GUIDANCE FOR
NEW YORK STATE BUSINESSES RELATED TO COVID-19

Empire State Development (ESD) has created this detailed FAQ to answer immediate questions businesses may have regarding State regulations and general guidance related to the coronavirus.

BACKGROUND

Now a global pandemic according to the World Health Organization, 2019 Novel (New) Coronavirus was first detected in China and has spread worldwide. This virus causes a disease called COVID-19 and can lead to flu-like symptoms including fever, cough and shortness of breath. There are more than 100,000 confirmed cases in a growing number of countries internationally and the virus is now spreading in the United States. There are ongoing investigations to learn more about this virus. Senior citizens and people with underlying respiratory conditions are being advised to take extra precautions to guard against infection.

Individuals who are experiencing symptoms and may have traveled to areas of concern, or have been in contact with someone who has traveled to these areas, should call their health care provider before seeking treatment in person.

This is a rapidly changing situation. Please check this site and the CDC's COVID-19 webpage regularly for updates.

New York State Department of Health has established a website and telephone number that provide the latest, most comprehensive information about the State's response to the virus.

- **NYS DOH Coronavirus Hotline:**   **1-888-364-3065** (fully language accessible)
- **NYS DOH Coronavirus Website:**
  https://www.health.ny.gov/diseases/communicable/coronavirus/

INFORMATION FOR
BUSINESSES AND CORPORATIONS

Q: Will New York State offer financial support to businesses negatively impacted by coronavirus?
A: NYS is currently assessing options to avoid serious hardships to NYS businesses. So far, the state is taking steps to protect public health and reduce to the risk to New Yorkers.

The federal government will allow the U.S. Small Business Administration (SBA) to issue Economic Injury Disaster Loans for businesses impacted by the coronavirus. These loans would allow businesses in certain areas to apply for low-interest loans from the SBA.

Material may be updated as new information becomes available

The SBA has resources and information on its website: https://www.sba.gov/page/guidance-businesses-employers-plan-respond-coronavirus-disease-2019-covid-19

Q: How will the large gathering ban impact my business if I have over 500 employees working in one space at any given time?
A: The Department of Health has issued guidance on the large gathering ban. Any gathering with 500 or more people must be cancelled or postponed. The guidance is intended to determine whether or not a gathering of 500 or fewer participants can safely continue during the outbreak period. It **does not** apply to governmental, medical, educational, retail spaces, or mass transportation facilities such as schools, government buildings, grocery stores subways trains, etc.) It **does** apply to theaters sporting events restaurants, conferences, gyms and fitness centers, auditoriums, etc).

There are limited exceptions to the restrictions prescribed in this guidance. Specifically, businesses that are not gathering places can seek an exemption from the State Commissioner of Health that would allow for capacity in excess of these limits, if appropriate social distance can be maintained and the risk of viral transmission is low. **Please call the New York State Novel Coronavirus (COVID-19) hotline at 1-888-364-3065 with specific questions about your business, establishment or event.**

Q: If employees of NYS businesses are dealing with the prospect of unexpected school closures and/or the need to take extra time to care for children or elderly relatives who might be affected or quarantined by this outbreak, can they be covered in some way?
A: All options are being explored and are on the table. Steps so far include:
- Governor Cuomo is amending the Paid Sick Leave Budget proposal to specifically protect workers from termination if they are required to stay home from work because they are being isolated or quarantined because of the novel coronavirus.
- While not directly related, businesses should be able to tell employees that Governor Cuomo has instituted a requirement from the state Department of Financial Services that private health insurers in New York make COVID-19 testing free for patients by waiving any customary out-of-pocket costs.

Q: What can my business do to help stop the spread of the coronavirus?
A: Governor Cuomo has met with private businesses across the state and is asking them to aggressively consider work-from-home strategies and to consider voluntary closings to help reduce density as a social responsibility to protect their workforce. The Governor has cautioned that, while not in place now, the State could consider mandatory actions in an effort to protect the public.

Q: Should businesses recommend face masks or other protective equipment during travel?
A: CDC does not recommend individuals wear face masks to protect themselves from COVID-19. You may choose to wear a mask, but it is more important to follow these prevention practices:
- Avoid close contact with people who are sick.
- Avoid touching your eyes, nose, and mouth with unwashed hands.
- Stay home when you are sick.

Material may be updated as new information becomes available

- Cover your cough or sneeze with a tissue, then throw the tissue in the trash.
- Clean and disinfect frequently touched objects and surfaces using a household cleaning product.
- Wash your hands often with soap and water for at least 20 seconds, especially after going to the bathroom; before eating; and after blowing your nose, coughing or sneezing.
- If soap and water are not readily available, use an alcohol-based hand sanitizer that contains 60%–95% alcohol.

Q: Employees at my business just came back from a country designated a high risk (Level 3) by the CDC—can they come to work?

A: Depending on your travel history, you will be asked to stay home for a period of 14 days from the time you left an area with widespread or ongoing community spread (Level 3 Travel Health Notice). Countries that have a Level 3 Travel Health Notice are listed on the [CDC website](#).

If you traveled to a Level 3 designated country:
- Stay home for 14 days from the time you left an area with widespread, ongoing community spread (Level 3 Travel Health Notice countries) and practice **social distancing.**
- Take these steps to monitor your health:
    - Take your temperature with a thermometer two times a day and monitor for fever. Also watch for cough or trouble breathing.
    - Stay home and avoid contact with others. Do not go to work or school for this 14-day period. Discuss your work situation with your employer before returning to work.
    - Do not take public transportation, taxis, or ride-shares during the time you are practicing social distancing.
    - Avoid crowded places (such as shopping centers and movie theaters) and limit your activities in public.
    - Keep your distance from others (about 6 feet or 2 meters).

Social distancing means remaining out of:
- Public places where close contact with others may occur (such as shopping centers, movie theaters, stadiums).
- Workplaces (unless the person works in an office space that allows distancing from others).
- Schools and other classroom settings.
- Local public transportation (such as on a bus, subway, taxi, ride share, plane, ship)

These restrictions are to be in effect for 14 days from the time the person was possibly exposed.

What to Do If You Get Sick
If you get sick with fever (100.4°F/38°C or higher), cough, or have trouble breathing:

- Seek medical care. Call ahead before you go to a doctor's office or emergency room.
- Tell your doctor about your recent travel and your symptoms.
- Avoid contact with others.
- If you need to seek medical care for other reasons, such as dialysis, call ahead to your doctor and tell them about your recent travel to an area with widespread or ongoing community spread of COVID-19.

Material may be updated as new information becomes available

For more information: [Guidance for Businesses and Employers](#)

Q: What are the recommended precautions for businesses?

A: To help reduce density, the Governor has spoken to business leaders and asked businesses around the state to voluntarily implement telecommuting for employees and/or staggered work shifts.

Businesses should follow these guidelines regarding sick employees:

- Employees who have symptoms of acute respiratory illness are recommended to stay home and not come to work until they are free of fever (100.4° F [37.8° C] or greater using an oral thermometer), signs of a fever, and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants). Employees should notify their supervisors and stay home if they are sick.
- Ensure that your sick leave policies are flexible and consistent with public health guidance and that employees are aware of these policies.
- Talk with companies that provide your business with contract or temporary employees about the importance of sick employees staying home and encourage them to develop non-punitive leave policies.
- Do not require a healthcare provider's note for employees who are sick with acute respiratory illness to validate their illness or to return to work, as healthcare provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely way.
- Maintain flexible policies that permit employees to stay home to care for a sick family member. Be aware that more employees may need to stay at home to care for sick children or other sick family members than is usual.

Separate sick employees:

- CDC recommends that employees who appear to have acute respiratory illness symptoms (i.e. cough, shortness of breath) upon arrival to work or become sick during the day should be separated from other employees and be sent home immediately. Sick employees should cover their noses and mouths with a tissue when coughing or sneezing (or an elbow or shoulder if no tissue is available).

Emphasize staying home when sick, respiratory etiquette and hand hygiene by all employees:

- Place posters that encourage staying home when sick, cough and sneeze etiquette, and hand hygiene at the entrance to your workplace and in other workplace areas where they are likely to be seen.
- Provide tissues and no-touch disposal receptacles for use by employees.
- Instruct employees to clean their hands often with an alcohol-based hand sanitizer that contains at least 60-95% alcohol or wash their hands with soap and water for at least 20 seconds. Soap and water should be used preferentially if hands are visibly dirty.
- Provide soap and water and alcohol-based hand rubs in the workplace. Ensure that adequate supplies are maintained. Place hand rubs in multiple locations or in conference rooms to encourage hand hygiene.
- Visit the [coughing and sneezing etiquette](#) and [clean hands webpage](#) for more information.

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Perform routine environmental cleaning:
- Routinely clean all frequently touched surfaces in the workplace, such as workstations, countertops, and doorknobs. Use the cleaning agents that are usually used in these areas and follow the directions on the label.
- No additional disinfection beyond routine cleaning is recommended at this time.
- Provide disposable wipes so that commonly used surfaces (for example, doorknobs, keyboards, remote controls, desks) can be wiped down by employees before each use.

Advise employees before traveling to take certain steps:
- Check the CDC's Traveler's Health Notices for the latest guidance and recommendations for each country to which you will travel. Specific travel information for travelers going to and returning from China, and information for aircrew, can be found at on the CDC website.
- Advise employees to check themselves for symptoms of acute respiratory illness before starting travel and notify their supervisor and stay home if they are sick.
- Ensure employees who become sick while traveling or on temporary assignment understand that they should notify their supervisor and should promptly call a healthcare provider for advice if needed.
- If outside the United States, sick employees should follow their company's policy for obtaining medical care or contact a healthcare provider or overseas medical assistance company to assist them with finding an appropriate healthcare provider in that country. A U.S. consular officer can help locate healthcare services. However, U.S. embassies, consulates, and military facilities do not have the legal authority, capability, and resources to evacuate or give medicines, vaccines, or medical care to private U.S. citizens overseas.

Additional Measures in Response to Currently Occurring Sporadic Importations of the COVID-19:
- Employees who are well but who have a sick family member at home with COVID-19 should notify their supervisor and refer to CDC guidance for how to conduct a risk assessment of their potential exposure.
- If an employee is confirmed to have COVID-19, employers should inform fellow employees of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by the Americans with Disabilities Act (ADA). Employees exposed to a co-worker with confirmed COVID-19 should refer to CDC guidance for how to conduct a risk assessment of their potential exposure.

Q: What should I consider when creating an outbreak plan for my business?
A: All employers should be ready to implement strategies to protect their workforce from COVID-19 while ensuring continuity of operations. During a COVID-19 outbreak, all sick employees should stay home and away from the workplace, respiratory etiquette and hand hygiene should be encouraged, and routine cleaning of commonly touched surfaces should be performed regularly.

Employers should:
- Ensure the plan is flexible and involve your employees in developing and reviewing your plan.
- Conduct a focused discussion or exercise using your plan, to find out ahead of time whether the plan has gaps or problems that need to be corrected.
- Share your plan with employees and explain what human resources policies, workplace and leave flexibilities, and pay and benefits will be available to them.

- Share best practices with other businesses in your communities (especially those in your supply chain), chambers of commerce, and associations to improve community response efforts.

Recommendations for an Infectious Disease Outbreak Response Plan:
- Identify possible work-related exposure and health risks to your employees. The U.S. Occupational and Health Administration (OSHA) has more information on how to [protect workers from potential exposures](#) to COVID-19.
- Review human resources policies to make sure that policies and practices are consistent with public health recommendations and are consistent with existing state and federal workplace laws (for more information on employer responsibilities, visit the [Equal Employment Opportunity Commission](#) websites).
- Explore whether you can establish policies and practices, such as flexible worksites (e.g., telecommuting) and flexible work hours (e.g., staggered shifts), to increase the physical distance among employees and between employees and others if state and local health authorities recommend the use of social distancing strategies. For employees who are able to telework, supervisors should encourage employees to telework instead of coming into the workplace until symptoms are completely resolved. Ensure that you have the information technology and infrastructure needed to support multiple employees who may be able to work from home.
- Identify essential business functions, essential jobs or roles, and critical elements within your supply chains (e.g., raw materials, suppliers, subcontractor services/products, and logistics) required to maintain business operations. Plan for how your business will operate if there is increasing absenteeism or these supply chains are interrupted.
- Set up authorities, triggers, and procedures for activating and terminating the company's infectious disease outbreak response plan, altering business operations (e.g., possibly changing or closing operations in affected areas), and transferring business knowledge to key employees. Work closely with your local health officials to identify these triggers.
- Plan to minimize exposure between employees and also between employees and the public, if public health officials call for social distancing.
- Establish a process to communicate information to employees and business partners on your infectious disease outbreak response plans and latest COVID-19 information. Anticipate employee fear, anxiety, rumors, and misinformation, and plan communications accordingly.
- In some communities, early childhood programs and K-12 schools may be dismissed, particularly if COVID-19 worsens. Determine how you will operate if absenteeism spikes from increases in sick employees, those who stay home to care for sick family members, and those who must stay home to watch their children if dismissed from school. Businesses and other employers should prepare to institute flexible workplace and leave policies for these employees.
- Local conditions will influence the decisions that public health officials make regarding community-level strategies; employers should take the time now to learn about plans in place in each community where they have a business.
- Consider canceling non-essential business travel per [travel guidance](#) on the CDC website
  - Travel restrictions may be enacted by other countries which may limit the ability of employees to return home if they become sick while on travel status.
  - Consider cancelling large work-related meetings or events.
- Engage [state](#) and [local](#) health departments to confirm channels of communication and methods for dissemination of local outbreak information.