

New York Forward Return-to-Work

Guidance for New York's Clean Energy Workforce



NYSERDA

May 2020

COVID-19 Informational Webinar

Today's Webinar

NYSERDA is glad to co-host today's webinar with our fellow New York State energy agencies, in coordination with the state's investor-owned utilities



Agenda

- > Where We Are Today
- > NYForward: The State's Plan for Reopening the Economy
- > Alignment with New York's Clean Energy Workforce – Overview
- > Walk-through: New York State Department of Health (NYSDOH) – Interim Guidance for Construction Activities During the COVID-19 Public Health Emergency
- > Attestation and Affirmation of DOH Guidance
- > Compliance and Enforcement
- > Other Resources
- > Next Steps

Where We Are Today

Where We Are Today

- > Non-essential work has been paused for almost 2 months, including almost all clean energy work and activity
 - On March 20, 2020, Governor Cuomo issued Executive Order 202.6, directing all non-essential businesses to close in-office personnel functions
- > Governor Cuomo's Executive Orders (202.1 through 202.31) and the State of Emergency are still being updated and in effect
- > Now, we are moving forward towards a phased reopening:
 - 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

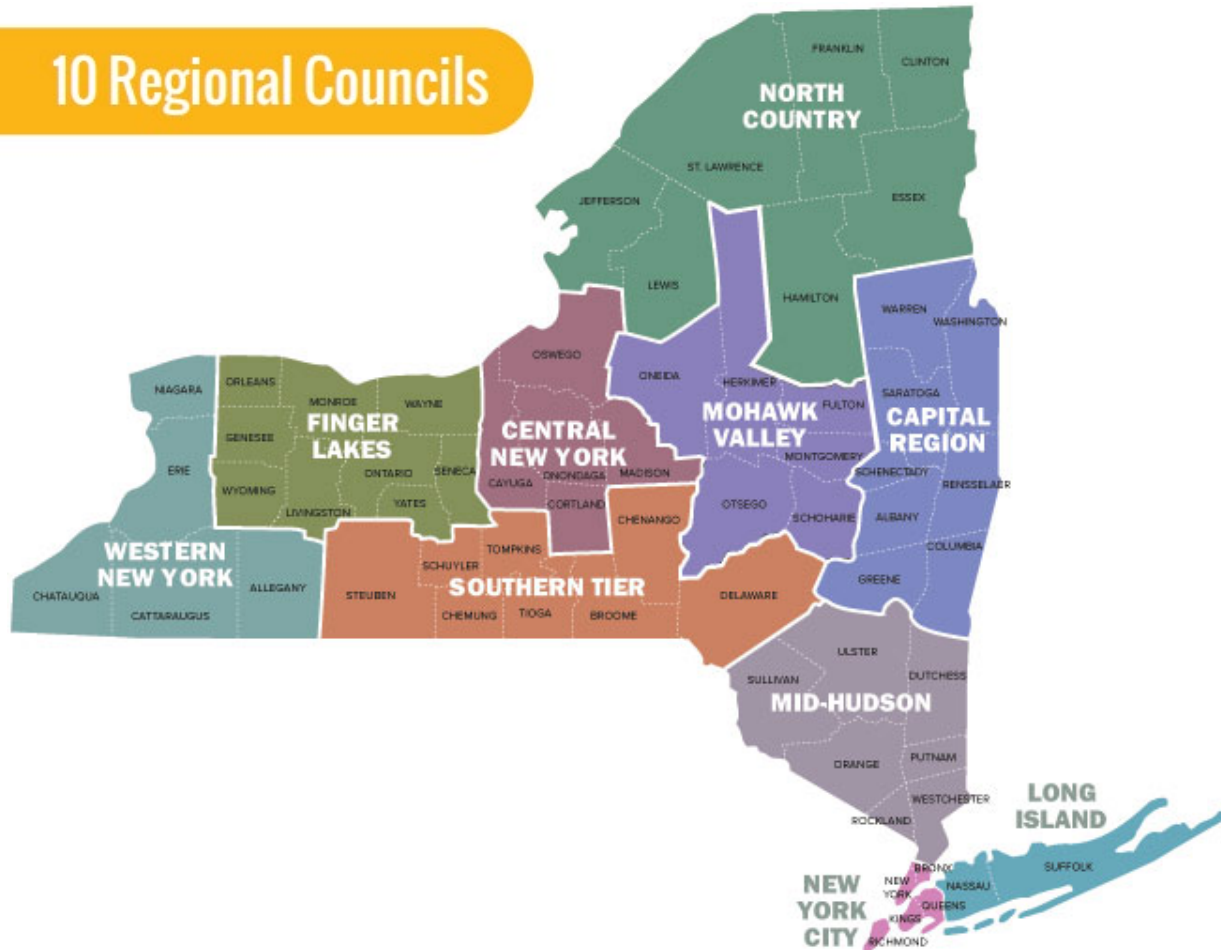
NY Forward: The State's Plan for Reopening the Economy

NY Forward Overview: Reopening in Phases

- > **Businesses in each region will re-open in phases:** Re-opening refers to non-essential businesses and business activities. Essential businesses and business activities that are open will remain open.
- > NY Forward guidelines apply to both non-essential businesses in regions that are permitted to re-open and essential businesses throughout the state that were previously permitted to remain open
- > Eligibility for reopening are to be determined by health metrics for each region:
 - 14-Day Decline in net Hospitalizations OR Under 15 new Hospitalizations (3-day average)
 - 14-Day Decline in Hospital Deaths OR Fewer than 5 Deaths (3-day average)
 - New Hospitalizations (Under 2 per 100K residents – 3-day rolling average)
 - Share of total beds available (threshold of 30%)
 - Share of ICU beds available (threshold of 30%)
 - 30 per 1K residents tested monthly (7-day average of new tests per day)
 - Contact tracers 30 per 100K residents OR based on infection rate

NY Forward Overview: Reopening in Phases

10 Regional Councils



Western New York: Allegany, Cattaraugus, Chautauque, 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

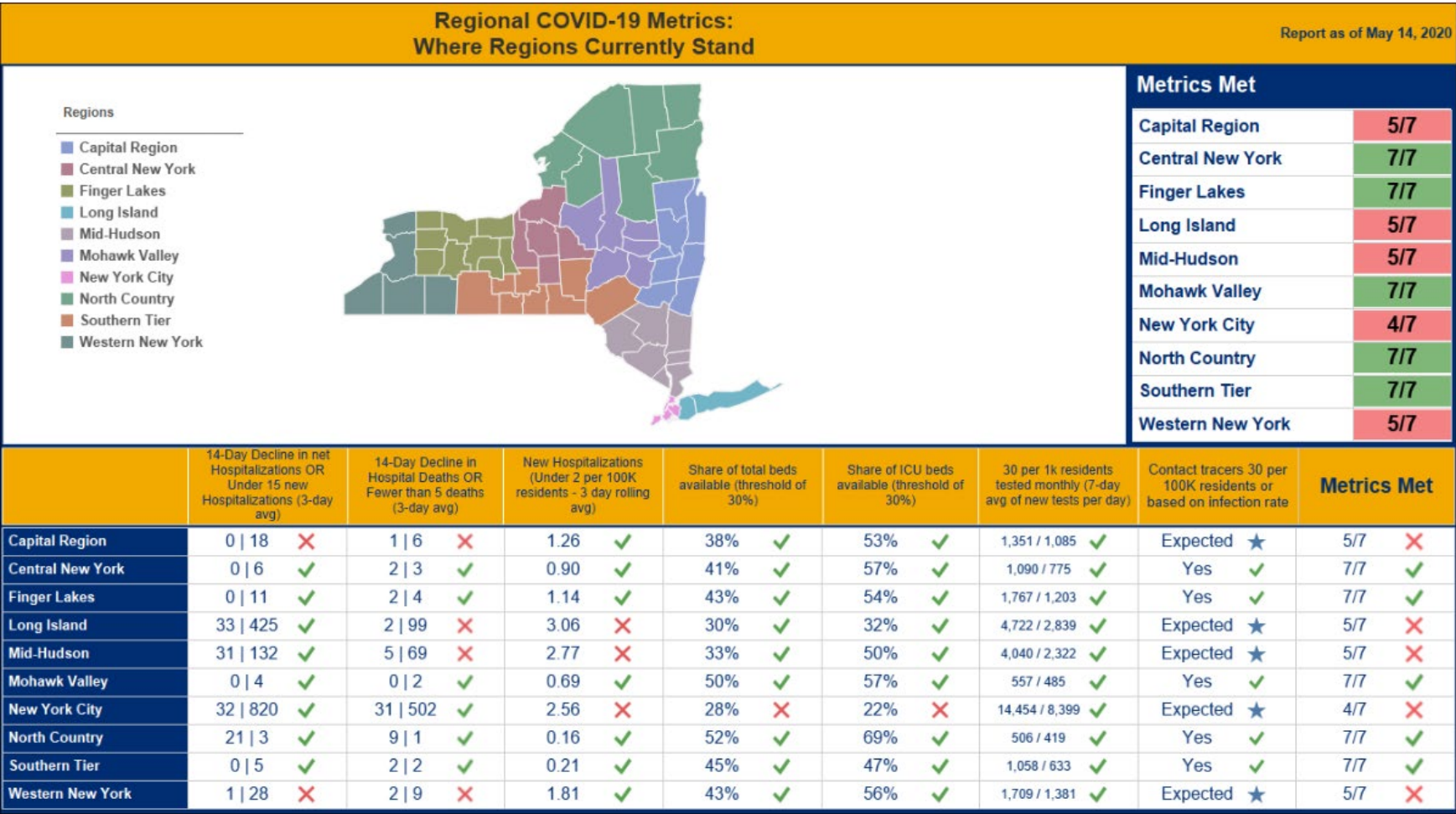
Phase One: Eligible businesses and activities for regional reopening

- > Construction 
- > Agriculture, Forestry, Fishing, and Hunting
- > Retail – (Limited to curbside or in-store pickup or drop off)
- > Manufacturing
- > Wholesale Trade

Construction Sub-Categories

- Building Equipment Contractors
- Building Finishing Contractors
- Foundation, Structure, and Building Exterior Contractors
- Highway, Street and Bridge Construction
- Land Subdivision
- Nonresidential Building Construction
- Residential Building Construction
- Utility System Construction

NY Forward Phase One: Regional Dashboard



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

Regional Monitoring: Your Responsibility

Contractors: It is your responsibility to monitor on a daily basis 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 day-to-day basis to announce regional openings; 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>

Alignment with New York's Clean Energy Workforce

Where the Clean Energy Workforce Fits In

Any clean energy work resuming in a region as part of Phase One must fit within one of the announced industry categories

At this time, we expect that such clean energy work will fall within the Construction category and sub-categories, with a few exceptions

> Construction

- Building Equipment Contractors
 - Building Finishing Contractors
 - Foundation, Structure, and Building Exterior Contractors
 - Highway, Street and Bridge Construction
 - Land Subdivision
 - Nonresidential Building Construction
 - Residential Building Construction
 - Utility System Construction
- Note: Consistent with Empire State Development's statewide single-worker exemption, NYSERDA is now permitting construction that is conducted by a single-worker who is the sole worker on a project site

Construction-Related Clean Energy Work

All Construction-related clean energy work or activity commencing as part of Phase One 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

NYSDOH Construction Guidance

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



NYSDOH – Construction Guidance

Department of Health

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

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

As of May 13, 2020

Purpose

This Interim Guidance for Construction Activities during the COVID-19 Public Health Emergency ("Interim COVID-19 Guidance for Construction") was created 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.

These guidelines are minimum requirements only and any employer is free to provide additional precautions or increased restrictions. These guidelines are based on the best-known public health practices at the time of Phase I of the State's reopening, and the documentation upon which these guidelines are based can and does change frequently. Construction sites must adhere to all local, state and federal requirements relative to construction activities. All construction-involved entities 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.

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.

Reopening New York

Construction Guidelines for Employers and Employees

These guidelines apply to all construction businesses in regions of New York that have been permitted to [re-open](#), as well as to construction businesses statewide that were previously permitted to operate as essential.

During the COVID-19 public health emergency, all construction businesses should stay up to date with any changes to state and federal requirements related to construction activities and incorporate those changes into their operations. This guidance is not intended to replace any existing applicable local, state, and federal laws, regulations, and standards.

	Mandatory	Recommended Best Practices
Physical Distancing	<ul style="list-style-type: none"> ✓ 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. ✓ For any work occurring indoors, limit workforce presence to no more than 1 worker per 250 sq. ft. on site, excluding supervisors in this calculation, unless additional personal protective measures are implemented (e.g. face coverings at all times). ✓ Tightly confined spaces (e.g. elevators, hoists) should be occupied by only one individual at a time, unless all occupants are wearing face coverings. If occupied by more than one person, keep occupancy under 50% of maximum capacity. ✓ Post social distancing markers using tape or signs that denote 6 ft. of spacing in commonly used and other applicable areas on the site (e.g. clock in/out stations, health screening stations). ✓ Limit in-person gatherings as much as possible and use tele- or video-conferencing whenever possible. Essential in-person gatherings (e.g. meetings) should be held in open, well-ventilated spaces with appropriate social distancing among participants. ✓ Establish designated areas for pick-ups and deliveries, limiting contact to the extent possible. 	<ul style="list-style-type: none"> ✓ Create additional space for employees by limiting in-person presence to only personnel necessary for the current task(s), adjusting workplace hours, staggering arrival/departure times, creating A/B teams, and/or scheduling only one team in an area at a time. ✓ Modify alignment of workstations to maintain 6 ft. distance and avoid multiple crews and/or teams working in one area. If not feasible, provide and require face coverings or erect physical barriers (e.g. plastic shielding walls), in accordance with OSHA guidelines, in areas where they would not impair air flow, heating, cooling, or ventilation. ✓ Reduce bi-directional foot traffic by posting signs with arrows in narrow aisles, hallways, or spaces. ✓ Have employees work from home whenever possible. ✓ Prohibit non-essential visitors on the site.
Protective Equipment	<ul style="list-style-type: none"> ✓ Employers must provide employees with an acceptable face covering at no-cost to the employee and have an adequate supply of coverings in case of replacement. 	

STAY HOME.
STOP THE SPREAD.
SAVE LIVES.

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

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
- > The following guidance is organized around three distinct categories:
 - **People**
 - **Places**
 - **Processes**

I. People

A. Physical Distancing

- > For any **work occurring indoors** (e.g. construction within an existing building), **no more than 1 worker per 250 square feet** is allowed on site, excluding supervisors, unless additional personal protective measures are implemented; or
- > **A distance of at least six feet must be maintained among workers at all times**, unless safety of the core activity requires a shorter distance (e.g. dry walling, glazing, lifting); Any time employees must come within six feet of another person, acceptable face coverings must be worn; Employees must be prepared to don a face covering if another person unexpectedly comes within six feet
 - **Acceptable face coverings** for COVID-19 include but are not limited to cloth-based face coverings and disposable masks that cover both the mouth and nose
 - However, cloth, disposable, or other homemade face coverings are not acceptable face coverings for workplace activities that typically require a **higher degree of protection for personal protective equipment** due to the nature of the work; For those activities, N95 respirators or other personal protective equipment (PPE) used under existing industry standards should continue to be used, as is defined in accordance with OSHA guidelines

I. People

A. Physical Distancing (cont'd)

- > The number of **work stations and employee seating areas**, and their use, may be modified or restricted, so that workers are at least six feet apart in all directions (e.g. side-to-side and when facing one another) and are not sharing workstations without cleaning and disinfection between use; When distancing is not feasible between workstations, the **use of face coverings or physical barriers** (e.g. plastic shielding walls, in lieu of face coverings in areas where they would not affect air flow, heating, cooling, or ventilation) must be provided and required
 - Physical barriers should be put in place in accordance with CDC guidelines
 - Physical barrier options may include: strip curtains, plexiglass or similar materials, or other impermeable dividers or partitions

I. People

A. Physical Distancing (cont'd)

- > The **use of tightly confined spaces** (e.g. elevators, hoists, vehicles) by more than one individual at a time, unless all employees in such space at the same time are wearing acceptable face coverings, should be prohibited; However, even with face coverings in use, occupancy must never exceed 50% of the maximum capacity of the space or vehicle, unless it is designed for use by a single occupant; Ventilation with outdoor air should be increased to the greatest extent possible, while maintaining safety protocols, and additional measures to prevent congregation in elevator waiting areas and limit density in elevators, such as enabling the use of stairs, should be taken
- > Measures should be put in place to **reduce bi-directional foot traffic using tape or signs** with arrows in narrow aisles, hallways, or spaces, and post signage and distance markers denoting spaces of six feet in all commonly used areas and any areas in which lines are commonly formed or people may congregate (e.g. clock in/out stations, health screening stations, etc.)

I. People

A. Physical Distancing (cont'd)

- > **Signs must be posted** throughout the site, consistent with DOH COVID-19 signage; Customized signage specific to a workplace or setting can be developed and used, 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 cloth face-covering when six feet of social distance cannot be maintained
 - Properly store and, when necessary, discard personal protective equipment
 - Adhere to physical distancing instructions
 - Report symptoms of or exposure to COVID-19, and how they should do so
 - Follow hand hygiene and cleaning guidelines

I. People

B. Gatherings in Enclosed Spaces

- > **In-person gatherings** (e.g. shapeups, toolbox talks, safety meetings) must be limited to the greatest extent possible and other methods such as video or teleconferencing must be used whenever possible, per CDC guidance “Interim Guidance for Businesses and Employers to Plan and Response to Coronavirus Disease 2019 (COVID-19)”; When videoconferencing or teleconferencing is not possible, meetings **should be held in open, well-ventilated spaces** and it should be ensured that individuals maintain six feet of social distance between one another (e.g. if there are chairs, leave space between chairs, have employees sit in alternating chairs)
- > Practices for **adequate social distancing in confined areas**, such as restrooms and breakrooms, must be put in place, and signage and systems (e.g. flagging when occupied) to restrict occupancy when social distancing cannot be maintained in such areas should be developed
- > **Schedules should be staggered** for employees to observe social distancing (i.e., six feet of space) for any gathering (e.g. coffee breaks, meals, and shift starts/stops)

I. People

C. Workplace Activity

- > Measures should be taken to **reduce interpersonal contact and congregation**, through methods such as:
 - limiting in-person presence to only those staff who are necessary to be on site
 - adjusting workplace hours
 - reducing on-site workforce to accommodate social distancing guidelines
 - shifting design (e.g. A/B teams, staggered arrival/departure times)
 - prioritizing tasks that allow for social distancing (e.g. steel erection) over those that do not (e.g. dry walling, glazing)
 - avoiding multiple crews and/or teams working in one area by staggering scheduled tasks and using signs to indicate occupied areas.

I. People

D. Movement and Commerce

- > **Non-essential visitors** on site should be prohibited
- > **Designated areas for pickups and deliveries** must be established, limiting contact to the extent possible
- > **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) should be limited

II. Places

A. Protective Equipment

- > In addition to necessary personal protective equipment (PPE) as required for certain workplace activities, **acceptable face coverings must be procured**, fashioned, or otherwise obtained, and such coverings must be provided to employees while at work at no cost to the employee; An adequate supply of face coverings, masks and other required PPE should be on hand in the event an employee needs a replacement, or a visitor is in need; Acceptable face coverings include, but are not limited to, cloth (e.g. homemade sewn, quick cut, bandana), surgical masks, N95 respirators, and face shields
- > **Face coverings must be cleaned or replaced** after use and may not be shared; Please consult CDC guidance for additional information on cloth face coverings and other types of personal protective equipment (PPE), as well as instructions on use and cleaning
 - Note that cloth face coverings or disposable masks shall not be considered acceptable face coverings for workplace activities that impose a higher degree of protection for face covering requirements; For example, if N95 respirators are traditionally required for specific construction activities, a cloth or homemade mask would not suffice; OSHA standards for such safety equipment must be adhered to

II. Places

A. Protective Equipment (cont'd)

- > Employees must be **allowed to use their own** acceptable face coverings, **but cannot be required 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); Compliance with all applicable OSHA standards is required
- > Measures should be put in place to **limit the sharing of objects, such as tools, machinery, materials, and vehicles**, as well as the touching of shared surfaces, such as railings and fences; or, require 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 before and after contact
- > **Workers must be trained** on how to adequately put on, take off, clean (as applicable), and discard PPE, including but not limited to, appropriate face coverings

II. Places

B. Hygiene and Cleaning

- > **Adherence to hygiene and sanitation requirements** as advised by the CDC and DOH, including “Guidance for Cleaning and Disinfecting of Public and Private Facilities for COVID-19,” and the “STOP THE SPREAD” poster, as applicable, is required; Cleaning logs that include the date, time, and scope of cleaning must be maintained
- > **Hand hygiene stations** must be provided and maintained on site, as follows:
 - For handwashing: soap, running warm water, and disposable paper towels
 - For sanitizer: an alcohol-based hand sanitizer containing at least 60% alcohol for areas where handwashing facilities may not be available or practical
- > **Appropriate cleaning / disinfection supplies** for shared and frequently touched surfaces must be provided, and employees should be encouraged to use these supplies before and after the use of these surfaces, followed by hand hygiene

II. Places

B. Hygiene and Cleaning (cont'd)

- > **Regular cleaning and disinfection of the work site** must be conducted, as well as more frequent cleaning and disinfection for high risk areas used by many individuals and for frequently touched surfaces; Cleaning and disinfecting 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 facilities
 - Regular cleaning and disinfecting of **restrooms** must be ensured; Restrooms should be cleaned more often depending on frequency of use
 - Distancing rules must be adhered to by reducing restroom capacity where feasible
 - **Equipment and tools** must be regularly 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 disinfecting causes safety hazards or degrades the material or machinery, **hand hygiene stations** must be put in place for in between uses and/or disposable gloves must be supplied

II. Places

B. Hygiene and Cleaning (cont'd)

- > **Cleaning and disinfection of exposed areas** must be provided for in the event of a positive case of COVID-19 of a worker, with such cleaning to include, at a minimum, all heavy transit areas and high-touch surfaces (e.g. shared tools, machines, vehicles, handrails, portable toilets)
- > **Shared food and beverages** (e.g. buffet style meals) must be prohibited, bringing lunch from home should be encouraged, and adequate space for employees to observe social distancing while eating meals must be identified and reserved

II. Places

B. Hygiene and Cleaning (cont'd)

- > CDC guidelines on “Cleaning and Disinfecting Your Facility” if someone is suspected or confirmed to have COVID-19 infection are as follows:
 - **Close off areas used** by the person who is sick
 - Operations do not necessarily need to be closed, if affected areas can be closed off
 - 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/disinfect all areas used** by the sick (offices, bathrooms, common areas, & shared equipment)
 - Once the area has been appropriately disinfected, it can be opened for use
 - Workers without close contact with the sick person can return to the work area immediately after disinfection
 - Per CDC’s “Evaluating and Testing Persons for Coronavirus Disease 2019 (COVID-19),” considerations when assessing close contact include the duration of exposure (e.g. longer exposure time likely increases exposure risk) and the clinical symptoms of the person with COVID-19 (e.g. coughing likely increases exposure risk as does exposure to a severely ill patient)
 - If more than seven days have passed since the person who is sick visited or used the facility, additional cleaning and disinfection is not necessary, but routine cleaning and disinfection should continue

II. Places

C. Phased Reopening

- > Reopening activities are **encouraged to be phased-in** so as to allow for operational issues to be resolved before production or work activities return to normal levels; A limited number of employees and hours, when first reopening should be considered so as to provide operations with the ability to adjust to the changes

II. Places

D. Communications Plan

- > Affirmation that the state-issued industry guidelines have been **reviewed, are understood, and that they will be implemented**, must be provided
- > A **communication plan for employees, visitors, and customers** should be developed that includes applicable instructions, training, signage, and a consistent means to provide employees with information; Development of webpages, text and email groups, and social media should be considered

III. Processes

A. Screening and Testing

- > **Mandatory daily health screening practices** must be implemented
 - Screening practices **may be performed remotely** (e.g. by telephone or electronic survey), before the employee reports to the work site, to the extent possible; or **may be performed on site**
 - Screening should be coordinated to **prevent workers from intermingling in close contact** with each other prior to completion of the screening
 - At a minimum, screening should be **required of all workers and visitors** and completed using a questionnaire that determines whether the worker or visitor has:
 - 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
 - tested positive for COVID-19 in the past 14 days
 - has experienced any symptoms of COVID-19 in the past 14 days

III. Processes

A. Screening and Testing (cont'd)

- > According to the CDC guidance on “Symptoms of Coronavirus,” the term “symptomatic” includes employees who have the following **symptoms or combinations of symptoms**: fever, cough, shortness of breath, or at least two of the following symptoms: fever, chills, repeated shaking with chills, muscle pain, headache, sore throat, or new loss of taste or smell
- > Employees should be **required to immediately disclose** if and when their responses to any of the aforementioned questions change, such as if they begin to experience symptoms, both during work hours or outside of work hours
- > **Daily temperature checks** may also be conducted per Equal Employment Opportunity Commission or DOH guidelines. **Keeping records of employee health data (e.g. temperature data) is prohibited**
- > Any personnel performing screening activities, including temperature checks, must be **appropriately protected from exposure** to potentially infectious workers or visitors entering the site; Personnel performing screening activities **should be trained** by employer-identified individuals who are familiar with CDC, DOH, and OSHA protocols

III. Processes

A. Screening and Testing (cont'd)

- > **Screeners should be provided and use PPE**, including at a minimum, a face mask, and may include gloves, a gown, and/or a face shield
- > **An employee who screens positive** for COVID-19 symptoms should not be allowed to enter the worksite and **should be sent home** with instructions to contact their healthcare provider for assessment and testing; **The local health department and DOH must be immediately notified** about the suspected case. Info. on healthcare and testing resources should be provided to employee
- > An employee who has responded that they have had close contact with a person who is confirmed or suspected for COVID-19 **may not be allowed to enter the worksite** without abiding by the precautions outlined below and documentation of the employee's adherence to those precautions has been done
- > All employee and visitor responses collected by the screening process on a daily basis must be reviewed and a **record of such review must be maintained**; A contact as the party for workers to inform if they later are experiencing COVID-19-related symptoms, as noted in the questionnaire, must be identified

III. Processes

A. Screening and Testing (cont'd)

- > A **site safety monitor must be designated** whose responsibilities include continuous compliance with all aspects of the site safety plan
- > To the extent possible, a **log of every person**, including workers and visitors, who may have close contact with other individuals at the work site or area **must be maintained**; 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; Cooperation with local health departments contact tracing efforts is required

III. Processes

A. Screening and Testing (cont'd)

- > Employers and employees should take the following actions related to COVID-19 symptoms and contact:
 - If an employee has COVID-19 symptoms AND EITHER tests positive for COVID-19 OR did not receive a test, the employee may only return to work after completing a **14-day self-quarantine**; If an employee is **critical to the operation or safety of a site**, the local health department and the most up-to-date CDC and DOH standards on the minimum number of days to quarantine before an employee is safely able to return to work with **additional precautions to mitigate the risk** of COVID-19 transmission may be consulted
 - If an employee does NOT have COVID-19 symptoms BUT tests positive for COVID-19, the employee may only return to work after completing a **14-day self-quarantine**; If an employee is **critical to the operation or safety of a site**, the local health department and the most up-to-date CDC and DOH standards on the minimum number of days to quarantine before an employee is safely able to return to work with **additional precautions to mitigate the risk** of COVID-19 transmission may be consulted
 - If an employee has had close contact with a person with COVID-19 for a prolonged period of time AND is symptomatic, the employee **should notify their employer** and follow the above protocol for a positive case

III. Processes

A. Screening and Testing (cont'd)

- > Employers and employees should take the following actions related to COVID-19 symptoms and contact:
 - If an employee has had close contact with a person with COVID-19 for a prolonged period of time AND is NOT symptomatic, the employee should **notify their employer and adhere to the following practices** prior to and during their work shift, which should be documented:
 - **Regular monitoring:** As long as the employee does not have a temperature or symptoms, they should self-monitor under the supervision of their employer's occupational health program
 - **Wear a mask:** The employee should wear a face mask at all times while in the workplace for 14 days after last exposure
 - **Social distance:** Employee should continue social distancing practices, including maintaining, at least, six feet distance from others
 - **Disinfect and clean work spaces:** Continue to clean and disinfect all areas such as offices, bathrooms, common areas, and shared electronic equipment routinely
 - If an employee is symptomatic upon arrival at work or becomes sick during the day, the employee **must be separated and sent home immediately**, following the above protocol for a positive case

III. Processes

B. Tracing and Tracking

- > The local health department and DOH **must be notified immediately** upon being informed of any positive COVID-19 test result by a worker at the site
- > In the case of a worker or visitor testing positive, cooperation with the local health department is required to **trace all contacts in the workplace**, and the local health department must be notified of all workers and visitors who entered the site dating back to 48 hours before the worker began experiencing COVID-19 symptoms or tested positive, whichever is earlier, but **confidentiality must be maintained** as required by federal and state law and regulations
- > Local health departments may, under their legal authority, 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 not be permitted to remain or return to the work site

IV. Employer Plans

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.

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 screenshot of the 'NY FORWARD BUSINESS RE-OPENING SAFETY PLAN TEMPLATE' document. At the top, it features the New York State Department of Health logo and the text 'NEW YORK STATE Department of Health'. Below the title, there is a paragraph explaining that each re-opening business must develop a written Safety Plan. It states that the plan does not need to be submitted to a state agency for approval but must be retained on the premises and made available to the Department of Health or local health/safety authorities. A link to industry-specific guidance is provided: <https://forward.ny.gov/>. The document then lists fields for 'Name of Business:', 'Industry:', 'Address:', 'Contact Information:', 'Owner/Manager of Business:', and 'Human Resources Representative and Contact Information, if applicable:'. A section titled 'I. PEOPLE' includes sub-section 'A. Physical Distancing' with two bullet points: one requiring 6 ft. distance between personnel unless safety or core function requires a shorter distance, and another requiring occupancy under 50% of maximum capacity in tightly confined spaces.

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 must be 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.

NYSDOH Guidance: Affirmation

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).

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>

Link to Business Safety Plan Template:

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

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 the operation of businesses or gatherings 24 hours a day, 7 days a week through an online form (<https://mylicense.custhelp.com/app/ask>) or by 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>

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/>

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

Next Steps and Wrap-up

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!)
- New resources and trainings, including targeted training for specific industry groups, including energy efficiency, solar and others.
- Other direct communication and outreach from your agencies and utilities

**Thank you for
attending!**

