

New York Forward Return-to-Work

Guidance for New York's Renewable Energy Workforce



NYSERDA

May 2020

COVID-19 Informational Webinar

Agenda

1. Intro & Table Setting
2. NY Forward: The State's Plan for Reopening the Economy
3. New York State Department of Health Construction Guidelines
4. Compliance and Enforcement
5. NYSEIA Supplemental Guidance
6. Q&A

Intro & Table Setting

- > Joint Webinar hosted by NYSERDA's Large-Scale Renewable and Distributed Energy Resource teams in partnership with SEIA, NYSEIA, ACE NY, NY-BEST & CCSA
- > Everyone is muted: If you have questions please use the chat box



NY Forward: The State's Plan for Reopening the Economy

NY Forward: Statewide Construction

Activities Allowed Statewide - In accordance with the ESD's current Essential Business Guidance and subject to all relevant health and safety requirements NYSERDA is allowing its contractors performing program work pursuant to a NYSERDA contract or program to continue or start the following activities on a statewide basis:

- Electric power generation and storage-related development, construction, operation or maintenance, except with respect to new solar projects on residential sites. New solar projects on residential sites may not begin until the region enters Phase 1 where non-essential construction is allowed.
- Electric vehicle (EV) charging station installation, operation and maintenance at commercial and government sites; and
- Activity by a single worker who is the sole worker on a project site.

NYSERDA Letter can be found at: <https://www.nyserda.ny.gov/ny/COVID-19-Response/Stakeholder-Communications>

NY Forward Overview: Reopening in Phases

10 Regional Councils



Western New York: Allegany, Cattaraugus, Chautauqua, Erie, Niagara

Finger Lakes: Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, Yates

Southern Tier: Broome, Chemung, Chenango, Delaware, Schuyler, Steuben, Tioga, Tompkins

Central New York: Cayuga, Cortland, Madison, Onondaga, Oswego
Mohawk Valley: Fulton, Herkimer, Montgomery, Oneida, Otsego, Schoharie

North Country: Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis, St. Lawrence

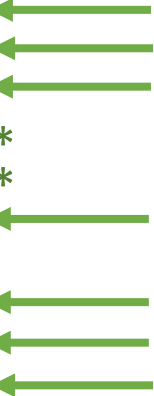
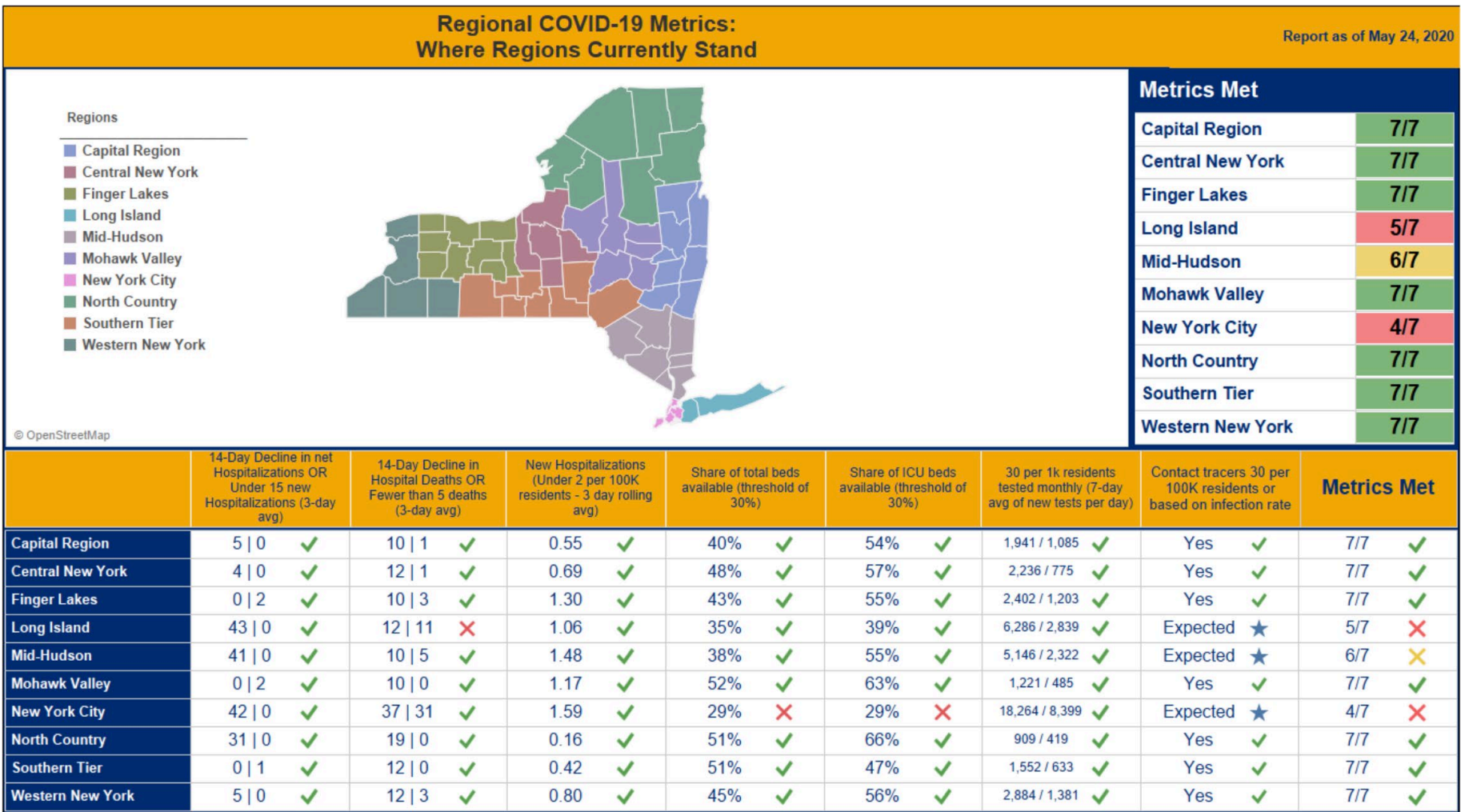
Capital Region: Albany, Columbia, Greene, Saratoga, Schenectady, Rensselaer, Warren, Washington

Mid-Hudson: Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester

New York City: Bronx, Kings, New York, Richmond, Queens

Long Island: Nassau, Suffolk

NY Forward Phase One: Regional Dashboard



* Expected to open soon and permitted to stage construction

Link to Regional Monitoring Dashboard: <https://forward.ny.gov/regional-monitoring-dashboard>

Regional Monitoring: Your Responsibility

Contractors: It is your responsibility to monitor daily the status for each region you work in and comply with any changes announced

- > The data-driven process for regional reopening is based on health indicators that can change **on a daily basis**
- > Regions need to maintain in good standing across all 7 indicators to reopen and stay open
- > It is therefore imperative that you, as contractors, monitor the regional statuses on a daily basis to stay abreast of any changes and be prepared to adapt your work activity accordingly
- > NYSERDA and other agencies will not be emailing contractors on a daily basis; make sure to check the regional monitoring dashboard on your own, which is also linked to on NYSERDA's COVID-19 Response webpage:
 - **Regional Monitoring Dashboard:** <https://forward.ny.gov/regional-monitoring-dashboard>
 - **NYSERDA's COVID-19 Response webpage:** <https://www.nyserda.ny.gov/ny/COVID-19-Response>

NYSDOH Construction Guidance

**Interim Guidance for Construction
Activities During the COVID-19 Public
Health Emergency**

NYSDOH – Construction Guidance

> **Issued on:** May 13, 2020

- Full version:

<https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/ConstructionMasterGuidance.pdf>

> **Purpose:** to provide owners/operators of construction projects and their employees and contractors with precautions to help protect against the spread of COVID-19 as indoor and outdoor construction sites reopen

> The DOH guidelines are:

- Minimum requirements only (any employer is free to provide additional precautions or increased restrictions)
- Based on the best-known public health practices at the time of Phase I of the State's reopening, and the documentation upon which these guidelines are based can and does change frequently

> Construction-involved entities/sites:

- Must adhere to all local, state and federal requirements relative to construction activities
- Are also accountable for staying current with any updates to these requirements, as well as incorporating same into any construction activities and/or Site Safety Plan

Construction-Related Clean Energy Work

All Construction-related clean energy work or activity commencing as part of Phases must adhere to New York State Department of Health (NYSDOH) Construction Guidance

- > Official Guidance title: “New York State Department of Health (NYSDOH) – Interim Guidance for Construction Activities During the COVID-19 Public Health Emergency”
- > Development of Business Safety Plans by each participating contractor are mandatory
- > All contractors (one owner or agent of each firm) must complete an online affirmation form attesting to the fact they have read and understand the obligation to operate in accordance with the NYSDOH guidance
- > Energy agencies will expect this affirmation and full adherence to the guidance as a condition for program participation
- > These requirements will be reflected in NYSERDA program policies and manual updates or other contractor notifications, with program contractual enforcement
 - Policies will be applied across all clean energy programs, including NYSERDA and utility programs

Standards for Responsible Construction Activities in New York State

- > No construction activity can occur without meeting the following minimum State standards, as well as applicable federal requirements, including but not limited to such minimum standards of the Americans with Disabilities Act (ADA), Centers for Disease Control and Prevention (CDC), Environmental Protection Agency (EPA), and United States Department of Labor's Occupational Safety and Health Administration (OSHA)
- > The State standards contained within the NYSDOH guidance apply to all construction activities – both essential and non-essential – in operation during the COVID-19 public health emergency until rescinded or amended by the State

Attesting to NYSDOH Guidance

Pursuant to Executive Order 202.31 and NY Forward, New York's energy agencies expect that all contractors participating in New York State clean energy programs with construction-related work will complete the following required DOH attestation (located at the end of the DOH guidance document, page 9). Do not send attestation to NYSERDA unless requested.

At the link below, affirm that you have read and understand your obligation to operate in accordance with the NYSDOH guidance:

> <https://forms.ny.gov/s3/ny-forward-affirmation>

Employer Safety Plans are Required

Completed safety plans must be conspicuously posted 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.

https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/NYS_BusinessReopeningSafetyPlan_Template.pdf

Plans must include:

- > Owner and HR Representative contact information
- > Identification of social distancing and safety measures taken
- > Managing engagement with customers and site visitors
- > PPE quantities, cleaning, storage, and disposal measures
- > Cleaning log, site-visit log responsibilities; hygiene station details
- > Daily health and screening, contact tracing practices
- > And other documentation of vitally important safety measures

The image shows a document titled "NY FORWARD BUSINESS RE-OPENING SAFETY PLAN TEMPLATE" from the New York State Department of Health. The document includes instructions for businesses to develop a written safety plan, a list of required information (Name of Business, Industry, Address, Contact Information, Owner/Manager of Business, and Human Resources Representative and Contact Information), and a section titled "I. PEOPLE" with sub-section "A. Physical Distancing" containing two bullet points with checkboxes. The bottom of the document features a dark blue footer with the text "STAY HOME. STOP THE SPREAD. SAVE LIVES." in white and yellow boxes.

NEW YORK STATE | Department of Health

NY FORWARD BUSINESS RE-OPENING SAFETY PLAN TEMPLATE

Each re-opening business must develop a written Safety Plan outlining how its workplace will prevent the spread of COVID-19. A business may fill out this template to fulfill the requirement, or may develop its own Safety Plan. **This plan does not need to be submitted to a state agency for approval** but must be retained on the premises of the business and made available to the New York State Department of Health (DOH) or local health or safety authorities in the event of an inspection.

Business owners should refer to the State's industry-specific guidance for more information on how to safely operate. For a list of regions and sectors that are authorized to re-open, as well as detailed guidance for each sector, please visit: <https://forward.ny.gov/>

COVID-19 Reopening Safety Plan

Name of Business:

Industry:

Address:

Contact Information:

Owner/Manager of Business:

Human Resources Representative and Contact Information, if applicable:

I. PEOPLE

A. Physical Distancing. To ensure employees comply with physical distancing requirements, you agree that you will do the following:

- Ensure 6 ft. distance between personnel, unless safety or core function of the work activity requires a shorter distance. Any time personnel are less than 6 ft. apart from one another, personnel must wear acceptable face coverings.
- Tightly confined spaces will be occupied by only one individual at a time, unless all occupants are wearing face coverings. If occupied by more than one person, will keep occupancy under 50% of maximum capacity.

STAY HOME. STOP THE SPREAD. SAVE LIVES.

Compliance and Enforcement

Compliance and Enforcement

Treating contractor follow-through on adherence and attestation seriously

- > Contractors are required to follow all applicable State & local guidance with respect to NY-Forward as a condition to undertaking NYSERDA and other clean energy program work
- > Non-compliance will result in disciplinary action
 - In the case of NYSERDA, may include stop work directives or ineligibility to participate in programs
- > We call your attention to the online complaint submission form included on the NY-Forward website, which will result in investigation and, if credible, enforcement.
 - Individuals can file complaints regarding operation of businesses or gatherings 24 hours a day, 7 days a week through an online form (<https://mylicense.custhelp.com/app/ask>) or calling 1-833-789-0470.
 - Note: Specific complaints from employees against their employers should be directed to the Department of Labor through their online form (<https://labor.ny.gov/workerprotection/laborstandards/coronavirus-complaints.shtm>)
- > Link to complaint information: <https://forward.ny.gov/industries-reopening-phase>

NYSEIA

COVID-19 Supplemental Guidance for Rooftop Solar Contractors



Rooftop Solar Contractor Site Visits: Best Practices

Workers Scheduling Residential/Commercial Site Visits for Other Employees

1. Send clients published policies in advance.
2. Make contact: Following basic welcomes, read the following information:
 - a. Hello **[client name]**. We are eager and excited to perform upcoming scheduled work or site visit.
 - b. However, of course, we are very aware of the current environment and state of emergency.
 - c. Please know that we have been continuously monitoring the situation and are following the guidance of public health, federal and New York State authorities.
 - d. We are taking all mandated and recommended precautions and are following a strict protocol to keep you, our crew and the public safe.
 - e. We want to make sure you are comfortable with our visit to your location. If you are uncomfortable with this visit, no problem. We will happily reschedule for when you are more comfortable with the situation.
 - f. Should you have any concerns whatsoever, we would be happy to provide any information, including the opportunity to speak directly with one of our managers.
 - g. Thank you for your help as I ask the following questions in order to schedule our visit.

Rooftop Contractor Site Visits: Best Practices (cont'd)

3. Next ask: Are you, or has anyone in your home (or workplace) been exposed to COVID-19, sick, exhibiting a fever, or have any cold or flu like conditions? Or has anybody been sick in the last 24 hours?
4. If no, then proceed as normal and schedule the site visit.
5. If yes, ask the following clarifying questions: Are they currently or previously located in any rooms that we will be required to access? This includes **[list spaces you will need access to]**.
6. If yes, then say: I sincerely apologize for the inconvenience, but our policy is that I postpone the site visit until sick individuals can be relocated to a different room or off-site, where our Contractor representative will not encounter the individual. Thank you for your understanding.
7. For site visits that are scheduled, please provide any prior history or guidance to the Contractor representative who will be performing the site visit.

Rooftop Contractor Home/Workplace Visits: Best Practices

Contractor field workers, sales, electrical technicians (PCSV), site auditors, installers and service personnel

1. Heed any guidance by the person who may have scheduled your work (site visit practices).
2. Upon arrival at the site and initial communication with the client, do not shake hands. Instead provide a kind head nod or bow.
3. Following basic welcomes, share the following sample statement: Hello [client name]. Please know that my crew (if applicable) and I are following official Contractor procedures to prevent the spread of COVID-19. Thank you for your help as I ask the following questions.
4. Next ask: Are you, or has anyone in your home (or workplace) been exposed to COVID-19, or are sick, exhibiting a fever, or have any cold or flu-like conditions? Or has anybody been sick in the last 24 hours?
 - a. If yes, ask the following clarifying questions: Are they currently or previously located in any rooms where I will be required to access. This includes [list spaces you will need access to].
 - b. If “No” to all questions, proceed with the next question. If yes to any, please jump to Step 6.

Rooftop Contractor Home/Workplace Visits: Best Practices (cont'd)

5. Next ask: Per company policy, and as discussed when we scheduled this appointment, please provide verbal agreement to the following requests:

- a. Please confirm that you will be absent and not reside in the room where we will perform work. (Pause and wait for response.)
- b. Please confirm that you will exercise “social distancing” practices at all times, including maintaining a minimum of six (6) feet from our workers at all times. (Pause and wait for response.)
- c. If they agree to all of the above requests, proceed with your work accordingly.
- d. If they do not agree, or express concern about these requests, please jump to Step 6.

6. If someone is sick in the home, currently residing in a room that you will need to access, or you encounter someone who is sick or exhibiting undesirable characteristics, and/or they do not agree to the requirements above, you have the right to postpone your work duties and vacate the premises and site. Please make the following statement:

“Hello [client name]. Unfortunately, due to the presence of someone ill in the home or our inability to practice social distancing, I will have to respectfully decline entering your space at this time. Please know that myself, or someone from the Contractor office will be following up shortly to reschedule the visit. I sincerely apologize for the inconvenience and look forward to following up again soon.”

a. In the event you cut a visit short or need to defer your work duties, please inform your supervisor immediately prior to leaving the property.

Other Resources and Useful Links

Other Resources – NY State

> NY Forward

- Phases: <https://forward.ny.gov/industries-reopening-phase>
- Guidebook: <https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/NYForwardReopeningGuide.pdf>
- Regional dashboard: <https://forward.ny.gov/regional-monitoring-dashboard>

> Empire State Development

- FAQ on NY Forward and Business Reopening, Regional Control Room contacts: <https://esd.ny.gov/nyforward-faq>
- COVID FAQ for businesses: <https://esd.ny.gov/novel-coronavirus-faq-businesses>
- Submit Your COVID-19-Related Business Questions Here: <https://esd.ny.gov/content/submit-your-covid-19-related-business-questions-here>

> NYS Department of Health

- Novel Coronavirus (COVID-19) Website: <https://coronavirus.health.ny.gov/>
- Symptoms/prevention: <https://coronavirus.health.ny.gov/protect-yourself-and-your-family-coronavirus-covid-19>
- Testing Protocols: <https://coronavirus.health.ny.gov/covid-19-testing#protocol-for-testing>
- Online assessment: <https://covid19screening.health.ny.gov/>
- Local health department contacts: <https://www.nyscho.org/directory/>
- Guidance for in home contractors: <https://www.health.ny.gov/publications/6730.pdf>

Other Resources – Federal and Industry

> CDC

- Coronavirus (COVID-19) Website: <https://www.cdc.gov/coronavirus/2019-ncov/index.html>
 - How COVID-19 spreads and mitigation strategies
 - General business information including for small business and employees, worker safety and support
 - Transportation & Delivery
 - Managing Workplace Fatigue
 - Safe workplace practices, cleaning and disinfection

> OSHA

- OSHA COVID-19 Website: <https://www.osha.gov/SLTC/covid-19/>
- Guidance for preparing workplaces for COVID-19: <https://www.osha.gov/Publications/OSHA3990.pdf>

> American Society of Heating Refrigeration and Air Conditioning Engineers (ASHRAE)

- Covid-19 preparedness resources: www.ashrae.org/covid19
 - HVAC, buildings, transportation, and disinfection and filtration

> American Industrial Hygiene Association (AIHA)

- "Back to Work Safely" resource page: <https://www.backtoworksafely.org/>
 - Safe work-site guidance for small businesses including in-home services, construction, and general office settings

Trade Group Questions

Chat Box Q&A

Next Steps

> Where to direct questions

- Program contacts at respective agencies and utilities
- ESD's Submit Your COVID-19-Related Business Questions Here: <https://esd.ny.gov/content/submit-your-covid-19-related-business-questions-here>

> More information:

- NYSERDA - <https://www.nyserda.ny.gov/ny/COVID-19-Response>
- NYPA - <https://www.nypa.gov/about/covid-19-response>

> Stay tuned for:

- Follow-up updates (remember to check agency and NY Forward webpages frequently!)
- Other direct communication and outreach from your agencies and utilities

Thank you for attending!

