

This publication includes information as of September 22, 2020.

ADDITIONAL INDUSTRIES PERMITTED TO REOPEN IN NYC: What Workers Need to Know



- NYC is in Phase 4 of reopening.
- **As of September 30, 2020:**
 - **Indoor dining can reopen with strict rules.** Refer to the reopening guidelines in this document. Also read [NYC Indoor Dining FAQ](#) prepared by the Counsel to the Mayor.
 - **Indoor swimming pools can reopen at 33% capacity.**
- Visit nyc.gov/workers for updates and information.

The following industries can reopen in NYC:

- Indoor food service and dining, including restaurants, establishments, and other food vendors/concessions (as of September 30)
- Malls and casinos (as of September 9)
- Gyms and fitness centers (as of September 2)
- Low-risk indoor arts & entertainment, including museums, historical sites, aquariums, and other low-risk indoor cultural arts (as of August 24, 2020)
- Bowling alleys (as of August 17, 2020)

If you work at a covered business, read this publication for some of the general and industry-specific requirements your employer must follow. Detailed guidance is on forward.ny.gov. You can also call **311** for the Worker Protection Hotline or **1-212-436-0381** with questions about reopening, health and safety guidelines for the workplace, or to report an employer that is not following reopening requirements.

General Requirements All Employers Must Follow When Business Reopens

Communication and Screening	<ul style="list-style-type: none"> • Post a safety plan at your worksite where you can see it. • Train you and your coworkers on safety and hygiene protocols. • Conduct an employee health screening every day and, when applicable, screen others (contractors, vendors, patrons). <p>Your employer must send home employees who are sick or become sick.</p> <ul style="list-style-type: none"> • Post signs for employees and the public with information about safety and hygiene protocols.
Protective Equipment	<ul style="list-style-type: none"> • Give you and your coworkers free face coverings and provide replacements. <p>Your employer must train you and your coworkers on how to use, clean, and discard protective equipment.</p> <p>Your employer must make sure that employees wear face coverings when they interact with patrons and visitors and when 6 foot distancing from others is not possible.</p>
Hygiene, Cleaning, and Disinfection	<ul style="list-style-type: none"> • Provide and maintain hand hygiene stations for personnel, including handwashing with soap, water, and paper towels, as well as an alcohol-based hand sanitizer containing 60% or more alcohol for areas where handwashing is not feasible. • Regularly clean and disinfect common spaces and high-touch surfaces and objects frequently, and at least daily. <p>Examples include door handles, handrails, light switches, restrooms.</p> <p>Your employer must clean and disinfect spaces and surfaces used by patrons and visitors after each use.</p>

Hygiene, Cleaning, and Disinfection	<ul style="list-style-type: none"> • Limit the sharing of equipment and tools and regularly clean and disinfect equipment and tools after each use. <p>If it is not possible to limit sharing or to clean equipment because of potential damage to equipment, your employer must require employees to wear gloves.</p>
Physical Distancing	<ul style="list-style-type: none"> • Ensure 6 feet of distance between individuals where possible. • Require patrons and visitors to wear a face covering, provided they are older than 2 and medically able to tolerate face coverings. • Post signage to restrict occupancy in small areas like restrooms and break rooms.

Requirements for INDOOR FOOD SERVICE / DINING

Your employer must:

- *(before reopening)* Complete pre-return checks and assessments of kitchen systems to ensure a healthy and safe environment.
- Have an enhanced air filtration system in place.
- Limit occupancy to 25% of maximum capacity. *Maximum capacity includes employees and patrons.*
 - Catering establishments must limit the number of patrons in any event space to less than 50 or 25% of maximum capacity, whichever is fewer.
- Conspicuously post inside and outside of the establishment where patrons can see it:
 - the maximum number of patrons allowed for indoor dining at 25% capacity.
 - the phone and text numbers to report violations:
 - Call (833) 208-4160
 - Text VIOLATION to (855) 904-5036
- Take the temperature of every patron at the door and prohibit entry of anyone with a temperature greater than 100.0 degrees.
- Collect information—full name, phone number, and address—from one member of each party for contact tracing purposes.
- Prohibit service at the bar.
- Close indoor food service at midnight.
- Use products identified by the U.S. Environmental Protection Agency (EPA) as effective against COVID-19 for cleaning and disinfection.
- Clearly mark 6 feet of distance where any line forms, including restrooms, order pickup, or payment location.
- Designate separate entrances and exits for customers and employees where possible.
- Limit the sharing of kitchen tools and equipment like pots and pans or require workers to wear gloves or wash hands before and after using items.
- Make sure all employees, including employees who bus tables, follow state and local sanitary codes. *Employees who wear gloves should replace them frequently and after switching tasks. Employees who do not wear gloves must frequently wash hands with soap and water.*
- Provide cleaning and disinfecting supplies to use before and after touching shared areas and surfaces.
- Only use equipment like buzzers to alert customers when seating is available if equipment can be cleaned and disinfected after each use; clean and disinfect non-disposable menus, silverware, condiment containers after each use; or provide disposable condiments and silverware.
- *(takeout/delivery)* Provide hand hygiene stations for customers waiting for food and/or drinks and make sure windows/doors are open for ventilation if pickup/delivery is indoors.
- Limit and arrange indoor and outdoor tables so they are 6 feet apart in all directions. If spacing is not possible, your employer must install physical barriers that are at least 5 feet in height and do not block emergency or fire exits.
- Limit table seating to no more than 10 customers who must be from the same party though not the same household. *Communal tables are permitted only if different parties can be 6 feet apart.*

Requirements for GAMING FACILITIES / CASINOS

Your employer must:

- *(before reopening)* Complete pre-return checks and assessments of mechanical; water; elevator; and heating, ventilation, and air conditioning (HVAC) systems to ensure a healthy and safe environment.
- Have an air filtration system that operates at MERV-13 or greater. Facilities unable to operate at that level must have a certified HVAC or American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) professional or licensed building engineer document this inability. Facilities must:
 - submit the documentation to the state or City Department of Health, including the cost to upgrade to MERV-13;
 - request approval to operate at MERV-12 or MERV-11, the minimum allowable rating; and
 - adopt additional ventilation and mitigation protocols from the Centers for Disease Control and Prevention (CDC).
- Mitigation protocols include but are not limited to:
 - open windows to the extent possible;
 - increase ventilation rates and outdoor air ventilation to the extent possible;
 - keep systems running for longer hours;
 - maintain systems that increase fresh air supply;
 - reduce or eliminate recirculation to the extent possible;
 - use ultraviolet germicidal irradiation (UVGI) to deactivate airborne virus particles;
 - install portable air filters;
 - regularly inspect systems and filters to ensure they are properly operating; and
 - seal filters to prevent bypass.
- Limit occupancy to 25% of maximum capacity. *Maximum capacity includes employees and patrons.*
- Prohibit entry unless patrons are wearing a face covering. See Physical Distancing in the General Requirements section for the only exceptions. *Patrons may remove a face covering at the entrance to verify their identity. However, they must keep at least 6 feet from others.*
- Make sure that patrons in different parties maintain 6 feet of distance from one another unless safety or the activity require a shorter distance.
- Clearly mark 6 feet of distance in common employee areas like break rooms and where patrons may gather or form lines like seating areas and restrooms. Close any seating or machines where 6 feet of distance is not possible.
- Use security personnel or more employees to control the flow of patron traffic, enforce the maximum capacity in the gaming area to accommodate physical distancing, and make sure patrons do not gather or loiter.
- Close food or beverage service in the gaming area.
- Prohibit live performances.
- Install physical barriers between dealers and patrons even if 6 feet of distance is possible.
- Place hand sanitizer throughout the gaming facility.
- Clean shared equipment after every use and make cleaning and disinfection supplies available to patrons. Employees must be available to clean and disinfect equipment between uses, although your employer may require patrons to clean equipment before and after use. Patrons must have the option to request cleaning and disinfection before using machines.
- Reserve space off the gaming floor so employees can observe social distancing while eating meals. Sharing food and beverage is prohibited.
- Limit the number of patrons in any event space to less than 50 or 25% of maximum capacity, whichever is fewer. *Maximum capacity includes employees and other patrons.*
- Clean and disinfect shared workstations like cash cages between each use by different employees.
- Make sure patrons never touch other patrons' cards and, where possible, reconfigure games to minimize the times patrons must touch cards. New dealers must replace outgoing dealers by announcing their arrival instead of "tapping in."

Requirements for Sports Wagering Counters:

- Post markers to ensure 6 feet of distance between patrons who are on line for the counter and install a barrier between patrons and counter attendants following Occupational Safety and Health Administration (OSHA) guidelines.

Requirements for Gaming Machines:

- Arrange slot machines and other game machines so they are 6 feet apart in all directions. Your employer may need to move or deactivate machines for physical distancing.
- Clean and disinfect game machines, counters for slot machines, and other shared objects and equipment at least every four hours.

Requirements for Craps and Other Games without Chairs:

- Post markers to ensure 6 feet of distance between patrons and install physical barriers to separate patrons from one another around the table.

Important: Casinos CANNOT operate table games until they install physical barriers between players at tables and the New York State Gaming Commission approves the barriers. Casinos must also arrange tables to maintain 6 feet of distance between tables.

Other Requirements for Table Games Like Poker and Blackjack:

- *(before changing to new players/dealer)*
Clean and disinfect (or replace and dispose as applicable):
 - chair areas;
 - game table rails;
 - roulette wheel heads;
 - balls;
 - token boxes;
 - dice; and
 - on/off buttons.
- Require patrons to use hand sanitizer before joining a game.
- Clean and disinfect (or replace and dispose as applicable) Chipper Champs (sorting machines) and pit and poker podiums every hour and push carts, blackjack discard holders, Baccarat discard piles, and hard game surfaces every four hours.
- Remove chips from play after a patron loses or returns them and clean and disinfect chips before recirculating them.

Requirements for MALLS

Your employer must:

- *(before reopening)* Complete pre-return checks and assessments of mechanical; water; elevator; and heating, ventilation, and air conditioning (HVAC) systems to ensure a healthy and safe environment.
- ***(malls larger than 800,000 feet)*** Have an air filtration system that operates at MERV-13 or greater. Facilities unable to operate at that level must have a certified HVAC or American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) professional or licensed building engineer document this inability. Facilities must:
 - submit the documentation to the state or City Department of Health;
 - request approval to operate at MERV-12 or MERV-11, the minimum allowable rating; and
 - adopt additional ventilation and mitigation protocols from the Centers for Disease Control and Prevention (CDC).
- Mitigation protocols include but are not limited to:
 - increase ventilation rates and outdoor air ventilation to the extent possible;
 - keep systems running for longer hours;
 - maintain systems that increase fresh air supply;
 - reduce or eliminate recirculation to the extent possible;
 - use ultraviolet germicidal irradiation (UVGI) to deactivate airborne virus particles;
 - install portable air filters;
 - regularly inspect systems and filters to ensure they are properly operating; and
 - seal filters to prevent bypass.
- ***(malls smaller than 800,000 feet)*** Have an air filtration system that operates at MERV-11 but ideally MERV-13 or greater as certified and documented by an HVAC or ASHRAE professional or licensed building engineer.
- Limit occupancy to 50% of maximum capacity. *Maximum capacity includes employees and customers.*
- Prohibit entry unless customers are wearing a face covering. See Physical Distancing in the General Requirements section for the only exceptions.
- Make sure that customers in different parties maintain 6 feet of distance from one another.
- Make sure that employees wear face coverings when they interact with customers and that customers wear face coverings when they are less than 6 feet from others.
- Use security personnel or more employees to control the flow of customer traffic and to make sure customers do not gather or loiter.
- Place hand sanitizer in common areas.
- Close amenities like common seating areas, water fountains, and self-serve bars and samplers and suspend valet services.
- Follow New York State Department of Health's "Interim Guidance for Food Services during the COVID-19 Public Health Emergency" for food courts. This includes:
 - physical distancing of tables and seating;
 - social distancing between parties of customers; and
 - occupancy limits.

Requirements for GYMS & FITNESS CENTERS

These guidelines apply to fitness activities and facilities, including, but not limited to:

- stand-alone, hotel*, residential*, and office gyms and fitness centers
- gyms and fitness centers in higher education institutions
- yoga/Pilates/barre studios
- boxing/kickboxing gyms
- fitness boot camps
- CrossFit or other plyometric boxes
- other group fitness classes

Note:

- Indoor pools can reopen on September 30, 2020. However, bathing facilities like saunas, steam rooms, and indoor spa pools must remain closed. Guidance for Pool Operators is at nyc.gov/health.
- Indoor group fitness classes are not permitted to reopen in NYC until further notice.

*Residential and hotel gyms and fitness centers must have staff available to make sure the establishment follows guidelines.

Your employer must:

- Schedule an NYC Health Department inspection before or within 14 days of reopening.
- Have a ventilation system that operates at MERV-13 or greater. Establishments unable to operate at that level must have a heating, ventilation, and air conditioning (HVAC) professional document this inability and adopt additional ventilation and mitigation protocols from the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) and the Centers for Disease Control and Prevention (CDC).
- Follow CDC guidelines for cleaning and disinfection, and maintain logs with the date, time, and scope of cleanings.
- Limit occupancy to 33% of maximum capacity. This includes indoor swimming pools. *Maximum capacity includes employees and patrons.*
- Close whirlpools, saunas, steam rooms, and water fountains. *Water bottle refill stations may remain open.*
- Close communal showers. Establishments may provide individual showers but only if your employer cleans and disinfects them after each use.
- Prohibit higher-risk activities that involve physical contact; for example, martial arts, boxing.
- Prohibit entry unless patrons:
 1. *Wear a face covering.* See Physical Distancing in the General Requirements section for the only exceptions. Patrons who are medically unable to wear a face covering must wear a face shield, although the CDC does not recommend it as a substitute for a face covering.
 2. *Complete a health screening* that, at minimum, asks patrons if they:
 - experienced COVID-19 symptoms in the past 14 days
 - tested positive for COVID-19 in the past 14 days
 - had close contact with someone confirmed or suspected to have COVID-19 in the past 14 days
 - traveled to a high-risk state for longer than 24 hours within the past 14 days
 3. *Sign in (remotely or in person)* and provide full name, phone number, and address for contact tracing purposes. The establishment must keep these records for 28 days.
- Maintain a log of every person, including employees, patrons (as set forth above), and, where possible, contractors and vendors, who may have had contact with others and keep records for 28 days. The log must contain contact information, including full name, phone number, and address.

- Make sure patrons maintain 6 feet of distance from others while exercising.
 - Workout stations must be at least 6 feet apart.
 - Spotting exercises must be as brief as possible.
 - Personal trainers must maintain 6 feet of distance where possible, wear face coverings, and avoid sharing personal items like towels.
- Limit the sharing of objects and the touching of shared surfaces, excluding workout equipment. Employees must sanitize or wash their hands or wear gloves when they are in contact with shared objects.
- Clean shared equipment after every use and make cleaning and disinfection supplies available to patrons. Employees must be available to clean and disinfect equipment between uses, although your employer may require patrons to clean equipment.
- Post markers to ensure 6 feet of distance in areas like locker rooms, restrooms, and break rooms.
- Clean and disinfect locker rooms and restrooms every two hours.
- Follow New York State Department of Health (DOH) guidelines for sports and recreation, retail, food service, office, and child care if the establishment offers these services.

Requirements for LOW-RISK INDOOR ARTS & ENTERTAINMENT

Your employer must:

- Limit occupancy to 25% of maximum capacity in an area. *Maximum capacity includes employees, patrons, and visitors.*
- Require patrons and visitors to buy tickets in advance and set specific visit times to avoid crowding.
- Encourage patrons and visitors to complete health screenings.
- Prohibit entry unless patrons and visitors are wearing a face covering. See Physical Distancing in the General Requirements section for the only exceptions.
- Make sure that employees wear face coverings when they interact with patrons and visitors and that patrons and visitors wear face coverings when they are less than 6 feet from others.
- Make sure that patrons and visitors in different parties maintain 6 feet of distance from one another. *When physical distancing is not possible—for example, at a cash register—everyone must wear a face covering.*
- Arrange waiting and parking areas so patrons and visitors are at least 6 feet apart.
- Use tape or signs with arrows to reduce two-way foot traffic in narrow aisles, hallways, or spaces.
- Post markers to ensure 6 feet of distance in common areas like ticket lines, elevator entrances, in front of exhibits, clock in/out stations, health screening stations.
- Control the flow of patron and visitor traffic. For exhibits in a small area, your employer must calculate the maximum capacity to accommodate physical distancing and enforce the maximum capacity. *Your employer may need to place more employees in these areas to enforce maximum gathering size.*
- Limit group tours to members of the same party and make sure the group total is less than the maximum capacity which also includes employees and other patrons and visitors.
- Close high-risk interactive exhibits.
- Close children's exhibits and play areas unless your employer can clean and disinfect the exhibit and equipment between each child in a different household or party.
- Place hand sanitizer in common areas—for example, exhibits.
- Discontinue use of headsets and other equipment loaned to patrons and visitors. If you cannot provide single-use maps, make sure you clean and disinfect maps after each use.

Requirements for BOWLING ALLEYS

Your employer must:

- Limit occupancy to 50% of maximum capacity. *Maximum capacity includes employees and patrons/players/spectators.*
- Make sure employees at check-in/appointment desks maintain 6 foot distancing unless there is a physical barrier like Plexiglas.
- Make sure that employees wear face coverings when they interact with patrons/players/spectators.
- Clearly mark 6 feet of distance in common employee areas like break rooms and where any public line forms, including equipment checkout areas and cash registers.
- Close every other bowling lane or install physical barriers between lanes to make sure there is at least 6 foot distancing between different parties of patrons/players, including during play.
- Make sure that patrons/players remain with their own party in their assigned lane.
- Rigorously clean and disinfect any rented or shared equipment like bowling balls and bowling shoes between use.
- Make sure the number of patrons/players for any event is less than the maximum capacity which also includes employees and other patrons/players/spectators.
- Prohibit food and beverage service.