



## INTERIM GUIDANCE FOR COMMERCIAL BUILDING MANAGEMENT DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

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

As of June 26, 2020

### **Purpose**

This Interim Guidance for Commercial Building Management during the COVID-19 Public Health Emergency ("Interim COVID-19 Guidance for Commercial Building Management") was created to provide non-residential/commercial building owners/managers and their employees and contractors with precautions to help protect against the spread of COVID-19 as buildings reopen or continue to operate.

This guidance applies to commercial/non-residential property management entities and related activities. This guidance does not address tenants occupying office space and their employees and contractors; for more information, see the State's "Interim COVID-19 Guidance for Office-Based Work." This guidance also does not address residential property management or real estate agents and brokers; for more information, see the State's "Interim COVID-19 Guidance for Real Estate."

These guidelines are minimum requirements only and any employer 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 building management. The Responsible Parties are also accountable for staying current with any updates to these requirements, as well as incorporating same into management and/or any 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 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. 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 Commercial Building Management in New York State**

No building management 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 building management activities – both essential and non-essential – in operation during the COVID-19 public health emergency until rescinded or amended by the State. The building owner/manager, or another party as may be designated by the building owner/manager (in either case, “the Responsible Parties”) shall be responsible for meeting these standards.

The building owner/manager, or their designee, shall be primarily responsible for meeting standards with respect to any unleased or common areas, and the tenant, if not the owner, shall be primarily responsible for meeting these standards with respect to their leased space(s), unless the tenant and building owner reach an alternate agreement in regard to such responsibilities (e.g. joint screening protocol).

Note that, except where noted otherwise, references made to “employees” (1) include employees and contractors, and (2) references to “employees and/or visitors” are to building owners/managers and their employees and/or visitors. Responsible Parties should coordinate with tenant entities occupying office space, where applicable, on the implementation of practices in accordance with this guidance. For more

information on tenant entities and their employees, contractors, and visitors, see “Interim COVID-19 Guidance for Office-Based Work.”

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

## I. PEOPLE

### A. Physical Distancing

- Responsible Parties, in coordination with any tenants, must ensure that for any work occurring indoors, the total occupancy is limited to 50% of the maximum occupancy for a particular area as set by the certificate of occupancy, so long as the region in which the building is located remains in Phase II of the State’s reopening. Responsible Parties should work with tenants to establish and enforce capacity limits; and
- In the space they control, Responsible Parties, in coordination with any tenants, must ensure that a distance of at least six feet is maintained among individuals at all times, unless safety of the core activity requires a shorter distance (e.g. heating, ventilating, and air conditioning (HVAC) repairs and maintenance). 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, common outdoor space) when a minimum six feet of separation is not possible.
  - Responsible Parties should consider closing any common indoor or outdoor seating 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).
- Responsible Parties may modify the use and/or restrict the number of workstations seating areas for their own employees, 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 provide and require the use of face coverings or physical barriers (e.g. 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.
  - Shared workstations (e.g. “hot-desks”) must be cleaned and disinfected between users.

- In the space they control, Responsible Parties should prohibit the use of small spaces (e.g. elevators, staff rooms) by more than one individual at a time, unless all individuals 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 practicable (e.g. opening windows and doors), 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.
- In the space they control, 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. elevator entrances, escalators, lobbies, clock in/out stations, health screening stations).
- In the space they control, Responsible Parties must post signs throughout the building, consistent with DOH COVID-19 signage. Responsible Parties can develop their own customized signage specific to their workplace or setting, provided that such signage is consistent with the Department's signage. Signage should be used to remind individuals 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 should encourage the use of video or teleconferencing for their employee meetings whenever possible to reduce the density of in-person gatherings, per CDC guidance "[Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 \(COVID-19\)](#)". Responsible Parties should hold in-person 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 individuals sit in alternating chairs) or wear appropriate face coverings.
- In the space they control, Responsible Parties should encourage social distancing by limiting occupancy or closing non-essential amenities and communal areas that do not allow for social distancing protocols. If open, Responsible Parties must make hand sanitizer or disinfecting wipes available next to equipment near such amenities (e.g. vending machines, communal coffee stations).
- In the space they control, Responsible Parties must put in place practices for adequate social distancing in small areas, such as restrooms and breakrooms, and signage and systems (e.g. flagging when occupied) to restrict occupancy when social distancing cannot be maintained in such areas.
- Responsible Parties should stagger schedules for their own 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. game rooms) are to remain closed until further guidance is issued.

### 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 to be on site;
  - adjusting workplace hours;
  - reducing on-site workforce to accommodate social distancing guidelines;
  - shifting design (e.g. A/B teams, staggered arrival/departure times);
  - prioritizing tasks that allow for social distancing over those that do not; and/or
  - avoiding multiple crews and/or teams working in one area by staggering scheduled tasks and using signs to indicate occupied areas.

### D. Movement and Commerce

- Responsible Parties must establish designated areas for pickups and deliveries, limiting contact to the extent possible.
- Responsible Parties should limit interactions (e.g. designate an egress for individuals leaving their shifts and a separate ingress for individuals starting their shifts) and movements (e.g. their employees should remain near their workstations as often as possible) of persons in the common space(s) of the building.
- Responsible Parties should limit the numbers of entrances in order to (1) manage the flow of visitors into the building and (2) facilitate health screenings, as described below in Section III "Processes," Subsection A "Screening and Testing," while remaining in compliance with fire safety and other 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.

## II. PLACES

### A. Building Systems

- Before occupants return to a building that has been entirely closed, Responsible Parties must 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.
  - Depending on the length of time equipment has been inactive, Responsible Parties should run systems with careful observation to ensure machinery (e.g. valves and switches) are operating correctly.
  - Specific system actions may be required to restart systems after prolonged shutdown. Responsible Parties may determine necessity for each of these items based on length of shutdown and condition as inspected.
  - As appropriate and applicable, Responsible Parties should flush building with fresh air based on the design of the makeup/outside air system for a minimum of 24 hours.

- Responsible Parties must ensure air filters are replaced as needed (e.g. after flushing the building).
- Responsible Parties must ensure maintenance and monitoring of cooling towers have been conducted in accordance with state regulations and that chemical and microbial levels are within defined ranges for any closed water systems and/or water features, and drain any devices that may contain stagnant water.
- Responsible Parties must flush cold- and hot-water systems in accordance with the building's water management plan, if applicable.
- Responsible Parties must ensure any water filters are replaced as needed after flushing the building's water systems.
- For buildings that were entirely closed, Responsible Parties should ensure that the operation of all mechanical equipment and systems has been restored prior to reopening the building.

## **B. Protective Equipment**

- In addition to the 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, masks and other required PPE on hand should an employee need a replacement, or should a visitor of the building management be in need. Acceptable face coverings include, but are not limited to, cloth (e.g. homemade sewn, quick cut, bandana), surgical masks, and face shields.
  - Responsible Parties must work with any entities with which they have contracted to agree upon who will provide PPE to contractors physically present in the building.
  - 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 the [CDC guidance](#) for additional information on cloth face coverings and other types of PPE 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 require employees 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 their 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 their own 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 their employees sharing of objects, such as equipment, machinery, materials, and vehicles, as well as the touching of shared surfaces, such as handrails or touchscreens; or, require employees and visitors to wear gloves (trade-appropriate or medical) when in contact with shared objects or frequently touched surfaces; or, require employees and visitors 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 common areas in the building (e.g. lobbies). 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.
- 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 building 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 public restrooms or restrooms used by more than one tenant. 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 for 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 individual 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. elevators, lobbies, building entrances, badge scanners, restrooms handrails, 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 area(s).
    - Shared building spaces used by the individual must also be shut down, cleaned and disinfected (e.g. elevators, lobbies, outdoor common space).
  - 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.
  - Responsible Parties must immediately communicate information about individuals suspected or confirmed to have COVID-19 to all impacted entities occupying space in the building and inform them of which common spaces are shut down and once they are re-opened.
  - 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.
- Responsible Parties should avoid the use of furniture that is not easily cleaned and disinfected (e.g. cloth fabric sofas).

- For their own employees, 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 and encourage tenants to do the same.

#### **D. 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 when first reopening so as to provide operations with the ability to adjust to the changes.

#### **E. 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 work with tenants to develop a communications plan for employees, tenants, and visitors 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 individuals to adhere to CDC and DOH guidance regarding the use of PPE, specifically face coverings, when a social distance of six feet cannot be maintained, through verbal communication and signage.
- Responsible Parties should post signage inside and outside of the building to remind individuals 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 of their employees and visitors.
  - Screening practices may be performed remotely (e.g. by telephone or electronic survey), before the employee or visitor reports to the building, to the extent possible; or may be performed on site.
  - Screening should be coordinated to prevent employees or visitors from intermingling in close or proximate contact with each other prior to completion of the screening.
  - At a minimum, screening must be required for all employees or 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.
- While tenants are responsible for screening their own employees and visitors, Responsible Parties should coordinate with tenants to facilitate screening. Screening best 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.
    - Coordinate with tenants to identify individuals who have completed a remote screening.
    - Use contactless thermal cameras in building entrances to identify potentially symptomatic individuals and direct them to a secondary screening area to complete a follow-on screening.
    - If unable to screen at or near building entrances, remind tenants that they are responsible for screening their employees within a space under their control.
  - 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 or visitors 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 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 employees or visitors entering the building. 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 individual 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. This policy does not apply if the employee or visitor is entering the building for medical evaluation or treatment (e.g. to visit a doctor's office in the building).
    - Responsible Parties should remotely 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 employees, contractors, and visitors’ questionnaires, with such contact also identified as the party for employees and visitors to inform if they later are experiencing COVID-19-related symptoms, as noted on the questionnaire.
  - If Responsible Parties and tenants have agreed to an alternate screening arrangement whereby Responsible Parties screen on behalf of tenants, then Responsible Parties shall be responsible for maintaining a record of the screening process. Maintaining record of employee health data (e.g. the specific temperature data of an individual) is prohibited; the only records to be maintained on a daily basis regarding the screening process are those individuals who were screened, and confirmation that no employee or visitor who failed the screening process was granted access (unless the individual was entering the building for medical evaluation or treatment).
  - Identified point of contact for the building should be prepared to receive notifications from tenants 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, for tenants, employees, and visitors.
  - When notified of a positive case, the identified point of contact must notify the contacts of all impacted entities occupying shared spaces of the positive cases and the respective cleaning and disinfection procedures taken.
- To the extent possible, Responsible Parties should make best efforts to maintain a log of every person, including their own employees and visitors, who may have close or proximate contact with other individuals at the building; excluding deliveries that are performed with appropriate PPE or through contactless means. Logs should contain contact information, such that all contacts may be identified, traced and notified in the event an employee or visitor 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 workplace.
- The Responsible Parties must be prepared to receive reports of positive cases from tenants.
- In the case of an employee or visitor, or a tenant’s 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 individuals who entered the site dating back to 48 hours before the employee or visitor – or tenant’s employee or visitor – 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, or tenant’s employee, contractor, or visitor, showing symptoms while in the workplace, Responsible Parties must notify all entities occupying space in the building immediately with information on where the individual has been throughout the building and notify them if the symptomatic employee, contractor, or visitor tests positive.

- State and local health departments may, under their legal authority, 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 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>