**New York on PAUSE** - Executive Order 202.31 extends “New York on PAUSE” until 11:59 PM on May 28, 2020. Practically speaking, this means that all non-essential gatherings of individuals of any size for any reason remain postponed through May 28. Additionally, restrictions on public and private business and places of public accommodation remain in place through **May 28, 2020**, with the following exceptions:

- As of May 15, 2020, the reductions and restrictions applicable to the in-person workforce at non-essential businesses do not apply to Phase One industries *that have met the prescribed health and safety metrics put forth by the state*.
  - Phase One industries are: construction, agriculture, forestry, fishing and hunting, retail (limited to curbside or in-store pickup or drop off); manufacturing and wholesale trade.
  - Those businesses authorized to open in phase one must follow the guidance put forth by the Department of Health.
- The following regions have met the required health and safety metrics and may begin opening pursuant to Phase One:
  - The Finger Lakes;
  - Central New York;
  - Mohawk Valley;
  - The Southern Tier; and
  - The North Country.
  - As of May 17, Western to New York and the Capital Region had met six of the seven criteria and appeared poised to be cleared for reopening soon.

Additionally, all enforcement mechanisms by state or local governments continue to be in full force and effect until June 13, 2020. Furthermore, Executive Order 202.15, which authorized the Department of Taxation and Finance to accept digital signatures on documents related to tax liability is extended through the duration of the state of emergency. Lastly, drive-in movie theaters are no longer required to be closed, but are subject to the 50 percent reduction in workforce for non-essential personnel.

**Reopening NY** – The governor’s office has created a plan to reopen New York on a regional basis. A guide to the state’s “NY Forward Reopening” Plan is available on the Governor’s website [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/NYForwardReopeningGuide.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/NYForwardReopeningGuide.pdf)

**Regional Control Rooms** - Each region has a team of people monitoring compliance with seven metrics to guide a phased reopening of business.

**Reopening Metrics** – Each region must meet seven metrics to begin the phased process of reopening regional economies. The governor’s office announced the following information to describe the seven metrics:

**Metric 1— Decline in Total Hospitalizations.** Region must show a sustained decline in the three-day rolling average of total net hospitalizations (defined as the total number of people in the hospital on a given day) over the course of a 14-day period. (Alternatively, regions can satisfy this metric if the daily net increase in total hospitalizations (measured on a 3-day rolling average basis) has never exceeded 15.)

**Metric 2 — Decline in Deaths.** Region must show a sustained decline in the three-day rolling average of daily hospital deaths over the course of a 14-day period. (Alternatively, regions can satisfy this metric if the three-day rolling average of daily new hospital deaths has never ex-
ceed 5.)

**Metric 3 — New Hospitalizations.** Region must experience fewer than two new hospitalizations per 100,000 residents, measured on a three-day rolling average. New hospitalizations include both new admissions and prior admissions subsequently confirmed as positive COVID cases.

**Metric 4 — Hospital Bed Capacity.** Regions must have at least 30 percent of their hospital beds available.

**Metric 5 — ICU Bed Capacity.** Regions must have at least 30 percent of their ICU beds available.

**Metric 6 — Diagnostic Testing Capacity.** Average daily diagnostic testing over the past seven days must be sufficient to conduct 30 tests per 1,000 residents per month.

**Metric 7 — Contact Tracing Capacity.** Number of contact tracers in each region must meet thresholds set by the Department of Health, in collaboration with the Johns Hopkins University School of Public Health and Vital Strategies.

You can monitor your region's reopening progress on the regional monitoring dashboard [https://forward.ny.gov/regional-monitoring-dashboard](https://forward.ny.gov/regional-monitoring-dashboard)

**Business Reopening Phases** – There are four phases in the NY Forward business reopening plan. The state will announce when the metrics for each phase have been met within each region to allow businesses that have created a reopening plan and that comply with state issued guidance to reopen.

- **Phase One:** Construction; Agriculture, Forestry, Fishing and Hunting; Retail (limited to curbside or in-store pickup or drop off); Manufacturing; Wholesale Trade
- **Phase Two:** Professional Services; Retail; Administrative Support; Real Estate / Rental & Leasing
- **Phase Three:** Restaurants / Food Services; and
- **Phase Four:** Arts / Entertainment / Recreation; Education

You can get more information on the four business reopening phases on the New York Forward website [https://forward.ny.gov/industries-reopening-phase](https://forward.ny.gov/industries-reopening-phase) In addition, Empire State Development has information to guide businesses including a list of frequently asked questions to help businesses navigate reopening [https://esd.ny.gov/nyforward-faq](https://esd.ny.gov/nyforward-faq)