

FREQUENTLY ASKED QUESTIONS (FAQs) FOR ESSENTIAL RETAIL BUSINESSES AND THEIR CUSTOMERS DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

April 20, 2020

Purpose

This FAQ was created to provide essential retail businesses in New York City and their customers with steps they should take to help protect the health and safety of retail employees and customers during the novel coronavirus disease 2019 (COVID-19) public health emergency.

For the purpose of this guidance, “essential retail businesses” means all essential businesses [as defined by Empire State Development, https://esd.ny.gov/guidance-executive-order-2026](https://esd.ny.gov/guidance-executive-order-2026), engaged in retail activities, including but not limited to grocery stores, supermarkets, bodegas, bakeries, restaurants, specialty markets, superstores offering groceries, warehouse clubs and pharmacies.

FAQs on Use of Face Coverings – Customers

1. What is a face covering?

A “face covering” is any well-secured paper or cloth that covers one’s nose and mouth. Face coverings can be such items as bandanas or scarves, provided they cover the nose and mouth.

2. Am I required to wear a face covering?

Anyone who is older than two and who does not have a medical condition that prevents them from wearing a face covering is required to wear one when in a public place and unable to maintain, or when not maintaining, physical distance (also called social distancing). You should always wear a face covering in stores, as you could come in close contact with others even when practicing physical distancing (the cashier, other customers in a narrow aisle, etc.).

3. How should a face covering be worn?

You should follow Centers for Disease Control and Prevention (CDC), the New York State Department of Health (NYSDOH), and the NYC Department of Health and Mental Hygiene (NYH Health Department) guidance regarding the use of face coverings, including washing reusable face coverings at least once a day, and properly discarding single-use face coverings in trash receptacles. NYC Health Department Guidance can be found at nyc.gov/health/coronavirus (look for "FAQ About Face Coverings"). CDC guidance can be found here: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>.

4. What if I have a medical condition or disability that prevents me from wearing a face covering?

You are not required to wear a face covering, but this makes practicing physical distancing and good hand hygiene even more essential.

If you have emphysema, moderate to severe asthma, heart disease, or other health problems, you are at a higher risk for severe illness if you get COVID-19. As such, you should stay home as much as possible and be sure to practice good hand hygiene and maintain at least 6 feet of distance from others if you need to leave the house.

5. I'm not sick. Do I have to wear a face covering?

Yes. In any situation where you will be in a public place and unable to maintain physical distance, you must wear a face covering. This helps stop the spread of COVID-19.

6. Does my child need to wear a face covering?

Children under the age of 2 do not have to wear a face covering.

7. Will I be turned away from the store if I show up and don't have a face covering?

This is up to the discretion of the store. If you have a medical condition or disability that prevents you from being able to wear a face covering, you may ask the store for a reasonable accommodation, such as if they have alternate methods of purchasing goods, as described in "FAQs on Use of Face Coverings for Essential Retail Businesses," Questions # 5 and # 6 below.

8. What other health and safety practices can I follow when shopping?

A face covering does not make you invincible! The following practices will help protect you and others while shopping:

- a. Wash your hands with soap and water for 20 seconds or use an alcohol-based hand sanitizer before and after shopping.
- b. Cover your mouth and nose with a tissue or your sleeve when sneezing or coughing. Do not use your hands.
- c. Do not touch your eyes, nose or mouth with unwashed hands.
- d. Have one family member shop at a time, if possible.
- e. Properly discard all single-use face coverings, gloves, and other personal items, and do not leave them in stores or shopping carts or on the ground.
- f. Comply with limitations placed on the number of people allowed in the store.
- g. Comply with store rules about shopping times reserved for older adults, people with disabilities, and customers at increased risk of severe COVID-19 illness.

- h. Bag your own purchases.
- i. Plan ahead to minimize store browsing, and do not touch and put back produce.
- j. Follow other store health and safety rules.

FAQs on Use of Face Coverings for Essential Retail Businesses

1. What are my legal obligations with regard to employees?

All essential businesses must provide, and their employees must wear, a face covering when in direct contact with customers or members of the public, except where doing so would inhibit or otherwise impair the employee's health. More details about this requirement can be found here:

https://coronavirus.health.ny.gov/system/files/documents/2020/04/doh_covid19_eo20216employeefacecovering_041420.pdf

2. What sort of face covering should I provide?

You can meet this requirement by providing any well-secured paper or cloth that covers one's nose and mouth. Face coverings include, but are not limited to, non-medical paper masks, reusable cloth face masks, bandanas and scarves, provided they cover the nose and mouth.

Employers of essential retail businesses should not provide N95, surgical or procedure masks unless there is a medical need to do so in an individual case. These masks are in very short supply and our health care providers need masks to stay healthy and to care for the most critically ill. Health care workers cannot keep distance from others, avoid sick people, or avoid contact with others' bodily fluid such as saliva, so it is essential that we reserve these masks for them.

3. I am a grocery store owner. Will the City provide me with personal protective equipment (PPE)? If not, where could our business get PPE?

The New York City Food Czar Team is supporting grocery stores and other essential food workers by connecting them with suppliers of non-medical PPE. Any inquiries should be directed to: COVID19grocerystoresupport@cityhall.nyc.gov. The City is also working on coordinating donations and exploring other options to provide non-medical PPE to essential food workers that need it.

4. What can I do to promote the use of face coverings by my customers?

You can adopt a policy that prohibits customers from entering your store without a face covering. Stores that adopt this type of policy should post signs at store entrances and throughout the store notifying customers of the requirement that face coverings be worn on the premises and follow the practices described in Questions #5 and #6 below.

5. What are things I can do if a customer enters my store without a face covering?

You may decline entry to someone who refuses to wear a face covering. However, if the individual states that they cannot wear a face covering because they have a disability, you must discuss with the individual whether there is a way you can provide a reasonable accommodation that will not cause you an undue hardship, as described in Question #6.

For businesses providing medication, medical supplies, or food, it is strongly recommended that you provide alternate methods of purchasing such goods, such as:

- a. Asking the customer if they can come back with a face covering; the face covering can be as simple as a scarf or bandana that covers the customer's nose and mouth.
- b. Selling reasonably priced face coverings (e.g., bandanas or non-medical paper masks) so that customers who arrive at the store without a face covering can purchase one.
- c. Giving face coverings to customers who do not have one (face coverings should be given to customers for their exclusive use; retail businesses should not reuse face coverings given to customers).
- d. Accepting orders over the phone and allowing the customer to collect and pay at the door.
- e. Offering online orders and delivery service.
- f. Serving customers at a store entrance or exit, such as by moving the cash register to the door or serving customers through a window.

6. What if a customer says they have a medical reason or disability for not wearing a face covering?

Where a customer declines to wear a face covering due to a medical condition or disability, you cannot require the individual to provide medical documentation verifying the health issue. In addition, you must discuss with the individual whether there is a way you can provide a reasonable accommodation that will not cause you an undue hardship. You should try to provide alternative arrangements that are workable for your store, your staff, and your other customers. These arrangements will vary considerably based on each store's ability to make accommodations without creating a hardship on the business.

Depending on the staffing and layout of the retail store, some examples of accommodations that may be reasonable and not cause undue hardship to you are:

- a. Have an employee bring the individual the items they want to buy and allow the individual to pay for them at the front of the store.
- b. Have the individual leave a list of items with the store and then deliver the items to their home.
- c. Inform the individual that they may order by telephone or online and have items delivered to their home.

d. Suggest that the individual have a friend or family member do their shopping.

7. If an employee feels unsafe asking a customer to wear a face covering will the store be penalized for not enforcing?

Stores are free to set and enforce their own policies on customer face coverings. Customers have an independent obligation to wear face coverings, but the store is not required to enforce this.

8. When should I contact the NYC Police Department (NYPD)?

Grocery stores should consider contacting the NYPD when a customer refuses to abide by store policies, including policies on wearing a face covering or maintaining social distancing, and does not leave the premises after being asked by an employee to do so. Other non-urgent issues should be reported to 311.

FAQs on Other Health and Safety Practices for Essential Retail Businesses

1. What additional practices should I adopt in my store to protect public health and safety?

All essential retail businesses should adopt policies to promote health and safety. Maintaining good hygiene and physical distancing are critical to preventing the spread of COVID-19 and should be encouraged even when staff and customers are using face coverings.

Essential retail businesses should follow the NYS Department of Agriculture and Markets, <https://agriculture.ny.gov/system/files/documents/2020/04/retailfoodstoreguidanceforseniors.pdf> interim guidance and adopt physical distancing and hygiene policies as feasible and appropriate to store size and layout. These may include:

- a. Adopting one-way aisles (for example, by taping arrows to the floor) to maximize spacing between customers.
- b. Taking steps to limit browsing and servicing customers close to the door.
- c. Allowing only older adults, people with disabilities, and people with health conditions that increase the risk of severe COVID-19 illness to shop during the first hours when the store opens or prior to opening the store to the general public.
- d. Adopting steps to maintain 6-feet of physical distance for employees and customers such as by using a floor marker or other indicator at check-out lines or in any location where customers may congregate (e.g., the deli line, the meat or fish counter), to show where customers should stand to maintain 6 feet of distance between themselves and others.
- e. Minimizing touch points on retail products, encouraging customers to bag their own purchases, and placing signs in produce areas encouraging people to not touch and put back produce.

- f. Limiting the number of customers in the store at a time to 50% of the store's capacity, inclusive of employees, and taking other steps to limit the number of people shopping at one time. All procedures must comply with requirements to provide reasonable accommodations to people with disabilities and pregnant shoppers and should take into account the need for caregivers to accompany children and people with disabilities. Such procedures may include:
 - a. Posting signs on the front door of the store indicating how many people the store will allow in at one time.
 - b. Posting signs telling people to wait in line outside the store if the store is at capacity.
 - c. Managing a line outside the store with tape showing 6-foot intervals and having an employee limit the number of people entering the store.
- g. Clearly posting signs outside and inside the store to remind people to:
 - a. Have one family member shop at a time, if possible.
 - b. Properly discard face coverings, gloves, and other personal items, and not leave them in the store, in shopping carts, or on the ground.
 - c. Comply with limitations placed on the number of people allowed in the store.
 - d. Respect special shopping times for customers at increased risk of severe COVID-19 illness, and encouraging people to shop at those times if they are at increased risk.
- h. Providing disinfecting wipes at points of entry, cash registers, and other appropriate locations.
- i. Making prepared food available for delivery or take-out only.
- j. Eliminating free open samples or tastings, including deli slices or prepared food, and discontinuing self-serve foods.
- k. Providing access to sinks, including public restrooms, and alcohol-based hand sanitizer.
- l. Only using every other checkout station.
- m. Installing Plexiglas barriers to separate employees from customers at checkout lines and regularly cleaning and disinfecting such barriers.
- n. Sanitizing credit card machines (including the pen) and other frequently touched surfaces regularly.
- o. Closing the store for a period of time each day to allow for proper cleaning and disinfecting.

2. In addition to providing face coverings, what health and safety practices should I adopt in my store for employees?

Employees should be reminded that it is still essential to continue to practice physical distancing and good hand hygiene even when wearing a face covering — including keeping 6 feet of distance between themselves and others whenever possible.

Essential retail businesses should also **implement the following safety measures for their employees to the extent possible:**

- a. Allow workers at greatest risk of severe COVID-19 illness (including people 65 years of age or older and people with underlying health conditions that put

- them at increased risk) to work hours or perform tasks with less exposure to customers, or allow them to stay home.
- b. Allow employees sufficient break time to regularly wash their hands.

For general information on COVID-19, including how to guard against stigma, visit [nyc.gov/health/coronavirus](https://www.nyc.gov/health/coronavirus) or [cdc.gov/covid19](https://www.cdc.gov/covid19). For real-time updates, text “COVID” to 692-692. Message and data rates may apply.

For additional guidance, please visit:

NYC Health Department –
<https://www1.nyc.gov/assets/doh/downloads/pdf/imm/disinfection-guidance-for-businesses-covid19.pdf>

NYSDOH –
coronavirus.health.ny.gov/system/files/documents/2020/03/cleaningfoodstorescovid-19.pdf

CDC – [cdc.gov/coronavirus/2019-ncov/daily-life-coping/essential-goods-services.html](https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/essential-goods-services.html)