



## INTERIM GUIDANCE FOR GYMS & FITNESS CENTERS DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

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

As of August 17, 2020

### Purpose

This Interim Guidance for Gyms and Fitness Centers during the COVID-19 Public Health Emergency (“Interim COVID-19 Guidance for Gyms and Fitness Centers”) was created to provide owners/operators of gyms and fitness centers and their employees, contractors, vendors, and patrons with precautions to help protect against the spread of COVID-19.

**This guidance takes effect on Monday, August 24, 2020 for gyms and fitness centers in all regions of New York. However, chief executives of counties outside of New York City (i.e., county executive, administrator, manager, or, if operating under elected legislative body, the chair of such legislative body) or the mayor of New York City may decide to postpone the effective date within their jurisdiction until a later date, but in no event later than Wednesday, September 2, 2020. Once effective such facilities may reopen in accordance with the requirements contained herein; however, chief executives of counties outside of New York City (i.e., county executive, administrator, manager, or, if operating under elected legislative body, the chair of such legislative body) or the mayor of New York City may decide to opt-out of indoor group fitness and aquatic classes within their jurisdiction, postponing their resumption until a later date.** These guidelines apply to fitness activities and facilities, including, but not limited, to standalone, hotel, residential, and office gyms and fitness centers, gyms and fitness centers in higher education institutions, yoga/Pilates/barre studios, boxing/kickboxing gyms, fitness boot camps, CrossFit or other plyometric boxes, and other group fitness classes (e.g., spin, rowing, dancing). Residential and hotel gyms and fitness centers must have staff available to ensure compliance with this guidance. This interim guidance is subject to change as the State will be closely working with local health departments during the initial reopening as a pilot phase to monitor compliance of owners/operators of gyms and fitness centers with this guidance, including inspections, and assess the public health conditions associated with gym and fitness center reopening, including any changes in COVID-19 transmission.

Sports and recreation activities taking place in gyms or fitness centers must follow the guidelines outlined in DOH’s [“Interim Guidance for Sports and Recreation During the COVID-19 Public Health Emergency;”](#) however, if there are any differences in the requirements, the more recent guidance shall apply. Pool operations at any gym or fitness center must follow the guidelines outlined in DOH’s [“Interim Guidance for Pools and Recreational Aquatic Spray Grounds During the COVID-19 Public Health Emergency;”](#) however, if there are any differences in the requirements, the more recent guidance shall apply. Retail stores associated with gyms and fitness centers must follow the guidelines outlined in DOH’s [“Interim Guidance for Essential and Phase II Retail Business Activities During the COVID-19 Public Health Emergency.”](#) Restaurants and/or snack bars located at any gym or fitness center must follow the guidelines outlined in DOH’s [“Interim Guidance for Food Services During the COVID-19 Public Health Emergency.”](#) Office-based activities must follow the guidelines outlined in DOH’s [“Interim Guidance for Office-Based Work During the COVID-19 Public Health Emergency.”](#) Child care centers located at any gym or fitness center must follow the guidelines outlined in DOH’s [“Interim Guidance for Child Care and Day](#)

Camp Programs During the COVID-19 Public Health Emergency;” and may only reopen if they meet the minimum standards set forth in the guidance. These guidelines do not apply to professional sports training facilities, which are addressed by the New York State Department of Health’s (DOH) ”Interim Guidance for Professional Sports Training Facilities During the COVID-19 Public Health Emergency.

These guidelines are minimum requirements only and the owner/operator of any gym or fitness center 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 gyms and fitness centers. The Responsible Parties are also accountable for staying current with any updates to these requirements, as well as incorporating same into any gym and fitness center activities and/or Site Safety Plan.

## **Background**

On March 7, 2020, Governor Andrew M. Cuomo issued Executive Order 202, declaring a state of emergency in response to COVID-19. Community transmission of COVID-19 has occurred throughout New York. To minimize further spread, social distancing of at least six feet must be maintained between individuals, where possible.

On March 20, 2020, Governor Cuomo issued Executive Order 202.6, directing all non-essential businesses to close in-office personnel functions. Essential businesses, as defined by Empire State Development Corporation (ESD) guidance, were not subject to the in-person restriction, but were, however, directed to comply with the guidance and directives for maintaining a clean and safe work environment issued by DOH, and were strongly urged to maintain social distancing measures to the extent possible.

On April 12, 2020, Governor Cuomo issued Executive Order 202.16, directing essential businesses to provide employees, who are present in the workplace, with a face covering, at no-cost, that must be used when in direct contact with customers or members of the public during the course of their work. On April 15, 2020, Governor Cuomo issued Executive Order 202.17, directing that any individual who is over age two and able to medically tolerate a face-covering must cover their nose and mouth with a mask or cloth face-covering when in a public place and unable to maintain, or when not maintaining, social distance. On April 16, 2020, Governor Cuomo issued Executive Order 202.18, directing that everyone using public or private transportation carriers or other for-hire vehicles, who is over age two and able to medically tolerate a face covering, must wear a mask or face covering over the nose and mouth during any such trip. It also directed any operators or drivers of public or private transport to wear a face covering or mask which covers the nose and mouth while there are any passengers in such a vehicle. On May 29, 2020, Governor Cuomo issued Executive Order 202.34, authorizing business operators/owners with the discretion to deny admittance to individuals who fail to comply with the face covering or mask requirements.

On April 26, 2020, Governor Cuomo announced a phased approach to reopen industries and businesses in New York in phases based upon a data-driven, regional analysis. On May 4, 2020, the Governor provided that the regional analysis would consider several public health factors, including new COVID-19 infections, as well as health care system, diagnostic testing, and contact tracing capacity. On May 11, 2020, Governor Cuomo announced that the first phase of reopening would begin on May 15, 2020 in several regions of New York, based upon available regional metrics and indicators. On May 29, 2020, Governor Cuomo announced that the second phase of reopening would begin in several regions of the state, and announced the use of a new early warning dashboard that aggregates the state’s expansive data collection efforts for New Yorkers, government officials, and experts to monitor and review how the virus is being contained to ensure a safe reopening. On June 11, 2020, Governor Cuomo announced that the third phase of reopening would begin on June 12, 2020 in several regions of New

York. On June 24, 2020, Governor Cuomo announced that several regions of the state were on track to enter the fourth phase of reopening starting on June 26, 2020. By July 20, 2020, all regions of New York, including New York City, had reached the fourth phase of the State's reopening.

In addition to the following standards, businesses must continue to comply with the guidance and directives for maintaining clean and safe work environments issued by DOH.

Please note that where guidance in this document differs from other guidance documents issued by New York State, the more recent guidance shall apply.

## **Standards for the Responsible Operation of Gyms and Fitness Centers in New York State**

No gym or fitness center can operate without meeting the following minimum State standards, as well as applicable federal requirements, including but not limited to such minimum standards of the Americans with Disabilities Act (ADA), Centers for Disease Control and Prevention (CDC), Environmental Protection Agency (EPA), and United States Department of Labor's Occupational Safety and Health Administration (OSHA).

The State standards contained within this guidance apply to all gyms and fitness centers in operation during the COVID-19 public health emergency until rescinded or amended by the State. The owner/operator of the gym or fitness center/activity, or another party as may be designated by the owner/operator (in either case, "the Responsible Parties"), shall be responsible for meeting these standards.

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

### **I. PEOPLE**

#### **A. Physical Distancing**

- Responsible Parties must ensure that capacity within the gym or fitness center is limited to no more than 33% of the maximum occupancy for a particular area as set by the certificate of occupancy at any given time, inclusive of employees and patrons, both of whom must only be permitted entry into the gym or fitness center if they:
  - wear an acceptable face covering at all times, provided that the employee or patron is over the age of two and able to medically tolerate such covering;
    - For individuals who are unable to medically tolerate an acceptable face covering, Responsible Parties must ensure that such individuals wear a face shield at all times. However, the CDC "does not currently recommend use of face shields as a [sufficient] substitute for masks."
  - complete and pass a health screening, as described below on page 14 under Section III: Processes, Subsection A: Screening and Testing; and
  - sign-in upon entering the facility (or prior via remote check-in), providing their full name, address, and phone number for use in contact tracing efforts.
    - The sign-in process may be conducted through any means that the Responsible Parties establish to collect the above contact information, including but not limited to a digital application, barcode reader, swipe card reader, and/or paper form.

- 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 departments upon request.
- Responsible Parties must ensure that a distance of at least six feet is maintained among individuals, including employees and patrons, at all times, unless safety or the core activity requires a shorter distance (e.g., moving equipment, using an elevator, attending to a medical emergency). The core activity does NOT apply to exercise activity, which must always allow for at least six feet of distance between individuals.
  - Responsible Parties should discourage free weight exercises that require a spotter. However, if those exercises occur, an employee wearing a face covering should be available or the patron who is lifting the weights should have a member of their household or party who is wearing a face covering available to spot. In either case, spotting must be conducted within the least amount of time possible (i.e., no lingering or socializing).
- Responsible Parties must ensure that all individuals, including employees and patrons, wear acceptable face coverings at all times, while at the gym or fitness center, unless they are eating (e.g., in a designated area, such as a café apart from the exercise area), drinking, or in an aquatic setting (e.g., pool, individual shower); provided that they are over the age of two and able to medically tolerate such covering.
  - Acceptable face coverings for COVID-19 include, but are not limited to, cloth-based face coverings and disposable masks appropriate for exercise that cover both the mouth and nose. Bandanas, buffs, and gaiters are not acceptable face coverings for use in gyms and fitness centers.
  - 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 modify the use of, reorganize, and/or restrict the number of available workout stations and exercise equipment (e.g., cardio equipment, free weights, cycles, mats) so that individuals are at least six feet apart in all directions (e.g., side-to-side and when facing one another) at all times.
- Responsible Parties must ensure individuals are not sharing equipment without cleaning and disinfection between use.
- When distancing is not feasible in non-workout related locations (e.g., reception desks), Responsible Parties should erect barriers (e.g., plastic shielding walls) in areas where they would not affect air flow, heating, cooling, or ventilation, or present a health or safety risk.
  - 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 should prohibit the use of small spaces (e.g., storage closets, equipment check-out areas) by more than one individual at a time, unless all employees in such space at the same time are wearing acceptable face coverings. However, even with face coverings in use, occupancy

must not exceed 33% of the maximum capacity of the space, unless it is designed for use by a single occupant.

- Responsible Parties must post signs throughout the gym or fitness center, consistent with [DOH COVID-19 signage](#). Responsible Parties can develop their own customized signage specific to a 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, drinking, or in an aquatic setting (e.g., pool, individual shower).
  - Quarantine if they have recently been in a state with significant community transmission of COVID-19, pursuant to the DOH [travel advisory](#).
  - Properly store, clean, and, when necessary, discard PPE.
  - Adhere to physical distancing instructions.
  - Report symptoms of or exposure to COVID-19, and how they should do so.
  - Follow hand hygiene and cleaning and disinfection guidelines.
  - Follow appropriate respiratory hygiene and cough etiquette.
  - Wipe down equipment with disinfectant wipes before and after usage.

## **B. Gatherings in Enclosed Spaces**

- Responsible Parties must limit in-person employee gatherings (e.g., staff meetings, in break rooms, stock rooms) to the greatest extent possible and consider use of other methods such as video or teleconferencing whenever possible, per CDC guidance "[Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 \(COVID-19\)](#)". When videoconferencing or teleconferencing is not possible, Responsible Parties should hold meetings in open, well-ventilated spaces and ensure that individuals maintain six feet of social distance between one another (e.g., if there are chairs, leave space between chairs, have employees sit in alternating chairs).
- Responsible Parties must put in place practices for adequate social distancing in small areas, such as locker rooms, restrooms, and breakrooms, and should develop signage and systems (e.g., flagging when occupied) to restrict occupancy when social distancing cannot be maintained in such areas.
- Responsible Parties must close any communal showers. Individual showers may remain open, provided that Responsible Parties ensure they are cleaned and disinfected between each user.
- Responsible Parties may implement best practices for communal bathrooms including but not limited to:
  - installation of physical barriers between toilets and sinks, if six feet of separation is not feasible; and
  - use of touchless soap and paper towel dispensers.
- To the extent practicable, Responsible Parties should stagger schedules for employees to observe social distancing (i.e., six feet of space) for any employee gathering (e.g., coffee breaks, meals, and shift starts/stops).

### C. On-Site Activity

- Responsible Parties must coordinate with their local health department to schedule an inspection of the facility before, or within 14 days after, opening. Local health departments shall inspect the facility to ensure compliance.
- Responsible Parties should implement and encourage the use of appointments, reservations, and/or remote check-ins, particularly for membership-based operations, as a method for ensuring compliance with occupancy restrictions.
- For fitness classes and/or exercise activities that involve group interaction:
  - Responsible Parties are encouraged, but not required to conduct such classes and/or activities outdoors, to the extent practicable.
  - Responsible Parties must use appointments, reservations, remote check-ins, and/or advance sign-ups for classes and spaces.
  - Responsible Parties must limit the number of participants in fitness classes or group activities to the lesser of:
    - (1) the number of individuals that the space can accommodate such that there is a minimum distance of six feet between individuals at all times;
    - (2) 33% of the typical class size (i.e., leave stations, cycles, or other equipment vacant); or
    - (3) the number of individuals permitted by the State’s social gathering limit for the region in which the gym or fitness center is located.
  - Responsible Parties must ensure that individuals, including the instructor(s) and patrons, maintain at least six feet of distance between one another at all times, and that face coverings are worn consistent with the abovementioned requirements.
  - Responsible Parties must ensure that any equipment (e.g., machines, dumbbells) is cleaned and disinfected between use by different individuals.
  - Responsible Parties should encourage patrons to bring their own personal equipment (e.g., mats) with their name labeled on such equipment, and refrain from handling another patron’s equipment.
- For aquatic exercise classes, Responsible Parties must ensure that:
  - the number of participants is limited to the lesser of:
    - (1) the number of individuals the space can accommodate so that there is a distance of six feet between individuals;
    - (2) 33% of the typical class size; or
    - (3) the number of individuals permitted by the State’s social gathering limit for the region in which the gym or fitness center is located;
  - shared equipment is cleaned and disinfected after each use; and
  - DOH’s [“Interim Guidance for Pools and Recreational Aquatic Spray Grounds During the COVID-19 Public Health Emergency”](#) is followed.
- For personal training at gyms or fitness centers, Responsible Parties must ensure that:

- Patrons and trainers wear face coverings at all times;
- Patrons and trainers maintain six feet of space to the maximum extent possible, considering occasional, brief contact that may be closer than six feet to address a health or safety risk (e.g., demonstrate exercise, correct form or posture). In any case, this close contact must be conducted within the least amount of time possible (i.e., no lingering or socializing);
- Patrons and trainers must prohibit the sharing of personal items between one another (e.g., towels); and
- Patrons and trainers must clean and disinfect any shared equipment in between use (e.g., demonstrations).
- Responsible Parties must prohibit higher-risk activities where physical contact cannot be continuously avoided (e.g., martial arts, boxing), and should discourage hands-on adjustments in classes (e.g., yoga, Pilates), unless necessary to mitigate a health or safety risk. For more information, see DOH's "[Interim Guidance for Sports and Recreation during the COVID-19 Public Health Emergency](#)" on the risk level associated with specific activities, which, at time of publication, limits higher-risk activities to "individual or distanced group training and organized no/low-contact group training."
- Responsible Parties may choose to implement workout "shifts" in which individuals sign-up for designated times to exercise, so as to create cohorts that remain consistent (i.e., the same set of people work out together each time).
- Responsible Parties must close amenities, where applicable, including:
  - whirlpools, saunas, and steam rooms;
  - communal showers;
  - common seating areas within the gym or fitness center (e.g., couches near reception desks);
  - water fountains (however, water bottle refill stations may remain open); and
  - self-serve bars and samplers.
- 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;
  - adjusting workplace hours;
  - encouraging use of outdoor spaces, where possible;
  - reducing on-site workforce to accommodate social distancing guidelines;
  - shifting design (e.g., A/B teams, staggered arrival/departure times);
  - reminding patrons to plan their workout routines ahead of time to reduce lingering;
  - implementing sign-up policies so patrons can work out during consistent, specific times to encourage cohorting;
  - developing protocols for the safe use of common office equipment such as telephones, copiers, printers, registers, etc.; and/or
  - banning the use of shared equipment without proper cleaning and disinfection between use and close equipment storage.

- Responsible Parties should adjust hours of operation as necessary to enable enhanced cleaning procedures, per DOH guidance, "[COVID-19: General Guidance for Cleaning and Disinfecting for Non-Health Care Settings.](#)"

#### **D. Movement and Commerce**

- Responsible Parties must monitor and control the flow of traffic into the gym or fitness center to ensure:
  - adherence to maximum capacity and social distancing requirements; and
  - all individuals, including employees and patrons, sign-in and complete a health screening.
- Responsible Parties should put in place measures to reduce bi-directional foot traffic using tape or signs with arrows in narrow aisles, hallways, or spaces, or in aisles between gym equipment, 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., clock in/out stations, health screening stations, break rooms, equipment checkout areas, cash register areas, locker rooms).
- Responsible Parties should clearly designate separate entrances and exits, to the extent practicable.
- Responsible Parties must be prepared to queue patrons outside while still maintaining physical distance including through the use of visual cues and/or queueing control devices (e.g., stanchions, line distance markers, arrows).
- Responsible Parties should arrange patron waiting areas (e.g., lines, parking areas) to maximize social distance among other people and minimize interaction with others in the area.
- Responsible Parties should limit on-site interactions (e.g., designate an egress(es) for individuals leaving the gym or fitness center and a separate ingress(es) for individuals entering) and movements (e.g., employees should remain near their workstations as often as possible).
  - Where practicable, Responsible Parties should limit the numbers of entrances in order to (1) manage the flow of traffic into the gym or fitness center and monitor occupancy/capacity limits and (2) facilitate sign-in and health screenings, while remaining in compliance with fire safety and other applicable regulations.
- Responsible Parties must establish designated areas for pickups and deliveries, limiting contact to the extent possible.
- For merchandise or equipment deliveries, Responsible Parties should implement a touchless delivery system whereby drivers stay in the cab of the vehicle while delivery takes place or, where not practicable, Responsible Parties must provide acceptable PPE appropriate to the anticipated activities that includes, at a minimum, a face covering to personnel involved in the delivery at no cost for the duration of the delivery process.
- Responsible Parties must ensure that employees perform hand hygiene before and after transferring a load (e.g., from a delivery driver) of merchandise (e.g., perform hand hygiene before starting to load items; and once all items have been loaded, finish by performing hand hygiene again).



- Responsible Parties should implement touchless check-in and payment options or pay ahead options to be used by patrons, when available. Responsible Parties should minimize the handling of cash, credit cards, membership cards, and mobile devices, where possible.

## II. PLACES

### A. Air Handling Systems

- For facilities with central air handling systems, Responsible Parties must ensure central HVAC system filtration meets the highest rated filtration compatible with the currently installed filter rack and air handling systems, at a minimum MERV-13, or industry equivalent or greater (e.g., HEPA), as applicable, and as certified and documented by a certified HVAC technician, professional, or company, ASHRAE-certified professional, certified retro-commissioning professional, or New York licensed professional building engineer.
  - Responsible Parties may also consider adopting additional ventilation and air filtration mitigation protocols per [CDC](#) and ASHRAE recommendations, particularly for buildings 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;
    - Opening outdoor air dampers to reduce or eliminate recirculation to the extent possible;
    - Sealing edges of the filter to limit bypass;
    - Regularly inspecting systems and filters to ensure they are properly operating, and filters are appropriately installed, serviced and within service life;
    - Opening windows to the extent allowable for occupant safety and comfort;
    - Installing appropriately designed and deployed ultraviolet germicidal irradiation (UVGI) to deactivate airborne virus particles; and/or
    - Using portable air cleaners (e.g., electric HEPA units), considering units that provide highest air change rate at appropriate performance level and do not generate harmful byproducts.
- For facilities 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 and 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, of ideally MERV-11 or MERV-12, with additional ventilation and air filtration mitigation protocols.

- In addition, Responsible Parties with facilities that have a central air handling system who are unable to meet a filtration rating of MERV-13 or greater must adopt additional ventilation and 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;
  - Opening outdoor air dampers to reduce or eliminate recirculation to the extent possible;
  - Sealing edges of the filter to limit bypass;
  - Regularly inspecting systems and filters to ensure they are properly operating, and filters are appropriately installed, serviced and within service life;
  - Opening windows to the extent allowable for occupant safety and comfort;
  - Installing appropriately designed and deployed ultraviolet germicidal irradiation (UVGI) to deactivate airborne virus particles; and/or
  - Using portable air cleaners (e.g., electric HEPA units), considering units that provide highest air change rate at appropriate performance level and do not generate harmful byproducts.
- Responsible Parties with facilities that do not have central air handling systems, or do not operate or otherwise control the systems, must adopt additional ventilation and air filtration mitigation protocols per CDC and ASHRAE recommendations, including:
  - Deploying appropriate 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;
  - Regularly inspecting any room ventilation systems (e.g., window 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;
  - 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; and/or
  - Installing of appropriately designed and deployed ultraviolet germicidal irradiation (UVGI) to deactivate airborne virus particles.

## **B. Protective Equipment**

- Responsible Parties must ensure that employees and patrons are only permitted entry into the gym or fitness center if they wear an acceptable face covering, provided, that the employee or patron is over the age of two and able to medically tolerate such covering.
  - For individuals who are unable to medically tolerate an acceptable face covering, Responsible Parties must ensure that such individuals wear a face shield at all times. However, the CDC “does not currently recommend use of face shields as a [sufficient] substitute for masks.”
- Responsible Parties must ensure that all individuals, including employees and patrons, wear face coverings at all times, with the following exceptions:
  - Individuals may be temporarily permitted to remove face coverings while eating or drinking, so long as they maintain six feet of distance from other individuals.
  - Face coverings should not be worn in aquatic settings (e.g., pool, individual shower).
- 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 their 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 an employee need a replacement, or should a patron be in need.
  - Acceptable face coverings include, but are not limited to, cloth (e.g., homemade sewn, quick cut), surgical masks, and N95 respirators that are appropriate for exercise. Bandanas, buffs, and gaiters are not acceptable face coverings for use in gyms and fitness centers.
- 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 impose a higher degree of protection for face covering requirements. OSHA standards for such safety equipment must be adhered to.
  - Responsible Parties must advise employees and patrons to regularly clean or replace their face coverings if they become wet or soiled.
- Responsible Parties must allow employees to use their own acceptable face coverings but cannot require employees to supply their own face coverings. Further, this guidance shall not prevent employees from wearing their personally owned additional protective coverings (e.g., surgical masks, N95 respirators, or face shields), or if the Responsible Parties otherwise require employees to wear more protective PPE due to the nature of their work. Employers should comply with all applicable OSHA standards.
- Responsible Parties must put in place measures to limit the sharing of objects, such as tools, as well as the touching of shared surfaces (excluding workout equipment), such as cash registers; or, require workers to wear gloves (trade-appropriate or medical) when in contact with shared objects or frequently touched surfaces; or, require workers to sanitize or wash their hands before and after contact.
- Responsible Parties must train workers on how to adequately don, doff, clean (as applicable), and discard PPE, including but not limited to, appropriate face coverings.

### C. Hygiene, Cleaning, and Disinfection

- Responsible Parties must ensure adherence to hygiene and cleaning and disinfection requirements as advised by the CDC and DOH, including "[Guidance for Cleaning and Disinfection of Public and Private Facilities for COVID-19](#)," and the "[STOP THE SPREAD](#)" poster, as applicable. Responsible Parties must maintain logs that include the date, time, and scope of cleaning and disinfection.
- Responsible Parties must provide and maintain hand hygiene stations on site, as follows:
  - For handwashing: soap, running warm water, and disposable paper towels.
  - For hand sanitizing: an alcohol-based hand sanitizer containing at least 60% alcohol for areas where handwashing facilities may not be available or practical.
  - Responsible Parties must make hand sanitizer available throughout the gym or fitness center for use by employees and patrons (e.g., entrances, exits, appointment desks, next to workout stations). 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 gym or fitness center for disposal of soiled items, including PPE.
- Responsible Parties should encourage patrons to bring their own equipment (e.g., towels, yoga mats, hand weights used in group classes), to the extent possible.
  - While it is a best practice to have patrons bring their own towels, Responsible Parties may provide towels to patrons and perform laundry service, provided that they do so in accordance with [CDC guidance](#), which includes:
    - Launder items according to the manufacturer's instructions, using the warmest appropriate water setting and dry items completely.
    - Wear disposable gloves when handling dirty laundry.
    - Do not shake dirty laundry.
    - Clean and disinfect clothes hampers.
    - Remove gloves, and wash hands immediately after performing laundry services.
- Responsible Parties must conduct regular cleaning and disinfection of the gym or fitness center 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 frequently throughout the hours of operations and whenever 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 that shared equipment and machines are cleaned and disinfected by employees or patrons between every use.
  - Responsible Parties must provide appropriate cleaning and disinfection supplies for shared and frequently touched surfaces and equipment and should require employees and encourage patrons to use these supplies, following manufacturers' instructions, before and after use of these surfaces, followed by hand hygiene.
  - Responsible Parties must ensure that sufficient staff is available to "wipe down" (i.e., clean and disinfect) equipment between users, but Responsible Parties may require patrons to "wipe down" equipment before and/or after each use.

- Responsible Parties must ensure that rental equipment (e.g., cleated shoes, yoga mats) is cleaned and disinfected between uses.
- Responsible Parties must ensure regular cleaning and disinfection of locker rooms and restrooms. Locker rooms and restrooms must be cleaned and disinfected at least every two hours, 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 shared workstations (e.g., check-in desks) are cleaned and disinfected between use by different employees.
- Responsible Parties must ensure that equipment is regularly (e.g., between use by each patron) cleaned and disinfected using registered disinfectants. Refer to the Department of Environmental Conservation (DEC) [list of products](#) registered in New York State and identified by the EPA as effective against COVID-19.
- If cleaning or disinfection products or the act of cleaning and disinfection causes safety hazards or degrades the material or equipment, Responsible Parties must close such equipment, put in place hand hygiene stations between use, supply disposable gloves, and/or set limits on the number of individuals who may use such equipment.
- Responsible Parties must provide for the cleaning and disinfection of exposed areas in the event an individual is confirmed to have a positive case of COVID-19, with such cleaning and disinfection to include, at a minimum, all heavy transit areas and high-touch surfaces (e.g., fitness equipment, machines, handrails, check-in desks).
- 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 bathrooms, common areas, and shared equipment.
  - Once the area has been appropriately cleaned and disinfected, it can be re-opened for use.
    - Individuals without close or proximate contact with the person suspected or confirmed to have COVID-19 can return to the area immediately after cleaning and disinfection.
    - Refer to DOH's "[Interim Guidance for Public and Private Employees Returning to Work Following COVID-19 Infection or Exposure](#)" for information on "close or proximate" contacts.
  - If more than seven days have passed since the person suspected or confirmed to have COVID-19 visited or used the gym or fitness center, additional cleaning and disinfection is not necessary, but routine cleaning and disinfection should continue.
- Responsible Parties must prohibit shared food and beverages among employees (e.g., self-serve meals and beverages), encourage employees to bring lunch from home, and reserve adequate space for employees to observe social distancing while eating meals.

## D. Phased Reopening

- Responsible Parties are encouraged to phase-in reopening activities so as to allow for operational issues to be resolved before production or work activities return to normal levels. Responsible Parties should consider limiting the number of employees, hours, and number of patrons served when first reopening so as to provide operations with the ability to adjust to the changes.

## E. Communications Plan

- Responsible Parties must affirm that they have reviewed and understand the state-issued industry guidelines, and that they will implement them.
- Responsible Parties should develop a communications plan for employees and patrons that includes applicable instructions, training, signage, and a consistent means to provide employees and patrons with information. Responsible Parties may consider developing webpages, text and email groups, and social media.
- Responsible Parties must encourage individuals to adhere to CDC and DOH guidance regarding the use of PPE, specifically face coverings, through verbal communication and signage.
- Responsible Parties should post signage inside and outside of the gym or fitness center to remind employees and patrons to adhere to proper hygiene, social distancing rules, appropriate use of PPE, and cleaning and disinfection protocols.

# III. PROCESSES

## A. Screening and Testing

- Responsible Parties must implement mandatory daily health screening practices for employees, patrons, and, where practicable, contractors and vendors, but such screening shall not be mandated for delivery personnel.
- Screening practices may be performed remotely (e.g., by telephone or electronic survey), before individuals report to the gym or fitness center, to the extent possible; or may be performed on site.
- Screening should be coordinated to prevent individuals from intermingling in close or proximate contact with each other prior to completion of the screening.
- At a minimum, screening must be required of all employees, patrons, and, where practicable, contractors and vendors, and must be completed using a questionnaire that determines whether the individual has:
  - (a) knowingly been in close contact in the past 14 days with anyone who has tested positive for COVID-19 or who has or had symptoms of COVID-19;
  - (b) tested positive for COVID-19 through a diagnostic test in the past 14 days;
  - (c) experienced any symptoms of COVID-19 in the past 14 days; and
  - (d) traveled within a state with significant community spread of COVID-19 for longer than 24 hours within the past 14 days.
- Refer to CDC guidance on "[Symptoms of Coronavirus](#)" for the most up to date information on symptoms associated with COVID-19.

- Refer to DOH [travel advisory](#) for the most up to date information on states with significant spread of COVID-19 and quarantine requirements.
- Screening practices include:
  - If space and building configuration allows, screen individuals at or near the building entrance to minimize the impact in case of a suspected or confirmed case of COVID-19.
  - Allow for adequate social distancing while individuals queue for screening and/or building entry.
  - Admit only individuals who have been screened either remotely or upon arrival.
  - If temperature checks are performed, use contactless thermal cameras in building entrances to identify potentially symptomatic individuals and direct them to a secondary screening area to complete a follow-up screening. If not possible or feasible, a temperature check may be performed using contactless thermometers.
- Responsible Parties must require employees to immediately disclose if and when their responses to any of the aforementioned questions changes, such as if they begin to experience symptoms, including during or outside of work hours.
- In addition to the screening questionnaire, temperature checks may also be conducted per Equal Employment Opportunity Commission or DOH guidelines. Responsible Parties are prohibited from keeping records of employee health data (e.g., the specific temperature data of an individual), but are permitted to maintain records that confirm individuals were screened and the result of such screening (e.g., pass/fail, cleared/not cleared).
- Responsible Parties must ensure that any personnel performing screening activities, including temperature checks, are appropriately protected from exposure to potentially infectious individuals entering the gym or fitness center. Personnel performing screening activities should be trained by employer-identified individuals who are familiar with CDC, DOH, and OSHA protocols.
- Screeners should be provided and use PPE, including at a minimum, an acceptable face covering or mask, and may include gloves, a gown, and/or a face shield.
- An individual who screens positive for COVID-19 symptoms must not be allowed to enter the facility and employees who screen positive must be sent home with instructions to contact their healthcare provider for assessment and testing.
  - Responsible Parties should remotely provide the employee with information on healthcare and testing resources.
  - Responsible Parties must immediately notify the state and local health department about the case if test results are positive for COVID-19.
- Responsible Parties should refer to DOH's "[Interim Guidance for Public and Private Employees Returning to Work Following COVID-19 Infection or Exposure](#)" regarding protocols and policies for employees seeking to return to work after a suspected or confirmed case of COVID-19 or after the employee had close or proximate contact with a person with COVID-19.
- Responsible Parties must designate a central point of contact, which may vary by activity, location, shift or day, responsible for receiving and attesting to having reviewed all questionnaires, with such

contact also identified as the party for individuals to inform if they later are experiencing COVID-19-related symptoms, as noted on the questionnaire.

- Identified point of contact for the gym or fitness center should be prepared to receive notifications from individuals of positive cases and initiate the respective cleaning and disinfection procedures.
- Responsible Parties must designate a site safety monitor whose responsibilities include continuous compliance with all aspects of the site safety plan.
- Responsible Parties must maintain a log of every person, including employees, patrons, and where practicable, contractors, and vendors, who may have close or proximate contact with other individuals at the workplace or area; excluding deliveries that are performed with appropriate PPE or through contactless means. The log must contain contact information, including each individual's full name, address, and phone number, such that all contacts may be identified, traced, and notified in the event of a positive COVID-19 case.
  - The sign-in process may be conducted through any means that the Responsible Parties establish to collect the above contact information, including but not limited to a digital application, barcode reader, swipe card reader, and/or paper form.
  - Responsible Parties must maintain a record of the aforementioned sign-in data for a period 28 days and make such data available to state and local health departments upon request.

## **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 at their gym or fitness center.
- In the case of an individual testing positive, the Responsible Parties must cooperate with the state and local health department as required to trace all contacts in the gym or fitness center and notify the state and local health department of all individuals who entered the gym or fitness center dating back 48 hours before the individual first experienced COVID-19 symptoms or tested positive, whichever is earlier. Confidentiality must be maintained as required by federal and state law and regulations.
  - In the case of an individual showing symptoms while in the gym or fitness center, Responsible Parties must notify employees in the surrounding areas or who may have been affected immediately with information on where the individual has been throughout the gym or fitness center and notify them if the symptomatic person tests positive.
- State and local health departments may, under their legal authority, implement monitoring and movement restrictions of infected or exposed persons including home isolation or quarantine.
- Employees who are alerted that they have come into close 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.

## **IV. EMPLOYER PLANS**



Responsible Parties must conspicuously post completed safety plans on site for employees. The State has made available a business reopening safety plan template to guide business owners and operators in developing plans to protect against the spread of COVID-19.

**Additional safety information, guidelines, and resources are available at:**

For general guidelines on assessing risk, promoting behaviors that reduce spread, maintaining healthy operations and environment, and preparing for when someone becomes sick, refer to the CDC's "[Gym and Fitness Center Employers](#)."

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>