

STATE OF NEW YORK

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April 28, 2020

## **Restarting New York Proposed Business Sector Analysis**

In evaluating the schedule for reopening business sectors, we would recommend that manufacturing, all retail, low density office work, construction, sole proprietors and small businesses, and low density businesses and activities restart first based on their lower inherent risks to customers and employees and the ability of those businesses to mitigate those risks. Higher risk business sectors include entertainment venues, adult day care services, high density businesses, and mass transit, which should be phased in over time based on regional infection rates, occupancy restrictions, and safety protocols.

Governor Cuomo's shutdown of the economy was based on an analysis of which businesses were "essential" for providing food, essential goods and services, and maintaining public health. The timeline and a summary of his Executive Orders is attached. In a sense, the restart of the economy should be in reverse of the initial shut-down. Our more detailed analysis is set forth below.

### **Lower Risk Business Sectors**

Business sectors with lower risk factors and the ability to mitigate those risks include the following:

1. **Manufacturing.** Almost all manufacturing plants can safely reopen consistent with CDC and OSHA requirements. Many "essential" manufacturing facilities have remained open with minimal demonstrated adverse effects, except for a few industry segments (such as meat packing) where employees worked in very close quarters. Manufacturers without inherently close working quarters should be allowed to reopen. *Local manufacturers who employ few people from outside the county should be allowed to reopen even if the level of infection is higher in other counties within the region.*

It is important to recognize that these manufacturers have a strong desire to protect their employees' health and have a strong financial incentive to minimize their legal liability, sick leave, and health insurance claims. The specific safety procedures and protocols should be developed by each manufacturer consistent with CDC and OSHA standards, recognizing the unique production line issues, equipment, safe operating procedures, and other issues that are unique to each manufacturer. These safety protocols could include monitoring employee health through daily temperature checks, providing appropriate protective equipment (such as masks and gloves, etc), reducing the number of production employees

- per shift where practical, staggering lunch breaks and other break times to reduce employee congestion, limiting access by third parties to the production floor, and implementing social distancing where practical.
2. **Retail Stores.** Retail stores can safely reopen by installing plastic shields in front of cashiers, routinely disinfecting all common areas, and requiring face masks until infection rates are low. Walmart, Home Depot, Office Max, and many other stores and all the grocery stores have remained open through the crisis; all the smaller retail stores can safely open in all lower risk regions.
  3. **Low Density Office Workers.** All office workers in low density work sites can safely return to work by practicing social distancing and other safety protocols. Offices should be encouraged to maximize off-site at-home work where practical, routinely disinfect all common areas, and enforce social distancing. Most governmental operations (DMVs, Courts, Social services, Mental Health Services, etc) should be able to resume with appropriate safety protocols, including mandated social distancing and, when appropriate based on the region's level of risk, required use of masks by customers and employees.
  4. **Construction.** By its nature, most construction activity is low density and should be allowed to reopen, especially outdoor construction, roofing contractors, exterior painting, window cleaning, landscaping, lawncare, pool cleaning, and other low-density construction and maintenance activities.
  5. **Sole Proprietors/Small Businesses.** Sole proprietors and small business that employ relative few people should be allowed to reopen as soon as possible, consistent with CDC guidelines that require social distancing and other protective measures.
  6. **Low Density Businesses.** Golf courses, marina's, personal care services, barber shops, hair salons, real estate brokers, attorneys, accountants, architects, other professionals and businesses which can control the number and density of customers should be allowed to reopen, especially in low risk regions. Masks for customers and employees may be appropriate, depending on the risk in the region.
  7. **Low Density Activities.** Outdoor parks, hiking trails, ATV trails, and similar low-density activities should be allowed to resume, consistent with social distancing guidelines.

### Higher Risk Business Sectors

1. **Entertainment.** Entertainment venues, bars and restaurants, sporting events, theaters, casinos, and other entertainment venues that inherently cater to larger groups of people can be phased in as regional risk factors improve, much like the original shutdown process in reverse:
  - Phase 1- Up to 50 people with occupancy limits (50%, 75%, then 100% occupancy),
  - Phase 2- Up to 100 people with occupancy limits (50%, 75%, then 100% occupancy),
  - Phase 3- Up to 250 people with occupancy limits (50%, 75%, then 100% occupancy),

- Phase 4- Up to 500 people with occupancy limits (50%, 75%, then 100% occupancy)
  - Phase 5- More than 500 people with occupancy limits (50%, 75%, then 100% occupancy)
2. **Adult Day Care Senior Centers.** Adult Day Care, senior centers and related transportation and programming should be allowed to reopen in strict compliance with CDC safety protocols, including masks and social distancing, until the region has very low risk factors.
  3. **Higher Density Businesses.** Some office settings, businesses, and manufacturers are inherently high density, including the necessity to use a common elevator, meeting areas, or production lines. These businesses should be allowed to reopen only in strict compliance with CDC safety protocols, including masks and other safety protocols, until the region has very low risk factors.
  4. **Mass Transit.** The NFTA, airports, and other mass transit should require passengers to wear masks as a condition of transport until regional risk factors are low, reflecting the inherent danger involved in being in close contact with many others.

Although church services, weddings, and other religious activities can have higher inherent risks because of the density of their activities, these activities enjoy special Constitutional protections under the First Amendment. Accordingly, these activities should be allowed as soon as possible, with the requirement that they maximize social distancing to the extent practical (such as using every other pew), encourage members to participate through social media and live-streaming, and implement reasonable safety protocols such as enhanced disinfecting, masks, and similar protocols.

We intentionally did not give specific health or safety protocols for each business sector because these protocols should be business specific based on CDC and OSHA guidelines. Chautauqua County Executive PJ Wendel has reached out to a number business sectors for their ideas on “best practices,” and will forward those comments separately. In the meantime, we have attached a few examples that demonstrate the thoughtfulness of those responses.

We hope these comments are helpful. It is critical that we move as quickly and as thoughtfully as possible to safely restart our economy.

Respectfully submitted,



Andrew Goodell  
Assemblyman, 150<sup>th</sup> District



George Borrello  
Senator, 57<sup>th</sup> District

cc: Hon. Michael Schmidt  
Commissioner of Tax and Finance

Hon. Eric Gertler  
President of Empire State Development

Hon. Paul Wendel  
Chautauqua County Executive

### **Governor Cuomo's Economic Shutdown Timeline:**

1. March 12, 2020. EO 202.1
  - Any gathering of over 500 people. March 12, 2020, EO 202.1
  - Any gathering less than 500 people limited to 50%.
2. March 16, 2020, EO 202.3
  - All gyms and movie theaters.
  - All casinos and gambling facilities.
  - All bars and restaurants.
  - Any gathering of more than 50 people.
3. March 16, 2020, EO 202.4
  - All school districts.
  - 50% reduction for all non-essential government workers.
4. March 18, 2020. EO 202.5
  - All places of entertainment.
  - All mall indoor common areas.
  - All adult daycare centers.
5. March 18, 2020, EO 202.6
  - 50% reduction in non-essential workforce for all businesses and not-for-profits.
  - Defines "essential businesses".
6. March 18, 2020, EO 202.7
  - All personal care services, such as barber, hair salons, etc.
  - 75% workforce reduction in nonessential employees.
7. March 20, 2020, EO 202.8
  - 100% workforce reduction for nonessential employees.
8. March 23, 2020, EO 202.10
  - Non-essential gatherings of any size
9. March 30, 2020, EO 202.13
  - Only certain construction deemed "essential."

**DMC**

DAWSON METAL COMPANY

DELIVERING  
MANUFACTURING  
COLLABORATION



**Dawson Metal and Spray Tech Finishing Plan  
for Current Essential Work and future Return  
to Work Procedures for employee safety as it  
relates to the Coronavirus Pandemic  
(COVID-19)**

Revised - April 6<sup>th</sup>, 2020

# **Dawson Metal and Spray Tech's Plan for Current Essential Work and future Return to Work Procedures for employee safety as it relates to the Coronavirus Pandemic**

## **(COVID-19)**

The purpose of this communication is to advise and implement the companies plan and policy for future epidemic or pandemic emergencies and on what is currently known COVID-19. Dawson Metal will monitor daily the Centers for Disease Control and Prevention (CDC) will update this interim guidance as additional information becomes available.

The following interim guidance for epidemic or pandemic emergencies will help prevent workplace exposures and also provides planning considerations for community spread to the current COVID-19 emergency.

Updates are available [www.CDC.gov](http://www.CDC.gov) and we will continue to update as necessary.

### **Precautions in our workplaces to minimize and prevent employee risks for infection from the COVID-19 virus**

All of us can prevent and slow the spread of COVID-19. DMC and STF plan to respond in a flexible way to the varying levels of disease transmission in the community and be prepared to refine our business response plans as needed. According to the Occupational Safety and Health Administration (OSHA), most American workers will likely experience low (caution) or medium exposure risk levels at their place of employment.

We are doing our best to decrease the spread of COVID-19 virus and lower the impact within our workplace. This includes activities such as:

1. Reduce transmission among employees by encouraging social distancing.
2. Utilizing floor tape and curtains as visual aids to keep employees at a safe distance from one another.
3. Staggering employees shifts and break times to minimize group gatherings.
4. Cleaning and sanitizing the facility constantly.
5. Providing PPE such as masks and gloves to all employees, vendors and customers.
6. Utilizing non-touch thermometer to monitor temperatures of individuals before entering the facility.

### **DMC/STF actively encourages sick employees to stay home:**

- Employees who have symptoms (i.e., fever, cough, or shortness of breath) should notify their supervisor and stay home.
- Sick employees should follow CDC-recommended steps. Employees should not return to work until the criteria to discontinue home isolation are met, in consultation with healthcare providers and state and local health departments.

Employees who are well but who have a sick family member at home with COVID-19 should notify their supervisor and follow CDC recommended precautions.

### **Separate sick employees:**

- Employees who appear to have symptoms (i.e., fever, cough, or shortness of breath) upon arrival at work or who become sick during the day will be immediately be separated from other employees, customers, and visitors and sent home.
- If an employee is confirmed to have COVID-19 infection, fellow employees will be notified of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by the Americans with Disabilities Act (ADA). Employees will be instructed about how to proceed based on the CDC Public Health Recommendations for Community-Related Exposure.

### **Educate employees about how they can reduce the spread of COVID-19:**

- Follow the policies and procedures related to illness, cleaning and disinfecting, and work meetings and travel.
- Stay home if you are sick, except to get medical care.
- Inform your supervisor if you have a sick family member at home with COVID-19.
- Wash your hands often with soap and water for at least 20 seconds. Use hand sanitizer with at least 60% alcohol if soap and water are not available.
- Avoid touching your eyes, nose, and mouth with unwashed hands.
- Cover your mouth and nose with a tissue when you cough or sneeze or use the inside of your elbow. Throw used tissues in the trash and immediately wash hands with soap and water for at least 20 seconds. If soap and water are not available, use hand sanitizer containing at least 60% alcohol.
- Clean AND disinfect frequently touched objects and surfaces such as workstations, keyboards, telephones, handrails, and doorknobs. Dirty surfaces can be cleaned with soap and water prior to disinfection. To disinfect, use products that meets EPA's criteria for use against COVID-10, the cause of COVID-19, and are appropriate for the surface.
- Avoid using other employees' phones, desks, offices, or other work tools and equipment, when possible. If necessary, clean and disinfect them before and after use.
- Practice social distancing by avoiding large gatherings and maintaining distance (approximately 6 feet) from others when possible.

### **Implement flexible sick leave and supportive policies and practices.**

- Emergency Sick Leave and Emergency FMLA notices are posted on the bulletin board near the employee entrance. These are consistent with public health guidance.
- DMC and STF are not requiring a positive COVID-19 test result or any approved absence excuse from your healthcare provider note for employees who are sick to validate their illness, qualify for sick leave or to return to work at this time. Healthcare provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely manner.



Employees have access to an employee assistance program (EAP) resources by contacting Family Service of the Chautauqua Region at 716-488-1971 or 1-888-358-3899. The EAP will assist if an employee needs additional social, behavioral, and other services, for example, to cope with the death of a loved one.

**Social distancing.** Social distancing will be implemented if recommended by state and local health authorities. Social distancing means avoiding large gatherings and maintaining distance (approximately 6 feet) from others at all times (e.g., breakrooms and cafeterias).

### **Strategies that we are implementing include:**

- Implementing work from home where applicable (telework)
- Implemented staggered shift start times and work hours.
- Department isolation, single point of entry to report to work.
- Increasing physical space between employees and their work stations.
- Downsizing operations for non-essential manufacturing.
- Limit office and factory entry to Dawson employees only.

### **Maintaining a healthy work environment**

**Increasing the ventilation system.** This may include some or all of the following activities:

- Increase ventilation rates.
- Increase the percentage of outdoor air that circulates into the system.

### **Hand hygiene for employees, customers, and worksite visitors:**

- No-touch disposal receptacles.
- All employees must follow Sanitizing, Entry and Exit protocol for each facility.
- Wash hands with soap and water upon exiting rest rooms.
- Use the alcohol-based hand sanitizer that is located at entry points and various location throughout the facility.
- The company will ensure that adequate supplies are maintained and readily available.
- Place hand sanitizers in multiple locations to encourage hand hygiene.
- Place posters and reminders that encourage hand hygiene to help stop the spread at the entrance, restrooms and in other workplace areas where they are likely to be seen.
- Discourage handshaking – encourage the use of other noncontact methods of greeting.
- Employees to cover their face while coughing and sneezing and sanitize hands.

### **Perform daily routine cleaning and disinfection:**

- Routinely clean and disinfect all frequently touched surfaces in the workplace, such as workstations, keyboards, telephones, printers and doorknobs.
  - Surfaces will be cleaned using a detergent or soap and water prior to disinfection.

- Discourage workers from using other workers' phones, desks, offices, or other work tools and equipment, when possible. Clean and disinfect them before and after each use.
- Disposable wipes are available and will be provided to individual employees so that commonly used surfaces (for example, doorknobs, keyboards, remote controls, desks, other work tools and equipment) can be wiped down by employees before each use.

**Perform enhanced cleaning and disinfection after persons suspected/confirmed to have COVID-19 have been in the facility:**

- If a sick employee is suspected or confirmed to have COVID-19, follow the CDC cleaning and disinfection recommendations. The affected work area to be quarantined and sanitized and remain inactive for a minimum of (7) days.

**Take care when attending meetings and gatherings:**

- Carefully consider whether travel is necessary.
- Employees are to use video-conferencing or tele-conferencing when possible for work-related meetings and gatherings.
- Large work-related meetings or gatherings are prohibited.
- When video-conferencing or tele-conferencing is not possible, hold meetings in open, well-ventilated spaces.

**Communicate with staff frequently:**

- Immediate supervisors should communicate with their staff as frequently as they see fit. Weekly communication is best (more frequently if needed).
- Supervisors should ask how their staff is doing, how the families are, if there is anything the Company can do for our employees or their families, etc.
- EAP as well as any other available resources can be offered to the staff if needed.
- Supervisors should be letting their staff know how the company is responding to new events.

**Back to work and return to Normal Operations**

The objective is to effectively manage, control, and with safety in mind, expedite the safe return to normal operations. Dawson Metal Has developed plans and procedures as outlined above in conjunction with state and local health officials to ensure our facilities/buildings are safe for employees to return.

- **Consider an Incremental Return to Normal Operations:** Communicate with our "work from home" employees what measures have been taken to keep their workplace clean and share expectations regarding housekeeping rules. Given the likely continued importance of social distancing, as well as the various administrative tasks that will need to be completed by Human Resources when employees return from furlough and/or

layoff, business should consider if incrementally returning to employees to work over the course of several days or weeks is possible. Administrative work might be overwhelming and social distancing impossible if all employees are required to return to work on the same date.

- **End of “work from home”** - Management will Determine and communicate a planned phase in return to work and communicate and educate returning employees as to our safety protocols as outlined within this procedure.
- **Restore your Benefit and Attendance Policies:** Throughout the COVID-19 pandemic, our business has relaxed and/or temporarily modified our paid time off, sick days absences and/or attendance policies. When Management determines that the time is appropriate, we will clearly communicate to all employees that the normal attendance and leave policies will be reinstated and that any temporary emergency modifications have ended.

### **Post Pandemic Period**

- Evaluate the effectiveness of specific responses and share findings.
- Review “Lessons Learned” and apply to the plan and response for future needs.

David Dawson, President/CEO

Rick Carlson, COO

Tad Henderson, VP of Engineering

Jeff Parks, VP of Manufacturing

Lonni Goodwill, Human Resource Manager



**Recreation Services**

April 19, 2020

Assemblyman Andrew Goodell  
Fenton Building  
2 E. Second Street  
Jamestown, NY 14701

Dear Assemblyman Goodell:

The Chautauqua Institution, a 501c3 not-for-profit organization located in Chautauqua, NY, operates Chautauqua Health & Fitness located in the Turner Community Center. It is a year-round, public facility serving community members in the greater Chautauqua County region. It includes a traditional fitness center with a selection of cardio and strength training equipment, a half basketball court, 25-yard indoor swimming pool, 3 group exercise classrooms, locker rooms and offers services such as group exercise classes, private swim instruction and personal training.

We respectfully request that fitness centers such as ours be allowed to reopen to operate under the following guidelines:

- No direct transactions of money – all fees will be collected using virtual platforms or by phone.
- 50% capacity limit will be strictly enforced with equipment spaced to support social distancing protocols.
- Access to bathrooms will be limited to one person at a time and signage will be clearly posted outside of the bathroom to that effect.
- CDC signage/information on hand washing, cleanliness, and general safety will be conspicuously posted for customers and staff.
- Staff will clean and disinfect bathrooms and fitness equipment at least 3 times each weekday and at least once on weekends when facility is open 5 hours or less.
- Strict 6 ft. social distancing between participants will be enforced during group exercise classes. Mats and other equipment used during classes will be cleaned and disinfected by staff after each class. There will be no sharing of equipment during classes.
- All staff will be supplied with a mask and gloves.
- Basketball will not be permitted.
- Hand sanitizing dispensers and disinfecting gym wipes will be provided liberally throughout the facility.
- There will be no access to locker rooms.
- Signage will be conspicuously posted encouraging social distancing throughout facility.
- All staff will be supplied with a mask and gloves.

The 2018 Noncommunicable Diseases Fact Sheet produced by the World Health Organization states that worldwide 1.6 million deaths annually can be attributed to insufficient physical activity. Further, that sedentary

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[www.ciweb.org](http://www.ciweb.org)

lifestyles increase all causes of mortality, double the risk of cardiovascular diseases, diabetes, and obesity, and increase the risks of colon cancer, high blood pressure, osteoporosis, lipid disorders, depression and anxiety.

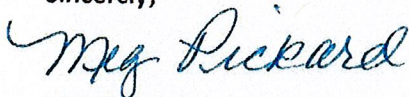
In the United States alone \$131 billion annually in direct healthcare costs is associated with inadequate levels of physical activity. (Carlson et al, 2015.) According to a 2016 U.S. Surgeon General's report on the Economic Benefits of Preventing Disease, a modest reduction in avoidable risk factors could lead to a gain of more than \$1 trillion annually in labor supply and efficiency by 2023.

A recent review by Zhen Yan, PhD, of the University of Virginia School of Medicine, found that medical research "strongly supports" the possibility that exercise can prevent or at least reduce the severity of ARDS, which affects between 3% and 17% of all patients with COVID-19. Based on available information, the federal Centers for Disease Control and Prevention estimates 20% to 42% of patients hospitalized for COVID-19 will develop ARDS. The range for patients admitted to intensive care is estimated at 67% to 85%.

A significant number of studies have also concluded that individuals need supportive environments and supportive relationships to successfully engage in health benefiting levels of physical activity. Fitness centers such as ours provide those supportive environments and relationships.

Your consideration of our request is deeply appreciated. If you have any questions, please feel encouraged to contact me via email at [mpickard@chq.org](mailto:mpickard@chq.org) or by phone at (716)720-0223.

Sincerely,



Meg Pickard

Director of Recreation