Guiding Principles

The health and well-being of students, faculty, and staff are central to SUNY Polytechnic Institute’s workplace policies and procedures for responding to the COVID-19 pandemic. The University’s primary focus in these policies is to maximize health and safety while pursuing the vital educational and research missions.

SUNY Poly plans are aligned and consistent with guidance from SUNY, local orders and ordinances within the Capital and Mohawk Valley regions, as well as Governor Cuomo’s NY Forward Plan. SUNY Poly’s plans also follow recommendations from the federal government, Occupational Safety and Health Administration (OSHA), Centers for Disease Control and Prevention (CDC), and the state and local departments of health.

To minimize the risk to public health while working on campus, all staff are expected to fully comply with the policies, protocols, and guidelines outlined in this document. Failure to do so may result in the matter being referred to the appropriate SUNY Poly office for action.

Note that these guidelines are subject to change based upon future guidance or mandates from SUNY or New York State.

Our success in limiting the spread of COVID-19 on our campus is rooted in the actions, behaviors, and personal responsibility of everyone on campus, and includes:

- frequent hand washing and/or using hand sanitizer,
- coughing or sneezing into a tissue or elbow,
- not touching the face,
- wearing a face covering,
- maintaining social distance from others,
- monitoring health and not coming to work on campus if sick, or leaving if symptoms develop

Our knowledge and understanding of the COVID-19 virus continues to evolve, and our policies and plans will be updated as more information becomes available.

Return to the Workplace

STAFFING OPTIONS

It is anticipated that the need to reduce the number of people on campus (density) to meet social distancing requirements will continue for some time. At this time, occupancy of office building space is limited. All or portions of support units that can continue to effectively work remotely are encouraged to do so. Supervisors will determine who must report to campus to perform job assignments.

Employees who cannot work remotely:

SUNY Poly will initially assess on-campus staffing based on mission-critical operations, the ability to control and manage specific work environments, and the necessity to access on-campus resources. We will then phase in a physical return of staff over time in a coordinated process consistent with New York state guidance to ensure appropriate social distancing and availability of personal protective equipment (PPE). Employees will be given a week’s notice prior to being asked to physically return to work on campus.

Alternating Days: In order to limit the number of individuals and interactions among those who must perform a portion of their work on campus, departments should consider scheduling partial staffing on alternating days or mornings/afternoons. Such schedules will help enable social distancing, especially in areas with large common workspaces. This does not change the number of hours or the professional obligation that each employee is obligated to meet.

Staggered Reporting/Departing: The beginning and end of the workday typically bring many people together at common entry/exit points of buildings, time clocks, breakrooms, etc... Staggering arrival and departure times by at least 15-30 minutes will reduce traffic in common areas to meet social distancing requirements. Supervisors should contact Human Resources to review options and work with employees regarding any changes in reporting/departure times.

Working Part-time: Employees who wish to reduce their work percentage should speak to their supervisor. Human Resources can provide information regarding options, impact, and procedures.

When directed to return to campus by their supervisor, employees are expected to be available and report to the workplace. Employees who are not available, or not willing, to work as required, may use their leave accrual balances with supervisory approval.

Faculty and staff who are asked to return to work on campus who fall into a high-risk category (see below) for COVID-19 complications should contact Human Resources at 315-792-7191. Research Foundation employees should contact Molly Yezzi at (518) 956-7445 to discuss options.

Employees who can work remotely:

The need to reduce the density of people on campus in order to meet social distancing requirements will continue for a period of time. Administrative units that can continue to effectively work remotely will likely continue to do so until restrictions are eased for larger gatherings of people.
Remote Work: Those who can effectively work remotely to fulfill their work responsibilities may continue to do so to reduce the number of individuals on campus and the potential spread of the COVID-19 virus. These arrangements, which must be approved by the immediate supervisor, can be done on a full or partial day/week schedule as appropriate given the employee’s ability to complete their work from home. A Telecommuting Program form must be completed and on file with Human Resources. A new form is not needed if already on file.

WORKPLACE EXPECTATIONS & GUIDELINES

All employees shall comply with the policies, protocols, and guidelines outlined in this document as part of SUNY Poly’s workplace expectations and guidelines. Ensuring safety is a responsibility shared by the University as an employer and with the SUNY Poly community, through its actions and attentiveness for proper public health practices. Union employees should refer to their respective collective bargaining agreement (“CBA”). Where this document conflicts with or is silent on a topic that is covered by a relevant CBA, the CBA governs; nothing in this document shall supersede any provision of a CBA. Employees working at off site and leased locations must follow these protocols in addition to those established at these locations.

RETURN TO CAMPUS TRAINING REQUIREMENT

All employees must complete return to work on campus training prior to returning to the workplace at:

Albany https://sunypoly.edu/covid19/training-albany-campus.html
Utica https://forms.gle/swP8G4bcrlkYlZe8

As a new requirement, this training also applies to employees who may have already returned to the worksite or have been working on-site throughout as essential staff. This training is a short on-line, on-demand video session that describes COVID-19, required provisions for on-site work during COVID-19 restrictions, and common safety protocols.

SYMPTOM MONITORING REQUIREMENT

Employees who have been instructed to return to the workplace must conduct symptom monitoring and reporting daily.

Employees who will be on campus must complete a health screening assessment (https://sunypoly.edu/covid19/screening.html) each day they are on campus preferably before arrival, or, if remote reporting is not possible, within one hour of reporting to campus.

Employees must be free of ANY symptoms potentially related to COVID-19 or have had evaluation and clearance by their health care provider and Human Resources to be eligible to report to work on campus. At this time, these symptoms include one or more of the following:

• Cough
• Shortness of breath or difficulty breathing
• Fever or chills
• Congestion or runny nose
• Muscle or body aches
• New loss of taste or smell
• Sore throat
• Fatigue
• Headache
• Nausea or vomiting
• Diarrhea


If symptomatic, employees must not report to work on campus, or if already there, the employee should leave work and immediately notify their supervisor (as they would for any illness) and contact the Human Resources Office (315) 792-7191. Employees with COVID symptoms should not report to campus until cleared by their primary healthcare provider. Employees should notify their supervisor of the situation, as well as Human Resources at 315-792-7191. RF employees can call Molly Yezzi at (518) 956-7445. Other employees should contact their HR Department for guidance.

Please note, supervisors or other employees are expected to keep confidential any disclosed health related information and only discuss with Human Resources or Environmental Health & Safety staff as part of the illness investigation and contact tracing activities.

Individuals reporting symptoms should wear a face covering to avoid possible virus transmission to others and should self-isolate until told this is not necessary by their healthcare provider. In Oneida County, additional information and resources can be found at https://ocgov.net/health/coronavirus. In Albany county, additional information/resources are available at: https://www.albanycounty.com/departments/health/coronavirus-covid-19.

AT-RISK EMPLOYEES

According to the CDC, certain individuals may have a higher risk for severe illness resulting from COVID-19. Those individuals may include:

• People aged 65 years or older
• People who are immunocompromised – many conditions can cause a person to be immunocompromised, including cancer treatment, bone marrow or organ transplantation, immune deficiencies, HIV or AIDS
• Asthma (moderate-to-severe)
• Chronic lung disease
• Diabetes
• Serious heart conditions
• Chronic kidney disease being treated with dialysis
• Severe obesity
• Liver disease

Faculty and staff who are asked to return to work on campus who fall into a high-risk category for COVID-19 complications can contact Human Resources Office at 315-792-7191. Research Foundation employees can contact Molly Yezzi at (518) 956-7445 to discuss options. Other employees should contact their HR Office.

COMPLICATIONS FOR RETURN TO CAMPUS

Employees who have been instructed to return to work on-site and have concerns about doing so should review the existing Policy and Procedure to Request a Reasonable Accommodation. Links to the documents can be found here:


State employees can contact the HR Office at 315-792-7191. Non-state employees should contact their HR office.
Employees who cannot telecommute and cannot secure daycare due to COVID-19 closures should contact the Human Resources Office to discuss options.

Health and Safety Guidance

Personal Safety Practices

FACE COVERINGS

Face coverings must be worn by all employees working on campus when within 6 feet of others and in public settings where other social distancing measures are difficult to maintain (e.g., common work spaces, meeting rooms, classrooms, vehicles, dormitory buildings, etc.). Even if you previously tested positive for COVID-19 or tested positive for COVID-19 antibodies, you must still wear a face covering. Appropriate use of face coverings is critical in minimizing the risk to others near you. You could spread COVID-19 to others even if you do not feel sick. A mask or cloth face covering is not a substitute for social distancing.

Anyone in a SUNY Poly (or affiliated) space is expected to wear a face covering that covers both nose and mouth at all times when social distancing is not possible (including areas such as buildings, grounds, shared laboratory areas, conference rooms, restrooms, elevators, hallways, corridors, entrances, common areas, lobbies, classrooms, etc.), except when alone in a private room, private office, private vehicle, or cubicle space when appropriate social distancing can be maintained, or when walking in a more isolated area with no other people in proximity, or when exercising outside when appropriate social distancing can be maintained.

EXEMPTIONS FROM FACE COVERINGS

Persons who are alone in an office space, are not required to wear a face covering. However, as soon as the person enters a common area where others may be present, a face covering is required.

If an employee sits in a cubicle environment and there are others within 6 feet of the employee, a face covering must be worn. However, if there are no co-workers in cubicles within 6 feet of an employee, this can be treated as if in a private office and not wear a face covering. Again, once the employee leaves the cubicle and enters a common hallway, walkway, or corridor where others may be present, a face covering must be worn.

Employees may wear their own cloth face covering, which will help SUNY Poly reduce the need to purchase additional face coverings, which are in short supply. Cloth face coverings must be worn for one day at a time and must be properly laundered before use. Having a week's supply of cloth face coverings can help reduce the need for daily laundering.

Upon request, cloth face coverings will be provided by the Office of Environmental Health & Safety. In Utica, please email your request to Sean.Clive@sunypoly.edu. In Albany, please email SUNY-PolyEHS@sunypoly.edu.

Tips on the use and care of face coverings:
How to wear and safely take off a cloth face covering:

USE AND CARE OF FACE COVERINGS

Putting on the face covering/disposable face covering:
• Wash hands or use hand sanitizer prior to handling the face covering/disposable face covering.
• Ensure the face-covering/disposable face covering fits over the nose and under the chin.
• Situate the face-covering/disposable face covering properly with nose wire snug against the nose (where applicable).
• Tie straps behind the head and neck or loop around the ears.
• Throughout the process: Avoid touching the front of the face covering/disposable face covering.

Taking off the face covering/disposable face covering:
• Do not touch your eyes, nose, or mouth when removing the face covering/disposable face covering.
• When taking off the face covering/disposable face covering, loop your finger into the strap and pull the strap away from the ear, or untie the straps.
• Wash hands immediately after removing.
• For washable face coverings, place into a plastic or paper bag until laundered.

Care, storage, and laundering:
• Keep face coverings/disposable face covering stored in a paper bag when not in use.
• Cloth face coverings may not be used more than one day at a time and must be washed after use. Cloth face coverings should be properly laundered with regular clothing detergent when soiled and after each shift. Cloth face coverings should be replaced immediately if damaged (e.g. ripped, punctured) or visibly contaminated.
• Disposable face coverings must not be used for more than one day and should be placed in the trash after your shift or if it is soiled, damaged (e.g., stretched ear loops, torn or punctured material) or visibly contaminated.

SOCIAL (PHYSICAL) DISTANCING

Keeping space between you and others is one of the best means of avoiding exposure to the COVID-19 virus and slowing its spread. Social distancing is important to stay away from others when possible, even if you (or they) appear to have no symptoms. Social distancing is important for everyone, especially to help protect people who are at higher risk of getting very sick. Employees at work on-site should follow these social distancing practices:
• Stay out of crowded places and avoid mass gatherings
• Do not gather in groups
• Stay out of crowded places and avoid mass gatherings

HANDWASHING

Wash your hands often with soap and water for at least 20 seconds especially after you have been in a public place, or after blowing your nose, coughing, sneezing, or touching your face. If soap and water are not readily available, use a hand sanitizer that contains at least 60% alcohol. Cover all surfaces of your hands and rub them together until they feel dry. Avoid touching your eyes, nose, and mouth, and wash your hands after touching your face.

COUGHING/SNEEZING HYGIENE

If you are in a private setting and do not have on your cloth face covering, remember to always cover your mouth and nose with a
tissue when you cough or sneeze or use the inside of your elbow. Then throw used tissues in the trash. Immediately wash your hands with soap and water for at least 20 seconds. If soap and water are not readily available, clean your hands with a hand sanitizer that contains at least 60% alcohol.

GLOVES
Healthcare workers and a limited number of others in high-risk areas should use gloves as part of Personal Protective Equipment (PPE). But according to the CDC, gloves are not necessary for general use and do not replace good hand hygiene. Washing your hands often is considered the best practice for common, everyday tasks.

GOGGLES/FACE SHIELDS
Employees do not need to wear goggles or face shields as part of their general activity on campus. Good hand hygiene and avoiding touching your face are generally sufficient for non-healthcare environments.

DISINFECTION / CLEANING PROCEDURES
Custodial crews will continue to clean and disinfect high use common public areas and certain work spaces based on CDC guidelines for disinfection. Classroom spaces will also receive regular cleaning and disinfection of high touch surfaces (e.g. desks, table tops, chair arm rests).

The Facilities Department will maintain public hand sanitizer stations at primary building entrances and high-traffic areas. Additional hand sanitizer liquid is available in major office locations and in personal sized containers. These are available from the EHS office upon request.

Prior to reopening of buildings mechanical, electrical, plumbing, and monitoring systems will be assessed and readied by the Facilities Department staff.

Room occupants should wipe down commonly used surfaces before and after use with products that meet the EPA’s criteria for use against COVID-19 and are appropriate for the surface. This includes any shared-space location or equipment (e.g. copiers, printers, computers, A/V and other electrical equipment, coffee makers, desks and tables, light switches, doorknobs, etc.).

At periodic times, additional care should be taken by room occupants to wipe down and disinfect commonly used, public-facing surfaces used by multiple people (e.g. computer labs). Accordingly, those offices or functions with high traffic service counter areas will be provided with cleaning products for wiping down surfaces throughout the day by employees.

Common use equipment or locations (e.g. break rooms, time and activity entry work stations) must be cleaned and disinfected prior to and after each use. Users should always wash hands or use hand sanitizer with at least 60% alcohol after using community equipment.

ARRIVAL / DEPARTURE CONTROL
Most buildings on campus will be open during normal business hours. At this time, entry to buildings will continue to be regulated. Your SUNY Poly ID Card is required for entry to all buildings, and you may not hold or prop open exterior doors for any other person.

Departments could stagger arrival, departure, and lunch times, which will reduce personal interactions at locations such as hallways, stairs, elevators, time clocks, etc. Employees are also encouraged to use alternate doorways to enter or exit buildings to reduce interactions.

In general, visitors and guests are not allowed on campus during this time. Any visitors, vendors, contractors, consultants, or others who are not part of the SUNY Poly campus community will be required to make appointments with the appropriate department contact, complete a COVID-19 related health screening and attest that they do not meet the criteria for restriction from campus. They are also required to sign in and out using the “Coronavirus (COVID-19) questionnaire and attestation (SUNY Poly – Utica)” form: https://drive.google.com/file/d/1jlz_G_yV67pAZA3yAJz3361xpxQkyxx/view?usp=sharing

The online form: https://forms.gle/eEz4P1RdlI2oAysm9
Or by using an appropriate other department/office specific form.

Guidance for Specific Campus Workplace Scenarios

OUT OF STATE TRAVEL
Any employee who has traveled out of state must abide by New York State Department of Health guidelines, which are being updated in real-time based on a state’s COVID-19 impact. Some of these guidelines include required 14-day quarantine following travel to listed states. This information can be found here: https://coronavirus.health.ny.gov/system/files/documents/2020/07/nys-covid-travel-advisory-faq_0.pdf.

PUBLIC TRANSPORTATION
If an employee must take public transportation, they should wear a face covering before entering the bus and minimize touching surfaces with hands when selecting a seat. Upon disembarking, wash hands or use hand sanitizer with at least 60% alcohol as soon as possible and before removing face coverings.

SUNY POLY VEHICLES / FLEET / RENTALS
If employees must use SUNY Poly vehicles or rental vehicles to travel on or off-campus, they should make sure the vehicle has been disinfected before and after use. Ensure the vehicle has disinfecting wipes (where applicable). Avoid traveling in groups or with passengers. If passengers are necessary, all vehicle occupants must wear a face covering while in the vehicle. Minimize touching surfaces with hands. When leaving the vehicle, immediately wash hands or use hand sanitizer with at least 60% alcohol as soon as possible and before removing face coverings.

PUBLIC-FACING COUNTERS
On-site work areas and functions that involve a high level of interaction with others (e.g. mailroom counter, Registrar, Financial Aid, Student Activities, Bursar, Residential Life, library reference desks, etc.) may have barrier shields installed. Requests for barrier shields should be directed to supervisors who will review with the appropriate Vice President. The Facilities Department will be notified of the request through the online work request system. General questions regarding barrier shield installations can be directed to the Facilities Department in Utica at (315)-792-7456 or Environmental Health & Safety in Albany at (518) 956-7229. Please note that the need for barrier shield installations will be based on volume of public interaction and the ability to practice other means of social distancing, such as floor decals or signs for distancing and line queues, limiting access through appointments, remote service, etc.
WORKING IN OPEN OFFICE ENVIRONMENTS

Employees who work in an open environment are expected to maintain at least 6 feet of distance from co-workers and the public (including students). Brief encroachments on this distancing, for example passing in a hallway, are acceptable and low-risk especially when wearing a face covering. If possible have at least one workspace separating co-workers. Employees should wear a face covering at all times while in a shared work space/room, whenever 6 feet distance can’t be maintained, or as directed by a supervisor. Face coverings must be worn when engaging with the public, including students.

Departments should assess open work environments and meeting rooms in order to institute measures to physically separate and increase distance between employees, other coworkers, and customers, such as:

• Place visual cues such as floor decals, colored tape, or signs to indicate to customers where they should stand while waiting in line.
• Place one-way directional signage for large open work spaces with multiple through-ways to increase distance between employees moving through the space.
• Consider designating specific stairways for up or down traffic if building space allows.

Placement of signage or decals should be reviewed with the Facilities Department before placement.

Office cubicle environments where an elevated barrier exists between co-workers when sitting/in desk position are provided with proper social distancing and no additional barrier shields are necessary.

In offices, no more than one person should be in the same room unless the required 6 feet of distancing can be consistently maintained or if a barrier exists between occupants/ co-workers. Face coverings should be worn at all times if more than one person is in a room and 6 feet distance cannot be maintained or if there is no barrier between employees. Within small enclosed office spaces, face coverings should be considered even if distancing is in place. Opening screened windows may also help to reduce exposure risks in smaller enclosed spaces. Check with the Facilities Department to ensure this is acceptable.

Face coverings should be worn by any employee in a reception/receiving area. Face coverings should be used when inside any SUNY Poly facility where others are present, including walking in narrow hallways where others travel and in break rooms, conference rooms, and other meeting locations.

USING RESTROOMS

Care should be taken in restrooms, when possible, to ensure at least 6 feet distance between individuals. Occupants should wear face coverings while in the restroom and wash hands thoroughly afterward to reduce the potential transmission of the virus.

USING ELEVATORS

When possible, elevator use should be limited to one person and no more than two. If sharing an elevator, please distance as much as possible (e.g. far corners). Please use the stairs if physically capable. When using an elevator, wear a face covering and try to avoid touching the elevator buttons with exposed hand/fingers, if possible. Use a tissue if available to touch the buttons. Wash hands or use hand sanitizer with at least 60% alcohol prior to entering, when possible, and upon departing the elevator.

MEETINGS

Convening in groups increases the risk of viral transmission. Meetings should be held in whole or part using the extensive range of available collaboration tools (e.g. Zoom, WebEx, Google Meet, telephone, etc.).

In-person meetings are limited to the restrictions of local, state, and federal orders. For commonly used meeting rooms on campus, the University will establish and post revised adjusted maximum occupancy limits. For all other rooms, attendance at a meeting should not exceed 50 percent of a room’s capacity, assuming individuals can still maintain 6 feet of separation for social distancing requirements. Where possible, and if necessary, Departments should remove or rearrange chairs and tables and/or add visual cue marks in meeting rooms to support social distancing practices between attendees.

Communication with co-workers, colleagues, and supervisors should occur via email, instant message, telephone or other available technology. When necessary, face-to-face meetings are allowed as long as social distance is maintained (at least 6 feet), occupancies are not exceeded, and face coverings are worn.

MEALS

Before and after eating, employees should wash hands thoroughly to reduce the potential transmission of the virus.

Dining facilities operated by SODEXO will meet requirements to allow distancing between each customer, including lines and seating arrangements. Individuals should not sit facing one another. Employees are encouraged to take food back to their office area or eat outside, if this is reasonable for specific situations.

When eating in an on-campus work environment (e.g. break room, office, dining hall, etc.), maintain 6 feet distance. Individuals should not sit facing one another. Only remove face coverings in order to eat, then replace.

Departments should remove or rearrange chairs and tables or add visual cue marks in employee break rooms to support social distancing practices between employees. Cleaning and disinfecting of eating surfaces should occur before and after use.

Please dispose of food waste and packaging in kitchenette or common area trash receptacles, not in individual office trash bins.

LABORATORY WORK

Specific criteria are being developed for faculty and staff working in laboratory environments - Reopening Research at SUNY Poly. Social distancing, face coverings, hand hygiene, and disinfection procedures will be part of the use of Laboratories.

ACADEMIC SPACES

All protocols apply similarly to academic spaces (e.g. classrooms, libraries, etc.) including social distancing, face coverings, good hand hygiene, and surface disinfection. As the University continues to work towards finalizing instructional plans for the fall 2020 semester, additional information specific to academics will be communicated by the Provost’s Office.
VIOLATIONS
Violation of these guidelines may result in the immediate revocation of building access privileges, as well as corrective action. Please contact Human Resources if you have any questions or to report activities that are not in compliance with these guidelines.

DO NOT COME TO THE WORKPLACE WHEN ILL
What happens if someone reports to campus who is sick?

- **Presenting Symptoms:** Any employee who is presenting COVID-19 symptoms should not report to their on campus workplace. Employees should report their condition to their supervisor and Human Resources and immediately seek medical guidance.

Current CDC recommendations for returning to on-site work are:

1. At least 10 days since first symptoms first appeared.
2. No fever, and no use of fever-reducing medication, for the 72 hours prior to return.
3. All symptoms improving for at least 72 hours.

- **Testing (presenting symptoms):** Employees who are presenting COVID-19 symptoms and have been tested for COVID-19 should not report to work on campus.

  - **Negative Test Result:** If results are negative, employees should return to work as soon as they are well enough to do so.
  
  - **Positive Test Result:** Employees who have tested positive must self-isolate until the Department of Health or their health care provider clears them to return. They must notify Human Resources immediately and inform their supervisor they will not be reporting to work on campus. Supervisors must not disseminate this information to others.

What about the co-workers of an employee who is being tested for COVID-19?

If an employee in a department is being tested, Human Resources will reach out to the employee and department supervisor to determine individuals who may have been in close contact with the tested individual to determine the next steps. Any employees who are required to quarantine based upon recommendations by the Local Health Department should not report to work on campus but can continue to work remotely if their job allows. If the period of quarantine continues beyond 14 calendar days, the employee should consult Human Resources.

Wellbeing – Mental, Emotional and Social

**EMPLOYEE ASSISTANCE PROGRAM (EAP)**

Employee Assistance Program: (EAP) is available to all employees with the goal of offering support and promoting a healthy state of mind and wellbeing, both in and out of the workplace, with the goal of offering emotional support during this stressful time. Telephone or video consultation via Zoom is available, and employees can access this service using most smartphones, tablets, and computers with a camera. Employees may contact EAP and other resources as follows:

New York State Employee Assistance Program Office
1-800-822-0244
https://goer.ny.gov/employee-assistance-program

NYS Office of Mental Health COVID-19
Emotional Support Line
1-844-863-9314
https://omh.ny.gov/omhweb/covid-19-resources.html

**NYSHIP**
**(NEW YORK STATE HEALTH INSURANCE PROGRAM)**

Should an employee or a family member need access to health insurance benefits related to COVID-19, here are the quick links that outline the coverage and assistance State employees can receive. Non-State employees should contact their HR Office.

- Empire Plan - www.empireblue.com/nys
- CDPHP - www.cdphp.com/members/wellness/common-health-topics/cold-and-flu/corona-virus
- MVP - www.mvphealthcare.com/covid19
- Empire Blue Cross HMO - www.empireblue.com/coronavirus/individual-and-family

**References**

Executive Order 202.16 [www.governor.ny.gov/news/no-20216-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency] – “For all essential businesses or entities, any employees who are present in the workplace shall be provided and shall wear face coverings when in direct contact with customers or members of the public. Businesses must provide, at their expense, such face coverings for their employees. This provision may be enforced by local governments or local law enforcement as if it were an order pursuant to section 12 or 12-b of the Public Health Law. This requirement shall be effective Wednesday, April 15 at 8 p.m.”

Executive Order 202.17 [www.governor.ny.gov/news/no-20217-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency] – “Effective at 8 p.m. on Friday, April 17, 2020 any individual who is over age two and able to medically tolerate a face-covering shall be required to cover their nose and mouth with a face covering or cloth face-covering when in a public place and unable to maintain, or when not maintaining, social distance.”

Executive Order 202.34 [www.governor.ny.gov/news/no-20234-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency] – “Business operators and building owners, and those authorized on their behalf shall have the discretion to ensure compliance with the directive in Executive Order 202.17 (requiring any individual over age two, and able to medically tolerate a face-covering, be required to cover their nose and mouth with a face covering or cloth face-covering when in a public place), including the discretion to deny admittance to individuals who fail to comply with the directive in Executive Order 202.17 or to require or compel their removal if they fail to adhere to such directive, and such owner or operator shall not be subject to a claim of violation of the covenant of quiet enjoyment, or frustration of purpose, solely due to their enforcement of such directive. Nothing in this directive shall prohibit or limit the right of State and local enforcement authorities from imposing fines or other penalties for any violation of the directive in Executive Order 202.17. This directive shall be applied in a manner consistent with the American with Disabilities Act or any provision of either New York State or New York City Human Rights Law, or any other provision of law.”