



## INTERIM GUIDANCE FOR PUBLIC TRANSPORTATION ACTIVITIES DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

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

As of June 26, 2020

### Introduction

Rider and employee safety is New York State's top priority. To support Rider and employee safety, transit operators will deploy a multi-pronged approach including: mandatory wearing of masks or face coverings, execution of regular cleaning and disinfectant protocols, increasing service where possible, implementing policies and measures to minimize contact between employees and passengers (such as rear-door boarding on buses, suspending cash collection on trains, and social distancing where feasible), and implementing flexible hours and staggered days for their workforce where practicable. Specific, local conditions will vary from agency to agency and from region to region.

In addition, the demand for and nature of our public transit networks mean that maintaining social distancing will not be possible at all times and on all routes. As a consequence, it will be important for transit operators to pursue and implement multi-pronged approaches and for Riders to take personal responsibility to protect themselves and others by wearing masks, limiting travel to essential trips or adjusting time of travel, moving to less crowded cars or compartments of a train, maintaining recommended personal hygiene practices, and complying with all of the related actions set forth in this and other state-issued guidance.

### Purpose

This Interim Guidance for Public Transportation Activities during the COVID-19 Public Health Emergency ("Interim COVID-19 Guidance for Public Transportation") was created to provide owners/operators of public transportation and their employees, contractors, and Riders with precautions to help protect against the spread of COVID-19.

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 publication, and the documentation upon which these guidelines are based can and does change frequently. The Responsible Parties and the Rider – as defined below – are accountable for adhering to all local, state and federal requirements relative to public transportation activities. The Responsible Parties are also accountable for staying current with any updates to these requirements, as well as incorporating same into any public transportation 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 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. On June 11, Governor Cuomo [announced](#) that the third phase of reopening would begin on June 12 in several regions of New York.

In addition to the following standards, operators 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 Public Transportation Activities in New York State**

No public transportation activity can operate 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), United States Department of Labor's Occupational Safety and Health Administration (OSHA), United States Department of Transportation, and New York State Department of Transportation.

The State standards contained within this guidance apply to all public transportation activities in operation during the COVID-19 public health emergency until rescinded or amended by the State. The owner/operators of the public transportation services, or another party as may be designated by the

owner/operator (in either case, "the Responsible Parties"), shall be responsible for meeting these standards. "The Rider" shall be understood as any individual who uses the public transit system.

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

## I. PEOPLE

### A. Physical Distancing

- Physical distancing requirements and recommendations will vary based on whether they apply to: (1) public transit cars, buses, subway as well as public spaces such as platforms and stations; and (2) private operating spaces of transit systems such as employee spaces and employee vehicles.
- Responsible Parties must use their best efforts to maintain a distance of at least six feet among operational employees (e.g. non-public facing employees), when feasible and unless safety or the core activity requires a shorter distance (e.g. providing facility or infrastructure maintenance, providing vehicle maintenance).
- Responsible Parties must ensure public-facing employees wear face coverings regardless of physical distance.
  - 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](#).
- In accordance with the requirements of Executive Order 202.18, Riders must wear face coverings throughout their entire journey, including in both public transit vehicles and public spaces (e.g. stairs, platforms, stations, subway/train cars, buses), regardless of physical distance; provided, however, that Riders are over the age of two and medically able to tolerate such face covering.
  - If a Rider who is over the age of two and medically able to tolerate a face covering does not wear a face covering during their journey, Responsible Parties may refuse entry or eject the individual.
- Riders should maintain an appropriate social distance from other Riders and employees (e.g. move to less crowded part of transit platform or train car), when feasible, when in public transit spaces and transit vehicles throughout their entire journey (e.g. stairs, platforms, stations, rolling stock).
- Responsible Parties may consider modifying the use and/or restrict the number of work spaces and employee seating areas, 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 work stations or spaces without cleaning and disinfection between use, where possible. When distancing is not feasible between work stations or spaces, 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.
  - Physical barriers should be put in place in accordance with [OSHA guidelines](#).
  - Physical barrier options may include: strip curtains, plexiglass or similar materials, or other impermeable dividers or partitions.

- Responsible Parties should prohibit the use of small spaces (e.g. elevators, control rooms, vehicles only used by employees) by more than one employee at a time, unless all employees in such space at the same time are wearing acceptable face coverings.
- Responsible Parties should increase ventilation with outdoor air to the greatest extent possible, while maintaining safety protocols, recognizing that some spaces or fleet vehicles do not have windows that can open to allow for outside air. 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 are encouraged to ensure that transit station layouts enable, where possible, Riders to strive for social distancing from other Riders and from employees.
  - Riders should adhere to appropriate social distancing, when possible, while in public transit stations.
- Responsible Parties are encouraged to ensure that rail car, subway car, and bus layouts enable, where possible, Riders to seek social distancing from other Riders and from employees.
  - Riders should adhere to appropriate social distancing, when possible, while using public transit.
- Responsible Parties are encouraged to modify public transportation facility layouts where possible, so that employees are at least six feet apart in all directions, or to put physical barriers in place, if possible (e.g. Plexiglass or partitions at cash registers).
  - Responsible Parties must ensure that all employees use face coverings when interacting with Riders. Responsible Parties must reserve adequate space for employees to work, considering appropriate social distancing, where feasible (e.g. close high-density areas, rearrange fixtures, have employees use alternating cash registers).
- 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 appropriate social distancing space in all commonly used areas and any areas in which lines are commonly formed or people may congregate (e.g. clock in/out stations, health screening stations, break rooms, cash register areas, locker rooms), where feasible.
- If feasible, Responsible Parties may explore the following measures to encourage Rider social distancing while in transit facilities or on public transportation rolling stock:
  - Use physical barriers, visual cues such as floor decals, colored tape, or signs to indicate to Riders an appropriate social distance from employees;
  - Create one-way walking directions and barriers in transit stations to minimize likelihood of close Rider contact;
  - Arrange Rider waiting areas (e.g. lines, transportation boarding areas) to allow for appropriate social distance among other Riders and minimize interaction with others in the area;
  - Implement seat reservation system to control demand and distribute Riders across transit systems;
  - Provide Riders with real-time information (e.g. occupancy level on vehicles, stations or platforms, train/bus/subway arrival time);
  - Close seats that are closest to the operator entrance and exit;
  - Implement use of rear door entry/exit in buses, while allowing exceptions for persons with disabilities; and/or

- Increase the number of buses, or train coaches operating to reduce likelihood of crowding, especially on high volume/traffic routes.
- Responsible Parties must post signs throughout the facility, 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 employees to:
  - Cover their nose and mouth with a mask or face-covering.
  - 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.
  - Stay home if they are feeling sick.
- External parties, such as contractors or consultants, whose activities take place on the Transit Operator’s property must adopt and adhere to the same COVID practices, subject to the Operator’s approval.

## **B. Gatherings in Enclosed Spaces**

- Responsible Parties should follow the Interim Guidance for Office-Based Work During the COVID-19 Public Health Emergency for any workplace activities taking place in offices.
- Responsible Parties must limit in-person employee gatherings (e.g. employee meetings, break rooms, stock rooms) 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, where feasible (e.g. if there are chairs, leave space between chairs, have employees sit in alternating chairs). When not feasible, Responsible Parties must ensure that all employees wear face coverings.
- 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, where feasible. When not feasible, Responsible Parties must ensure that all employees wear face coverings.
- Responsible Parties should stagger schedules for employees to observe social distancing (i.e., six feet of space) for any gathering, where operationally feasible (e.g. coffee breaks, meals, and shift starts/stops). When not feasible, Responsible Parties must ensure that all employees wear face coverings.

## **C. Workplace Activity**

- Responsible Parties must take measures in the workplace to reduce interpersonal contact and congregation among employees, through methods such as:
  - limiting in-person presence to only those staff who are necessary;

- adjusting workplace hours to spread employee and Rider traffic over longer period of time;
- reducing on-site workforce to accommodate social distancing guidelines;
- shifting design (e.g. A/B teams, staggered arrival/departure times);
- avoiding multiple crews and/or teams working in one area by staggering scheduled tasks and using signs to indicate occupied areas; and/or
- requiring non-public facing employees to wear masks or face coverings when close or proximate contact is unavoidable.
- Responsible Parties should encourage Riders to use touchless payment options or pay ahead, when and where such options are available.
  - Minimize handling cash, credit cards, reward cards, and mobile devices, where possible.
  - Ask Riders and public-facing employees to exchange cash or credit cards by placing in a receipt tray or on the counter rather than by hand and wipe any pens, counters, or hard surfaces between each use or Rider.

#### **D. Movement and Commerce**

- Responsible Parties must establish designated areas for pickups and deliveries limit contact to the extent possible.
- Responsible Parties should limit on-site interactions (e.g. designate an egress for workers leaving their shifts and a separate ingress for workers starting their shifts) and movements (e.g. employees should remain near their workstations as often as possible).

## **II. PLACES**

### **A. Protective Equipment**

- Responsible Parties must ensure operator compliance with Executive Order 202.18 which requires that employees operating public transit vehicles must wear a face covering or mask which covers the nose and mouth when passengers are present.
- Responsible Parties must put in place measures to remind Riders of requirements of Executive Order 202.18 which directs that everyone using public or private transportation carriers or other for-hire vehicles, who is over age of 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.
  - Riders who are over the age of two and able to medically tolerate a face covering may be denied access or asked to leave if they do not comply with the directive to wear such a covering during the trip, as provided in Executive Order 202.18.
- 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 or masks, and other required PPE on hand should an employee need a replacement. Acceptable face coverings include, but are not limited to, cloth (e.g. homemade sewn, quick cut, bandana), surgical masks, N95 respirators. Face shields may be provided or worn in addition to a mask or other face covering.

- 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, as well as instructions on use and cleaning.
- 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 put in place measures to limit the sharing of objects, such as tools, machinery, materials, and vehicles, as well as the touching of shared surfaces, such as control panels, and keypads; or, recommend workers to wear gloves (trade-appropriate or medical) when in contact with shared objects or frequently touched surfaces; or, require workers to sanitize or wash their hands and shared object before and after contact.
- Responsible Parties should ensure that employees use gloves or hand sanitizer when removing garbage bags or handling and disposing of trash and wash hands or use hand sanitizer afterward.
- Responsible Parties must instruct their employees on how to properly put on, take off, clean (as applicable), and discard PPE, including but not limited to, appropriate face coverings.

## **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.
- Responsible Parties should provide and maintain, one or both of the following hand hygiene stations on site at terminals and stations, as practical:
  - For handwashing: soap, running warm water, and disposable paper towels.
  - For hand sanitizing: an alcohol-based hand sanitizer containing at least 60% alcohol.
- Responsible Parties should consider and, where feasible, provide hand sanitizer of at least 60% alcohol to Riders at transit stations. Signage should be displayed indicating that visibly soiled hands should be washed with soap and water whenever feasible; hand sanitizer is not effective on visibly soiled hands.
- Responsible parties must provide cleaning protocols to ensure disposal of soiled items.
- Responsible Parties must provide appropriate cleaning and disinfection supplies for shared and frequently touched surfaces and encourage employees to use these supplies before and after use of these surfaces, followed by hand hygiene.
  - For public-facing transit activities involving the handling of shared objects (e.g. payment devices), areas, and/or surfaces in areas accessible to the public (e.g. doors, handrails), Responsible Parties should ensure that such areas and objects are cleaned and disinfected twice per day, at minimum, or pursue an alternative approach where the alternative approach provides an equal or greater public health protection.

- 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 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.
  - Trains, buses, and subway cars in active service must be cleaned and disinfected every day, or less if using more effective cleaning and disinfection products;
  - Stations and high-touch surfaces—like turnstiles, ticket machines, and handrails—must be cleaned and disinfected twice per day, or less when using more effective cleaning and disinfection products;
  - Consider employing staff to clean and disinfect high touch areas (such as ticket machines, door handles) with greater frequency, or less when using more effective cleaning and disinfection products;
  - Clean and disinfect special access vehicles every day, or less when using more effective cleaning and disinfection products.
- 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 workers 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 a worker 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. vending machines, handrails and seats on public transit vehicles, facility handrails, bathrooms, door knobs).
- Responsible Parties should adjust hours as necessary to enable enhanced cleaning and disinfection procedures.
- Responsible Parties must ensure transit systems increase frequency of checking proper ventilation system functionality to ensure ventilation systems are functioning properly.
  - Where possible, and while maintaining safety protocols, consider increasing ventilation in stations and on rolling stock.
- 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.
      - For control towers/centers of a critical operational nature, full closure of affected areas is not required; an employee may continue to fulfill critical operational functions while wearing a face covering and gloves until the affected area is cleaned and disinfected.
  - Open outside doors and windows to increase air circulation in the area.
  - Wait 24 hours before you clean or 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 re-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.
- 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, where feasible.
  - Responsible Parties should enable use of touchless doors as much as possible, when available (e.g. redirect traffic to touchless doors, or install—where possible).

### 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 Riders 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 and Riders 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 use preferred communication method to communicate key travel information such as arrival times or crowding levels, if possible.

## III. PROCESSES

### A. Screening and Testing

- Responsible Parties must implement mandatory daily health screening practices of their employees but such screening shall not be mandated or otherwise required for Riders.
  - 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 workers from intermingling in close or proximate contact with each other prior to completion of the screening. If not feasible, Responsible Parties must ensure that all employees wear face coverings and gloves when taking temperature.
  - At a minimum, screening should be required of all workers and contractors, but not Riders, and completed using a questionnaire that determines whether the worker or contractor 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; or
    - (c) has experienced any symptoms of COVID-19 in 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.
- 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.
- Responsible Parties must implement mandatory temperature checks for employees, where operationally feasible.
- 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 workers or contractors 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 or face covering, and may include gloves, a gown, and/or a face shield.
- An individual who screens positive for COVID-19 symptoms must be dismissed or removed from the worksite and 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.
  - 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 individual who failed the screening process was granted access.
- Responsible Parties must designate a safety monitor whose responsibilities include continuous compliance with all aspects of the site safety plan (e.g. occupational health individual assigned as safety monitor). The safety monitor can oversee compliance at multiple sites.
- To the extent possible, Responsible Parties should maintain a log of every person, including workers and contractors, 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 a worker at their site.
- In the case of a worker or contractor testing positive, the Responsible Parties must cooperate with the state and local health department to trace all contacts in the workplace and notify the state and local health department of all workers and contractors who entered the site dating back 48 hours before the worker first experienced COVID-19 symptoms or tested positive, whichever is earlier. Confidentiality must be maintained as required by federal and state law and regulations.
- Local health departments will 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.

## IV. EMPLOYER PLANS

Responsible Parties must post completed summary 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>