

State Employment Law Tracker, ¶20,171D, Gov. Cuomo outlines plan to re-open New York — NEW YORK — State news, (Apr. 28, 2020)

New York Governor Andrew M. Cuomo on April 26 outlined a phased plan to re-open New York and re-imagine a new normal for the state amid the COVID-19 pandemic, starting with construction and manufacturing. The plan will be implemented in phases and will be based on regional analysis and determinations. Based on CDC recommendations, once a region experiences a 14-day decline in the hospitalization rate they may begin a phased re-opening. The State is closely monitoring the hospitalization rate, the infection rate and the number of positive antibody tests, as well as the overall public health impact, and will make adjustments to the plan and other decisions based on these indicators.

- Phase one will include opening construction and manufacturing functions with low risk.
- Phase two will open certain industries based on priority and risk level. Businesses considered “more essential” with inherent low risks of infection in the workplace and to customers will be prioritized, followed by other businesses considered “less essential” or those that present a higher risk of infection spread. As the infection rate declines, the pace of reopening businesses will be increased.
- The region must not open attractions or businesses that would draw a large number of visitors from outside the local area.
- There will be two weeks in between each phase to monitor the effects of the re-opening and ensure hospitalization and infection rates are not increasing
- This plan will be implemented with multi-state coordination, especially in downstate New York. The plan will also coordinate the opening of transportation systems, parks, schools, beaches and businesses with special attention on summer activities for downstate, public housing and low-income communities, food banks and child care.
- The phased re-opening will also be based on individual business and industry plans that include new measures to protect employees and consumers, make the physical work space safer and implement processes that lower risk of infection in the business. The state is consulting with local leaders in each region and industry to formulate these plans.

“We’ve been talking about re-opening the state and re-imagining a new New York, and to do that we’re going to have to make governmental decisions in partnership with business decisions,” Governor Cuomo said. “Every business leader understands that we can’t just re-open and go back to where we were and what we were doing before—we have to move forward in light of the circumstances that have developed. So we are going to re-open the economy in phases, based on regional and specific industry determinations and CDC guidelines, and in the midst of all this continuing to monitor the public health impact because all that progress we made by flattening that curve we could lose in a matter of days if we’re not careful.”

Source: State of New York, Office of the Governor, Press Release, April 26, 2020.