



## INTERIM GUIDANCE FOR SMALL AND MEDIUM SCALE PERFORMING ARTS & ENTERTAINMENT DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

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

As of April 1, 2021

### **Purpose**

This Interim Guidance for Small and Medium Scale Performing Arts and Entertainment during the COVID-19 Public Health Emergency ("Interim COVID-19 Guidance for Small and Medium Scale Performing Arts and Entertainment") was created to provide owners/operators of small and medium scale performing arts and entertainment venues and productions, and their employees, including front-of-house (FOH) and back-of-house (BOH) personnel, performers/talent, contractors, vendors, and patrons with precautions to help protect against the spread of COVID-19 as in-person performing arts and live entertainment venues reopen with patrons.

For the purpose of this guidance, "performing arts and entertainment" encompasses all activities undertaken in the preparation, production, practice, and presentation of in-person performances and live entertainment including but not limited to music, dance, opera, drama, comedy, and other theatre or audio and/or visual arts performed before a live audience (e.g., plays, musicals, concerts, lectures, speeches).

Specifically, this guidance applies to all ticketed and non-ticketed, seated and standing audience at performances and live entertainment events held in public or private venues with an indoor capacity of less than 1,500 attendees and/or outdoor capacity of less than 2,500 attendees. Performances and live entertainment events held in indoor venues with a total capacity of more than 1,500 attendees, and outdoor venues with a total capacity of more than 2,500 attendees, must follow the guidelines outlined in the New York State Department of Health's (DOH) "Interim Guidance for Large Scale Performing Arts and Entertainment Venues during the COVID-19 Public Health Emergency."

**Effective Friday, April 2, 2021, small and medium scale performing arts and entertainment event venues may reopen in accordance with this guidance.** As described below, venues may reopen at 33% capacity, with up to 100 attendees indoors and up to 200 attendees outdoors, exclusive of employees, talent/performers, contractors, and vendors. If all attendees present proof of a recent negative COVID-19 diagnostic test result or proof of complete immunization prior to entry, occupancy may increase to up to 150 attendees indoors and up to 500 attendees outdoors. Irrespective of capacity, social distancing and face coverings will be required by all attendees, as well as strict adherence to the requirements contained within this guidance.

Effective April 6, 2021, small and medium scale performing arts and entertainment venues must notify their respective county health department or local public health authority if they plan to host in-person and catered events above the State's maximum social gathering limit, which is 100 people indoors and 200 people outdoors, as of April 1, 2021. For each event above the social gathering limit, Responsible Parties must submit event details to the local health authority, at least 5 days in advance of the event date, and such details shall include but not be limited to the (1) Responsible Parties' contact information, (2) event name, (3) event address, (4) event date and time, (5) estimated event duration (including loading and unloading times), (6) expected number of attendees or patrons, (7) expected number of event staff,

inclusive of employees, venue personnel, talent/performers, contractors, and vendors, and (8) location on premises (e.g., indoor, outdoor) indicated by description and/or on event floor plan. Events may be subject to inspection by health authorities to ensure compliance with all provisions of the guidance.

At the time of publication, indoor performances with standing viewers remain prohibited with limited exceptions as described below in Section I. "People," Subsection C. "Operational Activity." For indoor venues with flexible seating or without seating (e.g., music venues or clubs), venues may reopen only if they provide seating for all patrons and abide by guidelines outlined in this document, including the requirement that patrons remain seated for the majority of the performance or event, unless such venues meet the limited criteria to allow for standing viewers.

Small and medium scale performing arts and entertainment venues may involve a variety of activities and owners/operators of such venues should reference relevant industry-specific DOH guidelines, where applicable. Specifically, any office-based work must operate in accordance with DOH's "[Interim Guidance for Office-Based Work during the COVID-19 Public Health Emergency](#)." Any construction (e.g., temporary stages) must operate in accordance with DOH's "[Interim Guidance for Construction Activities during the COVID-19 Public Health Emergency](#)." Any hair, makeup, or cosmetic activities for talent/performers occurring at the venue must operate in accordance with DOH's "[Interim Guidance for Hair Salons and Barbershops during the COVID-19 Public Health Emergency](#)" and "[Interim Guidance for Personal Care Services during the COVID-19 Public Health Emergency](#)", respectively. In addition to this guidance, any media production activities (e.g., broadcasting, recording) should consult the applicable provisions of DOH's "[Interim Guidance for Media Production during the COVID-19 Public Health Emergency](#);" provided, however, that live audiences (e.g., televised or filmed studio audiences) may proceed subject to the capacity, testing/immunization/health screening, social distancing, face covering, controlled movement, hand hygiene, cleaning and disinfection, and communication protocols that are referenced and required herein.

Further, any retail or gift shops must operate in accordance with DOH's "[Interim Guidance for Essential and Phase II Retail Business Activities during the COVID-19 Public Health Emergency](#)." Restaurants, bars, and/or concessions must operate in accordance with DOH's "[Interim Guidance for Food Services during the COVID-19 Public Health Emergency](#)" or "[Interim Guidance for New York City Indoor Food Services during the COVID-19 Public Health Emergency](#)," as applicable; provided, however, that wherever this guidance expressly applies stricter food service standards, Responsible Parties must abide by those standards.

Incidental, non-ticketed performances that are passive in nature, meaning that they are not the primary draw of patrons to the venue or establishment (e.g., exhibits, dining with musical accompaniment) are generally subject to separate guidance (e.g., low-risk outdoor arts and entertainment, food services) but should abide by this guidance where applicable to their activities and operations. In addition to this guidance, incidental, non-ticketed outdoor "pop-up" performances or exhibits may wish to also consult DOH's "[Interim Guidance for Low-Risk Outdoor Arts and Entertainment during the COVID-19 Public Health Emergency](#)." All other incidental, non-ticketed performances that are active in nature, meaning that they draw patrons to a defined area at a set start and end time presenting the risk of audience crowding without appropriate social distancing and/or congregating in excess of the social gathering limit (e.g., solo singers, bands, or other performers performing in public locations) are subject to this guidance.

This guidance does not apply to other arts, entertainment, and cultural activities, including but not limited to movie theaters, museums and aquariums, or botanical gardens and zoos. Movie theaters must operate in accordance with DOH's "[Interim Guidance for Movie Theaters during the COVID-19 Public Health Emergency](#)." Museums, aquariums, art galleries, and other low-risk indoor arts and entertainment in regions outside of New York City must operate in accordance with DOH's "[Interim Guidance for Low-Risk Indoor Arts and Entertainment during the COVID-19 Public Health Emergency](#)," and those located in New York City must operate in accordance with DOH's "[Interim Guidance for Low-Risk Indoor Arts and](#)

Entertainment in New York City during the COVID-19 Public Health Emergency.” Botanical gardens, zoos, and other low-risk outdoor arts and entertainment must operate in accordance with DOH’s “Interim Guidance for Low-Risk Outdoor Arts and Entertainment during the COVID-19 Public Health Emergency.”

These guidelines are minimum requirements only and the owner/operator of any performing arts and entertainment venue or production 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 performing arts and entertainment. Additionally, Responsible Parties should consult relevant Centers for Disease Control and Prevention (CDC) guidance, such as “Guidance for Organizing Large Events and Gatherings.” The Responsible Parties must remain current with any updates to these requirements, as well as incorporate same into performing arts and entertainment venue and production and/or any site safety plan.

## **Background**

On March 7, 2020, Governor Andrew M. Cuomo issued Executive Order 202, declaring a state disaster emergency in response to the COVID-19 public health emergency. Since May 15, 2020, New York State has developed and deployed a phased economic reopening strategy based on science and data, which has allowed specific industries to safely resume or increase activities and operations while protecting public health during the COVID-19 pandemic.

In addition to the following standards, all performing arts and entertainment venues and productions 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 Responsible Small and Medium Scale Performing Arts and Entertainment Venues and Productions in New York State**

No activities at small or medium scale performing arts or entertainment venues or on performing arts or live entertainment productions 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), 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 activities at a performing arts or entertainment venue and production, as well as incidental, non-ticketed performances that present the risk of audience crowding/congregation, during the COVID-19 public health emergency until rescinded or amended by the State. For all activities at a performing arts and entertainment venue and within the performing arts and entertainment production, the owner/operator of the venue or production, or another party as may be designated by the owner/operator of the venue or production (in either case, “the Responsible Parties”) shall be responsible for meeting these standards. For all incidental, non-ticketed performances in public spaces that present the risk of audience crowding/congregation, the party applying for the event permit or producing the performance (“the Responsible Parties”) shall be responsible for meeting these standards. Where performing arts and entertainment venues and productions share responsibility for meeting these standards at a specific performance or event, the involved venue(s) and

production(s) must document the assignment of responsibilities to ensure compliance with the requirements of this guidance.

Given that performing arts and entertainment venues and productions involve a wide variety of individuals, such as production personnel (e.g., producers, directors, conductors, choreographers), front-of-house personnel (e.g., house managers, security staff, ticket takers, ushers), back-of-house personnel (e.g., stage managers, stage hands, makeup artists, costume attendants, technicians), contractors, and vendors, this document will simply refer to “employees” or “event staff” for all individuals employed or contracted by the venue or production as necessary for the performance or live entertainment event, exclusive of performers/talent and patrons who are separately referenced within this guidance.

The following guidance is organized around three distinct categories: people, places, and processes.

## I. PEOPLE

### A. Physical Distancing

- For indoor venues:
  - Responsible Parties must ensure that the patron presence at any indoor venue for a performance or event is limited to the lesser of 100 attendees or 33% of the maximum seated capacity for a fixed seating venue or 33% of the maximum occupancy for a flexible seating venue, as set by the certificate of occupancy, exclusive of employees and performers/talent.
  - However, if all patron attendees present proof of recent negative COVID-19 diagnostic test result or proof of completed immunization, as described below, in Section III. “Processes,” Subsection A “Screening and Testing,” Responsible Parties may increase the patron presence to the lesser of 150 attendees or 33% of the maximum seated capacity for a fixed seating venue or 33% of the maximum occupancy for a flexible seating venue, as set by the certificate of occupancy, exclusive of employees and performers/talent.
  - For indoor venues without fixed or flexible seating available for patrons but with sufficient area to designate spaces for patron viewing, Responsible Parties must limit the capacity at any performance or event to the lesser of 100 attendees or 33% of the maximum occupancy of the area available for patrons to view the event (i.e., approximately 100 square feet per patron or 250 square feet per group of 4 patrons). However, if all patron attendees present proof of recent negative COVID-19 diagnostic test result or proof of completed immunization, Responsible Parties may increase patron presence to the lesser of 150 attendees or 33% of the maximum occupancy of the area available for patrons to view the event (i.e., approximately 100 square feet per patron or 250 square feet per group of 4 patrons).
- For outdoor venues:
  - For the purposes of this guidance, “outdoor venues” are defined as an open-air space designed or used for the viewing of performing arts and live entertainment events (e.g., open-air theaters with ancillary facilities, fixed seating amphitheaters, flexible seating amphitheaters, pavilions, bandshells, grandstands), which may have a temporary or fixed cover (e.g., awning, roof) so long as such cover has at least two sides open for airflow. For a side to be open for airflow, at least 50% of the area of such side must be open whenever performances or events are being conducted or when patrons are on the premises. (Fixed doors that open and close to access the outdoor space do not

count as area that is open for airflow.) If separate, adjacent covers have open sides that face one another, such covers must be spaced at least six feet apart.

- Responsible Parties must ensure that the patron presence at any outdoor venue for a performance or event is limited to the lesser of 200 attendees or 33% of the maximum seated capacity for a fixed seating venue or 33% of the maximum occupancy for a flexible seating venue, as set by the certificate of occupancy (if available), exclusive of employees and performers/talent.
- However, if all patron attendees present proof of recent negative COVID-19 diagnostic test result or proof of completed immunization, as described below, Responsible Parties may increase the patron presence to the lesser of 500 attendees or 33% of the maximum seated capacity for a fixed seating venue or 33% of the maximum occupancy for a flexible seating venue, as set by the certificate of occupancy (if available), exclusive of employees and performers/talent.
- For outdoor venues without fixed or flexible seating available for patrons but with sufficient area to designate spaces for patron viewing, Responsible Parties must limit the capacity at any performance or event to the lesser of 200 attendees or 33% of the maximum capacity of the area available for patrons to view the event (i.e., approximately 100 square feet per patron or 250 square feet per group of 4 patrons). However, if all patron attendees present proof of recent negative COVID-19 diagnostic test result or proof of completed immunization, Responsible Parties may increase patron presence to the lesser of 500 attendees or 33% of the maximum capacity of the area available for patrons to view the event (i.e., approximately 100 square feet per patron or 250 square feet per group of 4 patrons); provided, however, that a distance of at least six feet can be maintained between patrons who are not part of the same party/household/family. Further, if Responsible Parties anticipate that patrons will be standing throughout or during portions of the performance or event, then a distance of greater than six feet (e.g., eight to nine feet) should be maintained between patrons who are not part of the same party/household/family.
- Responsible Parties must ensure that all individuals, including employees, performers/talent, and patrons, are only permitted entry into the venue if they wear an acceptable face covering at all times, provided that they are over the age of two and able to medically tolerate such covering. Individuals may temporarily remove their face covering when seated at an assigned seat/area to eat or drink. Further, performers/talent may temporarily remove their face covering during performances, rehearsals, and other on-stage interactions, or when it may interfere with a core activity, such as hair, makeup, or wardrobe. Performers must put on face coverings as soon as practicable following those activities.
  - 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, 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 that a distance of at least six feet is maintained between all employees and performers/talent at all times in event and production locations (e.g., common areas, holding areas, equipment areas), unless safety or the core activity requires a shorter distance.
  - Provided that core activities and functions (e.g., travel, wardrobe, hair, makeup, performing) may require employees and/or performers/talent coming within six feet of distance, Responsible Parties must identify such activities and functions, and implement a protocol for mitigation of risk for involved individuals (e.g., physical barriers, face coverings or other PPE, abbreviated periods of time, air ventilation/filtration).
  - To the extent practicable, performers/talent should maintain at least six feet of distance, or be separated by an appropriate physical barrier, from other performers/talent during their performances. Further, performers/talent who are not wearing a face covering during their performance (e.g., singing) or who are playing a wind, brass, or other breath-driven instrument should be separated from other performers by 12 feet or an appropriate physical barrier, and, as possible, not directly facing one another (e.g., band members, orchestra, choirs, panelists).
  - Responsible Parties must ensure that all employees and event staff in close contact or proximity to performers/talent who are not wearing face coverings (e.g., hair stylists, makeup artists, costume attendants, sound technicians) wear both an acceptable face covering and additional PPE, such as a face shield or eye protection (e.g., goggles), for the duration of the activity requiring proximity. All employees and event staff should also wear gloves or practice hand hygiene before and after such activities.
- Responsible Parties must ensure that a distance of at least 12 feet is maintained, or that an appropriate physical barrier is installed, between performers/talent and any patrons in the audience. Depending on exact venue dimensions, Responsible Parties should consider leaving the first two to three rows of seats in front of the stage empty to fulfill this requirement. Responsible Parties must ensure that a distance of at least six feet is maintained between employees and patrons at all times, with the exception of patrons who are members of the same party/household/family, unless safety or the core activity requires a shorter distance (e.g., ushers, security).
  - In areas where employee-patron interactions frequently occur and six feet of distance is not possible between employees and patrons, Responsible Parties must enact physical barriers between employees and patrons (e.g., ticket booths, registers, concessions, ticket-taker stations).
    - 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 ensure that a distance of at least six feet is maintained between patrons at all times, with the exception of individuals who are members of the same party/household/family.
  - Where practical, Responsible Parties should recommend that individuals from different parties/households/families maintain greater than six feet (e.g., eight to nine feet) of distance. Distancing requirements greater than six feet will help Responsible Parties ensure more controlled movement throughout the venue and assist with compliance and enforcement of this guidance.



- Responsible Parties must ensure patrons not from the same party/household/family maintain appropriate distance in any areas where individuals may congregate (e.g., parking areas, waiting lines/areas, entry/exit points, lobbies, lounges, viewing areas).
- Responsible Parties must establish venue-specific protocols to ensure that patrons not from the same party/household/family maintain appropriate distance during parking (if applicable), ingress, admissions, intermissions/breaks, and egress (e.g., open sufficient number of entrances, deploy ushers to direct traffic, use timed waves of entry and/or assigned gates, modify parking areas to provide additional space between vehicles).
- Responsible Parties should discourage any unnecessary physical contact among patrons who are not members of the same party/household/family.
- For performances and events with seated viewers:
  - Responsible Parties must develop an audience seating arrangement that ensures patrons are seated at least six feet from patrons who are not members of the same party/household/family. Where practical, such plans should consider additional distance greater than six feet (e.g., eight to nine feet) between parties/households/families.
  - Responsible Parties must comply with the following seating requirements:
    - Responsible Parties must require patron reservations or assign patrons to seats prior to or upon entering the venue to ensure compliance with capacity and distancing requirements.
    - Within a row, Responsible Parties must limit seating such that at least two seats are unoccupied between each group of patrons unless the venue 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 venue has seating that naturally allows six feet of distance between rows (e.g., moveable chairs, large recliners).
    - Responsible Parties must encourage patrons to remain seated once the event begins, unless patrons are visiting the restroom, purchasing or picking up items from the concession or retail area(s), or exiting the venue. Patrons loitering in common areas is prohibited.
    - Where practical, Responsible Parties should minimize the number of groups in each row to avoid close contact when individuals leave their seat to use the restroom or visit the concession or retail area(s).
    - Responsible Parties must ensure that patrons are separated from the stage or performance area where performers/talent are located by 12 feet or an appropriate physical barrier.
    - Responsible Parties should consider making seats available in small groups or “blocks” that allow members of the same party/household/family to sit together and remain appropriately distanced from other groups of patrons.

- Where applicable, suites or boxes must have specific patron capacity limitations that allow for appropriate distancing among patrons who may be from different parties/households/families (e.g., lesser of 10 people or 33% of the maximum occupancy of such space).
- For venues with table seating (e.g., comedy club), Responsible Parties must follow seating requirements as stipulated in DOH’s “Interim Guidance for Food Services during the COVID-19 Public Health Emergency,” or, as applicable, “Interim Guidance for New York City Indoor Food Services during the COVID-19 Public Health Emergency,” specifically:
  - Responsible Parties must ensure that indoor and outdoor tables with seating for patrons are separated by a minimum of six feet in all directions. Wherever distancing is not feasible between tables, Responsible Parties must install physical barriers between such tables. The physical barriers must be at least five feet in height and must not block emergency and/or fire exits.
  - Responsible Parties may seat as many individuals at a single table as the table allows, with a maximum of 10 individuals per table.
  - Communal tables in which multiple parties of patrons are seated at the same large table are only permitted if a distance of at least six feet can be maintained between the parties or if physical barriers are installed between such parties.
  - Responsible Parties may allow patrons to sit at bar areas, provided a distance of at least six feet can be maintained between parties (i.e., groups of patrons) or appropriate physical barriers are installed; provided, however, for venues in New York City, such bar seating and service may only proceed at events where all attendees have presented proof of a recent negative diagnostic test result or completed immunization, as described below.
  - Responsible Parties must ensure that bar area staff keep a distance of at least six feet between each other and/or patrons, whenever possible.
- For performances with standing viewers:
  - Responsible Parties must develop an audience standing arrangement (e.g., plan, layout) that ensures patrons maintain a distance of greater than six feet (e.g., eight to nine feet) at all times between all employees and all patrons, with the exception of patrons who are members of the same party/household/family, unless safety or the core activity requires a shorter distance (e.g., ushers, security).
  - At the time of publication, indoor performances with standing viewers remain prohibited with limited exceptions as described below in Section I. “People,” Subsection C. “Operational Activity.”
- Responsible Parties should establish a system of patron compliance with, and employee or event staff enforcement of, the requirements within this guidance, including but not limited to social distancing and face coverings. Such system of compliance may specify penalties for patrons in case of violations (e.g., one face covering warning allowed before ejection from venue).
- Responsible Parties must maintain sufficient employees or event staff to direct or guide patrons to their seats to ensure adherence to social distancing requirements and avoid any unnecessary congregation.



- Where applicable, Responsible Parties are encouraged to maintain adequate lighting in the venue for as long as possible before the performance or event so that patrons can be seated or reach their assigned seat, in accordance with social distancing requirements.
- Responsible Parties should discourage patrons from congregating outside the venue immediately before or after the performance or event, to the extent practicable, and should implement a security plan to disperse individuals who gather in the immediate vicinity outside of the venue and violate social distancing requirements.
- For events that require bag security checks or other security inspections of personal items, Responsible Parties should implement a restriction on bags (e.g., prohibit large bags), or require patrons to bring items in clear or transparent bags to speed up entry lines and avoid the need for frequent employee or event staff contact with personal items; or, ask patrons to not bring large items.
- Responsible Parties may consider closing any common seating areas at the venue (e.g., lobbies, lounges), excluding patron viewing sections. To the extent that such areas remain open, Responsible Parties must modify seating arrangements (e.g., benches, chairs, tables, couches) to ensure that patrons or groups of patrons are at least six feet apart in all directions (i.e., side-to-side and when facing one another).
- 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 of seats), 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., lobbies, restrooms, elevators, entrances and exits, ticket stations, box offices, health screening stations).
  - Where possible, Responsible Parties should place markers or barriers to encourage one directional traffic.
  - Responsible Parties must mark areas for individuals to be spaced six feet apart at commonly congested areas (e.g., common seating areas in lobbies, concession and retail areas).
  - Responsible Parties should consider placing signage and markings outside and inside the venue to create one-way foot traffic to facilitate and ensure social distancing upon entry and exit, as well as through any common, high-traffic areas.
- Responsible Parties should prohibit the use of small spaces (e.g., elevators, mechanical areas, control rooms, behind cash registers, storage rooms, sound booths) by more than one individual at a time, unless all individuals in such space at the same time are wearing acceptable face coverings, or necessary for production or performance. However, even with face coverings in use, occupancy must never exceed 50% 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 and encouraging the use of stairs.
- Responsible Parties may modify the use and/or restrict the number of workstations and seating areas for employees and performers/talent (e.g., box office, backstage), 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, unless individuals are members of the

same party/household/family. When distancing is not feasible between workstations, Responsible Parties may install physical barriers (e.g., plastic shielding walls) in areas where they would not affect air flow, heating, cooling, or ventilation, or otherwise present a health or safety risk.

- Responsible Parties should consider assigning employees and event staff into fixed pairs or small groups (i.e., cohorts) to limit the number of close or proximate contacts, where possible, particularly for maintenance and cleaning responsibilities.
- Responsible Parties should consider the use of dedicated work zones within the venue and establish a system that prevents overlapping departments in the same work space at the same time. For example, a color-coded system or other visible indicators to facilitate identification of zones and appropriate access for employees and performers/talent may help with capacity and social distancing.
- Responsible Parties must post signs throughout the venue, 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 in assigned seat.
  - Adhere to DOH travel advisory requirements.
  - Properly store and, when necessary, discard PPE, including face coverings.
  - 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**

- Where applicable, Responsible Parties should limit in-person gatherings of employees or performers/talent, outside of performances and in-person production activities (e.g., rehearsals, casting/auditions, staff meetings) to the greatest extent possible and consider the 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 not preferable or possible, Responsible Parties should hold gatherings or 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 or have individuals sit in alternating chairs), notwithstanding the above distancing protocols for employees and performers/talent.
  - Responsible Parties should consider remote or virtual casting and auditions, to the extent possible. If performed in-person:

- Responsible Parties must provide adequate time between appointments for cleaning and disinfection of shared surfaces and equipment.
  - Responsible Parties should ensure that performers arriving at casting locations wait in personal vehicles or outside of the facility or location until the time of their audition.
  - Responsible Parties should ensure physical distancing is maintained during auditions, even when multiple individuals are auditioning simultaneously, to the extent possible.
  - Responsible Parties must ensure acceptable face coverings are worn at all times, consistent with the provisions of this guidance.
- 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 near such amenities (e.g., vending machines, communal coffee stations, break rooms, snack bars).
  - Responsible Parties must put in place practices for adequate social distancing in small areas, such as restrooms and breakrooms, and 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 (e.g., closing off every other stall or sink);
    - use of touch-free soap dispensers;
    - use of touch-free paper towel dispensers in lieu of air dryers; and
    - installing appropriate signage to encourage capacity restrictions in restrooms and distancing during while waiting.
  - To the extent practicable, Responsible Parties should stagger schedules for employees and performers/talent to observe social distancing (i.e., six feet of space) for any gathering (e.g., coffee breaks, meals, and shift starts/stops).
  - Responsible Parties should consider performing any scouting activities for venues or performance locations as virtually or remotely as possible or practicable. If employees must travel in person to review a venue or performance location, Responsible Parties should advise that scouting take place in small groups that can maintain social distance, with all employees wearing appropriate face coverings, consistent with the provisions of this guidance.
  - Responsible Parties should limit the number of employees and/or performers/talent traveling in the same vehicle at the same time for performance or production purposes to allow for sufficient capacity and distancing.

- If more than one individual rides in a vehicle, Responsible Parties must ensure that all occupants wear face coverings, and encourage occupants to open windows and increase ventilation, to the extent possible for the safety and comfort of driver(s) and occupant(s).
- Vehicles provided by Responsible Parties to transport employees and/or performers/talent must be regularly cleaned and high-touch areas (e.g., door handles, arm rests, buckles, seats, windows, screens) disinfected prior to use and between any change in driver(s) and/or occupant(s).
  - In such vehicles, hand sanitizing supplies and/or wipes should be provided for use by driver(s) and occupant(s).
- Where practical, Responsible Parties may encourage individuals to drive alone or use private transportation, to the extent possible.

### C. Operational Activity

- Effective April 6, 2021, Responsible Parties must notify their respective county health department or local public health authority if they plan to host in-person and catered events above the State's maximum social gathering limit, which is 100 people indoors and 200 people outdoors, as of April 1, 2021.
  - For each event above the social gathering limit, Responsible Parties must submit event details to the local health authority, at least 5 days in advance of the event date, and such details shall include but not be limited to the (1) Responsible Parties' contact information, (2) event name, (3) event address, (4) event date and time, (5) estimated event duration (including loading and unloading times), (6) expected number of attendees or patrons, (7) expected number of event staff, inclusive of employees, venue personnel, talent/performers, contractors, and vendors, and (8) location on premises (e.g., indoor, outdoor) indicated by description and/or on event floor plan.
  - Events may be subject to inspection by health authorities to ensure compliance with all provisions of the guidance.
- For indoor events, Responsible Parties must ensure that all attendees are assigned seats and that attendees are not congregating except when seated with members of their same party/household/family. Attendees should only be standing when necessary (e.g., enter/exit, restroom, concession, retail), or under limited conditions when permitted as follows:
  - For venues with unique architecture that prevent stable installation of seats, or if providing seating for patrons would compromise safety (e.g., attendee viewing area on an incline or decline where temporary seats may not provide a stable seating option).
  - For incidental, non-ticketed performances, such as solo singers, bands, or other performers performing in public locations:
    - Responsible Parties must ensure that there is sufficient space to allow attendees to maintain a distance of greater than six feet (e.g., eight to nine feet) between attendees who are not members of the same party/household/family, and at least 12 feet or an appropriate physical barrier between attendees and any performers/talent.
    - Responsible Parties must ensure strict adherence to social distancing for standing attendee viewers.

- Responsible Parties must ensure attendees wear face coverings at all times when standing and may only temporarily remove face covering to eat or drink while seated.
  - Responsible Parties should consider placing appropriate distance markers denoting spaces of greater than six feet to ensure attendees adhere to social distancing limits and any arriving/departing attendees or passersby can move through the public location with compromising social distancing.
  - Responsible Parties should consider maintaining sufficient employee, event staff, or security presence to monitor traffic flow and to ensure groups adhere to social gathering limitations.
- Responsible Parties should consider initial programming within the venue that requires fewer in-person employees or performers/talent to execute (e.g., limit backup dancers, musical accompaniment, number of panelists) as venue and production operations resume.
    - Where practical, Responsible Parties may consider limiting initial performance length.
    - Where practical, Responsible Parties should consider shortening or eliminating intermission(s) to reduce the amount of uncontrolled patron movement throughout the venue.
  - Due to the increased risk that activities such as singing, shouting, projecting one’s voice loudly, or playing wind instruments could potentially lead to increased production of respiratory droplets, Responsible Parties should consider ways to reduce the amount of high aerosol-producing programming at this time or implement appropriate risk mitigation measures (e.g., additional spacing, PPE, or testing).
    - Responsible Parties should minimize audience participation by requiring patrons to remain seated or, if standing, stationary away from the performer/talent (with the exceptions of entry/exit, restrooms, concessions and/or retail).
  - Responsible Parties must ensure that all employees and performers/talent receive training on COVID-19 safety, proper hand and respiratory hygiene, and cleaning and disinfection protocols.
  - 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 produce, stage, and accommodate a performance or event with patron attendees;
    - shifting design (e.g., A/B teams, staggered arrival/departure times for employees);
    - avoiding multiple crews and/or teams working in the same area by staggering scheduled tasks and using signs to indicate occupied areas (e.g., maintenance crews); and/or
    - developing protocols to socially distance while using shared equipment, such as telephones and radios, mic packs, copiers, printers, registers, and to clean and disinfect shared equipment between users and/or encourage users to wear disposable gloves.

- Where applicable, Responsible Parties must stagger performance/event times and provide sufficient time between performances/events to avoid crowding at exits and entrances, and ensure thorough cleaning and disinfection of the venue after the event ends.
- Responsible Parties should ensure that employees and performers/talent are provided adequate time throughout the day to periodically clean and disinfect their gear or equipment (e.g., instruments, cameras, props, costumes, uniforms, wigs).
- At this time, Responsible Parties must prohibit any direct, close contact interactions between patrons and performers/ talent (e.g., autographs).
- Where appropriate, Responsible Parties should consider having performers/ talent arrive at the venue "show ready," to the extent possible (e.g., having completed hair, makeup, and wardrobe off site or through remote instruction).
- Responsible Parties should make efforts to digitize all disposable items, to the extent possible (e.g., scripts, music sheets, sign-in/out, call sheets, brochures, playbills). If digitizing is not feasible, printed materials should be assigned for individual use and should not be shared.
- Responsible Parties may open outdoor and indoor food service areas in strict accordance with guidelines outlined in DOH's "[Interim Guidance for Food Services During the COVID-19 Public Health Emergency](#)" or, as applicable, "[Interim Guidance for New York City Indoor Food Services during the COVID-19 Public Health Emergency](#)," for all restaurants, bars, and/or concessions at the venue, including any required separation between tables with seating and social distancing between parties of patrons. However, wherever this guidance applies stricter standards, Responsible Parties must abide by this guidance.
  - Responsible Parties must ensure that patrons only consume food and beverages while seated.
  - Responsible Parties should prohibit any passing of food/beverages among patrons not from the same party/household/family (e.g., passing snacks down a row).
  - Responsible Parties should consider staggered intervals for food and beverage service to allow patrons to maintain social distance while waiting in line.
  - 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.
  - Responsible Parties should provide food and beverages served in pre-packaged or prefilled containers, where possible, and ensure they are not shared between individuals, except members of the same party/household/family.
  - Responsible Parties must abide by any applicable curfews on food and beverage services; as of April 1, 2021, such food and beverage services must cease operations by no later than 11:00 PM.
- Responsible Parties should implement security protocols to ensure that venue spaces not in use for the performance or event activities remain closed to patrons to prohibit congregations outside of controlled areas and ensure social distancing protocols throughout the venue.



## D. Movement and Commerce

- For ticketed performances and events, Responsible Parties must ensure that all patrons are ticketholders, in order to appropriately manage capacity restrictions, plan and control for the movement of individuals, and prevent unnecessary congregation near entrances/exits.
- To the extent practicable, Responsible Parties should assign patrons designated entry times at particular entrances to reduce congregation during ingress, and communicate this information to attendees ahead of arrival (e.g., color coded tickets, print information on tickets, send information via email or text).
- Responsible Parties must open a sufficient number of entrances/exits at the venue during ingress and egress to reduce congregation. Responsible Parties must ensure that all entry points are staffed to control movements.
  - Responsible Parties must ensure that ushers, employees, or similar event staff are available to direct exiting patrons towards the nearest gate for departure.
- Responsible Parties must maintain sufficient employee or event staff (e.g., security, guest services) on site to monitor traffic flow, limit the number of patrons to the allowed capacity, and ensure patrons adhere to social distancing and gathering restrictions, especially during ingress and egress.
- For performances and events where the number of attendees will exceed the social gathering limit, Responsible Parties should consider extending the perimeter and entryway to allow for additional space to validate patron entry credentials (e.g., valid ticket, proof of negative diagnostic test result or proof of immunization) and process patrons during ingress to reduce congregation.
- Responsible Parties must prohibit congregating and loitering by patrons (e.g., in lobbies, concession areas) and must maintain sufficient employees and event staff on site, including hiring or deploying additional staff, to eliminate congregating and loitering.
- Responsible Parties should limit on-site interactions (e.g., designate an egress(es) for individuals leaving their shifts and a separate ingress(es) for individuals starting their shifts) and movements (e.g., their employees should remain near their workstations as often as possible).
  - Responsible Parties should clearly designate separate entrances and exits with one-way traffic flow, where possible.
  - Responsible Parties must develop a plan for people to maintain at least six feet of social distance while waiting inside or outside of the venue for, as applicable, health screening or to provide proof of required diagnostic testing or immunization credential. Responsible Parties may use visual cues and/or queueing control devices (e.g., stanchions, line distance markers, arrows).
- Responsible Parties should rearrange patron waiting areas (e.g., waiting lines, lobbies, parking areas) to maximize social distance among other patrons and minimize interaction with other individuals who are not member of same party/household/family in the area.
- For ticketed events, Responsible Parties must ensure patrons are able to purchase tickets in advance to manage and track the capacity limits. Responsible Parties must provide primarily contactless check-in, ticketing, and pay-ahead options (e.g., online portal, mobile application, call-ahead, mail order, or

physical pick-up at pre-arranged time) and should use touchless payment options, as available, to minimize handling cash, credit cards, reward cards, and mobile devices from patrons, where possible.

- Responsible Parties must assign seats in the venue for patrons in accordance with the above requirements.
- Responsible Parties should encourage patrons to purchase tickets in advance of the event, to the greatest extent possible.
- Responsible Parties must place visual cues (e.g., cones, markers, signage) to mark six feet or more of distance in ticket pick-up and other venue waiting lines.
- Responsible Parties should limit handling of devices or shared objects between patrons and venue personnel during check-in (e.g., phones for troubleshooting digital tickets).
- Where possible, Responsible Parties should encourage patrons to order food and beverages in advance or remotely (e.g., phone, online, app, or other digital concession ordering) at the venue, and make items available in dedicated pick-up areas or provide service-to-seat or delivery options for patrons.
- Responsible Parties must establish designated areas for pickups and deliveries, limiting contact to the extent possible.
- For deliveries to the venue, 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 equipment/supplies/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 should provide disposable or single-use programs, pamphlets, maps, etc. to patrons, if such items are used; and make these available digitally to be viewed on personal electronic devices, as practicable.
  - If single-use items cannot be provided, Responsible Parties must ensure reusable objects are cleaned and disinfected after each use.
  - Responsible Parties are encouraged to make digital programs and maps available (e.g., on mobile phones) where possible, rather than providing physical programs and maps.
- Responsible Parties must close off any common seating or retail merchandising areas where social distance cannot be maintained.

## II. PLACES

### A. Air Handling and Building Systems

For venues with indoor areas:

- Responsible Parties must ensure building 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-C) 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 venues 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 venues 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-C) 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 venues 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-C) 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 venue 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, performers/talent, and patrons are only permitted entry into the venue if they wear an acceptable face covering; provided that such individuals are over the age of two and able to medically tolerate such covering.
  - Per Executive Order 202.34, as extended, Responsible Parties may deny admittance to individuals who fail to wear face coverings.
- Responsible Parties must ensure that all individuals, including employees, performers/talent, and patrons, wear acceptable face coverings at all times when within the venue, except as otherwise authorized within this guidance (e.g., patrons temporarily eating or drinking while seated and socially distanced from individuals who are not members of their same party/household/family, performers/talent conducting core activities/performing).
  - Provided that core activities and functions (e.g., travel, wardrobe, hair, makeup, performing) may require employees and/or performers/talent coming within six feet of distance, Responsible Parties must identify such activities and functions, and implement a protocol for mitigation of risk for involved individuals (e.g., physical barriers, face coverings or other PPE, abbreviated periods of time, air ventilation/filtration).
  - Responsible Parties must ensure that all employees and event staff in close contact or proximity to performers/talent who are not wearing face coverings (e.g., hair stylists, makeup artists, costume

attendants, sound technicians) wear both an acceptable face covering and additional PPE, such as a face shield or eye protection (e.g., goggles), for the duration of the activity requiring proximity. All employees and event staff should also wear gloves or practice hand hygiene before and after such activities.

- To the extent practicable, performers/talent should maintain at least six feet of distance, or be separated by an appropriate physical barrier, from other performers/talent during their performances. Further, performers/talent who are not wearing a face covering during their performance (e.g., singing) or who are playing a wind, brass, or other breath-driven instrument should be separated from other performers by 12 feet or an appropriate physical barrier, and, as possible, not directly facing one another (e.g., band members, orchestra, choirs, panelists).
  - Where possible, musicians must wear masks throughout the performance (e.g., piano, guitar, cello).
- Responsible Parties must install physical barriers between workstations where employees are frequently interacting with other employees, performers/talent, and/or patrons (e.g., ticket booths, box office, health screening 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](#)
  - Responsible Parties should also consider installing physical barriers or other distancing options for events that typically require closely-packed performers/talent (e.g., orchestras, bands, choirs, panelists).
- 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 should any individual need a replacement.
  - 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, as 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 typically require a higher degree of protection for PPE due to the nature of the work. Responsible Parties must adhere to [OSHA standards](#) for such safety equipment.
  - Responsible Parties must advise employees and performers/talent to regularly clean or replace their face coverings if they become wet or soiled.
- Responsible Parties must allow employees and performers/talent to use their own acceptable face coverings but cannot require employees and performers/talent 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).
  - Responsible Parties may require employees and performers/talent to wear more protective PPE due to the nature of their work. Employers should comply with all applicable OSHA standards.



- Responsible Parties must train employees and performers/talent 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), as well as the touching of shared surfaces, such as handrails or touchscreens; or, require employees, performers/talent, and patrons to wear gloves (trade-appropriate or medical) when in contact with shared objects or frequently touched surfaces; or, require employees, performers/talent, and patrons 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 Organizing Large Events and Gatherings," "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 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 common areas in the venue (e.g., entrances, exits, elevators, lobbies, security/reception desks). 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 venue for disposal of soiled items, including PPE.
- Responsible Parties must provide appropriate cleaning and disinfection supplies for shared and frequently touched objects and surfaces (e.g., ticket scanners, registers, microphones, radios, railings, elevator buttons) and encourage employees and event staff to use these supplies following manufacturer's instructions, before and after use of these objects and surfaces, followed by hand hygiene.
- Responsible Parties must conduct regular cleaning and disinfection of the venue 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 performance/event, daily, 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 at least twice a day when there is a performance/event at the venue, or 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 performer/talent and employee areas (e.g., changing rooms, locker rooms) are appropriately and effectively cleaned and disinfected after each performance or event.
- Responsible Parties must ensure that shared workstations (e.g., check-in desks) are cleaned and disinfected between use by different employees.
- Responsible Parties should have personnel, who are visible to patrons, designated for the cleaning and disinfection of heavy transit areas and high touch surfaces.
- Responsible Parties must ensure equipment and tools used by employees and performers/talent 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.
  - Responsible Parties should consider providing individual devices for communication (e.g., walkie-talkie, radios, microphones) to limit use of shared devices. Any such equipment should be appropriately cleaned and disinfected before being issued and before being returned.
- If cleaning or disinfection products or the act of cleaning and disinfection causes safety hazards or degrades the equipment, tools, or material, Responsible Parties must put in place hand hygiene stations for the user to access between use, supply disposable gloves, and/or set limitations on the number of users of such equipment and tools.
- Responsible Parties should ensure that all costumes, uniforms, instruments, musical equipment, wigs, props, mics, and other essential items to the performance or event for performers/talent are assigned to individuals when possible to avoid sharing of objects, or, at a minimum, cleaned and disinfected between use by different individuals.
  - Responsible Parties must ensure that all props, costumes, and set materials are regularly cleaned and disinfected and appropriately stored between uses.
  - Responsible Parties should ensure that costumes are collected and laundered or otherwise cleaned and disinfected between use. All clean costumes may be sealed in individual bags. Responsible Parties may consider supplying cast members with laundry bags to securely store used costumes between cleanings.
    - Responsible Parties should collect and launder linens, as able, and should encourage performers/talent to deposit used linens in designated bins without handling by other individuals. Employees who handle used or dirty towels, linens, and other items that go in the laundry should adhere to the following [CDC precautions](#): do not shake dirty laundry, wear disposable gloves when handling laundry and hampers, use the warmest appropriate water setting in accordance with the manufacturer's instructions for the items, clean and disinfect hampers after each use, and wash hands with soap and water or use a hand sanitizer with at least 60% alcohol after handling laundry and removing and disposing of gloves.

- Responsible Parties must provide for the cleaning and disinfection of exposed areas in the event of a positive case of COVID-19 among any individual at or within the venue, with such cleaning and disinfection to include, at a minimum, all nearby heavy transit areas and high touch surfaces (e.g., seats, kiosks, elevators, stage, shared objects, restrooms, handrails, door handles).
- 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.
    - Employees and/or performers/talent without close or proximate contact with the person suspected or confirmed to have COVID-19 can return to the work 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 venue, additional cleaning and disinfection is not necessary, but routine cleaning and disinfection should continue.
- Responsible Parties must clean and disinfect all seating (e.g., chairs, armrests) after each performance or event, to the extent possible.
- 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 objects and areas are cleaned and disinfected daily, at a minimum.
- Responsible Parties must prohibit sharing of any personal items (e.g., water bottles, equipment, towels, toiletries, clothing) and food/drink among performers/talent and employees, unless they are members of the same party/household/family.
- Responsible Parties may assign cleaning staff to certain areas of the venue (e.g., FOH, BOH, changing rooms, locker rooms) in order to limit cross contamination throughout the facility.
- Responsible Parties may consider closing or limiting access to communal fixtures or amenities in the venues that might present a risk of patron congregation or multiple touchpoints, such as promotional brochure stands in favor of individual distribution upon request.

- Responsible Parties must prohibit shared food and beverages among employees and performers/talent (e.g., self-serve meals and beverages) and reserve adequate space for employees and performers/talent to observe social distancing while eating meals.
  - Responsible Parties may provide food service via buffet, provided that they are not self-serve and that they are sufficiently staffed to ensure that there is no employee or performer/talent touching of common objects (e.g., serving spoons, tongs) and that appropriate social distance is maintained.
  - Responsible Parties should consider providing food and beverage in pre-packaged containers to limit sharing between individuals. If providing food and beverage, Responsible Parties should also provide disposable or individually wrapped eating utensils.

#### **D. Phased Reopening**

- Responsible Parties are encouraged to phase-in reopening activities so as to allow for operational issues to be resolved before resumption of performances/events and venue activities at normal levels.
  - Responsible Parties should consider any appropriate revisions to their ticket cancellation and refund policies to encourage any ill patrons to stay home.

#### **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 must develop a communications plan for employees, performers/talent and patrons that includes applicable instructions, training, signage, and a consistent means to provide individuals 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 must post signage inside and outside of the venue to remind individuals to adhere to proper hygiene, social distancing rules, appropriate use of PPE, and cleaning and disinfection protocols.
- Responsible Parties should distribute clear documentation to patrons about safety/health precautions, including a pre-event announcement outlining safety and health protocols in effect at the venue.

### **III. PROCESSES**

#### **A. Screening and Testing**

- For all performance and events, Responsible Parties must require and ensure that public-facing employees, performers/talent, and employees whose job functions or roles involve close contact with performers/talent, who are over the age of two, have received a negative diagnostic test result for COVID-19 using a Food and Drug Administration (FDA) or DOH authorized polymerase chain reaction (PCR) or other nucleic acid amplification test (NAATs) of comparable analytical sensitivity performance that was performed on a specimen (e.g., swab) collected within 72 hours of the performance/event

start time. Responsible Parties may also accept negative test results for COVID-19 from an FDA authorized antigen test performed on a specimen collected within 6 hours of the performance/event start time.

- Such employees and performers/talent must present proof of the negative diagnostic test result (e.g., mobile application, paper form) to designated employees prior to, or immediately upon, arrival to the performance/event.
- As an alternative to the testing requirement, employees and performers/talent may provide proof of having completed the COVID-19 vaccination series at least 14 days prior to the date of the performance/event. However, as DOH and the Centers for Disease Control and Prevention (CDC) continue to evaluate the effect of immunization on potential COVID-19 transmission, diagnostic testing is still recommended, and Responsible Parties may choose to require testing. DOH, in consultation with CDC, will continue to monitor vaccination developments and revise guidance accordingly.
- As detailed above, certain employees and performers/talent must be tested for COVID-19 through a diagnostic test prior to their first performance/event and must be tested weekly thereafter for as long as they are actively working at performances/events at the venue. Alternatively, such employees and performers/talent may provide proof of having completed the COVID-19 vaccination series at least 14 days prior to the date of event(s)/competition(s).
- For performances and events where the number of attendees will exceed the social gathering limit (i.e., 100 attendees indoors or 200 attendees outdoors), Responsible Parties must also require and ensure that all patrons, over the age of two, have received a negative diagnostic test result for COVID-19 using a Food and Drug Administration (FDA) or DOH authorized polymerase chain reaction (PCR) or other nucleic acid amplification test (NAAT) of comparable analytical sensitivity performance that was performed on a specimen (e.g., swab) collected within 72 hours of the performance/event start time. Responsible Parties may also accept negative test results for COVID-19 from an FDA authorized antigen test performed on a specimen collected within 6 hours of the performance/event start time.
  - All patrons must present proof of the negative diagnostic test result (e.g., mobile application, paper form) to designated employees prior to, or immediately upon, arrival to the performance/event.
  - As an alternative to the testing requirement, patrons may provide proof of having completed the COVID-19 vaccination series at least 14 days prior to the date of the performance/event. However, as DOH and CDC continue to evaluate the effect of immunization on potential COVID-19 transmission, diagnostic testing is still recommended, and Responsible Parties may choose to require testing. DOH, in consultation with CDC, will continue to monitor vaccination developments and revise guidance accordingly.
- Responsible Parties may offer to perform FDA-authorized antigen testing for individuals to obtain test results of specimens collected within 6 hours of the performance/event on premises; provided, however, such antigen testing must meet all requirements and standards set forth by DOH, including timely and complete reporting of results to the Department's Electronic Clinical Laboratory Reporting System (ECLRS).
  - To minimize potential exposure while waiting for PCR, NAAT, or antigen test results, individuals should monitor for symptoms of COVID-19, wear a face covering when in public, maintain social distancing, and should avoid extended periods in public, contact with strangers, and large congregate settings.

- Responsible Parties must deny entry to the venue to any public-facing employees, performers/talent, employees whose job functions or roles involve close contact with performers/talent, or patrons (at events with more than 100 attendees indoors or 200 attendees outdoors) who are over the age of two and fail to present a negative diagnostic test result or proof of immunization, as required above.
  - Any performer/talent or employee who receives a positive diagnostic test result for COVID-19 must be excluded from the performance/event until they have consulted with the appropriate health authorities and received clearance to return to work.
  - Further, any patron who receives a positive diagnostic test result for COVID-19 must be denied entry to the performance/event, as well as any members of the patron's party who may have been in close contact with the positive patron within the past 10 days (e.g., family members, individuals who share the same residence).
- Responsible Parties must implement mandatory health screening for all individuals, including employees and performers/talent prior to any in-person performing arts and entertainment activities, including rehearsals and performances/events. Such screening is recommended but not required for delivery personnel. For all ticketed events, Responsible Parties must also implement mandatory health screening for patrons, prior to, or immediately upon, arrival to the venue.
  - Screening may be performed remotely (e.g., by e-mail, by telephone, electronic survey, at ticket purchase, via signage), before the individual reports to the venue or before entrance to the venue, to the extent possible.
  - Screening should be coordinated to prevent individuals from intermingling in close or proximate contact with each other prior to completion of the screening. As part of the health screening, Responsible Parties must require temperature checks using contactless thermometers or thermal cameras for all ticketed patrons, employees, and performers/talent. Any individual who presents with a temperature of 100.4° F or greater must be denied entry to the performance/event, as well as any members of the individual's party who may have been in close contact with the febrile patron within the past 10 days (e.g., family members, individuals who share the same residence).
    - Responsible Parties may allow individuals who present with a temperature of 100.4° F or greater on their first temperature check to temporarily step aside from the screening line, wait a few minutes for their body temperature to normalize, and then perform a second temperature check. If the second check confirms the results of the first check, the individual must be denied entry; however, if the second check does not indicate a temperature of 100.4° F or greater than the patron may be admitted to the performance/event.
    - Temperature checks must be conducted in accordance with U.S. Equal Employment Opportunity Commission or DOH guidelines. Responsible Parties are prohibited from keeping records of individual 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), unless expressly given permission to do so by the individual.
- At a minimum, screening must use a questionnaire that determines whether the individual has:
  - COVID-19 Symptoms: Is currently experiencing, or has recently (within the past 48 hours) experienced, any symptoms of COVID-19;



- CDC advises that COVID-19 symptoms may include fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea; however, a few of these symptoms may occur with pre-existing medical conditions, such as allergies or migraines, that have been diagnosed by a health care practitioner. In those cases, individuals should only answer "yes" if symptoms are new or worsening.
- COVID-19 Contacts: Has had close contact (or proximate contact as determined by health authorities) in the past 10 days with any person confirmed by diagnostic test, or suspected based on symptoms, to have COVID-19;
  - DOH advises that close contact is being within six feet of an individual for 10 minutes or more within a 24-hour period, starting from 2 days before their symptoms developed or if asymptomatic, 2 days before they were tested. (Close contact does not include individuals who work in a health care setting wearing appropriate, required PPE.)
  - This exclusion shall not apply for individuals who (1) have been fully vaccinated against COVID-19 – defined as 14 days after completion of the vaccine series – within the past 90 days or (2) fully recovered from a lab-confirmed COVID-19 case within the past 3 months. (In lieu of quarantine following close contact, such individuals will need to monitor for COVID-19 symptoms for 14 days following an exposure.)
- COVID-19 Positive Test: Has tested positive for COVID-19 through a diagnostic test in the past 10 days; and/or
- Recent Travel: Has traveled to New York State from a noncontiguous state, United States territory, or CDC level 2 or greater travel advisory country within the past 10 days and failed to follow the State's travel advisory.
  - Effective April 1, 2021, the State's travel advisory will no longer require domestic travelers to quarantine after entering New York from another US state or territory. Federal CDC requirements for international travelers remains in effect.
- Responsible Parties must require employees, performers/talent, and patrons to immediately disclose if and when their responses to any of the aforementioned questions change, such as if they begin to experience symptoms.
- Responsible Parties should coordinate with all necessary employees and event staff to facilitate the screening process. Screening best practices include:
  - Communicating in advance to patrons at ticketed events that they cannot enter the venue if they fail the screening, which may impact the other members of their party if they have had close contact with the individual who is suspected or confirmed to have COVID-19 based on symptoms or positive test result.
  - Identifying individuals who have completed and passed their screening questionnaire in advance.
  - If space and building configuration allow, screening individuals at or near the venue entrance to minimize the impact in case of a suspected or confirmed case of COVID-19.
  - Allowing for adequate social distancing while individuals queue for screening and/or venue entry.

- Responsible Parties must ensure that any employee or event staff performing screening activities, including temperature checks, are appropriately protected from exposure to potentially infectious individuals entering the venue. Personnel performing screening activities should be trained by employer-identified individuals who are familiar with CDC, DOH, and OSHA protocols.
  - Screeners must be provided and use PPE, including at a minimum, an acceptable face covering or mask, and may include gloves, a gown, goggles, and/or a face shield.
- Responsible Parties must deny venue entry to a ticketed performance/event to any patron who fails the screening questionnaire or who receives a positive diagnostic test result for COVID-19, as well as any members of the patron's party who may have been in close contact with such patron within the past 10 days (e.g., family members, individuals who share the same residence).
  - Patrons who are denied entry for failing the screening questionnaire or receiving a positive diagnostic test result should contact a healthcare provider for assessment and, if appropriate, diagnostic testing.
- Responsible Parties must deny venue entry to any performer/talent or employee who fails the screening questionnaire or who receives a positive diagnostic test result for COVID-19. Such performer/talent or employee must be sent home or to a designated accommodation with instructions to contact a healthcare provider for assessment and, if applicable, diagnostic testing.
  - Responsible Parties should remotely provide the performer/talent or employee with information on healthcare and testing resources.
  - Responsible Parties must immediately notify the state and local health department about the case if diagnostic 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 and performers/talent seeking to return to work after a suspected or confirmed case of COVID-19 or after the employee or performer/talent had close or proximate contact with a person with COVID-19.
- Responsible Parties must designate a central point of contact or contacts, which may vary by activity, location, shift, or day, responsible for receiving and attesting to having reviewed all employee, event staff, and performer/talent questionnaires, with such contact also identified as the party for such individuals to inform if they later are experiencing COVID-19-related symptoms, as noted on the questionnaire.
  - Identified point(s) of contact for the venue should be prepared to receive notifications from individuals of suspected or positive cases and, in consultation with the site safety monitor, initiate the respective notification, communication, contact tracing, and cleaning and disinfection procedures, as applicable for the situation.
- Responsible Parties must designate a site safety monitor whose responsibilities include continuous compliance with all aspects of the site safety plan and guidance.
  - When notified of a confirmed positive COVID-19 case through a diagnostic test result for an individual who is currently or was recently present at the venue, the site safety monitor must:

- notify the state and local health department of the confirmed positive case,
  - assist with contact tracing efforts to identify close or proximate contacts who may need to quarantine,
  - communicate to known individuals who may have been exposed to the positive case at the venue that a positive case was reported, contact tracing will be performed, close contacts will be notified, and additional cleaning and disinfection of the exposed area will be performed, and
  - dispatch appropriate employees or staff to clean and disinfect the exposed areas, in accordance with the above protocols.
- Responsible Parties must maintain a log of every person, including performers/talent and employees who may have close or proximate contact with other individuals at the venue; excluding deliveries that are performed with appropriate PPE or through contactless means and patrons whose attendance will be separately maintained by the Responsible Parties.
    - 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.

## **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, currently or recently at the venue.
- Responsible Parties must cooperate with state and local health department contact tracing efforts by identifying individuals at the venue who may have been in, or around, the same area at, or around, the same time as the positive individual within the 48 hours before such individual began experiencing COVID-19 symptoms or had their sample collected for the diagnostic test, whichever is earlier. Such tracing efforts may include review of information captured before or during the performance/event, such as parking information, screening records, and video footage of common areas (e.g., entry/exit, lobbies).
  - Confidentiality must be maintained as required by federal and state law and regulations.
  - If a performer/talent or employee who has close contact with performers/talent receives a positive diagnostic test result, Responsible Parties must ensure that neither rehearsals nor performances/events proceed until contact tracing is completed and isolation of infected persons and quarantine of exposed persons has been implemented, in coordination with state and local health departments, as appropriate.
  - In the case of performers/talent or employees showing symptoms of COVID-19 while in the venue, Responsible Parties must notify individuals in the surrounding area(s) or individuals who may be considered a close contact immediately with information on where the individual has been throughout the venue and further notify them if the symptomatic person tests positive for COVID-19 through a diagnostic test.
- State and local health departments may, under their legal authority, implement monitoring and movement restrictions of COVID-19 infected or exposed persons including isolation or quarantine, as applicable.

- Performers/talent and 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.
- At all ticketed events, Responsible Parties must require each patron (or, if patron is a minor, an adult from their party/household/family) in attendance to provide contact information before or immediately upon arrival to the performance/event, providing their full name, date of birth, address, and phone number or e-mail for use in potential contact tracing efforts. To the extent practicable, such patron information should also include seat assignment at the venue for the specific performance/event.
  - The contact information collection process may be conducted through any means that the Responsible Parties establish to collect the above information, including but not limited to: at point of ticket purchase, through a digital application or paper form, through a test/laboratory provider designated by the venue to perform testing on attendees, or through a ticket management system.
  - Responsible Parties must maintain a record of the aforementioned sign-in data for a minimum period of 28 days and make such data available to State and local health authorities upon request. Responsible Parties do not need to retain individual proof of recent negative diagnostic test result or proof of immunization for COVID-19.

## IV. EMPLOYER PLANS

Responsible Parties must conspicuously post completed safety plans on site for performers/talent and 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>