



## INTERIM GUIDANCE FOR GAMING FACILITIES DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

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

As of September 4, 2020

### Purpose

This Interim Guidance for Gaming Facilities during the COVID-19 Public Health Emergency ("Interim COVID-19 Guidance for Gaming Facilities") was created to provide owners/operators of gaming facilities and their employees, contractors, vendors, and patrons with precautions to help protect against the spread of COVID-19.

**This guidance takes effect on Wednesday, September 9, 2020, for state-licensed gaming facilities in New York (e.g., commercial casinos and video lottery gaming facilities), at which time, such facilities may reopen in accordance with the requirements contained herein.**

Gaming facilities must have sufficient staff available to ensure compliance with this State-issued guidance. This interim guidance is subject to change as the New York State Gaming Commission closely works with local health departments during reopening to monitor and enforce compliance of owners/operators of gaming facilities with this guidance, and assess the public health conditions associated with gaming facilities reopening, including any changes in COVID-19 transmission. Where these guidelines may conflict with Commission license conditions, or Commission-approved System of Internal Controls, these guidelines must take precedence.

**Food and beverage service on the gaming floor is prohibited at this time.** Restaurants and bars at any gaming facility that are not located on the gaming floor must follow the guidelines outlined in the Department of Health's (DOH) "[Interim Guidance for Food Services During the COVID-19 Public Health Emergency](#);" provided, however, that **indoor food service remains prohibited in New York City, as of the issuance of this guidance.** Gaming facilities also involve a variety of activities and should reference relevant industry-specific guidelines provided by DOH, and available on the [New York Forward website](#), for their applicable operations. Retail or gift shops at any gaming facility must follow the guidelines outlined in DOH's "[Interim Guidance for Essential and Phase II Retail Business Activities During the COVID-19 Public Health Emergency](#)." Office-based activities at any gaming facility must follow the guidelines outlined in DOH's "[Interim Guidance for Office-Based Work During the COVID-19 Public Health Emergency](#)." Gyms and fitness centers at any gaming facility must follow the guidelines outlined in DOH's "[Interim Guidance for Gyms and Fitness Centers during the COVID-19 Public Health Emergency](#)." Please note that this guidance does not apply to other types of non-gaming activities on the facility premises, including but not limited to accommodations and performance venues, which must operate in accordance with current and forthcoming state-issued guidance. **Live performances are not permitted at state-licensed gaming facilities until such time that state-issued guidance for performing arts is promulgated.**

These guidelines are minimum requirements only and the owner/operator of any gaming facility 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 to gaming facilities. The Responsible Parties

are also accountable for staying current with any updates to these requirements, as well as incorporating same into gaming facility operations and/or any 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 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. On June 11, 2020, Governor Cuomo [announced](#) that the third phase of reopening would begin on June 12, 2020 in several regions of New York. On June 24, 2020, Governor Cuomo [announced](#) that several regions of the state were on track to enter the fourth phase of reopening starting on June 26, 2020. By July 20, 2020, all regions of New York, including New York City, had [reached](#) the fourth phase of the State's reopening.

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 Operation of Gaming Facilities in New York State

No gaming activities, or other activities that occur on the gaming floor, 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 this guidance apply to gaming activities in operation during the COVID-19 public health emergency until rescinded or amended by the State. The owner/operator of the gaming facility, or another party as may be designated by the owner/operator (in either case, "the Responsible Parties") shall be responsible for meeting these standards.

For the purposes of this guidance, references to "employees" include contractors and vendors that perform work at a gaming facility.

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 patron presence is limited to no more than to 25% of the maximum occupancy or capacity for a particular area as set by the certificate of occupancy, inclusive of employees and patrons, both of whom must only be permitted entry into the gaming facility if they wear an acceptable face covering and must wear a face covering at all times, except for age verification upon entrance, provided that the patron is able to medically tolerate such covering.
  - As face coverings may pose security, compliance, and age-verification risks, all patrons may be required to lower their face covering upon entering a gaming facility so that the facility and/or any employees may verify the identity of the individual and compare to any proper method of identification, if necessary. The patron must be at least six feet away from all other individuals during this time.
- Responsible Parties must ensure that a distance of at least six feet is maintained among individuals, including employees and patrons, with the exception of patrons who are members of the same immediate party or household, at all times, unless safety or the core activity requires a shorter distance (e.g., cage operations, moving equipment).
- Responsible Parties must ensure that all individuals, including employees and patrons, wear acceptable face coverings at all times; provided that they are able to medically tolerate such covering.
  - 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](#).
  - The face covering requirement must be applied in a manner consistent with the federal ADA and New York State and City Human Rights Laws, as applicable.

- Responsible Parties may modify the use and/or restrict the number of workstations and employee seating areas, so that individuals 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, Responsible Parties may enact physical barriers (e.g., plastic shielding walls) in areas where they would not affect air flow, heating, cooling, or ventilation, or present a health or safety risk (e.g., emergency exit hazard).
  - Responsible Parties should install physical barriers between patrons and cage operators.
    - If used, physical barriers should be put in place in accordance with [OSHA guidelines](#).
  - Physical barrier options may include strip curtains, cubicles, plexiglass or similar cleanable materials, or other impermeable dividers or partitions.
- Responsible Parties should prohibit the use of small spaces (e.g., elevators, staff rooms, behind cash registers) by more than one individual at a time. However, occupancy must never exceed 25% of the maximum capacity of the space or vehicle, unless it is designed for use by a single occupant. Responsible Parties should increase ventilation with outdoor air in these spaces to the greatest extent possible (e.g., opening windows and doors), while maintaining safety protocols. Responsible Parties should take additional measures to prevent congregation in elevator waiting areas and limit density in elevators, such as enabling the use of stairs.
- Responsible Parties should consider closing any common indoor or outdoor seating areas. To the extent that such spaces remain open, Responsible Parties must modify seating areas arrangements (e.g., chairs, tables) to ensure that individuals or groups of patrons are at least six feet apart in all directions (e.g., side-to-side and when facing one another).
- For sports wagering counters, Responsible Parties must demarcate distances of at least six feet for queuing patrons, and Responsible Parties must install a barrier (e.g., plexiglass or similar materials), in accordance with [OSHA guidelines](#), between patrons and counter attendants. Windows must be closed as necessary to allow for six feet of distance between individuals.
- Responsible Parties must ensure arrangements of active slot machine and other game machines, including sports wagering kiosks, allow for distancing of at least six feet in all directions between patrons, or, alternatively, the installation of physical barriers between such machines. Distancing may be implemented through physically moving machines or by deactivating machines, where needed.
  - Responsible Parties may install physical barriers in accordance with [OSHA guidelines](#), between slot machines as a suitable alternative.
- Single-player electronic versions of table games (e.g., electronic roulette, video poker), are permitted, provided that six feet of distance can be maintained between patrons in all directions, or physical barriers are installed between patrons, and that all cleaning and disinfection protocols are followed.
- Table games (e.g., poker, craps, blackjack) are permitted, provided that Responsible Parties can adhere to the following protocols, and all other applicable requirements provided in this guidance:
  - Tables must be a minimum of six feet apart from one another, and arranged to allow patrons at adjacent tables to maintain six feet of social distance;
  - Patrons at a single table must be separated from all other patrons at the table by physical barriers (e.g., plexiglass) which are approved for use by the New York State Gaming Commission;
    - As practicable, positions or chairs may be removed from tables to facilitate social distancing and accommodate the installation of physical barriers, but barriers are still required.

- For games without chairs (e.g., craps), six-foot intervals must be marked around the outside of the table to facilitate socially distanced arrival to and departure from the table, and physical barriers must be installed to separate patrons from one another;
    - Congregation of non-playing patrons/spectators at or around the tables is not permitted at this time. However, members of the same party may stand with the player provided the barrier continues to separate the non-players from any other players who are not in the same party.
  - Security personnel, dealers, and other employees must enforce social distancing between patrons and disrupt congregations when they form;
    - Dealers must immediately inform security personnel if a congregation is forming, or if participants are not adhering to social distancing requirements (e.g., patron intrudes upon another patron's space behind a barrier).
  - Physical barriers must also be installed between dealers and patrons, even if six feet of distancing is possible;
  - Dealers must verbally substitute into the game and give breaks to other dealers, instead of "tapping in;" and
  - Wherever possible, games must be reconfigured to minimize the number of times that patrons must touch cards (e.g., by using "face-up" dealing in blackjack), and must never permit patrons to touch another patron's cards.
- Responsible Parties must post signs throughout the gaming 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 individuals to:
    - Stay home if they are feeling sick.
    - Cover their nose and mouth with a face covering at all times.
    - Quarantine if they have recently been in a state with significant community transmission of COVID-19, pursuant to the DOH [travel advisory](#).
    - Properly store and, when necessary, discard PPE.
    - Adhere to social distancing rules.
    - 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., staff meetings, in break rooms, stock rooms) to the greatest extent possible and consider use of other methods for meetings, 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., leave space between chairs, have individuals sit in alternating chairs).

- Responsible Parties should encourage social distancing by limiting occupancy or closing non-essential amenities and communal areas that do not allow for social distancing protocols. If open, Responsible Parties must make hand sanitizer or disinfecting wipes available next to equipment near such amenities (e.g., vending machines, communal coffee machines).
- 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 may implement best practices for communal bathrooms including, but not limited to:
  - installation of physical barriers between toilets, sinks, and soap/paper towel dispensers, if six feet of separation is not feasible; and
  - use of touch-free paper towel dispensers in lieu of air dryers.
- Responsible Parties should stagger schedules for employees to observe social distancing (i.e., six feet of space) for any gathering (e.g., coffee breaks, meals, and shift starts/stops).
- Any social gatherings in event spaces that are separate from the gaming areas in the gaming facility (e.g., parties in event rooms or ballrooms) are limited to the lesser of the State's social gathering limit, which is 50 or fewer people as of the issuance of this guidance, or 25% of maximum occupancy for the space.

### **C. Workplace Activity**

- 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 requirements;
  - shifting design (e.g., A/B teams, staggered arrival/departure times);
  - batch activities, where possible, so employees can adhere to social distancing; and/or
  - developing protocols for the safe use of shared office equipment, such as telephones, copiers, printers, registers, etc.
- Responsible Parties should adjust hours of operation as necessary to enable enhanced cleaning and disinfection procedures.
- Responsible Parties may operate the facility on a 24 hours a day, 7 days a week schedule, but must ensure that all areas and equipment in the gaming facility are thoroughly cleaned and disinfected at least once per day, and high-touch areas and equipment are thoroughly cleaned and disinfected more frequently, and in accordance with the standards set forth below.

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

- Responsible Parties must monitor and control the flow of patron and employee traffic into, and within, the gaming facility to ensure adherence to maximum occupancy requirements and social distancing.

- Responsible Parties must maintain sufficient employee or security presence to monitor traffic flow and to ensure groups adhere to social gathering limitations.
- Responsible Parties must prohibit congregating and loitering by patrons and maintain sufficient employee or security presence, including hiring additional staff, to eliminate congregating and loitering.
- 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., casino cages, elevator entrances, gaming facility entrances and exits, clock in/out stations, health screening stations).
  - Where possible, place markers or barriers to encourage one directional traffic.
  - Responsible Parties must mark areas for six feet apart at commonly congested areas (e.g., common seating areas in lobbies, restrooms, casino cage queues).
- Responsible Parties should clearly designate separate entrances and exits, where possible.
- Responsible Parties must be prepared to queue patrons outside while still maintaining physical distance including through the use of visual cues and/or queueing control devices (e.g., stanchions, line distance markers, arrows).
- Responsible Parties should rearrange patron waiting areas (e.g., lines, parking areas) to maximize social distance among other patrons and minimize interaction with others in the area.
- Responsible Parties should limit on-site interactions (e.g., designate an egress(es) for individuals leaving the gaming facility and a separate ingress(es) for individuals entering) and movements (e.g., employees should remain near their workstations as often as possible).
  - Where practicable, Responsible Parties should limit the numbers of entrances in order to (1) manage the flow of traffic into the gaming facility and monitor occupancy/capacity limits and (2) facilitate health screenings, as described below while remaining in compliance with fire safety and other applicable regulations.
  - Responsible Parties must develop a plan for people to maintain six feet of social distance while queuing inside or outside of the gaming facility for screening, as applicable.
- Responsible Parties must establish designated areas for pickups and deliveries, limiting contact to the extent possible.
- For 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 face covering to personnel involved in the delivery at no cost for the duration of the delivery process.
- Responsible Parties must ensure employees perform hand hygiene before and after transferring (e.g., from a delivery driver) a load of merchandise or equipment (e.g., perform hand hygiene before starting to load items; and once all items have been loaded, finish by performing hand hygiene again).

- Responsible Parties should encourage the use of touchless or pay-ahead payment options, when available. Responsible Parties should minimize handling cash, credit cards, reward cards, and mobile devices, where possible.
- Responsible Parties must:
  - Close off any seating areas or machines where six feet of social distance cannot be maintained;
  - Close any food and beverage service on the gaming floor; and
  - Enhance employee or security presence to enforce limitations on maximum occupancy and gathering size, as necessary.

## II. PLACES

### A. Air Handling and Building Systems

- Responsible Parties must ensure building HVAC system filtration meets the highest rated filtration compatible with the currently installed filter rack and air handling systems, at a minimum **MERV-13**, or industry equivalent or greater (e.g., **HEPA**), as applicable, and as certified and documented by a certified HVAC technician, professional, or company, **ASHRAE**-certified professional, certified retro-commissioning professional, or New York licensed professional building engineer.
  - Responsible Parties may consider adopting additional ventilation and air filtration mitigation protocols per **CDC** and **ASHRAE** recommendations, particularly for buildings older than 15 years, including:
    - Performing necessary retro-commissioning of central systems, as well as testing, balancing, and repairs as needed;
    - Increasing ventilation rates and outdoor air ventilation to the extent possible;
    - Keeping systems running for longer hours, especially for several hours daily before and after occupancy;
    - Disabling demand-controlled ventilation, where reasonable, and maintain systems that increase fresh air supply;
    - Opening outdoor air dampers to reduce or eliminate recirculation to the extent possible;
    - Sealing edges of the filter to limit bypass;
    - Regularly inspecting systems and filters to ensure they are properly operating, and filters are appropriately installed, serviced and within service life;
    - Opening windows to the extent allowable for occupant safety and comfort if applicable;
    - Installing appropriately designed and deployed ultraviolet germicidal irradiation (**UVGI**) to deactivate airborne virus particles; and/or
    - Using portable air cleaners (e.g., electric **HEPA** units), considering units that provide highest air change rate at appropriate performance level and do not generate harmful byproducts.
- For facilities that cannot handle the abovementioned minimum level of filtration (i.e., **MERV-13** or greater), Responsible Parties must have a certified HVAC technician, professional, or company, **ASHRAE**-certified professional, certified retro-commissioning professional, or New York licensed professional building engineer certify and document that the currently installed filter rack is incompatible with abovementioned minimum level of filtration (i.e., **MERV-13** or greater) and/or the air handling system would be unable to perform to the minimum level of heating and cooling that

it was otherwise able to provide prior to the COVID-19 public health emergency if such a high degree of filtration (i.e., MERV-13 or greater) was installed. Responsible Parties should also request that the professional document the associated equipment, labor, and cost that would be involved in upgrading the system to handling MERV-13 or greater level of filtration. Further, Responsible Parties must retain such documentation for review by state or local health department officials to operate at a lesser filtration rating of no less than MERV-11 or MERV-12 with additional ventilation and air filtration mitigation protocols.

- In addition, Responsible Parties with facilities that have an air handling system that is unable to meet a filtration rating of MERV-13 or greater must adopt additional ventilation and air filtration mitigation protocols per [CDC](#) and [ASHRAE](#) recommendations, including:
  - Performing necessary retro-commissioning of central systems, as well as testing, balancing, and repairs as needed;
  - Increasing ventilation rates and outdoor air ventilation to the extent possible;
  - Keeping systems running for longer hours, especially for several hours daily before and after occupancy;
  - Disabling demand-controlled ventilation, where reasonable, and maintain systems that increase fresh air supply;
  - Opening outdoor air dampers to reduce or eliminate recirculation to the extent possible;
  - Sealing edges of the filter to limit bypass;
  - Regularly inspecting systems and filters to ensure they are properly operating, and filters are appropriately installed, serviced and within service life;
  - Opening windows to the extent allowable for occupant safety and comfort;
  - Installing appropriately designed and deployed ultraviolet germicidal irradiation (UVGI) to deactivate airborne virus particles; and/or
  - Using portable air cleaners (e.g., electric HEPA units), considering units that provide highest air change rate at appropriate performance level and do not generate harmful byproducts.
- Before occupants return to a building that has been entirely closed, Responsible Parties must complete pre-return checks, tasks, and assessments of building systems to ensure a healthy and safe environment. These systems include, but are not limited to, mechanical systems, water systems, elevators, and HVAC systems.
  - Depending on the length of time equipment has been inactive, Responsible Parties should run systems with careful observation to ensure machinery (e.g., valves and switches) are operating correctly.
  - Specific system actions may be required to restart systems after prolonged shutdown. Responsible Parties may determine necessity for each of these items based on length of shutdown and condition as inspected.
  - As appropriate and applicable, Responsible Parties should flush building with fresh air based on the design of the air handling system for a minimum of 24 hours.
  - Responsible Parties must ensure air filters are replaced as needed (e.g., after flushing the building).
  - Responsible Parties must ensure maintenance and monitoring of cooling towers have been conducted in accordance with state regulations and that chemical and microbial levels are within defined ranges for any closed water systems and/or water features, and drain any devices that may contain stagnant water.

- Responsible Parties must flush cold- and hot-water systems in accordance with building water management plan, if applicable.
- Responsible Parties must ensure any water filters are replaced as needed after flushing the building's water systems.
- For buildings that were entirely closed, Responsible Parties should ensure that the operation of all mechanical equipment and systems has been restored prior to reopening the building.

## **B. Protective Equipment**

- Responsible Parties must ensure that employees and patrons are only permitted entry into the gaming facility if they wear an acceptable face covering, provided that the employee or patron is able to medically tolerate such covering.
- Responsible Parties must ensure that patrons wear acceptable face coverings at all times when within the gaming facility.
  - As mentioned above, as face coverings may pose security, compliance, and age-verification risks, all patrons may be required to lower their face covering to make such verification. The patron must be at least six feet away from all other individuals during this time.
- In addition to the necessary PPE as required for certain workplace activities, Responsible Parties must procure, fashion, or otherwise obtain acceptable face coverings, and provide such coverings to their 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. 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 the [CDC guidance](#) for additional information on cloth face coverings and other types of PPE 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 activities, a cloth or homemade mask would not suffice. Responsible Parties must adhere to OSHA standards for such safety equipment.
  - Responsible Parties must allow employees to use their own acceptable face coverings but cannot require their employees to supply their own face coverings. Further, this guidance shall not prevent employees from wearing their personally owned protective coverings (e.g., surgical masks, N95 respirators, or face shields). The Responsible Parties may require employees to wear more protective PPE due to the nature of their work. Employers should comply with all applicable OSHA guidelines.
- Responsible Parties must train employees on how to adequately put on, take off, clean (as applicable), and discard PPE, including but not limited to, appropriate face coverings.
- Responsible Parties must install physical barriers at casino cages and table games, and in between individual game machines, when these facilities are not six feet apart. Responsible Parties should consider installing these barriers even when facilities are socially distanced, where feasible.

- As mentioned above, if used, physical barriers (e.g., plexiglass or similar materials) should be put in place in accordance with [OSHA guidelines](#).
- Responsible Parties must put in place measures to limit the sharing of objects, such as equipment and vehicles, as well as the touching of shared surfaces, such as touchscreens; or, require employees to wear gloves (trade-appropriate or medical) when in contact with shared objects or frequently touched surfaces; or, require employees and patrons to perform hand hygiene before and after contact.

### C. 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 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 hand sanitizing: an alcohol-based hand sanitizer containing at least 60% alcohol for areas where handwashing facilities may not be available or practical.
  - Responsible Parties must make hand sanitizer available throughout the facility for use by employees and patrons (e.g., entrances, exits, elevators, gaming floors, cages, and security/reception desks). Touch-free hand sanitizer dispensers should be installed where possible.
- 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 gaming facility for disposal of soiled items, including PPE.
- Responsible Parties must conduct regular cleaning and disinfection of the gaming facility on, at least, a daily basis 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 frequently throughout the hours of operations and whenever 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 and disinfect facilities.
  - Responsible Parties must ensure equipment or objects that are shared between patrons and/or employees (e.g., game machines, counters for slot machines) are cleaned and disinfected between every user or at least every four hours.
  - Responsible Parties must provide appropriate cleaning and disinfection supplies for shared and frequently touched surfaces (e.g., game machines, counters for slot machines), and require employees and encourage patrons to use these supplies, following manufacturers' instructions, before and after use of these surfaces, followed by hand hygiene.
  - Responsible Parties must ensure that sufficient staff is available to "wipe down" (i.e., clean and disinfect) equipment between users, but Responsible Parties may require patrons to "wipe down" equipment before and/or after each use. Responsible Parties must provide patrons the option of requesting that slot machines and other game machines are cleaned and disinfected prior to their use of the machine.

- Responsible Parties must ensure regular cleaning and disinfection of restrooms. Restrooms should be cleaned and disinfected at least every two hours, or more often depending on frequency of use.
  - Responsible Parties must ensure distancing rules are adhered to by using signage, occupied markers, or other methods to reduce restroom capacity where feasible.
- Responsible Parties must ensure that shared workstations (e.g., cages) are cleaned and disinfected between use by different employees.
- Responsible Parties must ensure that equipment and tools are regularly cleaned and disinfected using registered disinfectants, including at least as often as employees change workstations or move to a new set of equipment or 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 disinfection causes safety hazards or degrades the material or equipment, Responsible Parties must put in place hand hygiene stations for between use and/or supply disposable gloves and/or limitations on the number of employees using such equipment.
- Responsible Parties must adhere to the following cleaning protocols for equipment and surfaces at table games:
  - The following must be cleaned and disinfected, or replaced or disposed of, as applicable, before changing playing patron/dealer as appropriate to the game: table game rail(s), chair area(s), dice, on/off button(s) used by dealers, card shoe(s), roulette wheel head(s), ball(s), and dolly, Pai Gow tiles, Visual Limits, Elo units, money paddle, token boxes;
  - The following must be cleaned and disinfected, or replaced or disposed of, as applicable, every hour: Chipper Champs, Pit & Poker podiums;
  - The following must be cleaned and disinfected, or replaced or disposed of, as applicable, every four hours: shufflers, baccarat discard pile, blackjack discard holder, hard game surfaces, push carts;
  - Chips must be removed from play after a patron loses them or returns them to the dealer or cashier, and cleaned and disinfected by casino staff, prior to recirculation;
    - Dealers should only distribute chips that have been cleaned and disinfected by the casino and have not yet come into contact with patrons;
    - Games that involve passing chips between patrons that cannot or are not modified to prevent this passing are not permitted;
    - If servers or other employees receive chips as tips, they should immediately exchange these chips for cleaned and sanitized chips from the dealer or cashier; alternatively, if a patron wishes to tip a server with chips, the patron should give the desired value of chips to the dealer, who will give the same value of cleaned and disinfected chips to the server;
  - Dealers must require patrons to use hand sanitizer prior to joining a game; and
  - All other equipment must be cleaned at the intervals described in this guidance.
- Responsible Parties must provide for the cleaning and disinfection of exposed areas in the event an individual is confirmed to have COVID-19, with such cleaning and disinfection to include, at a minimum, all heavy transit areas and high-touch surfaces (e.g., elevators, shared objects, building entrances, badge scanners, restrooms, handrails, door handles, vending machines, communal coffee stations).
- CDC guidelines on "[Cleaning and Disinfecting Your Facility](#)" if someone is suspected or confirmed to have COVID-19 are as follows:

- Close off areas used by the person suspected or confirmed to have COVID-19.
  - 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 and disinfect. If 24 hours is not feasible, wait as long as possible.
- Clean and disinfect all areas used by the person suspected or confirmed to have COVID-19, such as offices, bathrooms, common areas, and shared equipment.
- Once the area has been appropriately cleaned and disinfected, it can be re-opened for use.
  - Employees 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 suspected or confirmed to have COVID-19 visited or used the facility, additional cleaning and disinfection is not necessary, but routine cleaning and disinfection should continue.
- Where possible and practicable, Responsible Parties should place seat covers on cloth seats or other seats that may be more difficult to clean and disinfect. These seat covers should be cleaned between usage, or every four hours at a minimum.
- Responsible Parties must prohibit shared food and beverages among employees (e.g., self-serve meals and beverages), encourage employees to bring lunch from home or provide individual food and beverage to each employee, and reserve adequate space – off of the gaming floor – for employees to observe social distancing while eating meals.

#### **D. 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 patrons available to be served when first reopening so as to provide operations with the ability to adjust to the changes.

#### **E. 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 and patrons 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 must encourage individuals 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 building to remind individuals 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 must implement mandatory daily health screening practices for employees and, where practicable, contractors and vendors, but such screenings shall not be mandated for patrons and delivery personnel.
  - Screening practices may be performed remotely (e.g., by telephone or electronic survey), before the individual reports to the gaming facility to the extent possible; or may be performed on site.
  - Screening should be coordinated to prevent individuals from intermingling in close or proximate contact with each other prior to completion of the screening.
  - At a minimum, screening is required for all employees and, where practicable, contractors and vendors, and must be completed using a questionnaire that determines whether the individual 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;
    - (c) has experienced any symptoms of COVID-19 in the past 14 days; and
    - (d) traveled within a state with significant community spread of COVID-19 for longer than 24 hours within the past 14 days.
- Refer to CDC guidance on "[Symptoms of Coronavirus](#)" for the most up to date information on symptoms associated with COVID-19.
- Refer to DOH [travel advisory](#) for the most up to date information on states with significant spread of COVID-19 and quarantine requirements.
- Screening practices include:
  - If space and building configuration allows, screen individuals at or near the building entrance to minimize the impact in case of a suspected or confirmed case of COVID-19.
  - Allow for adequate social distancing while individuals queue for screening and/or building entry.
  - Admit only employees who have been screened either remotely or upon arrival.
  - If temperature checks are performed, use contactless thermal cameras in building entrances to identify potentially symptomatic individuals and direct them to a secondary screening area to complete a follow-on screening. If not possible or feasible, a temperature check may be performed using contactless thermometers.
- Responsible Parties cannot mandate that patrons complete a health screening or provide contact information for contact tracing but may encourage patrons to do so. Responsible Parties may provide an option for patrons to provide contact information so they can be logged and contacted for contact tracing, if necessary.

- Responsible Parties may require that patrons provide identifying information or contact details if the identification is necessary for security personnel or employees of the gaming facility to verify age and permission to enter the casino.
- Responsible Parties must 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, temperature checks may also be conducted per U.S. Equal Employment Opportunity Commission or DOH guidelines. Responsible Parties are prohibited from keeping records of employee health data (e.g., the specific temperature data of an individual), but are permitted to maintain records that confirm individuals were screened and the result of such screening (e.g., pass/fail, cleared/not cleared).
- Responsible Parties must ensure that any personnel performing screening activities, including temperature checks, are appropriately protected from exposure to potentially infectious individuals entering the gaming 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, an acceptable face covering or mask, and may include gloves, a gown, and/or a face shield.
- An individual who screens positive for COVID-19 symptoms must not be allowed to enter the gaming facility and employees who screen positive must be sent home with instructions to contact their healthcare provider for assessment and testing.
  - Responsible Parties should remotely provide the employee with information on healthcare and testing resources.
  - 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 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 must designate a central point of contact, which may vary by activity, location, shift or day, responsible for receiving and attesting to having reviewed all screening questionnaire responses, with such contact also identified as the party for individuals to inform if they later are experiencing COVID-19-related symptoms, as noted on the screening questionnaire.
  - Identified point of contact for the gaming 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.
- To the extent possible, Responsible Parties should maintain a log of every person, including employees, contractors, and vendors, who may have close or proximate contact with other individuals at the gaming facility; excluding patrons and deliveries that are performed with appropriate PPE or through contactless means. The log should contain contact information, such that

all contacts may be identified, traced, and notified in the event an individual is diagnosed with COVID-19.

## **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 individual at their gaming facility.
- In the case of an individual who interacted at the gaming facility testing positive, the Responsible Parties must cooperate with the state and local health department as required to trace all contacts at the gaming facility and notify the state and local health department of all employees, contractors and vendors logged, and patrons and delivery personnel (as applicable), who entered the gaming facility dating back 48 hours before the individual first experienced COVID-19 symptoms or tested positive, whichever is earlier. Confidentiality must be maintained as required by federal and state law and regulations.
  - In the case of an individual showing symptoms while in the gaming facility, Responsible Parties must notify individuals in the surrounding areas or who may have been affected immediately with information on where the individual has been throughout the gaming facility and notify them if the symptomatic person tests positive.
- 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.
- 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 follow the protocol referenced above.
- Responsible Parties should consider offering a method for patrons to opt-in to a contact tracing program, as practicable (e.g., opt-in upon entrance to the gaming facility, or sign-up using loyalty programs).

## **IV. EMPLOYER PLANS**

Responsible Parties must conspicuously post completed safety plans on site for employees. 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:**

Centers for Disease Control and Prevention Considerations for Casinos and Gaming Operations  
<https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/business-employers/casinos-gaming-operations.html>

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>