

## Guidance for Business Owners – Updated March 16, 2020

### Tips for Addressing Changes in Customer Behavior Due to the Novel (New) Coronavirus (COVID-19)

#### *General Good Practices*

- **Have a contingency plan in place.** Gather employee and supplier contact information, legal, insurance, and financial records.
- **Have hand sanitizer and tissues** visibly available for employees and customers to use while in your place of business.
- **Monitor your inventory.** Make sure you have enough materials on hand and contact your suppliers to stay up to date on any changes in inventory needs or availability of supply.
- **Contact your insurance company** to determine if your insurance will cover expenses incurred, liability, or business interruption.
- **Hang signage** in your place of business with information on how to stay healthy. You can find signage here: [nyc.gov/coronavirus](https://www1.nyc.gov/coronavirus)
- **Promote tap and pay** to limit handling of cash and the use of touch screens.
- **Use booking and scheduling to stagger customer flow** to comply with the new rules surrounding occupancy restrictions; read more about changes to capacity in the Mayor's press release: <https://www1.nyc.gov/office-of-the-mayor/news/138-20/mayor-de-blasio-issues-state-emergency>
- **Increase ventilation** by opening windows and adjusting air conditioning units.
- **Consider selling gift cards** in person and online, if possible.
- Text COVID to 692-692 to **receive regular updates** via text message. (Text COVIDESP to 692-692 to receive updates via text message in Spanish.)

#### *Restaurants and Food Services*

- On March 16, 2020, Mayor de Blasio signed an executive order stating: as of 8 p.m. on Monday, March 16, 2020 bars and restaurants are limited to take out and delivery only.
- If you are not already on a delivery platform, consider joining one or advertising phone orders on your social media channels.
- **Offer contact-less delivery.** If you or your customers prefer, you can offer to leave food just outside their doors instead of waiting for them to open the door for you.
- Read more about the Mayor's Executive Order:  
<https://www1.nyc.gov/assets/home/downloads/pdf/executive-orders/2020/eeo-100.pdf>

#### *Professional Services*

- **Consider remote access** and video conference capabilities for employees and clients.
- **Make sure you are equipped at home** to run a home office (i.e., find a quiet space, share your cell phone number with clients, create a dedicated phone line, make sure you have access to any documents you may need, have chargers and all tech needs on hand).

#### *Personal Services*

- If customers are wary about public spaces, **consider providing in-home services**.
- **Consider more lenient cancellation policies** if it appears that a customer or employee may exhibit symptoms or has concerns about home visits.
- Make sure the **policies and procedures around home visits are clear** to all employees.

**Please note:** gyms, movie theaters, small theatres, nightclubs, and casinos are required to close, effective on March 16, 2020 at 8 p.m. Read more: <https://www.governor.ny.gov/news/audio-rush-transcript-amid-lack-federal-direction-governor-cuomo-governor-murphy-and-governor>

## Workplace FAQs

### **What do I need to know if I have an employee who has recently traveled to an affected area?**

People who have arrived in the U.S. from an affected area and who have no symptoms can return to work or school after completing a self-monitoring period at home for up to 14 days, depending on their last day in the affected area. There is no clearance process. People without symptoms are not tested for the virus.

### **What if my staff have family members who have recently been in an affected area?**

Staff who were not in an affected area may continue to go to work if their family member has no symptoms.

### **What should I do if I feel sick or my employee feels sick?**

Stay home and call your doctor. If you are experiencing any cold or flu-like symptoms — coughing, sneezing, fever, shortness of breath, sore throat — call your doctor. If you are not feeling better after 3 or 4 days and do not have any preexisting conditions, consult your doctor. If you are over 50 years of age and have preexisting conditions and you begin to feel symptoms, consult your doctor — they may want to monitor you more closely.

Do not go back to work until you have been home for seven days and fever-free for 72 hours without the use of fever-reducing drugs like acetaminophen (e.g., Tylenol) or ibuprofen (e.g., Advil).

**Learn more:** [nyc.gov/coronavirus](https://nyc.gov/coronavirus)

### **What can I do to prepare for a local outbreak?**

Create an outbreak response plan:

- **Review human resources policies** and practices. Make sure they are consistent with public health recommendations and state and federal workplace laws.
- Explore whether you can **establish flexible work hours** (staggered shifts) or work sites (work from home or telecommuting). This will allow physical distance among employees.
- **Identify critical job roles** and functions. Plan out business operations with less staff or interruptions in functions. Consider cross-training personnel to perform essential functions.
- **Plan communication strategies** with staff and business partners to share information and updates, and to reduce fear and misinformation.

- Encourage staff to help reduce overcrowding on public transportation by **walking or biking to work** if they can, or waiting for a less crowded subway if that is the only option.
- **If you have more than one business location**, allow your local managers to take appropriate actions based on the conditions in each location. Outline appropriate actions in your outbreak response plan.
- **Share and discuss the outbreak response plan** with your employees. Allow them to provide feedback and address any gaps in the plan.
- **Reach out to other businesses** in your community, chambers of commerce, associations, and networks to create a unified plan.

**What if someone comes to my business and I think they have the novel coronavirus? Should I report them?**

- **It is illegal to turn someone away from your business** (restaurants, stores, hospitals, and other public accommodations) and refuse service to people or make them feel unwelcome because of actual or perceived race and nation of origin.
- **It is illegal to harm or harass a person because of their race** or the country they are from. Treat all people with respect and do not single them out based on their race, ethnicity, or what country they are from.
- **You do not need to report anyone** who you think may have been exposed or be infected. The Health Department is conducting thorough outreach and does not require assistance from the general public in identifying individuals.

Hate and discrimination against anyone on the basis of their race, national origin, or other status is not tolerated in New York City. The New York City Commission on Human Rights, Mayor's Office for the Prevention of Hate Crimes, and NYPD are monitoring and responding to reported hate and bias incidents resulting from fear and stigma related to COVID-19.

Call 911 if you are the victim of a hate crime or witness what you believe to be a hate crime. NYPD officers will not ask about the immigration status of anyone seeking help and language assistance is available.

Call 311 and say "human rights" to report harassment or discrimination in housing, at work, or in public places based on your race, national origin, immigration status, disability, or other protected classes under the NYC Human Rights Law. You can also report discrimination here:

<https://www1.nyc.gov/site/cchr/about/report-discrimination.page>

**How can I disinfect my business if someone comes in and they appear to have symptoms?**

- For businesses or other facilities that do not house people overnight, the CDC recommends **closing off areas and waiting as long as is practical before beginning cleaning and disinfection** to minimize potential for exposure to respiratory droplets. Open doors and windows to increase air circulation in the area.
- **Staff should wear and use appropriate personal protective equipment (PPE)**, according to your existing policies and procedures.

- **Have soap and paper towels in bathrooms** at all times. Ensure that all hand washing sinks are in good state of repair.
- **Use regular cleaning and disinfection products** (e.g., Clorox, Purell, and peroxide products).
- **Pay special attention to frequently touched surfaces** like doorknobs, water fountains, and faucets.
- **Learn more about the CDC's recommendations:** <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html>
- **Learn more about EPA-approved cleaning products:** [epa.gov/site/production/files/2020-03/documents/sars-cov-2-list\\_03-03-2020.pdf](https://www.epa.gov/site/production/files/2020-03/documents/sars-cov-2-list_03-03-2020.pdf)

**What can I do to help decrease fear and discrimination related to novel coronavirus?**

- **Stay informed**, listen to public health messages from reliable sources like the [NYC Health Department](#) or the [CDC](#), and implement good personal and public health practices to prevent the spread of respiratory viruses.
- **Avoid stigmatizing people** who have recently traveled from any affected areas. There are a lot of things on social media and in the news that are not rooted in science and are offensive, demeaning and racist. If you would like to report discrimination, visit: <https://www1.nyc.gov/site/cchr/about/report-discrimination.page>
- **Learn more:** [nyc.gov/coronavirus](https://www.nyc.gov/coronavirus)

**My staff and/or I are feeling stressed or harassed because of the potential outbreak. What can I do?**

- Emotional reactions to stressful situations such as feeling sad, anxious or overwhelmed, or having trouble sleeping, or other symptoms of distress are normal. **If you or your staff are feeling stressed or anxious**, contact [NYC Well](#) at 1-888-NYC-WELL (888-692-9355) or text WELL to 65173. NYC Well is a confidential help line that is staffed 24/7 by trained counselors who can provide brief supportive therapy, crisis counseling and connections to behavioral health treatment and support in more than 200 languages.
- **If you feel you or your staff has been harassed** due to race, nation of origin or other identities, you can report this to the [NYC Commission on Human Rights](#) by calling 311 or 718-722-3131.
- The [Office for the Prevention of Hate Crimes](#) coordinates city efforts to prevent and respond to hate crimes. **If you are the victim of a hate crime or witness what you believe to be a hate crime**, please call 911 or visit your [nearest police precinct](#). NYPD officers will not ask about the immigration status of anyone seeking emergency assistance or help to report a crime.

**I am worried about the financial impact of COVID-19. Are there any grants or loans available to help me?**

- The City will provide relief for small businesses across the City seeing a reduction in revenue because of COVID-19. Businesses with fewer than 100 employees who have seen sales decreases of 25% or more will be eligible for zero interest loans of up to \$75,000 to help mitigate losses in profit.
- The City is also offering small businesses with fewer than five (5) employees a grant to cover 40% of payroll costs for two months to help retain employees. **Eligible owners who would like**

**to learn more about these programs, including eligibility requirements, should visit:**  
[nyc.gov/covid19biz](https://nyc.gov/covid19biz).

- If you need immediate capital, you may contact one of our NYC Business Solutions Centers to connect with our network of 40+ lenders. **Find a location:** [maps.nyc.gov/sbs](https://maps.nyc.gov/sbs).
- The Small Business Administration recently sent out communications reminding lenders, 504 program Certified Development Companies, and Microloan Intermediaries of their unilateral authority to provide temporary relief in the form of deferred payments to existing borrowers under certain circumstances. Learn more:  
[https://www.dfs.ny.gov/industry\\_guidance/industry\\_letters/il20200310\\_support\\_businesses](https://www.dfs.ny.gov/industry_guidance/industry_letters/il20200310_support_businesses)
- A new bipartisan spending package was just passed in the House of Representatives and the Senate. This package, when it is implemented, will provide \$7 billion in federal funds to assist small businesses that suffer economic harm from the coronavirus outbreak. [You can read more about the bill here.](#)

FAQ for Questions Submitted by Businesses (updated March 14, 2020)

**It's hard to find hand sanitizer, masks, gloves, tissues, etc. Where can I get them?**

The NYC Health Department does not recommend the routine use of face masks if you are not sick. Face masks are not needed for general or routine tasks by staff – even those who frequently interact with the public. It is also encouraged to wash hands often with soap and water for at least 20 seconds, which may relieve the need for hand sanitizer. Although harder to find than usual, there are supplies available in neighborhoods across the City. This may be a good opportunity to visit a new local business along your commercial corridor.

**Please note:** The Department of Consumer and Worker Protection has declared facemasks, hand sanitizer, and disinfectant wipes temporarily in short supply to prevent stores from overcharging New Yorkers. The declaration makes it temporarily illegal to drastically increase prices. Stores found to be overcharging consumers will be issued a violation with a fine up to \$500 per item. NYC DCWP encourages consumers who feel they were overcharged to file a complaint at [nyc.gov/dcwp](https://nyc.gov/dcwp) or by contacting 311.

**Can I ask customers, staff, and other visitors to wash their hands when they enter my business?**

It is illegal to turn someone away from your business (restaurants, stores, hospitals and other public accommodations) and refuse service to people or make them feel unwelcome because of actual or perceived race and nation of origin. Treat all people with respect and do not single them out based on their race, ethnicity or what country they are from.

In general, businesses should encourage healthy hygiene habits and etiquette. Provide tissues, no-touch trash cans and hand sanitizer. Use cleaners with disinfectant to wipe down workstations, countertops and doorknobs. Put up posters encouraging good hygiene. You can order free posters from the Health Department reinforcing these healthy habits by calling 311 or visiting [nyc.gov/coronavirus](https://nyc.gov/coronavirus) to download and print.

**Is it ok to lay off staff if there's no business coming in due to the virus?**

The Mayor announced employee retention grants of up to 40% of payroll costs will be available to help businesses with under 5 employees pay their staff. Sign up at [nyc.gov/covid19biz](https://nyc.gov/covid19biz) to receive more information as it becomes available.

Under the [NYC Paid Safe and Sick Leave Law](#), employers with five or more employees who work more than 80 hours per calendar year in New York City must provide paid safe and sick leave to employees. Employers with fewer than five employees must provide unpaid safe and sick leave. Covered employees have the right to use safe and sick leave for the care and treatment of themselves or a family member. Employers and employees can visit [nyc.gov/sbs](https://nyc.gov/sbs) or call 311 (212-NEW-YORK outside NYC) for more information.

While we hope that you do not have to reduce the number of people you employ, there is a layoff process that must be followed. If your private sector business has 50 or more employees, the New York State Worker Adjustment and Retraining Notification (WARN) Act requires 90 days notice before a plant closing, mass layoff, relocation, or other covered reduction in work hours. Notice must also be given when there is a layoff that affects either 33 percent of the workforce (at least 25 workers) or 250 workers from a single employment site. Learn more about [the WARN Act](#).

The Shared Work Program gives you an alternative to laying off workers during business downturns by allowing them to work a reduced work schedule and collect partial Unemployment Insurance benefits for up to 26 weeks. Instead of cutting staff, you can reduce the number of hours of all employees or just a certain group. Learn more: <https://www.labor.ny.gov/ui/employerinfo/shared-work-program.shtm>

You can also visit the NYS Department of Labor website to learn more.

### **Is there signage I can print out to hang in my business?**

You can order free posters from the Health Department reinforcing these healthy habits by calling 311 or visiting [nyc.gov/coronavirus](https://nyc.gov/coronavirus) to download and print.

### **Is there additional advice I can share with my staff?**

Businesses should encourage staff to go about their daily lives but be mindful of taking certain precautions.

- Encourage employees to get the flu vaccine — it's not too late. Employees can visit [nyc.gov/flu](https://nyc.gov/flu) or text **FLU** to **877877** for low- to no-cost vaccine locations.
- Encourage employees who are sick to stay home and seek medical care if needed. New Yorkers who do not have primary care providers can call 311 or visit [nyhealthandhospitals.org](https://nyhealthandhospitals.org) to find a provider.
- Employees should not go back to work until they have been fever-free for 72 hours without the use of fever reducing drugs like Tylenol or ibuprofen.
- Make sure your work policies are flexible and consistent with public health guidelines. Do not require a doctor's note for staff who are sick, as provider offices may be very busy. Allow your staff to stay home and care for family members who are sick.
- Separate employees who are sick. If staff arrive to work showing symptoms of respiratory illness, separate them from other staff members and send them home.

- Emphasize and encourage healthy hygiene habits and etiquette. Put up posters encouraging staff to stay home when sick, to cover their coughs and sneezes with a tissue or their sleeve (not their hands), and to wash their hands often with soap and water for at least 20 seconds. Consider making alcohol-based hand sanitizer available at your place of business. You can order free posters from the Health Department reinforcing these healthy habits by calling 311 or visiting [nyc.gov/coronavirus](https://www1.nyc.gov/coronavirus) to download and print.
- Provide tissues, no-touch trash cans, and hand sanitizer.
- Keep workspaces clean. Use cleaners with disinfectant to wipe down workstations, countertops, and doorknobs. Provide disposable wipes to your staff.

### **What if someone on my staff tests positive for COVID-19?**

As an employer, you should avoid sharing personal medical information of staff. Without providing identifying information, you may send a communication to staff that there has been a confirmed case, and the steps you are taking to sanitize the office and keep staff healthy. Make sure to continue to follow guidelines to keep workspaces clean, and encourage staff to practice good hygiene. If anyone feels sick, they should stay home and contact their healthcare provider. New Yorkers who do not have primary care providers can call 311 or visit [nychealthandhospitals.org](https://www1.nyc.gov/nychealthandhospitals) to find a provider. Hospital staff will not ask about immigration status and strict laws protect patient confidentiality.

### **Can I attend or host public gatherings? Religious services? Sporting events? Museums?**

As of March 12, 2020, events with 500 or more individuals in attendance are being canceled or postponed. Establishments with a capacity of 500 people or less, including concert venues, theatres, museums, department stores, and religious institutions are required to maintain an occupancy level at or below 50% of their legal capacity to ensure maximum social distancing.

If you plan to go to an event, please follow these guidelines:

- If you are sick, STAY HOME.
- If you have chronic conditions like heart disease, diabetes, a compromised immune system, chronic lung disease, and/or cancer, we are advising you to limit your exposure to crowds.
- If you have no symptoms, it's ok to go to events but continue to practice good hygiene and remain vigilant about your health.

Learn more: <https://www1.nyc.gov/assets/doh/downloads/pdf/imm/covid19-guidance-safety-tips.pdf>

### **Can I go to a restaurant?**

Restaurants and bars are limited to offering delivery or take out options only. If you are feeling healthy, it is fine to pick up your food. If you are sick, please STAY HOME. You might want to consider asking the restaurant to leave your food outside your door.

### **Is there a type of business insurance to cover cancelation of events due to COVID19?**

On March 12, 2020, Mayor de Blasio and Governor Cuomo announced that all events with 500 or more individuals will be canceled or postponed. [Learn more about this announcement.](#)

You should call your insurance provider with questions about your specific plan and whether it covers event cancellations. You might also want to ask your insurance provider about loss of profits cover, “key person” insurance, whether your current levels of coverage are adequate, and whether any exclusions may be relevant.

**I have contracts with the City/State/Federal government, but I can’t access my product due to travel and export restrictions. Now I’m concerned I won’t be able to fulfill the contract on time or at all – what should I do?**

First, review your contract carefully to be sure you understand your obligations. Consult an attorney, if needed, for help understanding contract terms. If you need legal assistance, visit [nyc.gov/LegalAssistance](https://nyc.gov/LegalAssistance).

Once you understand your obligations, and if your attorney agrees that it’s advisable, communicate clearly and promptly with the contract manager about the cause of delay, and any contingency plans you are able to offer. Understanding the magnitude of the situation, your government client may be willing to negotiate an extension or other adjustment in terms, even if it is not contractually obligated to do so.

**I am in the process of contracting with the City, but now I am not hearing back from anyone. What should I do?**

Please be patient. Circumstances relating to the public health situation may have changed agencies’ focus. We’re all in this together, working to keep New York and New Yorkers safe. While you wait, be sure you don’t miss deadlines to respond to requests for bids and solicitations. Also, consider how the goods or services you provide could help the City at this time and be ready if new opportunities come your way.

**I am concerned about paying my commercial lease. Is there anyone who can help?**

Yes. If your business needs help with a commercial lease issue in New York City, you may be eligible for free legal services. Visit [nyc.gov/commlease](https://nyc.gov/commlease) to learn more.

**Insurance Guidance from NYS Department of Financial Services regarding COVID-19 and business interruption insurance**

**What does my business interruption insurance cover?**

Your business interruption insurance policy should list or describe the types of events it covers. Events that are not listed on, or not described in, the policy are typically not covered. It is important to review the policy exclusions, coverage limits, and applicable deductibles. You should also determine if the policy requires your business interruption to last for a certain time period before you are entitled to any policy benefits.

Business interruption coverage typically can only be triggered if you have property loss that leads to the business interruption. One example could be that a fire in your office has caused you to suspend your business activities.



Because coverage varies across policies, you will need to read your exact policy and consult your broker/insurer/agent for more information.

**How does my coverage work if I have more than one business interruption insurance policy?**

Multiple policies may have been structured to provide greater limits or broader coverage than what might have been available from one policy. You should contact your broker/insurer(s)/any related agent to get a full explanation of your total coverage.

**I do not have any policy that says it is a business interruption policy – is it possible that I have coverage under another type of policy?**

It is possible to have business interruption coverage under another type of insurance policy. For example, there may be available coverage in policies that cover perils arising out of actions by civil authorities or interruption of your supply chain. Business interruption coverage may also be part of a package of multiple coverages that have been combined or are contained in a Special Multi-Peril or Business Owners policy.

You should contact your broker to obtain an explanation of related coverage in other types of policies you may hold. Any insurer or its agent whose policy you purchased should explain whether it provides business interruption coverage.

**I have a policy that is called a contingent business interruption insurance policy – how is that different from a regular business interruption insurance policy?**

As explained in “What does my business interruption insurance cover” above, business interruption coverage requires a related property damage. For a contingent business interruption insurance policy, that property damage can be on someone else’s property but causes your business interruption. One example could be that a fire in a building on your street has closed the street to traffic and prevented your employees from coming to the office.

As with regular business interruption insurance policies, coverage can vary and you should consult your broker or insurer or its agent.

**How does my business interruption insurance policy treat the novel coronavirus (COVID-19)?**

It is unlikely that a current business interruption policy has contemplated the coronavirus specifically. However, you should check to see if your policy has an exclusion that would disable coverage for an incident triggered by an epidemic or pandemic, which might apply as the COVID-19 situation evolves. Also, any claim would still need to be related to your property damage for coverage to be triggered.

**If I do not have an existing business insurance policy that covers COVID-19, can I buy one?**

Insurers typically do not write coverage for known events for which the extent of potential damage is not easily understood, although it is possible to insure specialty risks such as business interruption due to COVID-19 in the excess lines market. Because the Excess Lines market is not regulated by the Department of Financial Services, we do not recommend it - there is much less regulatory protection for

consumers in that market and the cost may be excessive. You should discuss any potential purchase in the excess lines market with your broker or insurance consultant.

**Does my business interruption insurance policy cover me if my employees stay home out of concern about COVID-19?**

As explained in “What does my business interruption insurance cover?” above, business interruption coverage requires a related property damage. Fear of COVID-19 alone is unlikely to trigger business interruption insurance coverage.

**Does the Governor’s or Mayor’s declaration of a State of Emergency affect my business interruption insurance policy?**

The State of Emergency declaration does not change the terms of your business interruption policy. It does, however, indicate the serious attention that the Governor has directed all State agencies to give to COVID-19. As a result, the Department of Financial Services is focused on consumers having the greatest amount of knowledge about their business interruption insurance. We recommend reaching out to your broker/insurer/agent to better understand what is covered by your policy.

**Who can help me understand my business interruption insurance?**

Your broker should be able explain your coverage benefits. The issuer of your policy or its agent should be able to do the same. Any of them may have a website that explains your business interruption benefits.

**Can the Department of Financial Services help me if my insurer or broker does not?**

If you cannot find the answer to your question in our FAQs, call (800) 342-3736. The DFS Hotline is available Monday through Friday, 8:30 a.m. to 4:30 p.m. (local calls can be made to (212) 480-6400 or (518) 474-6600), or [send DFS an email](#).

New Yorkers with complaints about a business interruption insurance policy should contact: [dfs.ny.gov/complaint](https://dfs.ny.gov/complaint).

**Learn more:** [https://www.dfs.ny.gov/consumers/coronavirus/business\\_interruption\\_insurance\\_faqs](https://www.dfs.ny.gov/consumers/coronavirus/business_interruption_insurance_faqs)