



## INTERIM GUIDANCE FOR PERSONAL CARE SERVICES DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

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

As of June 8, 2020

### Purpose

This Interim Guidance for Personal Care Services during the COVID-19 Public Health Emergency (“Interim COVID-19 Guidance for Personal Care Services”) was created to provide owners/operators of personal care businesses and their employees and contractors with precautions to help protect against the spread of COVID-19 as their facilities reopen.

This guidance applies to non-hair-related personal care businesses and services, including tattoo and piercing facilities, appearance enhancement practitioners, massage therapy, spas, cosmetology, nail specialty, UV and non-UV tanning, or waxing. This guidance does not apply to any hair-related personal care services (e.g. haircutting, coloring, or styling), which are addressed in the New York State Department of Health’s (DOH) “Interim Guidance for Hair Salons and Barbershops during the COVID-19 Public Health Emergency.”

These guidelines are minimum requirements only and any employer is free to provide additional precautions or increased restrictions. These guidelines are based on the best-known public health practices at the time of publication, and the documentation upon which these guidelines are based can and does change frequently. The Responsible Parties – as defined below – are accountable for adhering to all local, state and federal requirements relative personal care businesses and services, as defined above. The Responsible Parties are also accountable for staying current with any updates to these requirements, as well as incorporating same into personal care business/service operation and 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 19, 2020, Governor Cuomo issued Executive Order 202.7, directing all barbershops, hair salons, tattoo or piercing parlors and related personal care services to close their doors to members of the public until further notice. The executive order also applied to nail technicians, cosmetologists and estheticians, and the provision of electrolysis, and laser removal services. The executive order was issued because these services could not be performed while maintaining social distance.

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 DOH, and were strongly urged to maintain social distancing measures to the extent possible.

On April 12, 2020, Governor Cuomo issued [Executive Order 202.16](#), directing essential businesses to provide employees, who are present in the workplace, with a face covering, at no-cost, that must be used when in direct contact with customers or members of the public during the course of their work. On April 15, 2020, Governor Cuomo issued [Executive Order 202.17](#), directing that any individual who is over age two and able to medically tolerate a face-covering must cover their nose and mouth with a mask or cloth face-covering when in a public place and unable to maintain, or when not maintaining, social distance. On April 16, 2020, Governor Cuomo issued [Executive Order 202.18](#), directing that everyone using public or private transportation carriers or other for-hire vehicles, who is over age two and able to medically tolerate a face covering, must wear a mask or face covering over the nose and mouth during any such trip. It also directed any operators or drivers of public or private transport to wear a face covering or mask which covers the nose and mouth while there are any passengers in such a vehicle. On May 29, 2020, Governor Cuomo issued [Executive Order 202.34](#), authorizing business operators/owners with the discretion to deny admittance to individuals who fail to comply with the face covering or mask requirements.

On April 26, 2020, Governor Cuomo [announced](#) a phased approach to reopen industries and businesses in New York in phases based upon a data-driven, regional analysis. On May 4, 2020, the Governor [provided](#) that the regional analysis would consider several public health factors, including new COVID-19 infections, as well as health care system, diagnostic testing, and contact tracing capacity. On May 11, 2020, Governor Cuomo [announced](#) that the first phase of reopening would begin on May 15, 2020 in several regions of New York, based upon available regional metrics and indicators. On May 29, 2020, Governor Cuomo [announced](#) that the second phase of reopening would begin in several regions of the state, and announced the use of a new early warning dashboard that aggregates the state's expansive data collection efforts for New Yorkers, government officials, and experts to monitor and review how the virus is being contained to ensure a safe reopening.

When regions are permitted to enter Phase 3 of the State's reopening, personal care businesses and services will be permitted to reopen in accordance with these guidelines.

In addition to the following standards, businesses must continue to comply with the guidance and directives for maintaining clean and safe work environments issued by DOH.

Please note that where guidance in this document differs from other guidance documents issued by New York State, the more recent guidance shall apply.

### **Standards for Responsible Personal Care Services in New York State**

Personal care businesses cannot operate, and personal care services cannot be provided, 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 this guidance apply to all personal care businesses and services in operation during the COVID-19 public health emergency until rescinded or amended by the State. The owner/operator of the personal care business, or another party as may be designated by the owner/operator (in either case, "the Responsible Parties"), shall be responsible for meeting these standards.

Personal care business owners are reminded to follow existing health and sanitary standards except where this document provides a stricter standard, in which case this document controls. Certain existing

standards relating to personal care services are available on the Department of State's (DOS) [website](#). Additional standards can be found on the DOH website (e.g. [tattooing and body art](#), [indoor tanning](#)).

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

## I. PEOPLE

### A. Physical Distancing

- Responsible Parties must ensure that the workforce and customer presence in any personal care facility is limited to no more than 50% of the maximum occupancy for a particular area as set by the certificate of occupancy, inclusive of customers, who must maintain six feet of separation from others, except during the service, and, in all cases, must only be permitted entry into the facility if they wear an acceptable face covering; provided, however, that the customer is over the age of two and able to medically tolerate such a covering; and;
- Responsible Parties must ensure a distance of at least six feet is maintained among employees and customers at all times, unless safety or the core activity requires a shorter distance (e.g. performing a tattoo or piercing, providing a massage, performing a manicure or pedicure, operating appointments desk or cash registers). Employees must wear face coverings any time they interact with customers (e.g. performing a service, ringing up a purchase, wrapping an item to hand off) and any time that employees must come within six feet of another person. 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 (PPE) due to the nature of the work. For those activities, N95 respirators or other PPE used under existing industry standards should continue to be used, as is defined in accordance with OSHA guidelines.
- Responsible Parties may modify the use and/or restrict the number of work stations and employee seating areas, 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.
  - Responsible Parties must ensure that customer seating allows customers to maintain a six-foot distance from all others except for the employee providing service (e.g. tattoo and piercing workstations, massage tables, or salon workstations must be six feet apart from one another), unless a physical barrier is installed between workstations.
    - Installing physical barriers should be considered, where possible, to divide employee workstations (e.g. between tattoo/piercing workstations, massage tables, or salon workstations) and in accordance with [OSHA standards](#).
    - Physical barrier options may include: strip curtains, plexiglass or similar materials, or other impermeable dividers or partitions that can be cleaned and disinfected.
- Responsible Parties must ensure that employees at appointment desks or cash registers maintain six feet from other employees and customers, unless there is a physical barrier (e.g. plexiglass) between the employee and other employees and/or customers, or the employee is wearing a face covering;

however, even with a physical barrier, employees must wear a face covering any time they interact with a customer (e.g. ringing up a purchase)

- Responsible Parties should prohibit the use of small spaces (e.g. behind cash registers, elevators, stock rooms) by more than one individual at a time, unless all individuals in such spaces at the same time are wearing acceptable face coverings. However, occupancy must never exceed 50% of the maximum capacity of the space, unless it is designed for use by a single occupant. Responsible Parties should increase ventilation with outdoor air to the greatest extent possible (e.g. opening windows, leaving doors open), while maintaining safety protocols.
- Responsible Parties should encourage the use of touchless payment options or pay ahead, when available. Minimize handling cash, credit cards, reward cards, and mobile devices, where possible (e.g. consider allowing customers to tip via electronic payment rather than with cash, consider a tip envelope that is only handled once a day).
- Responsible Parties should put in place measures to reduce bi-directional foot traffic using tape or signs with arrows in narrow aisles, hallways, or spaces, and post signage and distance markers denoting spaces of six feet in all commonly used areas and any areas in which lines are commonly formed or people may congregate (e.g. in front of appointment desks/cash register areas, health screening stations, breakrooms).
  - Where possible, position markers or barriers to encourage one directional traffic and six feet of spacing.
- Responsible Parties may consider implementing a “by appointment only” policy to limit walk-in customers and congregation.
- Responsible Parties must close waiting rooms and lines should be avoided to the extent possible. Customers that make appointments in advance should be asked to wait in cars or outside the location at least six feet away until their appointment time. Likewise, if Responsible Parties cannot provide service to walk-in customers right away, such customers should be given an appointment time and also asked to wait in cars or outside the location at least six feet away until their appointment time.
  - Tattoo and piercing parlors should consider posting designs online or in the window in order to minimize the amount of time that customers spend in the business to the extent possible.
  - Nail specialty facilities should ensure that nail polish bottles or other shared items are removed or secured to prevent handling by multiple customers.
- Responsible Parties must post signs inside and outside of the personal care facility, consistent with DOH COVID-19 signage. Responsible Parties can develop their own customized signage specific to their workplace or setting, provided that such signage is consistent with the Department’s signage. Signage should be used to remind employees and customers to:
  - Cover their nose and mouth with a face covering.
  - Properly store and, when necessary, discard PPE.
  - Adhere to physical distancing instructions.
  - Report symptoms of or exposure to COVID-19, and how they should do so.
  - Follow hand hygiene and cleaning and disinfection guidelines.

- Follow appropriate respiratory hygiene and cough etiquette.

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

- Responsible Parties must limit in-person employee gatherings (e.g. employee meetings, in break rooms, stock rooms) to the greatest extent possible and use other methods such as video or teleconferencing whenever possible, per CDC guidance "[Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 \(COVID-19\)](#)". When videoconferencing or teleconferencing is not possible, Responsible Parties should hold meetings in open, well-ventilated spaces and ensure that individuals maintain six feet of social distance between one another (e.g. if there are chairs, leave space between chairs, have employees sit in alternating chairs).
- Responsible Parties should consider electronic alternatives to in-person appointments where appropriate for visits such as aftercare follow-up, troubleshooting, or other consultations.
- Responsible Parties must put in place practices for adequate social distancing in small areas, such as restrooms and breakrooms, and should develop signage and systems (e.g. flagging when occupied) to restrict occupancy when social distancing cannot be maintained in such areas.
- Responsible Parties should stagger schedules for employees to observe social distancing (i.e., six feet of space) for any gathering (e.g. while taking breaks or lunches).

## **C. Workplace Activity**

- Responsible Parties are prohibited from offering personal care services that may require customers to remove face coverings (e.g. face massage, facials, face waxing around lip or nose areas, face tattoos, facial makeup, cosmetic lip tattooing, or lip or nose piercings).
- All personal care facilities must ensure compliance with appropriate [OSHA guidance](#) on preparing workplaces for COVID-19.
- For tattoo and piercing facilities:
  - Responsible Parties must ensure that staff remove needles from sealed packages before every customer procedure. Any pigment, trays, forceps/clamps, receiving tubes, body jewelry, or containers should also be clean and previously unused. Any stencils or razors must also be clean, previously unused, and discarded immediately after use. Tattoo machines should be covered in plastic and/or cleaned between each customer procedure. Single use tubes and grips are encouraged, if using reusable be sure to follow manufacturer specification on autoclaving and disinfection.
  - Responsible Parties should consider limiting customer contact with retail products before purchase, particularly body jewelry.
  - Responsible Parties must follow standard NYSDOH, [OSHA and CDC guidelines](#) for health and safety.
- For salons offering nail specialty and waxing services:
  - Responsible Parties must ensure that manicure and pedicure baths and bowls are appropriately cleaned and disinfected between each use. If the bath has jets than it must be drained and flushed according to manufacturer specifications. They must be thoroughly washed, cleaned, and

disinfected with EPA-approved solution. Responsible Parties may consider waterless manicures and pedicures or consider the use of disposable plastic liners in pedicure baths.

- Responsible Parties must ensure that hand/foot drying tables are appropriately cleaned and disinfected after each customer.
- Responsible Parties must ensure that all wax containers are replaced or cleaned and disinfected between each customer, consider decanting wax into clean single-use containers that are discarded after each customer. If wax is dispensed from a multi-use container, Responsible Parties must ensure that there is no double dipping of applicators.
- Responsible Parties should discourage the use of “tester” products or color samples unless single-use, discourage use of hands (unless clean gloves are applied before handling and removed and discarded and hand hygiene performed after removing gloves) for mixing or sampling products, and ensure use of clean spatula for every customer. Encourage use of disposable brushes wherever possible.
- Responsible Parties must ensure each new customer receives all new or cleaned and disinfected implements such as towels, finger bowls, spatulas.
- Responsible Parties must follow OSHA recommendations for health and safety in salons offering non-hair services as well as the hygiene and sanitation requirements of [Article 27](#) of the General Business Law, 19 NYCRR 160.19, 160.20, 160.21, 160.22 and 160.24.
- Responsible Parties must follow OSHA recommendations for health and safety in barbershops as well as the hygiene and sanitation requirements of [Article 28](#) of the General Business Law as well as the requirements imposed by the State Sanitary Code; available [here](#). Barbershops operating within the City of New York must follow the hygiene and sanitation requirements issued by the New York City Department of Health; available [here](#).
- For massage therapy and spa facilities:
  - Responsible Parties must provide accommodations for clean and disinfected face coverings during massage in prone position (e.g. cotton pillowcase draped in face cradle) or avoid such positions altogether. Employees may perform massages on customers in prone positions if the employee is equipped with both a face covering and face shield or eye protection. Ensure that customers don face covering when switching from prone to side or supine position.
  - Responsible Parties must ensure that all linens are changed between clients, stored in lidded hampers, and laundered appropriately before reuse.
  - Responsible Parties must close saunas, steam rooms, or any other services that take place in enclosed spaces where it is inherently difficult to maintain social distancing and/or unsafe to wear an appropriate face covering.
  - Responsible Parties must clean and disinfect all tanning beds and booths between each use.
  - Responsible Parties should encourage the use of single-use tanning supplies such as eye-protection, hair caps, foot protection, and lip balm.
- Responsible Parties should ensure that appropriate ventilation is provided for all side rooms to increase air circulation. Refer to [CDC guidance](#) on ventilation best practices.

- Responsible Parties are also discouraged from allowing spray bottles in the facility to minimize the generation of potentially contagious aerosols when applying product or services to customers.
- Responsible Parties should consider covering workstations and chairs in disposable coverings and replacing with new unused coverings before each new customer procedure or service.
- Responsible Parties must take measures 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); and/or
  - batching activities, where possible, so employees can adhere to social distancing and reduce the number of hands touching at the same time (e.g. stocking shelves).
  - Responsible Parties should adjust business hours as necessary to enable enhanced cleaning and disinfection procedures.
- Responsible Parties should adjust business hours as necessary to reduce density and enable enhanced cleaning and disinfection procedures.

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

- Responsible Parties should prohibit non-essential visitors at personal care facilities, where possible.
- Responsible Parties must monitor and control the flow of traffic into the establishment to ensure adherence to maximum capacity requirements.
- Responsible Parties must establish designated areas for pickups and deliveries, limiting contact to the extent possible.
- Responsible Parties should provide clearly designated separate entrances and exits, where possible.
- For merchandise deliveries, Responsible Parties should implement a touchless delivery system whereby drivers stay in the cab of the vehicle while delivery takes place or, where not practicable, Responsible Parties must provide acceptable PPE appropriate to the anticipated activities that includes, at a minimum, a cloth face covering to delivery workers at no cost for the duration of the delivery process.
- Responsible Parties must ensure employees practice hand hygiene before and after transferring a load (e.g. from a delivery driver) of merchandise (e.g. perform hand hygiene before starting to load items; and once again after all items have been loaded, finish by performing hand hygiene again).
- Responsible Parties must close amenities, where applicable, including:
  - self-serve bars;
  - water fountains;
  - magazine areas.

- Responsible Parties must abide by any applicable DOH guidance governing cafes and dining/beverage service areas.
- Responsible Parties should consider eliminating or relaxing cancellation fees, in order to encourage customers to stay home if they become sick.

## II. PLACES

### A. Protective Equipment

- Responsible Parties must ensure that all employees wear appropriate PPE, including at a minimum a face covering that completely covers the nose and mouth, and a face shield or safety goggles when providing service directly to/on customers. Employees must wear face coverings any time they interact with customers, even if they are more than six feet apart. Responsible Parties should also consider requiring employees to wear disposable gloves where appropriate for the core activity.
- Responsible Parties must require employees to wear clean smocks or gowns.
- For tattoo and piercing facilities:
  - Responsible Parties must ensure that all employees wear PPE including, at a minimum, a surgical mask that completely covers the nose and mouth, eye protection (goggles and/or face shield), and disposable gloves when providing service directly to/on customers. Employees must perform appropriate hand hygiene before donning and after doffing PPE.
- Responsible Parties must ensure all customers wear masks or cloth face coverings that completely cover the nose and mouth, unless the customer is under the age of two or is medically unable to tolerate such a face covering; or unless the provider is wearing BOTH an appropriate face covering, and face shield or eye protection for the duration of the service. Responsible Parties are prohibited from requesting or requiring medical or other documentation from a customer who declines to wear a face covering due to a medical or other health condition that prevents such usage.
  - Per Executive Order 202.34, Responsible Parties may deny admittance to individuals who fail to wear face coverings.
- In addition to necessary PPE as required for certain workplace activities, Responsible Parties must procure, fashion, or otherwise obtain acceptable face coverings and provide such coverings to employees while at work at no cost to the employee. Responsible Parties should have an adequate supply of face coverings, masks and other required PPE on hand should an employee need a replacement, or an essential visitor be in need. Business owners providing nail services are required to provide additional PPE for employees as provided by 19 NYCRR 16011(c).
- Face coverings must be cleaned and disinfected or replaced after use and may not be shared. Please consult CDC [guidance](#) for additional information on face coverings and other types of 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 activities, a cloth or homemade mask would not suffice. OSHA standards for such safety equipment must be adhered to.

- Responsible Parties must allow employees to use their own acceptable face coverings but cannot require employees to supply their own face coverings. Further, this guidance shall not prevent employees from wearing their personally owned additional protective coverings (e.g. surgical masks, N95 respirators, or face shields), or if the Responsible Parties otherwise requires employees to wear more protective PPE due to the nature of their work. Employers should comply with all applicable OSHA guidelines.
- Responsible Parties must put in place measures to limit the sharing of objects (e.g. tattoo machines, oils, lubricants, brushes, nail files, clippers), as well as the touching of shared surfaces; or, require workers to wear gloves (trade-appropriate or medical) when in contact with shared objects or frequently touched surfaces; or, require workers to perform hand hygiene before and after contact.
  - If shared, equipment must be cleaned and disinfected between uses.
- Responsible Parties must train workers on how to adequately put on, take off, clean (as applicable), and discard PPE, including but not limited to, appropriate face coverings. Refer to [CDC guidance](#) on appropriate donning and doffing techniques.

## B. Hygiene, Cleaning, and Disinfection

- Responsible Parties must ensure adherence to hygiene and cleaning and disinfection requirements as advised by the CDC and DOH, including "[Guidance for Cleaning and Disinfection of Public and Private Facilities for COVID-19](#)," and the "[STOP THE SPREAD](#)" poster, as applicable. Responsible Parties must maintain cleaning logs that include the date, time, and scope of cleaning and disinfection.
- Responsible Parties must provide and maintain hand hygiene stations 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.
  - Responsible Parties must place hand sanitizer throughout the personal care facility for use by employees and customers.
  - Responsible Parties must require that employees practice hand hygiene by washing hands for 20 seconds with soap and water or use of an alcohol-based hand sanitizer before and after providing services to each customer.
- Responsible Parties should place signage near hand sanitizer stations indicating that visibly soiled hands should be washed with soap and water; hand sanitizer is not effective on visibly soiled hands.
- Responsible Parties should place receptacles around the facility for disposal of soiled items, including PPE.
- Responsible Parties must provide appropriate cleaning and disinfection supplies for shared and frequently touched surfaces and encourage employees to use these supplies before and after use of these surfaces, followed by hand hygiene.
- Responsible Parties must conduct regular cleaning and disinfection of the personal care facility and more frequent cleaning and disinfection for high risk areas used by many individuals and for frequently touched surfaces. Cleaning and disinfection must be rigorous and ongoing and should

occur at least after each shift, daily, or more frequently as needed. Please refer to DOH's "[Interim Guidance for Cleaning and Disinfection of Public and Private Facilities for COVID-19](#)" for detailed instructions on how to clean facilities. Tanning facilities may refer to [DOH guidelines](#) when choosing appropriate disinfectant.

- Responsible Parties must ensure that all non-disposable implements (e.g. piercing guns, forceps/clamps, metal implements) are appropriately cleaned and disinfected after each use.
- Responsible Parties must ensure regular cleaning and disinfecting of restrooms. Restrooms should be cleaned and disinfected more often depending on frequency of use.
  - Responsible Parties must ensure distancing rules are adhered to by reducing restroom capacity where feasible.
- Responsible Parties must ensure that work station equipment is regularly cleaned and disinfected using registered disinfectants, including at least as often as between each customer. Refer to the Department of Environmental Conservation (DEC) [list of products](#) registered in New York State 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 equipment, Responsible Parties must put in place hand hygiene stations between use and/or supply disposable gloves and/or limitations on the number of employees using such equipment.
- Responsible Parties must leave time between appointments for full workstation cleaning and disinfection (e.g. 15 minutes).
- Responsible Parties must provide for the cleaning and disinfection of exposed areas in the event of a positive case of COVID-19 of an employee or customer, with such cleaning and disinfection to include, at a minimum, all heavy transit areas and high-touch surfaces (e.g. tables, handrails, bathrooms, door knobs).
- 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.
    - Responsible Parties do not necessarily need to close operations, if they can close off the affected areas.
  - Open outside doors and windows to increase air circulation in the area.
  - Wait 24 hours before you clean or disinfect. If 24 hours is not feasible, wait as long as possible.
  - Clean and disinfect all areas used by the person who is sick, such as offices, bathrooms, common areas, and shared equipment.
  - Once the area has been appropriately cleaned and disinfected, it can be opened for use.
    - Employees and visitors without close or proximate contact with the person suspected or confirmed to have COVID-19 can return to the work area immediately after cleaning and disinfection.
    - Refer to DOH's "[Interim Guidance for Public and Private Employees Returning to Work Following COVID-19 Infection or Exposure](#)" for information on "close or proximate" contacts.

- If more than seven days have passed since the person who is sick visited or used the facility, additional cleaning and disinfection is not necessary, but routine cleaning and disinfection should continue.
- For activities involving the handling of shared objects (e.g. payment devices), areas, and/or surfaces (e.g. doors), Responsible Parties must ensure that such areas and objects are cleaned and disinfected daily, at a minimum.
- Responsible Parties must ensure workstations (e.g. chairs, headrest, work surfaces, massage tables) are cleaned and disinfected between customers.
- Responsible Parties must prohibit shared food and beverages (e.g. buffet style meals), encourage bringing lunch from home, and reserve adequate space for employees to observe social distancing while eating meals.

### **C. Phased Reopening**

- Responsible Parties are encouraged to phase-in reopening activities so as to allow for operational issues to be resolved before production or work activities return to normal levels. Responsible Parties should consider limiting the number of employees, hours, and number of customers available to be served when first reopening so as to provide operations with the ability to adjust to the changes.

### **D. Communications Plan**

- Responsible Parties must affirm that they have reviewed and understand the state-issued industry guidelines, and that they will implement them.
- Responsible Parties should develop a communications plan for employees, visitors, and customers that includes applicable instructions, training, signage, and a consistent means to provide employees with information. Responsible Parties may consider developing webpages, text and email groups, and social media.
- Responsible Parties should encourage customers to adhere to CDC and DOH guidance regarding the use of PPE, specifically face coverings, through verbal communication and signage.
- Responsible Parties should post signage inside and outside of the personal care facility to remind personnel and customers to adhere to proper hygiene, social distancing rules, appropriate use of PPE, and cleaning and disinfection protocols.

## **III. PROCESSES**

### **A. Screening and Testing**

- Responsible Parties are strongly encouraged to ensure that employees performing services directly on or to customers have been tested for COVID-19 through a diagnostic test, prior to the employee performing such services. Employees shall be tested every 14 days, so long as the region in which the personal care workplace is located remains in Phase 3 of the State's reopening. Customers are strongly encouraged to inquire with the employee providing services directly on or to them about whether the employee has received testing.

- Responsible Parties must implement mandatory daily health screening practices for employees and, where practicable, vendors, but such screenings shall not be mandated for customers and delivery personnel.
  - 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 or proximate contact with each other prior to completion of the screening.
  - At a minimum, screening must be required of all employees and, where practicable, vendors, and completed using a questionnaire that determines whether the worker or vendor has:
    - (a) knowingly been in close or proximate contact in the past 14 days with anyone who has tested positive for COVID-19 or who has or had symptoms of COVID-19;
    - (b) tested positive for COVID-19 in the past 14 days; and/or
    - (c) has experienced any symptoms of COVID-19 in the past 14 days.
- Responsible Parties cannot mandate that customers complete a health screen or provide contact information but may encourage customers to do so. Responsible Parties may provide an option for customers to provide contact information so they can be logged and contacted for contact tracing, if necessary.
- Responsible Parties should encourage customers to provide verbal or written confirmation that they are symptom free.
- Refer to CDC guidance on "[Symptoms of Coronavirus](#)" for the most up to date information on symptoms associated with COVID-19.
- Responsible Parties should require employees to immediately disclose if and when their responses to any of the aforementioned questions changes, such as if they begin to experience symptoms, including during or outside of work hours.
- In addition to the screening questionnaire, daily temperature checks may also be conducted per Equal Employment Opportunity Commission or DOH guidelines. Responsible Parties are prohibited from keeping records of employee health data (e.g. temperature data).
- Responsible Parties must ensure that any personnel performing screening activities, including temperature checks, are appropriately protected from exposure to potentially infectious employees or visitors entering the personal care facility. Personnel performing screening activities should be trained by employer-identified individuals who are familiar with CDC, DOH, and OSHA protocols.
- Screeners should be provided and use PPE, including at a minimum, a face mask, 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 personal care facility and should be sent home with instructions to contact their healthcare provider for assessment and testing. Responsible Parties must immediately notify the state and local health department about the case if test results are positive for COVID-19. Responsible Parties should provide the employee with information on healthcare and testing resources.

- Responsible Parties should refer to DOH’s [“Interim Guidance for Public and Private Employees Returning to Work Following COVID-19 Infection or Exposure”](#) regarding protocols and policies for employees seeking to return to work after a suspected or confirmed case of COVID-19 or after the employee had close or proximate contact with a person with COVID-19.
- Responsible Parties should designate a central point of contact, which may vary by activity, location, shift or day, responsible for receiving and attesting to having reviewed all employees’ questionnaires, with such contact also identified as the party for employees and visitors to inform if they later are experiencing COVID-19-related symptoms, as noted on the questionnaire.
  - Identified point of contact for the personal care facility should be prepared to receive notifications from individuals of positive cases and initiate the respective cleaning and disinfection procedures.
- Responsible Parties must designate a site safety monitor whose responsibilities include continuous compliance with all aspects of the site safety plan.
  - When notified of a positive case, the identified point of contact must notify the contacts of all impacted entities occupying shared spaces of the positive cases and the respective cleaning and disinfection procedures taken.
- To the extent possible, Responsible Parties should maintain a log of every person, including employees and visitors, who may have close or proximate contact with other individuals at the work site or area; excluding deliveries that are performed with appropriate PPE or through contactless means. Log should contain contact information, such that all contacts may be identified, traced and notified in the event an employee is diagnosed with COVID-19. Responsible Parties must cooperate with state and local health department contact tracing efforts.
- Responsible Parties shall provide and maintain an option for customers to provide names and contact information so they can be logged and contacted for contact tracing, if necessary. Responsible Parties may not mandate that customers leave their information and may not require identification before providing services or deny services if identification is not required. However, Responsible Parties shall strongly encourage customers to provide contact information.

## **B. Tracing and Tracking**

- Responsible Parties must notify the state and local health department immediately upon being informed of any positive COVID-19 test result by an employee at their workplace.
- In the case of an employee, visitor, or customer who interacted at the business testing positive, the Responsible Parties must cooperate with the state and local health department as required to trace all contacts in the workplace and notify the state and local health department of all employees logged and customers (as applicable) who entered the personal care facility dating back to 48 hours before the employee or customer began experiencing COVID-19 symptoms or tested positive, whichever is earlier. Confidentiality must be maintained as required by federal and state law and regulations.
- State and local health departments may, under their legal authority, implement monitoring and movement restrictions of infected or exposed persons including home isolation or quarantine.
- Individuals who are alerted that they have come into close or proximate contact with a person with COVID-19, and have been alerted via tracing, tracking or other mechanism, are required to self-report to their employer at the time of alert and shall follow the protocol referenced above.

## IV. EMPLOYER PLANS

Responsible Parties must conspicuously post completed safety plans 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.

### **Additional safety information, guidelines, and resources are available at:**

New York State Department of Health Novel Coronavirus (COVID-19) Website  
<https://coronavirus.health.ny.gov/>

Centers for Disease Control and Prevention Coronavirus (COVID-19) Website  
<https://www.cdc.gov/coronavirus/2019-ncov/index.html>

Occupational Safety and Health Administration COVID-19 Website  
<https://www.osha.gov/SLTC/covid-19/>

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

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