Risk Topic	New York State Guidance[1]	UK Guidance
Physical Distancing		
Occupancy Levels	- Total number of occupants limited to 50% of the maximum occupancy at any given time for a particular area as set by the certificate of occupancy. - Prohibit the use of small spaces (e.g., elevators, supply rooms, personal offices, vehicles) by more than one individual at a time, unless all individuals are wearing face coverings[2] – even then, occupancy must not exceed 50% of the maximum capacity of the space or vehicle (unless it is designed for use by a single occupant).	- No set parameters, but employers need to manage occupancy levels to enable social distancing of two meters.
Distancing	- Six feet to be maintained between individuals, unless safety of the core activity requires a shorter distance. Any time individuals must come within 6 feet of another person, face coverings must be worn.	- Two meters must be maintained between individuals where possible. Workplace guidance states that there is no requirement to wear face coverings (unless the employer works within the clinical or care sector), though the general guidance does recommend the use of face coverings in enclosed public spaces or where it is not possible to maintain social distancing. It would therefore not be unreasonable to require face coverings in circumstances where social distancing cannot be maintained at work for extended periods. In addition, from June 15 it will be compulsory in England to wear face coverings on public transport, so those employees who travel to and from work via public transport must own and use a face covering.
Workstations	- Workstations and seating areas may be modified or restricted, so that employees are at least six feet apart in all directions. When distancing is not feasible, employers must provide and require the use of face coverings or physical barriers e.g., plastic shielding walls. Employees who come into contact with customers or members of the public must be provided a face covering. - Consider implementing strict clean-desk policies, so that non-essential items are stored in enclosed cabinets or drawers, rather than on desks.	- For the most part this is consistent with UK guidance, although as mentioned above, the workplace guidance does not specifically require the use of face coverings when distancing is not feasible – in this instance the use of physical barriers should be used.

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[1] The information contained in this comparison table is based on NY State and UK guidance accurate as at June 4, 2020.

[2] For the purpose of this note, acceptable face coverings include, but are not limited to, cloth-based (e.g., homemade sewn), surgical masks and face shields. It is important to note that cloth face coverings or disposable masks shall not be considered acceptable face coverings for workplace activities that require a higher degree of protection e.g., if N95 respirators are required for specific activities, a cloth or homemade mask would not suffice.

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Risk Topic	New York State Guidance[1]	UK Guidance
	- Mark six feet distance circles around workstations and other common stationary work areas.	
Hot-Desking	- Restrict hot-desking to the extent practicable. Where still in use, ensure they are cleaned and disinfected between users.	- Same.
Ventilation	- Increase ventilation to outdoor air to the greatest extent possible.	- Same. In addition, ventilation systems should be checked to see if they need to be serviced or adjusted, for example, so that they do not automatically reduce ventilation levels due to lower than normal occupancy levels.
Congregation in Common Areas	- Prevent congregation in elevator waiting areas and limit density in elevators, by enabling the use of the stairs. - Put in place measures to reduce bi-directional foot traffic using tape or signs with arrows and distance markers denoting spaces of six feet in all commonly used areas or where people may congregate (e.g., kitchens, copy rooms, reception desks).	- Same. Employers should also be mindful to ensure that people with disabilities are able to access elevators.
Signage	- Post signs throughout the office consistent with Department of Health (DOH) COVID-19 signage, including for example, how to adhere to physical distancing instructions and how to properly store and, when necessary, discard personal protective equipment (PPE).	- No specific requirement to post signage throughout the office, although employers must make sure people understand what they need to do to maintain safety and posting signs and visual aids are suggested measures to help achieve this aim. It would therefore be consistent with the guidance to adopt the NY approach.
Gatherings in Enclosed Spaces		
In-Person Gatherings	- Limit in-person gatherings (e.g., meetings) and use other methods such as video or teleconferencing whenever possible, per CDC Guidance (Centers for Disease Control	- Same.

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Risk Topic	New York State Guidance[1]	UK Guidance
	and Prevention). If this is not possible, meetings should be held in open, well-ventilated spaces and individuals kept six feet apart.	
Non-Essential Amenities & Common Areas	- Close non-essential amenities and communal areas which promote gathering or are high-touch (e.g., vending machines, communal coffee machines). - Non-essential common areas (e.g., gyms, pools, game rooms) must remain closed.	- There is no requirement to close these areas, but extra steps should be taken to ensure that social distancing is maintained, and regular cleaning takes place.
Social Distancing in Small Areas	- Put in place practices for adequate social distancing in small areas, such as restrooms and breakrooms, and develop signage and systems to restrict occupancy when social distancing cannot be maintained. - Stagger schedules for employees to observe social distancing for any gathering (e.g., coffee breaks).	- Same.
Collection of Documents	- If required, employees who do not need to be in the office may be allowed to collect documents from their place of work on a case-by-case basis, but such collection should occur minimally, not with frequency.	- No specific UK guidance, but we consider this measure is consistent with the principles of the guidance.
Workplace Activity		
Interpersonal Contact and Congregation	- Measures must be taken to reduce interpersonal contact and congregation, through methods such as adjusting workplace hours, reducing the in-office workforce, shifting design (e.g., A/B teams) and/or avoiding multiple teams working in one area by staggering scheduled tasks and using signs to indicate occupied areas.	- Same.
Phased Reopening	- Create policies to encourage employees to work from home when feasible. - Consider developing return-to-work tiers or waves for employees based on factors such as function, safe transportation and ability to work remotely.	- Same.
Working From Home	- May implement best practices for employees to effectively work from home, such as conducting regular surveys to determine what practices are working/what can be improved and informing employees of the resources they have readily available.	- Same.

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Risk Topic	New York State Guidance[1]	UK Guidance
Movement and Commerce		
Non-Essential Travel	- Consider limiting all non-essential travel.	- Same.
Pickups and Deliveries	- Establish designated areas for pickups and deliveries, limiting contact to the extent possible.	- Same.
On-Site Interactions	- Limit on-site interactions (e.g., designate an exit for employees leaving their shifts and a separate entrance for employees starting their shifts) and movements.	- Same.
Protective Equipment		
Face Coverings	- Employers must obtain and keep an adequate supply of face coverings and provide such coverings (and any replacements) at no cost to the employee. - Face coverings must be cleaned or replaced after use and may not be shared. - Employees are allowed to use their own face coverings but cannot be required to supply their own face coverings. - Employers should comply with all applicable OSHA Standards (United States Department of Labor's Occupational Safety and Health Administration).	- PPE is not currently recommended outside of clinical and care environments, and face coverings are not required under the workplace guidance. As indicated above, however, the general guidance does recommend the use of face coverings in enclosed spaces or where it is not possible to maintain social distancing and from June 15 it will be compulsory in England to wear face coverings on public transport. It would therefore not be unreasonable to require face coverings in circumstances where social distancing cannot be maintained. - Employers should refer to the UK government advice to check if they are within the group for which the use of PPE is required. If PPE is required, the employer must provide PPE free of charge to workers and it must fit properly.
Protective Equipment Training	- Train employees (and contractors, if applicable) on how to adequately put on, take off, clean (as applicable) and discard PPE, including but not limited to face coverings.	- Employers should support their workers in using face coverings safely if they choose to wear one. This includes telling workers how to correctly wash them or dispose of them if they are not washable.

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Risk Topic	New York State Guidance[1]	UK Guidance
Sharing Equipment	- Put in place measures to limit the sharing of objects, such as laptops and writing utensils, as well as the touching of shared surfaces, such as conference tables; or require employees to perform hand hygiene before and contact.	- Same.
Hygiene, Cleaning and Disinfection		

Hand Hygiene Stations	- Provide and maintain hand hygiene in the office as follows:
	   o For handwashing: soap, running warm water, disposable towels, and a lined garbage can.
	   o For hand sanitising: an alcohol-based hand sanitiser containing at least 60% alcohol for areas where handwashing facilities may not be available or practical.
	   o Make hand sanitiser available throughout common areas in the office, installing touch-free dispensers where possible.
	   o Place receptacles around the building for disposal of soiled items, including PPE.
		- Same.

Cleaning Supplies	- Provide appropriate cleaning/disinfection supplies for shared and frequently touched surfaces and encourage employees (or cleaning staff) to use these supplies before and after use of these surfaces.	- Same.
Maintaining Cleanliness	- Conduct regular cleaning and disinfection of the building especially for high risk areas used by many individuals and for frequently touched surfaces. - 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.' - Maintain logs that include date, time, and scope of cleaning and disinfection.	- Adhere to the relevant requirements for keeping the workplace clean in the equivalent UK guidance, although the approach is materially similar to the measures suggested by the CDC and DOH.
Cleaning after a Suspected or Confirmed Case	- Follow CDC Guidelines on how to clean and disinfect the workplace if someone is suspected or confirmed to have COVID-19.	- Refer to the specific UK guidance on what employers should do when cleaning after a known or suspected case of COVID-19.

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Risk Topic	New York State Guidance[1]	UK Guidance
Eating and Drinking	- Prohibit shared food and beverages (e.g., buffet style meals), encourage bringing lunch from home, and reserve adequate space for employees to observe social distancing while eating meals.	- Same.
Phased Reopening		
Phased Reopening	- Employers are encouraged to phase-in reopening so as to allow for operational issues to be resolved before production or work activities return to normal levels, taking into account number of employees and working hours.	- Same.
Communications Plan		
Employee and Visitor Communications	- Employers must affirm that they have reviewed and understand the state-issued industry guidelines and that they will implement them. - Develop a communications plan for employees, visitors and customers that includes applicable instructions, training and signage, and a consistent means to provide employees with that information. - Post signage inside and outside of the workplace to remind personnel and customers to adhere to proper hygiene, social distancing rules, appropriate use of PPE, and cleaning and disinfecting protocols.	- No requirement to develop a specific development plan, however measures such as providing training, posting signage and finding regular means to keep employees informed are consistent with measures in the UK guidance.
Essential Visitors	- Provide building managers/owners a list of essential visitors expected to enter the building.	- Same.
Building-Wide Communications	- Work with building management to help facilitate any building-wide communications.	- No specific requirement in the UK guidance.
Online Communications	- Consider developing webpages, text and email groups, and social media.	- No specific requirement in the UK guidance.
Screening and Testing		

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Risk Topic	New York State Guidance[1]	UK Guidance

Handling Confirmed Cases	- If an employee or visitor is symptomatic upon arrival at work or becomes sick during the day they must be separated and sent home immediately.
	
	- In the following circumstances, each employee should complete a 14-day self-quarantine before returning to work. If the employee is critical to the operation or safety of the site consult with the local health department and the most up-to-date CDC and DOH standards on the minimum number of days to isolate before an individual is safely able to return to work:
	
	   o If an employee has symptoms **and either** tests positive for COVID-19 **or** did not receive a test.
	
	   o If an employee does **not** have symptoms **but** tests positive for COVID-19.
	
	   o If an employee has had close contact with a person with COVID-19 **and** is symptomatic.
	
	   o If an employee has had close contact with a person with COVID-19 **and** is **not** symptomatic.
		- In all such circumstances listed in the left hand column, a self-quarantine period of 14 days would also be required in the UK before an employee would be allowed to return to work.
		
		- Employers should adhere to current UK guidance for people who have symptoms and those who live with others who have symptoms.
		
		- See 'Positive Screening Cases' section below for the Health and Safety Executive of Northern Ireland (HSENI) position when dealing with a member of staff or the public that has developed COVID-19 and recently been on work premises.

Daily Health Screening	- Implement mandatory daily health screening practices for all employees and, where practicable, visitors, but such screening shall not be mandated for delivery personnel.
	
	- Screening may be performed remotely (e.g., by phone or electronic survey) before the individual reports to the office, or may be performed on site.
	
	- Screening completed using a questionnaire that determines whether the employee has:
	
	   o knowingly been in close or proximate contact in the past 14 days with anyone who has tested positive for COVID-19 or who has or had symptoms;
	
	   o tested positive for COVID-19 in the past 14 days; and/or
	
	   o has experienced any symptoms of COVID-19 in the past 14 days.
	
	- Employees should be required to immediately disclose if and when their responses to any of the aforementioned questions changes.
	
	- Employers may also conduct daily temperature checks per U.S. Equal Employment Opportunity or DOH guidelines.
	
	- Employers are prohibited from keeping records of employee health data (e.g., temperature data).
		- No requirement to perform mandatory daily health screening practices.
		
		- If an employee starts to exhibit symptoms they should disclose this immediately to their employer.

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Risk Topic	New York State Guidance[1]	UK Guidance
Coordinating with Building Management	- Coordinate with building managers, where applicable, to facilitate screening. Employers are responsible for screening their own employees and visitors, unless an alternative agreement has been agreed with building management to ensure screening is in effect.	- No specific requirement in the UK guidance.
Training for Screeners	- Personnel performing screening activities should be trained by employer-identified individuals who are familiar with CDC, DOH and OSHA protocols.	- Screening is not required in the UK. If an employer did wish to perform screening (and is comfortable that it is appropriate from both a labor law and data privacy perspective), training should be provided to screeners.
Protection for Screeners	- Screeners should be provided with PPE, including at a minimum, a face mask, and may include gloves, a gown, and/or a face shield.	- In circumstances where screening is carried out, providing the screeners with the materials listed for NY would be consistent with the UK guidance
Reviewing and Recording Responses	- Designate a central point of contact responsible for reviewing all employee and visitor responses collected by the screening process on a daily basis and maintain a record of such review. - Such contact should also be identified as the party for employees or visitors to inform if they later are experiencing COVID-19 symptoms. - When notified of a positive case of COVID-19, identified point of contact must notify the building owner/operator and initiate the respective cleaning and disinfection procedures.	- See above.
Positive Screening Cases	- Employees that screen positive for COVID-19 symptoms should not be allowed to enter the office and should be sent home with instructions to contact their healthcare provider for assessment and testing. - Immediately notify the local health department and DOH about any positive case. - Provide the employee with information on healthcare and testing resources.	- See above. Although, the HSENI suggests that if a member of staff or the public has developed COVID-19 and recently been on work premises, the management team of the workplace should contact the Public Health Authority to discuss the case, identify people who have been in contact with them and take advice on any actions or precautions that should be taken.
Tracing and Tracking		
Logging Employee/Visitor Contact	- To the extent possible, maintain a log of every person (employees and visitors) who may have close or proximate contact with other individuals in the workplace (excluding deliveries performed with appropriate PPE or via contactless means).	- No specific requirement in the UK guidance. - Contact tracing is still in its development stages within the UK. It is not yet clear when and how it will be implemented in regards to the workplace.

Risk Topic	New York State Guidance[1]	UK Guidance
	- Log should contain such information so that all contacts may be identified, traced and notified in the event an employee is diagnosed with COVID-19.	
Notifying and Tracing	- In the case of an employee or visitor testing positive, the employer must cooperate with the local health department as required to trace all contacts in the workplace. - Whilst maintaining confidentiality, the local health department where the building is located must be notified of all individuals who entered the site dating back 48 hours before the individual first experienced COVID-19 symptoms or tested positive, whichever is earlier. - Employers may offer optional tracing and tracking technology (e.g., Bluetooth enabled mobile applications) to increase effectiveness of contact tracing. - In the case of an employee showing symptoms while in the workplace, immediately notify the building managers with information on where the individual has been throughout the building and then notify them again if the individual tests positive.	- As previously mentioned above, the HSENI suggests that if a member of staff or the public has developed COVID-19 and recently been on work premises, the management team of the workplace should contact the Public Health Authority to discuss the case, identify people who have been in contact with them and take advice on any actions or precautions that should be taken. - See point above regarding contact tracing in the UK.
Responding to Notifications	- Individuals who are alerted via tracing, tracking or a similar mechanism that they have come into close or proximate contact with a person with COVID-19, are required to self-report to their employer at the time of alert and shall not be permitted to return to work until they have undergone self-quarantine.	- No specific UK guidance, but we consider this measure is consistent with the principles of the guidance. - See point above regarding contact tracing in the UK.
Employer Plans		
Site Safety Monitoring	- Designate a site safety monitor whose responsibilities include continuous compliance with all aspects of the site safety plan.	- No specific requirement in the UK guidance.
Employer Safety Plans	- Post completed safety plans on site.	- Employers with more than five employees are required to produce a written risk assessment. The UK guidance states that employers with more than 50 employees are expected to publish their risk assessment on their website.

In addition to the above, the UK guidance also covers the following risk topics:

- Identifying extremely vulnerable and vulnerable staff and how to manage their particular needs.

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- Considerations of the particular circumstances of those with different protected characteristics, which might expose them to a different degree of risk, or might make any adjustments to the workplace inappropriate or challenging for them.

- Implementing social distancing during emergency incidents.

- Managing the risk of transmission posed by changing rooms and showers.

- Managing the risk of transmission through contact with objects that come into the workplace (e.g., restricting personal deliveries to workers) and vehicles at the worksite.

- Managing the risk of transmission and maintaining social distancing when goods enter and leave the site.

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