



## INTERIM GUIDANCE FOR TRADE SCHOOLS AND PRIVATE INSTRUCTION DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

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

As of October 9, 2020

### **Purpose**

This Interim Guidance for Trade Schools and Private Instruction during the COVID-19 Public Health Emergency (“Interim COVID-19 Guidance for Trade Schools and Private Instruction”) was created to provide owners/operators of trade schools and other private instruction facilities and services and their employees, contractors, vendors, and customers/students with precautions to help protect against the spread of COVID-19.

This guidance applies – but is not limited – to the following types of facilities and services: language schools, exam preparation and tutoring, automobile driving schools, computer training, professional and management development training, cosmetology and barber schools, flight training, lifeguard training, personal development schools, and other trade, vocational, and technical schools. This guidance does not apply to higher education institutions or pre-kindergarten to grade 12 schools, which are subject to separate New York State Department of Health (DOH) guidance for their operations and activities during the ongoing public health emergency: [“Interim Guidance for Higher Education during the COVID-19 Public Health Emergency”](#) and [“Interim Guidance for In-Person Instruction at Pre-K to Grade 12 Schools during the COVID-19 Public Health Emergency,”](#) respectively. For any trade or private instruction that may occur on the premises of a higher education institution or pre-kindergarten to grade 12 school, the applicable guidance and required comprehensive plans for such institutions and schools shall supersede to the extent that there are any differences with the precautions contained within this interim guidance.

Further, instructional programs in industries for which the DOH has issued industry-specific guidance (e.g., construction, manufacturing, personal care), must follow both the guidelines outlined in such industry-specific DOH guidance, as well as those outlined in this document. Food service at any facility that is subject to this guidance must follow the guidelines outlined in DOH’s [“Interim Guidance for Food Services During the COVID-19 Public Health Emergency.”](#) Retail activities at any facility that is subject to this guidance must follow the guidelines outlined in DOH’s [“Interim Guidance for Essential and Phase II Retail Business Activities During the COVID-19 Public Health Emergency.”](#) Office-based activities at any facility that is subject to this guidance must follow the guidelines outlined in DOH’s [“Interim Guidance for Office-Based Work During the COVID-19 Public Health Emergency.”](#)

These guidelines are minimum requirements only and the owner/operator of any trade schools or private instruction facility or service is free to provide additional precautions or increased restrictions. These guidelines are based on the best-known public health practices at the time of publication, 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 trade schools and private instruction activities and operations. The Responsible Parties are also accountable for staying current with any updates to these requirements, as well as incorporating same into any trade school and private instruction activities and/or Site Safety Plan.

## Background

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 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. 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. On June 11, 2020, Governor Cuomo [announced](#) that the third phase of reopening would begin on June 12, 2020 in several regions of New York. On June 24, 2020, Governor Cuomo [announced](#) that several regions of the state were on track to enter the fourth phase of reopening starting on June 26, 2020. By July 20, 2020, all regions of New York, including New York City, had [reached](#) the fourth phase of the State's reopening.

In addition to the following standards, 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 Operation of Trade Schools and Private Instruction in New York State

No trade school and/or private instruction activity 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 trade schools and private instruction activities in operation during the COVID-19 public health emergency until rescinded or amended by the State. The owner/operator of the trade school and/or private instruction center/facility, or another party as may be designated by the owner/operator (in either case, "the Responsible Parties"), shall be responsible for meeting these standards.

For the purposes of this guidance, the term "facility" referenced herein may refer to any school or place of education, business or commercial building, residence or residential building, vehicle, or other location where trade school or private instruction activities or operations occur.

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

### I. PEOPLE

#### A. Physical Distancing

- Responsible Parties must ensure that the workforce and customer/student presence is limited to no more than 50% of the maximum occupancy for a particular area as set by the certificate of occupancy, inclusive of employees and customers/students, both of whom must maintain six feet of separation or use appropriate physical barriers between individuals who are not in their immediate household/family and, in all cases, must only be permitted entry into the facility if they wear an acceptable face covering, provided that the customer/student is over the age of two and able to medically tolerate such covering.
- Responsible Parties must ensure that a distance of at least six feet is maintained among individuals, inclusive of employees and customers/students, at all times (e.g., distance between desks), unless such individuals are members of the same family/household, or safety or the core activity requires a shorter distance (e.g., operating register, moving equipment, using an elevator, operating a motor vehicle), in which case, individuals must wear an acceptable face covering. Where six feet of separation is not possible, Responsible Parties may use appropriate physical barriers between individuals that do not adversely affect air flow, heating, cooling, or ventilation, or otherwise present a health or safety risk.
  - Employees must wear acceptable face coverings any time they are within six feet of another person and any time they interact with customers/students (e.g., teaching a student) regardless of distance. Individuals must be prepared to don a face covering if another person unexpectedly comes within six feet, unless individuals are members of the same family/household.
  - 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, in accordance with [OSHA guidelines](#).

- The face covering requirement must be applied in a manner consistent with the federal ADA and New York State and City Human Rights Laws, as applicable.
- Responsible Parties may modify the use and/or restrict the number of workstations, and employee seating areas, so that individuals 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 require the use of face coverings or install physical barriers (e.g., plastic shielding walls) in areas where they would not adversely affect air flow, heating, cooling, or ventilation, or otherwise present a health or safety risk.
  - 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.
  - Shared workstations (e.g. "hot-desks") must be cleaned and disinfected between users.
- Responsible Parties must ensure desk arrangements allow for at least six feet between customers/students. Where this is not possible, Responsible Parties may use the following alternatives:
  - Install physical barriers between desks; and/or
  - Close off or remove adjacent desks.
- Responsible Parties are encouraged to modify facility layouts so that employees and customers/students are at least six feet apart in all directions when employees are working and customers/students are receiving instruction, unless appropriate physical barriers are in place (e.g., Plexiglass or partitions).
- Responsible Parties should prohibit the use of small spaces (e.g. behind cash registers, supply rooms, elevators, offices) by more than one individual at a time, unless all individuals in such spaces at the same time are wearing acceptable face coverings or are members of the same household/family. However, even with face coverings in use, occupancy should not exceed 50% of the maximum capacity of the space, unless it is designed for use by a single occupant. Responsible Parties should increase ventilation with outdoor air to the greatest extent possible in such spaces (e.g., opening windows and doors), while maintaining health and safety protocols. Further, 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.
- Where feasible, Responsible Parties should post signage and distance markers denoting spaces of six feet in all commonly used areas indoors for employees and any areas in which lines are commonly formed or people may congregate (e.g. clock in/out stations, health screening stations, equipment checkout areas, cash register areas, waiting for games, etc.).
  - Responsible Parties may choose to mark six feet distance circles around desks, workstations and other common work areas or areas where gathering is likely to occur in the facility.
- Responsible Parties may consider closing any common waiting areas. To the extent that such spaces remain open, Responsible Parties should modify seating areas arrangements (e.g., chairs, tables) to

ensure that individuals are at least six feet apart in all directions (e.g., side-to-side and when facing one another) or physical barriers are installed.

- Responsible Parties must post signs throughout the site, 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 individuals to:
  - Stay home if they are feeling sick.
  - Cover their nose and mouth with a face covering.
  - Quarantine if they have recently been to a state or country with significant community transmission of COVID-19, pursuant to [DOH travel advisory](#).
  - Properly store and, when necessary, discard PPE.
  - Adhere to social 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 may choose to use and encourage video or teleconferencing in lieu of in-person gatherings (e.g., classes, conferences, office hours) to reduce the density of congregations, 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 preferable or possible, Responsible Parties may choose to hold classes or meetings in open, well-ventilated spaces and ensure that individuals maintain six feet of social distance between one another (e.g. leave space between chairs, have individuals sit in alternating chairs).
- Responsible Parties should encourage social distancing by limiting occupancy or closing non-essential employee 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 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.
  - 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 may implement best practices in communal bathrooms including but not limited to:
  - Installation of physical barriers between toilets, sinks, and soap/paper towel dispensers, if six feet of separation is not feasible; and
  - Use of touch-free soap and paper towel dispensers.
- To the extent practicable, 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).

### C. Operational Activity

- To the extent feasible, Responsible Parties should structure group activities or classes in a manner that avoids bringing non-associated persons or groups (e.g., families, households, or parties) within close contact or proximity of each other.
- Responsible Parties should consider a mix of traditional in-person and remote classes depending on customer/student needs (e.g., vulnerable populations), technological capabilities, and capacity limits.
- Responsible Parties should discourage walk-in class offerings and implement advance class sign-up policies, where applicable.
  - To the extent practicable, customers/students that make appointments in advance should be asked to wait in cars or outside the location at least six feet away until their appointment time. Likewise, if Responsible Parties cannot provide service to walk-in customers right away, such customers may be given an appointment time and also asked to wait in cars or outside the location at least six feet away until their appointment time.
- Responsible Parties must take measures to reduce interpersonal contact and congregation, through methods such as:
  - adjusting class or work hours, where appropriate and possible;
  - limiting in-person presence to only those staff who are necessary to be at the facility;
  - offering remote learning options;
  - reducing on-site workforce to accommodate social distancing guidelines;
  - shifting design of class schedules to create cohorts or sections of employees or customers/students (e.g., A/B teams);
  - staggering on-site class schedules to reduce contact among customers/students in different classes and congestion in common areas (e.g., halls, walkways);
  - having family members/household members/legal guardians wait outside the facility for drop-off and pick-up;
  - batching activities, where possible, so employees can adhere to social distancing;
  - developing protocols for the safe use of common office equipment such as telephones, copiers, printers, registers, etc.;
  - banning the use of shared equipment (e.g., textbooks, writing utensils) without proper cleaning and disinfection between use and close equipment storage; and/or
  - using a system of marking equipment that is ready for use (i.e., has been cleaned and disinfected).
- Responsible Parties should adjust hours of operation as necessary to enable enhanced cleaning procedures, per [DOH guidance](#).
- Responsible Parties should ensure all private, one-on-one lessons (e.g., driving, flight, music, and/or language lessons) are by appointment only and lessons that are held in small, enclosed settings must only allow for one customer/student and one instructor at a time (e.g., within a vehicle).
- For businesses providing in-home services (e.g., in-home tutoring), Responsible Parties should provide designated times for service that do not overlap and require customers to wear face coverings and adhere to social distancing guidelines.

## D. Movement and Commerce

- Responsible Parties should implement touchless check-in and payment options, or pay ahead or reserve options to be used by customers/students, when available.
  - Responsible Parties should minimize handling cash, credit cards, reward cards, and mobile devices, where possible.
- To the extent feasible, Responsible Parties should make efforts to maintain a staffing plan that does not require employees to “float” between different classrooms or groups of customers/students.
- Responsible Parties must monitor and control the flow of employee and customer/student traffic into and within the facility to ensure adherence to maximum capacity and social distancing requirements.
- Responsible Parties should put in place measures to reduce bi-directional foot traffic of employees and customers/students walking through the facility using barriers, tape, or signs with arrows in narrow aisles, hallways, or spaces.
  - Where possible, place markers or barriers to encourage one directional traffic.
- Responsible Parties should clearly designate separate entrances and exits, to the extent practicable.
- Responsible Parties should limit on-site interactions (e.g., designate an egress(es) for individuals leaving the institution and a separate ingress(es) for individuals entering) and movements (e.g., employees should remain near their workstations as often as possible).
- Where practicable, Responsible Parties should limit the numbers of entrances in order to (1) manage the flow of traffic into the building and monitor occupancy/capacity limits and (2) facilitate health screenings, as described below while remaining in compliance with fire safety and other applicable regulations.
  - Develop a plan for people to maintain six feet of social distance while queuing inside or outside of the building for screening, as applicable.
- Responsible Parties should arrange customer/student waiting areas (e.g., lines, parking areas) to maximize social distance among other people and minimize interaction with others in the area.
- Responsible Parties must ensure the cashier or check-in staff wears a face covering and should enact a physical barrier between the customer and staff (e.g., Plexiglass). This process should be contactless, to the extent practicable.
- Responsible Parties should establish designated areas for pickups and deliveries, limiting contact to the extent possible.
  - For merchandise or equipment deliveries, Responsible Parties may implement a touchless delivery system whereby drivers stay in the cab of the vehicle while delivery takes place or, where not practicable, Responsible Parties must provide acceptable PPE appropriate to the anticipated activities that includes, at a minimum, a face covering to employees involved in the delivery at no cost for the duration of the delivery process.
- Responsible Parties must ensure employees perform hand hygiene before and after transferring a load (e.g., from a delivery driver) of merchandise or equipment (e.g., sanitize hands before starting to load items; and once all items have been loaded, finish by sanitizing their hands again).

## II. PLACES

### A. Protective Equipment

- Responsible Parties must ensure that employees and customers/students are only permitted entry into the facility if they wear an acceptable face covering; provided, however, that the individual is over the age of two and able to medically tolerate such covering.
  - Per Executive Order 202.34, Responsible Parties may deny admittance to individuals who fail to wear face coverings.
  - For individuals who are unable to medically tolerate an acceptable face covering, Responsible Parties must ensure that such individuals wear a face shield at all times. However, the CDC “does not currently recommend use of face shields as a [sufficient] substitute for masks.”
  - For educational activities occurring in aquatic settings (e.g., lifeguard training), face coverings must not be worn.
  - Responsible Parties may allow employees to use alternate PPE (i.e., face coverings that are transparent at or around the mouth) for instruction or interventions that require visualization of the movement of the lips and/or mouths (e.g., speech therapy). These alternate coverings may also be used for certain students (e.g., hearing impaired) who benefit from being able to see more of the face of the faculty or staff member.
- Responsible Parties must ensure that customers/students wear face coverings Responsible Parties whenever they are in common areas or scenarios where it may be difficult to maintain six feet of distance (e.g., entering or leaving the facility, interacting with employees) and whenever customers/students are within six feet of individuals who are not members of their household/party; provided, however, that the customer/student is over the age of two and able to medically tolerate such covering.
- Responsible Parties must ensure that employees wear face coverings when they are within six feet of other individuals at the facility. Employees also must wear face coverings any time they interact with customers/students (e.g. teaching classes, inside vehicles) regardless of distance.
- For in-home services or services on customer property (e.g., in-home tutoring), Responsible Parties must require employees to wear face coverings when interacting with a customers/students. Both employees and customers/students are required to wear face coverings when within six feet or in an enclosed space.
  - For in-home services, Responsible Parties may deny service to customers/students who fail to wear face coverings while interacting within six feet of, or in an enclosed space with, employees.
- 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 their employees while at work at no cost to the employee. Responsible Parties should have an adequate supply of face coverings and other required PPE on hand should an employee need a replacement, or should a customer/student 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.

- 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 trade school and private instruction 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 require employees to supply their own face coverings. Further, this guidance shall not prevent employees from wearing their personally owned protective face coverings (e.g. surgical masks, N95 respirators, or face shields). Responsible Parties may require employees to wear more protective PPE due to the nature of their work. Employers should comply with all applicable OSHA standards.
- Responsible Parties must put in place measures to limit the sharing of objects, such as tools, registers, and vehicles, 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.
- Responsible Parties must ensure gloves are worn while handling any food products.
- 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.
- Responsible Parties must advise employees and customers/students to regularly clean or replace their face coverings if they become wet or soiled.

## **B. 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.
- As practicable, Responsible Parties should encourage customers/students to perform hand hygiene upon entering and before leaving the facility.
- 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.
  - Responsible Parties must make hand sanitizer available throughout common areas of the facility for use by employees and customers/students (e.g., classroom entrances, exits, elevators, and check-in/reception desks). Touch-free hand sanitizer dispensers should be installed where possible.
- 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 facility for disposal of soiled items, including PPE.
- Responsible Parties should provide appropriate cleaning and disinfection supplies for shared and frequently touched surfaces (e.g., desks, white boards) and equipment and encourage employees to use these supplies, following manufacturers' instructions, before and after use of these surfaces and equipment, followed by hand hygiene.
  - Responsible Parties must ensure employees clean and disinfect all returned equipment and/or materials (e.g., materials, writing utensils) after each use or as frequently as possible. Additionally, customers/students should be encouraged to clean and disinfect all used materials before and after using.
  - If using facility owned equipment/materials, Responsible Parties should encourage customers/students to limit their use of equipment/materials (e.g., individual only uses one computer), throughout the duration of the activity.
  - Responsible Parties should encourage customers/students to bring their own equipment/materials (e.g., writing utensils, textbooks). Specifically, Responsible Parties must prohibit sharing of equipment or instruments which require individuals to blow into them (e.g., wind instruments) without thorough cleaning and disinfection between users. Customers/students should ideally have their own equipment and/or instrument in these situations.
  - As a best practice, Responsible Parties may consider leaving cleaning and disinfection supplies such as disposable wipes next to desks for customers/students to use before they begin class or other activities, and;
  - Responsible Parties may implement a system where all temporary use equipment/materials need to be "checked-out" by a customer before being handled, if feasible, in order to ensure equipment is cleaned and disinfected after each use.
- To ensure appropriate hygiene for shared books and paper materials, Responsible Parties must require proper hand hygiene from employees and customers/students prior to handling such materials.
  - Books with plastic covers and digital media may be cleaned and then wiped down with disinfectant wipes.
- Responsible Parties must ensure all vehicles and/or planes are disinfected following each use, front and back seat areas included, regardless of seating during the previous use.
  - Due to sensitive electronics in cockpits, Responsible Parties should provide (and/or cleaning staffs should use) disinfectant wipes with at least 70% isopropyl alcohol.
  - Where possible, use disposable steering wheel covers and/or seat covers and replace after each use to reduce the possibility of contamination.
- Responsible Parties must conduct regular cleaning and disinfection of the facility 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 at least 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 that equipment, tools, and materials are regularly cleaned and disinfected using registered disinfectants. 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 disinfecting causes safety hazards or degrades the equipment and/or materials, 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 equipment.
- Responsible Parties must provide for the cleaning and disinfection of exposed areas in the event an individual is confirmed to have a positive case of COVID-19, with such cleaning and disinfection to include, at a minimum, all heavy transit areas and high-touch surfaces (e.g. seats, desks, shared materials).
- Responsible Parties are expected to follow CDC guidelines on ["Cleaning and Disinfecting Your Facility"](#) if someone is suspected or confirmed to have COVID-19:
  - 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.
  - 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 opened 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.
- For activities involving the handling of shared objects (e.g., payment devices, white boards markers), areas (e.g., seating areas, restrooms), and/or surfaces (e.g., doors, desks), Responsible Parties must ensure that such areas and objects are cleaned and disinfected daily, at a minimum.
- Where possible and practicable, Responsible Parties should place seat covers on cloth seats or other seats that may be more difficult to clean and disinfect. These seat covers should be cleaned between usage, or every four hours at a minimum.
- Responsible Parties must prohibit shared food and beverages among employees (e.g., self-serve meals and beverages), encourage employees to bring meals 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 to allow for operational issues to be resolved before production or trade schools and private instruction activities return to normal

levels. Responsible Parties should consider limiting the number of employees, hours, and number of customers/students available to be served when first reopening 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 and customers/students that includes applicable instructions, training, signage, and a consistent means to provide employees and customers/students with information. Responsible Parties may consider developing webpages, text and email groups, and social media.
- Responsible Parties should encourage individuals to adhere to CDC and DOH guidance regarding the use of PPE, specifically face coverings, through verbal communication and signage.
- Responsible Parties should post signage inside and outside of the facility to remind individuals to adhere to proper hygiene, social distancing rules, appropriate use of PPE, and cleaning and disinfection protocols.

### **III. PROCESSES**

#### **A. Screening and Testing**

- Responsible Parties must implement mandatory daily health screening practices for employees and, where practicable, contractors and vendors, but such screening shall not be mandated for customers/students and delivery personnel.
  - Screening practices may be performed remotely (e.g., by telephone or electronic survey), before the individual reports to the facility, to the extent possible; or may be performed on site.
  - Screening should be coordinated to prevent individuals 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, where practicable, contractors and vendors, and must be completed using a questionnaire that determines whether the individual has:
    - a) knowingly been in close or proximate contact in the past 14 days with anyone who was 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;
    - c) has experienced any symptoms of COVID-19 in the past 14 days; and/or
    - d) traveled within a state with significant community spread of COVID-19 for longer than 24 hours within the past 14 days.
- Refer to CDC guidance on "[Symptoms of Coronavirus](#)" for the most up to date information on symptoms associated with COVID-19.
- Refer to DOH [travel advisory](#) for the most up to date information on states with significant spread of COVID-19 and quarantine requirements.

- Screening practices include:
  - If space and building configuration allows, screen individuals at or near the building entrance to minimize the impact in case of a suspected or confirmed case of COVID-19.
  - Allow for adequate social distancing while individuals queue for screening and/or building entry.
  - Admit only employees who have been screened either remotely or upon arrival.
  - If temperature checks are performed, use contactless thermal cameras in building entrances to identify potentially symptomatic employees and direct them to a secondary screening area to complete a follow-on screening. If not possible for feasible, a temperature check may be performed using contactless thermometers.
- Responsible Parties can encourage, but cannot mandate that customers/students complete a health screening and/or provide contact information for contact tracing. Responsible Parties may provide an option for patrons to provide contact information so they can be logged and contacted for contact tracing, if necessary.
- 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 or instruction hours.
- In addition to the screening questionnaire, temperature checks may also be conducted per U.S. 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 individuals entering the facility. 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, an acceptable face covering, and may include gloves, a gown, and/or a face shield.
- An individual who screens positive for COVID-19 symptoms must not be allowed to enter the facility and employees who screen positive must be sent home with instructions to contact their healthcare provider for assessment and testing.
  - Responsible Parties should remotely provide the employee 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 screening questionnaire responses, 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 screening questionnaire.
  - Identified point of contact for the facility should be prepared to receive notifications from individuals of positive cases and initiate the respective cleaning and disinfection procedures.
- 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, contractors, and vendors, who may have close or proximate contact with other individuals at the facility; excluding customers/students and deliveries that are performed with appropriate PPE or through contactless means. The log should contain contact information, such that all contacts may be identified, traced and notified in the event an individual 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 individual at their facility, including employees, customers/students, and, as applicable, contractors and vendors.
- In the case of an individual testing positive for COVID-19, the Responsible Parties must cooperate with the state and local health departments as required to trace all contacts in the workplace, and notify the state and local health department of all employees, contractors, vendors, and customers/students logged (as applicable) who entered the workplace dating back to 48 hours before the employee began experiencing 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 individual showing symptoms while in the facility, Responsible Parties must notify employees in the surrounding areas or who may have been affected immediately with information on where the individual has been throughout the facility and notify them if the symptomatic person tests positive.
- The State and local health department may, under their legal authority, implement monitoring and movement restrictions of infected or exposed persons including home isolation or quarantine.
- Employees 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.
- Responsible Parties should consider offering a method for patrons to opt-in to a contact tracing program, as practicable.

## IV. EMPLOYER PLANS

Responsible Parties must conspicuously post completed safety plans on site for employees. The State has made available a business reopening 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>