



INTERIM GUIDANCE FOR MOVIE THEATERS DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

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

As of February 23, 2021

Pursuant to the Governor's Executive Orders, movie theaters statewide – including in New York City – may reopen Friday, March 5, 2021 in accordance with this guidance.

Previously, movie theaters were permitted to reopen in eligible counties beginning Friday, October 23, 2020. Specifically, movie theaters in counties outside of New York City that had a COVID-19 positivity rate below 2% on a 14 day rolling average and that did not contain any cluster zones were able to reopen in accordance with this guidance.

Purpose

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

This guidance applies to all indoor movie theaters permitted to operate. Restaurants, bars, and/or concessions located at any movie theater must follow the guidelines outlined in the New York State Department of Health's (DOH) "Interim Guidance for Food Services During the COVID-19 Public Health Emergency." However, if there are any differences in the requirements, the more recent guidance shall apply. Office-based activities must follow the guidelines outlined in DOH's "Interim Guidance for Office-Based Work During the COVID-19 Public Health Emergency." These guidelines do not apply to drive-in movie theaters, live performances, or performing arts venues.

These guidelines are minimum requirements only and the owner/operator of any movie theater 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 movie theaters. The Responsible Parties are also accountable for staying current with any updates to these requirements, as well as incorporating same into movie theater 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.

On October 6, 2020, Governor Cuomo [announced](#) a new cluster action initiative to address COVID-19 hotspots that have been identified in certain areas of New York. Working with top public health experts, the State developed a science-based approach to contain these clusters and contain any further spread of the virus, including new rules and restrictions directly targeted to areas with the highest concentration of COVID cases and the surrounding areas. Under [Executive Order 202.68](#), certain activities in cluster zones are restricted, and any permitted activities in such zones (Red, Orange, Yellow), must be conducted in strict adherence to Department of Health guidance. Refer to the Empire State Development [guidance](#) and the New York Forward [website](#) for updated information on the locations of and operating restrictions within these clusters.

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 the Responsible Operation of Movie Theaters in New York State

No movie theater operation 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 all indoor movie theaters in operation during the COVID-19 public health emergency until rescinded or amended by the State. The owner/operator of the movie theater, or another party as may be designated by the owner/operator (in either case, "the Responsible Parties") shall be responsible for meeting these standards.

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 in any movie theater is limited to no more than 25% of the maximum occupancy 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 movie theater if they wear an acceptable face covering at all times (except while eating or drinking, during which time they must be seated), provided that the employee or patron is over the age of two and able to medically tolerate such covering.
 - Responsible Parties must limit the capacity of any individual movie showing or screening to the lesser of 25% of the maximum occupancy or 50 people, as of October 19, 2020.
- 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/household/family, at all times, unless safety or the core activity requires a shorter distance (e.g., operating ticket booths, concession stands).
 - Where six feet of distance is not possible between employees and patrons, Responsible Parties must enact physical barriers between employees and patrons (e.g., cash registers, ticket kiosks, concessions, and ticket-taker stations).
- Responsible Parties must ensure that all individuals, including employees and patrons, wear acceptable face coverings at all times, unless they are eating or drinking, during which time they must be seated; provided that they are over the age of two and able to medically tolerate such covering. Specifically, any time patrons are not eating or drinking, they must wear a face 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 must ensure theater seating allows for at least six feet between patrons and groups of patrons who are not in the same immediate party/household/family. Specifically, Responsible Parties must adopt the following seating requirements:
 - Responsible Parties must assign seats for patrons prior to entering the theater to ensure patrons adhere to social distancing requirements.
 - Within a row, Responsible Parties must limit theater seating such that at least two seats are unoccupied between each group of patrons unless the theater has seating that naturally allows six feet of distance between seats.
 - Responsible Parties must limit seating in traditional seating arrangements to every other row unless the theater has seating that naturally allows six feet of distance between rows (e.g., large recliners).
 - Responsible Parties must encourage patrons to remain seated once the screening begins.
 - Where possible, Responsible Parties should minimize the number of groups in each row to avoid close contact when individuals leave to use the restroom or go to the concession area.
- Responsible Parties should have employees direct or guide patrons to their seats to ensure adherence to social distancing requirements and avoid any unnecessary congregation.
 - Responsible Parties are encouraged to leave the lights on in the theater for as long as possible before the showing/screening so that patrons can be seated according to social distancing requirements.
- 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.
 - 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 materials, or other impermeable dividers or partitions.
- Responsible Parties must prohibit the use of small spaces (e.g., elevators, staff rooms, behind cash registers) by more than one individual at a time, unless all individuals in such space at the same time are wearing acceptable face coverings. However, even with face coverings in use, occupancy must never exceed 25% of the maximum capacity of the space, unless it is designed for use by a single occupant. Responsible Parties should increase ventilation with outdoor air to the greatest extent possible (e.g., opening windows 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 must put in place measures to reduce bi-directional foot traffic using barriers, tape or signs with arrows in narrow aisles (e.g., between rows in theaters), 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., ticket purchase and ticket-taker lines, concession lines, elevator entrances, theater entrances and exits, common seating areas in lobbies, 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).
- Responsible Parties must ensure that recreational areas and devices (e.g., arcade games, photo booths) are closed, deactivated, or not otherwise accessible to patrons.
- Responsible Parties should consider closing any common seating areas (e.g., in lobbies) that are not within the theater or theaters. 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).
- Responsible Parties must post signs throughout the movie theater, 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, except while eating or drinking, during which time they must be seated.
 - Quarantine if they have recently been in a state with significant community transmission of COVID-19 or a CDC Level 2 or 3 travel advisory country, pursuant to the DOH travel advisory.
 - Properly store and, when necessary, discard PPE.
 - Adhere to physical distancing instructions.
 - Report symptoms of or exposure to COVID-19, and how they should do so.
 - Follow hand hygiene and cleaning and disinfection guidelines.
 - Follow appropriate respiratory hygiene and cough etiquette.

B. Gatherings in Enclosed Spaces

- Responsible Parties must limit in-person employee gatherings (e.g., staff meetings, in break rooms, stock rooms) to the greatest extent possible and consider use of other methods such as video or teleconferencing whenever possible, per CDC guidance "Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 (COVID-19)". When videoconferencing or teleconferencing is possible, Responsible Parties should hold meetings in open, well-ventilated spaces and ensure that individuals maintain six feet of social distance between one another (e.g., if there are chairs, leave space between chairs, have 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 stations, break rooms).
- 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.
- Where possible, Responsible Parties should implement best practices for communal bathrooms including but not limited to:
 - installation of physical barriers between toilets and sinks, 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).

C. Operational 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 at the movie theater;
 - adjusting workplace hours;
 - reducing on-site workforce to accommodate social distancing guidelines;
 - shifting design (e.g., A/B teams, staggered arrival/departure times); and/or
 - developing protocols for the safe use of common office equipment such as telephones, copiers, printers, registers, etc.
- Responsible Parties must stagger movie show times to allow for thorough cleaning and disinfection of theaters after showings/screenings end, and to avoid crowding or congestion in the lobby.
- Responsible Parties should adjust operating hours as necessary to enable enhanced cleaning and disinfection procedures.

D. Movement and Commerce

- Responsible Parties must monitor and control the flow of traffic into and within both the building and individual theaters to ensure adherence to maximum capacity and social distancing requirements.
 - Responsible Parties must maintain sufficient employee or security presence to monitor traffic flow in the lobby and in theaters, 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 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 movie theater 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 movie theater 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 movie theater 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 (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 must:
 - For any food services, operate in accordance with DOH's "[Interim Guidance for Food Services During the COVID-19 Public Health Emergency](#)." However, wherever this guidance applies stricter standards (e.g., capacity limit, face covering requirements), Responsible Parties must abide by this guidance.
 - In accordance with the aforementioned guidance, Responsible Parties must discontinue self-service food and beverage (e.g., condiments, soda), and only allow employee served food and beverages at concession areas.
 - Close off any seating areas where social distance cannot be maintained.
 - Close arcades and recreational areas.
 - Close children's play areas.
- Responsible Parties must provide touchless payment or pay ahead options. In any event, Responsible Parties should minimize handling cash, credit cards, reward cards, and mobile devices, where possible.
 - Responsible Parties should encourage patrons to purchase tickets in advance online or through mobile application, as applicable and practicable.
 - Responsible Parties must assign seats in the theater for patrons in accordance with the above requirements.

II. PLACES

A. Air Filtration and Building Systems

- Responsible Parties must ensure central 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 should also consider adopting additional ventilation and air filtration mitigation protocols per [CDC](#) and [ASHRAE](#) recommendations, particularly for buildings with air handling systems 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;
 - Maintaining relative humidity between 40-60% where possible;
 - 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), consider units that provide highest air change rate at appropriate performance level and do not generate harmful byproducts.
- For movie theaters with central air handling systems 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.
 - Further, Responsible Parties must retain such documentation for review by state or local health department officials to operate at a lesser filtration rating with additional ventilation and air filtration mitigation protocols.
 - In addition, Responsible Parties with facilities that have a central air handling system who are unable to meet a filtration rating of MERV-13 or greater must adopt additional ventilation and/or 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;
 - Maintaining relative humidity between 40-60% where possible;
 - 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.
- For movie theaters that do not have central air handling systems, Responsible Parties must adopt additional ventilation and air filtration mitigation protocols per CDC and ASHRAE recommendations, including:
 - Regularly inspecting any room ventilation systems (e.g., window units, wall units) to ensure they are properly operating, and filters are appropriately installed, serviced and within service life.
 - Keeping any room ventilation systems running for longer hours, especially for several hours daily before and after occupancy;
 - Setting room ventilation systems to maximize fresh air intake, set blower fans to low speed and point away from occupants to the extent possible;
 - Maintaining relative humidity between 40-60% where possible;
 - Opening windows to the extent allowable for occupant safety and comfort;
 - Setting any ceiling fans to draw air upwards away from occupants, if applicable;
 - Prioritizing window fans to exhaust indoor air where possible;
 - Avoiding using fans that only recirculate air or only blow air into a room without providing for appropriate exhaust;
 - 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 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 makeup/outside air 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 movie theater (both the overall facility and individual theaters) if they wear an acceptable face covering, provided that the employee or patron is over the age of two and able to medically tolerate such covering.
 - Per Executive Order 202.34, Responsible Parties may deny admittance to individuals who fail to wear face coverings.
 - For individuals who are unable to medically tolerate an acceptable face covering, Responsible Parties must ensure that such individuals wear a face shield at all times. However, the CDC "does not currently recommend use of face shields as a [sufficient] substitute for masks."
- Responsible Parties must ensure that all individuals, including employees and patrons, wear face coverings at all times except when eating or drinking, during which time they must be seated.
- Responsible Parties must install physical barriers at check-out registers, ticket kiosks, concessions, or ticket stations, as feasible and where social distancing cannot be maintained. As mentioned above, if used, physical barriers (e.g., plexiglass or similar materials) should be put in place in accordance with OSHA guidelines.
- 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 employees while at work at no cost to the employee. Responsible Parties should have an adequate supply of face coverings, masks and other required PPE on hand 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 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). 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 put in place measures to limit the sharing of objects (e.g., check-out registers, ticket scanners, ticket kiosks), as well as the touching of shared surfaces, such as handrails or touchscreens; or, require employees to wear gloves (trade-appropriate or medical) when in contact with shared objects or frequently touched surfaces; or, require employees 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 movie theater for use by employees and patrons (e.g., entrances, exits, elevators, cash registers, ticket kiosks). 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 movie theater for disposal of soiled items, including PPE.
- Responsible Parties must provide appropriate cleaning and disinfection supplies for shared and frequently touched surfaces (e.g., cash registers) and encourage employees to use these supplies, following manufacturers' instructions, before and after use of these surfaces, followed by hand hygiene.
- Responsible Parties must conduct regular cleaning and disinfection of the movie theater and more frequent cleaning and disinfection for high risk areas used by many individuals and for frequently touched surfaces. Cleaning and disinfection must be rigorous and ongoing and should occur at least after each movie showing/screening or more frequently as needed. Please refer to DOH's "Interim Guidance for Cleaning and Disinfection of Public and Private Facilities for COVID-19" for detailed instructions on how to clean and disinfect facilities.
 - Responsible Parties must ensure regular cleaning and disinfection of restrooms. Restrooms should be cleaned and disinfected more often depending on frequency of use.
 - Responsible Parties must ensure distancing rules are adhered to by using signage, occupied markers, or other methods to reduce restroom capacity where feasible.

- Responsible Parties must ensure that equipment and tools are regularly cleaned and disinfected using registered disinfectants. 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 equipment and/or materials, 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 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., seats, kiosks, 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.
 - Individuals without close or proximate contact with the person suspected or confirmed to have COVID-19 can return to the 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 movie theater, additional cleaning and disinfection is not necessary, but routine cleaning and disinfection should continue.
- For activities involving the handling of shared objects (e.g., payment devices, cash registers, ticket kiosks), areas and/or surfaces (e.g., doors), Responsible Parties must ensure that such areas and objects are cleaned and disinfected daily, at a minimum.
- Responsible Parties must ensure that 3-D glasses are cleaned and disinfected after every use or are disposable.
- Responsible Parties must clean and disinfect all theater seating (e.g., chairs, armrests, etc.) after patron use.
- Where possible, Responsible Parties should place seat covers on cloth seats or other seats that may be more difficult to clean and disinfect.
- Responsible Parties must prohibit shared food and beverages among employees (e.g., self-serve meals and beverages), encourage employees to bring meals from home, and reserve adequate space 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 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 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 and patrons 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 movie theater, 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 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 through a diagnostic test in the past 14 days;
 - (c) experienced any symptoms of COVID-19 in the past 14 days; and/or
 - (d) traveled within a state or country 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 and countries 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 entrances to identify potentially symptomatic employees and direct them to a secondary screening area to complete a follow-on screening. If not possible for feasible, a temperature check may be performed using contactless thermometers.
- Responsible Parties can encourage, but cannot mandate, that patrons complete a health screening and/or provide contact information for contact tracing.
 - 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 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 movie theater. 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 movie theater and 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 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 questionnaire.
 - Identified point of contact for the movie theater 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 movie theater; 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.
 - Responsible Parties must cooperate with state and local health department contact tracing efforts.

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, including employees, patrons, and, as applicable, contractors and vendors, at their movie theater.
- In the case of an individual who interacted at the movie theater testing positive, the Responsible Parties must cooperate with the state and local health department as required to trace all contacts in the movie theater 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 movie theater dating back to 48 hours before the individual began experiencing 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 movie theater, 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 movie theater and notify them if the symptomatic person tests positive.
- State and local health department 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 when purchasing tickets in advance online).

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:

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>