

Responsible Parties must conspicuously post completed safety plans on site. The State has made available a business safety plan template to guide business owners and operators in developing plans to protect against the spread of COVID-19.

**Additional safety information, guidelines, and resources are available at:**

New York State Department of Health Novel Coronavirus (COVID-19) Website  
<https://coronavirus.health.ny.gov/>

Centers for Disease Control and Prevention Coronavirus (COVID-19) Website  
<https://www.cdc.gov/coronavirus/2019-ncov/index.html>

Occupational Safety and Health Administration COVID-19 Website  
<https://www.osha.gov/SLTC/covid-19/>

**At the link below, affirm that you have read and understand your obligation to operate in accordance with this guidance:**

<https://forms.ny.gov/s3/ny-forward-affirmation>