



COVID-19 FAQ

HSC is a designated point of contact with NYC and NYS for disaster preparedness. As such, we are in dialog with local and state governmental agencies with issues regarding COVID-19. While we may not have immediate answers, we note that we are asking provider questions, following up with them and tracking answers, which can be found in this FAQ and on our [COVID-19 Resources for Human Services Providers webpage](#).

COVID-19

1. If a person contracts the COVID-19 then recovers, can they contract the virus, again?
 - a. Although there have been news reports of the possibility that people may not be developing immunity to the new coronavirus, even after they have recovered, disease specialists state that currently there is not enough data to support that conclusion. See the [Novel Coronavirus Outbreak Factsheet](#) for more information.
2. When you self-quarantine, what medication can you take to alleviate the symptoms?
 - a. Use telephone, text, telemedicine or a patient portal to reach out rather than going to your doctor in person. You and your provider will decide if you need to come to medical care. If you need help finding a healthcare provider, call 311.
 - b. Also, see NYSDOH Guidance on how to [Protect Yourself and Your Family from Coronavirus \(COVID-19\)](#).
3. What should be our first point of contact in the event we suspect a client may have the virus?
 - a. Reports can be made by calling 311. See the [NYCDOHMH website](#) for more information.
 - b. Providers can also call NYSDOH Novel Coronavirus (COVID-19) Hotline: 1-888-364-3065. See [NYSDOH's website](#) for more information.
4. Is there guidance on whether to call 311 or the State DOH about COVID-19?
 - a. If you have a City contract, please call 311 and for State contracts, please call NYSDOH Novel Coronavirus (COVID-19) Hotline: 1-888-364-3065.

Nonprofit Sustainability/Contracting Issues

1. Will contracting agencies or government provide financial assistance for nonprofits to support employees who are part-time, low-paid hourly workers, with limited leave time, who must voluntarily shelter in place or who become ill and must remain at home for a long period of time?
 - a. HSC is actively engaging the City and State on this issue. See the [NYC MOCS Letter to Providers](#), [City Nonprofit Business Continuity Guidance](#), [HSC's Memo on New York State's Response to the COVID-19 Pandemic and Community-Based Organizations](#) and a sign-on letter to Congress: [Why Nonprofits Must Be Included in a COVID-19 Relief and Economic Stimulus Package](#) for more information.
2. Are we expecting slowdowns or delays in payments on contracts? If so, what processes are in place for the contracting agency to inform providers?
 - b. The City will be issuing additional advances and will continue to use cash advances to avoid unnecessary payment delays. For program-specific guidance and aligning to existing program-specific emergency plans, please consult your contracting agency directly or through c-19.hhsteam@mocs.nyc.gov. See the [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
3. If a nonprofit has one or more performance-based contracts or if programs/schools close how will they be protected if they are unable to perform at full or at all due to COVID-19 related issues?
 - a. If you work with your contracting agency and agree to a plan for moving forward, you will get paid for executing on that plan. And, if that plan costs more money than the contracted services, you will get paid for the additional expenses. If the plan calls for a suspension of services, you will get paid your contracted expenses. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
4. How can we address access to credit/cash to handle disruptions in the financial markets impacting access to credit?
 - a. The City will be issuing additional advances and will continue to use cash advances to avoid unnecessary payment delays. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
6. Can the City suspend recouping advances?
 - a. HSC is actively engaging the City and the State on this issue. The City will be issuing additional advances and will continue to use cash advances to avoid unnecessary payment delays. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
7. Will agencies that normally allow for only quarterly invoicing, allow us to submit monthly invoices in order to ensure we have adequate cash flow?
 - a. If you work with your contracting agency and agree to a plan for moving forward, you will get paid for executing on that plan. And, if that plan costs more money than the contracted services, you will get paid for the additional expenses. If the plan calls for a suspension of services, you will get paid your

contracted expenses. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.

8. With staff working from home, many finance/grants staff do not have easy access to copy, scan, etc. some information that is normally needed to justify invoices we submit for payment. In order to keep cash flowing, will contracting agencies be making temporary exceptions to the backup requirements and allow additional information to be submitted later or as part of the audit process?
 - a. The City is delaying all new audit engagements. For existing audits, the City is extending deadlines for at least the next four weeks when they will reassess the environment and make a determination about how to proceed. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
9. Governor Cuomo announced new sick-leave legislation. Will there be funding for it or will this be another unfunded mandate?
 - a. HSC is actively engaging the State on this issue and has sent a memo to NYS, including our three major asks related to paid sick leave for the state, a copy of which may be found in the [Advocacy Section of HSC's website](#).
 - b. To the extent practicable and allowable, the City will reimburse providers for paid time off associated with NYC Health Department protocols. All COVID-19 related staffing information must be appropriately documented. The City will be providing further guidance on documentation. See [City Nonprofit Business Continuity Guidance](#) for more information.
10. Will funding be made available to cover not just additional sick time, but also the additional coverage that is needed, potentially overtime?
 - a. The City will reimburse providers for additional personnel expenditures related to overtime and temporary staff to address shortages if staff cannot come to work. This may include expenditures such as staff travel. Providers must keep records of all COVID-19 expenses. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
 - b. HSC has also sent a memo to NYS, including our three major asks related to paid sick leave for the state, a copy of which may be found in the [Advocacy Section of HSC's website](#).
11. What financial and other resources can be leveraged to support organization sustainability, such as budget flexibility and more resources for overtime, temps or other workforce solutions to ensure coverage for critical services like food, medical, basic staffing?
 - a. If you work with your contracting agency and agree to a plan for moving forward, you will get paid for executing on that plan. And, if that plan costs more money than the contracted services, you will get paid for the additional expenses. If the plan calls for a suspension of services, you will get paid your contracted expenses. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
 - b. See a sign-on letter to Congress: [Why Nonprofits Must Be Included in a COVID-19 Relief and Economic Stimulus Package](#).

12. Is there any push from the City, State or federal government to extend the census?
 - a. Mayor Bill de Blasio called on the U.S. Census Bureau to extend 2020 Census operations to ensure a complete and accurate count of all New Yorkers in light of the challenges posed by the spread of the COVID-19 virus. See [the Mayor's press release](#) for more information.
13. The regional enrichment centers will "accommodate school-aged children of first responders, health care workers, and transit workers, as well as students in need of the most intensive support. Will this be extended to human services providers, especially since the City designated its health and service nonprofit workforce as essential workers?
 - a. HSC is actively engaging the City on this issue. The Governor stated that essential businesses, including any for profit or non-profit, regardless of the nature of the service, the function they perform, or its corporate or entity structure, are not subject to the in-person restriction. See [NYS Empire State Development's Guidance on Essential Workers](#), which lists the types of businesses deemed "essential" for more information. See [the NYC Department of Education's webpage on Regional Enrichment Centers](#) for more information.
14. Has there been any discussion about suspending USPS?
 - a. HSC is actively engaging the City and State on this issue.
15. What can organizations do to collect funding for services provided for contracts that have been delayed? Are contracts still being registered?
 - a. Contracts should still be registered. For program-specific guidance and aligning to existing program-specific emergency plans, please consult your contracting agency directly or through c-19.hhsteam@mocs.nyc.gov. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
16. For professionals with licenses, especially those with CEU requirements (think LMSW/LCSW) where only a limited number of CEUs can be earned via remote learning, will their licenses be extended since the required in-person CEU classes are being cancelled?
 - a. HSC is actively engaging the City and State on this issue. NYS OCFS has been granted the authority to waive certain background check and training requirements so that child care programs can onboard employees without those new employees completing the comprehensive background check process and the pre-service health and safety training requirements. See NYS [OCFS Emergency Childcare Employment Guidance](#) for more information.
17. Have the City and State indicated any kind of timeline for organizations to be held harmless for being able to provide services?
 - a. If you work with your contracting agency and agree to a plan for moving forward, you will get paid for executing on that plan. And, if that plan costs more money than the contracted services, you will get paid for the additional expenses. If the plan calls for a suspension of services, you will get paid your

contracted expenses. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.

18. How do we get access to the regional enrichment centers? Is there a process/application for that?
 - a. HSC is actively engaging the City on this issue. There will be 10% of seats reserved for children of people staffing the RECs. When a staffing assignment is confirmed, the staff person will be invited to enroll their children. Note, seats are not guaranteed for children of REC staff. Parents can enroll through the [NYCDOE Regional Enrichment Center Enrollment Form](#). See [the NYC Department of Education's webpage on Regional Enrichment Centers](#) and the [REC FAQs for CBOs](#) for more information.
19. Are the regional enrichment centers open during spring break?
 - a. HSC is actively engaging the City on this issue. See [the NYC Department of Education's webpage on Regional Enrichment Centers](#) and the [REC FAQs for CBOs](#) for more information.
20. What are the hours for the regional enrichment centers?
 - a. RECs will be open from 7:30am-6pm Monday-Friday. See [the NYC Department of Education's webpage on Regional Enrichment Centers](#) and the [REC FAQs for CBOs](#) for more information.
21. Many of the human services organizations owe significant dollars back to government as a result of past over payments/under spending on contracts. Has there been discussions about a debt forgiveness program?
 - a. HSC is putting together an advocacy platform for key nonprofit issues, which includes this issue. You can find updates on [HSC's Advocacy Opportunities](#) section of the website.
22. Are the NYC SBS Business Continuity Loans available to nonprofits?
 - a. Nonprofits may be eligible for the zero-interest loan program and more information will be distributed in the coming weeks since the application is not ready yet. See the [NYC SBS website](#) for more information.
 - b. See [NYC COVID-19 Response & Impact Fund](#), which was created to aid nonprofit service providers struggling with the health and economic effects of the coronavirus. Also, see [Robin Hood COVID-19 Relief Fund Application](#), and the [Facebook Small Business Grant Program](#) for more information.
23. Have the City and the State talked about giving hazard pay to staff who must work on a contract, especially the Regional Enrichment Centers?
 - a. HSC is actively engaging the City and State on this issue.
24. Will there be childcare options available for employees of essential business that provide staffing coverage 24/7 for their programs?
 - a. HSC is actively engaging the City and State on this issue.

25. The Mayor designated the staff of NYC nonprofits as essential workers, but the Governor's "pause" order seems to be much more restrictive as to which nonprofits are essential. Does the Governor's order supersede the City's?
- a. If you have been in contact with your contracting agency and have developed a plan to move forward with your programs, continue to do so. However, if you run into any issues, speak with your contracting agency or send an email to c-19.hhsteam@mocs.nyc.gov.
26. We heard at some point that the City was centralizing all Finance related inquiries. Do you know if this was operationalized and do you have the contact information?
- a. If you have finance-related questions about your contracts, contact your contracting agency. If you run into any issues, send an email to c-19.hhsteam@mocs.nyc.gov.
27. Considering current circumstances, is an allowance made for budget modifications such as monies from personnel to OTPS category?
- a. Providers may automatically modify their health and human service contracts up to 10% without pre-approval or delays in invoicing. Modifications may be made between categories of Personnel Services (PS) and Other Than Personnel Services (OTPS), maximizing budget flexibility. See [NYC Nonprofits website](#) for more information.

HHS Program-Related Issues

1. Is there a mechanism for young people to get meals if programs shut down for COVID-19 related issues?
 - a. Three meals a day, including breakfast, will be available to all NYC children Monday through Friday 7:30 am to 1:30 pm at locations across the city. You can find a free meal location through [NYC DOE's site lookup tool](#).
2. How will Medicaid respond when programs are closed for virus-related reasons?
 - a. CMS will temporarily waive or modify certain Medicare, Medicaid, and CHIP requirements. See the [New York State Medicaid Coverage and Reimbursement Policy for Services Related to Coronavirus Disease 2019 \(COVID-19\)](#), [the CMS website for guidance](#), [COVID-19 Telephonic Communication Services Guidance](#), [COVID-19 Guidance to Transportation Managers and Brokers](#), and [Information for PACE Organizations Regarding Infection Control and Prevention of Coronavirus Disease 2019 \(COVID-19\)](#) for more information.
3. Will the City/State expedite background clearances so that nonprofits can hire more staff in case of not having minimum staffing in place? What will the process be for that?
 - a. NYS OCFS has been granted the authority to waive certain background check and training requirements so that child care programs can onboard employees without those new employees completing the comprehensive background check

process and the pre-service health and safety training requirements. See [NYS OCFS Emergency Childcare Employment Guidance](#) for more information.

4. What telehealth options are available for clients and are services covered under Medicaid?
 - a. See [NYS Comprehensive Guidance Regarding Use of Telehealth](#) and [Providing Telehealth Services During the COVID-19 State of Emergency](#) for more information.
5. There is concern about making home visits to homebound clients for fear of introducing COVID-19 to them. Will standards/contract requirements be relaxed so that nonprofits can conduct assessments virtually or by phone?
 - a. If you work with your contracting agency and agree to a plan for moving forward, you will get paid for executing on that plan. And, if that plan costs more money than the contracted services, you will get paid for the additional expenses. If the plan calls for a suspension of services, you will get paid your contracted expenses. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
6. What should providers do regarding planning for upcoming events or gatherings for our clients?
 - a. Effective Sunday, March 22nd, at 8:00 PM, all non-essential businesses in New York City will be closed. Only businesses with essential functions will be permitted to operate. Also, all non-essential gatherings of any size for any reason are banned. See [New York State on PAUSE Executive Order](#) for more information.
7. With schools now closed, what are the plans regarding educating students and schools reopening?
 - a. The City will move towards a new Remote Learning Model for all school days until Spring Recess. See [NYC Department of Education website](#) for more information.
8. What is the definition of “deep clean” for schools?
 - a. See [NYSDOH Interim Cleaning and Disinfection Guidance for Primary and Secondary Schools for COVID-19](#).
9. Will nonprofits be receiving supplies from the government (PPE, face masks, hand sanitizers, etc.) and if not, will they be reimbursed for purchasing these supplies, especially for organizations that do not operate health care sites and are therefore not equipped with such items?
 - a. The City will reimburse providers for additional costs of supplies necessary to comply with NYC Department of Health Guidance. Providers must keep records of all COVID-19 expenses. If a provider is unable to obtain necessary supplies from their sources, they should contact their contracting agency for assistance through the Office of Emergency Management process. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
10. Who can we contact if we are struggling to find cleaning supplies to keep the office safe?

- a. According to NYC Emergency Management, most of the PPEs that they are getting are going to the City's first responders first and foremost and other organizations who have applied for PPE materials have been subsequently denied. If there is truly a need, nonprofits should try reaching within their umbrella agencies to see if they could procure from them.
11. What can nonprofits do to ensure residents don't run out of medication if they are forced to be isolated or quarantined specifically at sites where there is no onsite medical staff?
 - a. HSC is actively engaging the City and State on this issue. For medication for pre-existing conditions, for those clients who are on Medicaid, see [NYSDOH Medicaid Pharmacy Guidance](#) for more information. For Methadone and MAT, see [OASAS Guidance on COVID-19](#). There is also more information in the [DHS Provider Guide](#).
12. What is the protocol in the event of a suspected case of exposure or infection of COVID-19 in residential facilities?
 - a. See [DHS Provider Guide](#) and [NYCDOHMH Coronavirus Disease \(COVID-19\) Guidance for Congregate Settings](#) for more information.
13. How can we ensure that both the Mayor's Office, Governor's Office and contracting agencies are on the same page and communicating so that nonprofits are receiving consistent information?
 - a. The City has established central communication channels to support agencies and providers. Please check the nyc.gov/coronavirus website for new guidance on COVID-19 and the new email address at c-19.hhsteam@mocs.nyc.gov. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
14. Is there uniform guidance on visitor policy?
 - a. HSC is actively engaging the City and State on this issue. See [DHS Provider Guide](#), [OCFS Temporary Visitor Restrictions Within Residential Treatment Centers and Congregate Care Settings](#), [OCFS Guidance for Community-Based Visits and Visitor Screening](#), [NYSDOH's Guidance for Nursing Homes and Adult Care Facilities](#) and [Coronavirus Disease \(COVID-19\) Guidance for Congregate Settings](#) for more information.
15. How and when do organizations determine the closing of programs?
 - a. Any decisions to cancel programs or services should be made with your City contracting agency. City agencies will work with providers to support any modifications in programming, location and staffing as needed. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
16. What additional resources are available to families as they struggle with this pandemic?
 - a. See [NYC Emergency Management's COVID –19 Services and Resources Page](#), [NYC DHS Rent Issues](#), and [NYC SBS Assistance & Guidance for Businesses Impacted Due to Novel Coronavirus](#) for more information.

17. There are concerns that food resources for food security organizations and supportive housing organizations are drying up as meal programs close and restaurant donations disappear. Will the City and State be addressing this need in any way?
 - a. HSC is actively engaging the City and State on this issue. [Foodbank NYC](#) has a interactive map with providers who have switched to “grab and go” meals and pantry bags to minimize the risk of exposure.
 - b. [HungerFree NYC](#) published “Neighborhood Guides to Food and Assistance”. These guides cover all neighborhoods in NYC by zip code and are available in multiple languages.
 - c. See NYS Health Foundation’s website on [COVID-19 Resources for Nonprofits and Community-Based Organizations](#).
18. Many government agencies are still holding large meetings with providers around contracting and/or programming and some are also still requesting hand delivery of contract documents. Given the Mayor’s guidance for social distancing, what is being done about this issue?
 - a. The City is allowing digital and email signatures, waiving notaries, and conducting virtual preproposal conferences. See [Letter to Providers Streamlined Practices](#) for more information.
19. Have there been any discussions with State and County governments?
 - a. HSC is actively engaging the State on this issue. See [HSC’s Advocacy Section](#) for more information.
20. For DFTA, has there been discussion regarding the grab-and-go meals as that still puts the older adults at risk? Are they going to eventually increase city meals to support those seniors that are not homebound?
 - a. Given the evolving COVID-19 situation, DFTA is phasing in a direct meal delivery system that will gradually replace the current Grab and Go model of food distribution at centers. See [Important-New information on Meal Deliveries to Senior Centers from DFTA](#).
21. We want to provide our medically compromised participants with a food pantry, probably delivery of meals and grab-and-go meals. Has the City and State considered food assistance to support this population?
 - a. HSC is actively engaging the City and State on this issue. [Foodbank NYC](#) has a interactive map with providers who have switched to “grab and go” meals and pantry bags to minimize the risk of exposure.
 - b. [HungerFree NYC](#) published “Neighborhood Guides to Food and Assistance”. These guides cover all neighborhoods in NYC by zip code and are available in multiple languages.
 - c. See NYS Health Foundation’s website on [COVID-19 Resources for Nonprofits and Community-Based Organizations](#).
22. What agency is coordinating organizations’ ability to maintain travel and non-compliance with restrictions and curfews for essential staff including childcare workers and staff in housing facilities? What will the process be?
 - a. HSC is actively engaging the City and State on this issue.
23. Will there be free parking for essential workers?

- a. Parking passes will not be issued to essential workers because of the suspension of alternate side parking.
24. Given that we are advised to avoid mass transit, is it permissible to carpool with colleagues even though we'd be in a group of 2 or 3?
- a. No, per the NYCDOHMH's recommendation of social distancing, you should keep at least 6 feet of distance between yourself and others. See [NYCDOHMH's website](#) for more information.
25. Nonprofits are being asked to deliver services telephonically, but many of clients have only Medicaid phones which have limited minutes and little to no data. Has the State discussed this and do we know if they can lift the limits allowing for more voice and video? If so, would they need the phones or is this something they can do globally?
- a. HSC is actively engaging the State on this issue.
26. What are the HIPAA compliance rules for telehealth services provided under the COVID-19 emergency standards?
- a. OCR will exercise its enforcement discretion and will not impose penalties for noncompliance with the regulatory requirements under the HIPAA Rules against covered health care providers in connection with the good faith provision of telehealth during the COVID-19 nationwide public health emergency. See the [HHS Notification of Enforcement Discretion for telehealth remote communications](#) for more information.
27. Is there a protocol for situations where a single parent is infected with the coronavirus and has complications that warrant hospitalization?
- a. HSC is actively engaging the City and State on this issue.
28. Is the City and the State postponing RFPs with deadlines before the end of the fiscal year?
- a. Proposal due dates for open HHS RFPs have been extended. With a rapidly changing environment, the City will continue to assess these due dates and make any adjustments. Please consult HHS Accelerator for the latest information on HHS RFPs. Extensions will also be communicated through addenda posted on HHS Accelerator. See [Letter to Providers Streamlined Practices](#) for more information.
29. Nonprofits need assistance finding appropriate environmental cleaning facilities to disinfectant program sites, primarily senior centers. Is there a collective list of approved/vetted type of vendors be created?
- a. HSC is actively engaging the City and State on this issue.
30. NYS Commission for the Blind has a once a week conference call with the Commissioner and the Commissioner of OCFS, will the City and State commit to have regular calls with providers as well?
- a. HSC is actively engaging the City and State on this issue.
31. Staff is currently working remotely, however, there are moments that staff consisting of clinicians, attorneys and advocates may want/need to go to office and/or court for

services. Our staff consists of clinicians, attorneys and advocates. Do we fall under essential services?

- a. Yes, see [NYS Empire State Development’s Guidance on Essential Workers](#), which lists the types of businesses deemed “essential” for more information.
32. We have residents sharing bathrooms and kitchens in which many are seniors. It would be impossible to quarantine someone who tested positive but didn’t need to be hospitalized at home because they still have shared spaces. Any advice on how that will be handled?
- a. If you have tried to find a way to quarantine clients within your own facilities, but have no other options, please contact your contracting agency. There are hotel quarantine options available, but the contracting agency must approve any move of clients from residential facilities to the hotels. Each contracting agency is working with NYC Emergency Management to determine the best solution.
 - b. DHS has isolation capacity, and will be using these facilities only for symptomatic clients who are in congregate settings (i.e. shared dorm, bathroom, or kitchen). See the attached guidance that advises which clients would be appropriate for the isolation sites. In such instances, contact the SIU Hospital referral line at 212-361-5590, and email: AdultsCOVID19@dhs.nyc.gov. See [DHS Provider Guidance](#) for more information.
33. Many seniors are without meals due to senior centers closing. Are there available resources to support this population?
- a. DFTA is phasing in a direct meal delivery system that will gradually replace the current Grab and Go model of food distribution at centers. See [Important-New information on Meal Deliveries to Senior Centers from DFTA](#).
34. We have part-time staff, primarily teachers, should we continue to pay them or should they apply for unemployment?
- a. For program-specific guidance and aligning to existing program-specific emergency plans, please consult your contracting agency directly or through c-19.hhsteam@mocs.nyc.gov. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
35. Are contracts with DOE like UPK included in the City’s guidance?
- a. For program-specific guidance and aligning to existing program-specific emergency plans, please consult your contracting agency directly or through c-19.hhsteam@mocs.nyc.gov. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
36. If the HOH in a FWC shelter must be isolated due to COVID-19 positive diagnosis, what happens to the children if the HOH is too ill to care for them?
- a. HSC is actively engaging the City and State on this issue.
37. If resident can be isolated in a residential shelter, how does the facility safely monitor their health if there are no healthcare workers on staff? Who should be taking temperatures?

- a. HSC is actively engaging the City and State on this issue.
38. How should shelters respond to clients who refuse care or refuse to remain isolation?
- a. In these instances, please contact your Program Administrator. See [DHS Provider Guidance](#) for more information.

Employer Regulations

1. What is the City and State's paid sick leave policy for contracted providers as it pertains to the novel Coronavirus?
 - a. See the [City Nonprofit Business Continuity Guidance](#), [NYC's Paid Safe and Sick Leave Law](#), [NYS Paid Family Leave and Other Benefits](#), and the [Office of the Attorney General's Guidance on Coronavirus Resources and Warnings about Consumer Scams](#).
2. Will the City commit to reimbursing providers for following this guidance of paid time off without charge to leave balances?
 - a. To the extent practicable and allowable, the City will reimburse providers for paid time off associated with NYC Health Department protocols. All COVID-19 related staffing information must be appropriately documented. The City will be providing further guidance on documentation. See the [City Nonprofit Business Continuity Guidance](#).
3. What is the telecommuting-to-work policy for nonprofits with government contracts? Can nonprofits allow employees to work from home, even if the City/State contract stipulates otherwise? Can nonprofits allow employees to work from home, even if the City contract stipulates otherwise?
 - a. According to Lawyer's Alliance, employees have the right, under OSHA, not to come to work if they have a reasonable fear for their health or safety. See [OSHA Guidance on Preparing Workplaces for COVID-19](#) and [Lawyer's Alliance's Guidance on Protecting Your Nonprofit from COVID-19](#) for more information.
 - b. For program-specific guidance and aligning to existing program-specific emergency plans, please consult your contracting agency directly or through c-19.hhsteam@mocs.nyc.gov. See the [City Nonprofit Business Continuity Guidance](#) for more information.
4. Will the City/State increase contract budgets to reimburse providers for the costs associated with accommodating employees so that they can work from home (e.g., costs for added VPN access, laptops/remote devices, individual employee bandwidth, etc.)?
 - a. HSC is actively engaging the City and State on this issue.
5. Would the City/State provide advances on contracts to ensure providers have the resources to meet payroll in the event of an extended period of quarantine/City/State shutdown?

- a. The City will be issuing additional advances and will continue to use cash advances to avoid unnecessary payment delays. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
6. If an employee is quarantined by DOH, are we contractually obligated to provide 14 days of sick leave without charges to leave balances, especially if there are no telecommuting options?
 - a. HSC is actively engaging the City and State on this issue. To the extent practicable and allowable, the City will reimburse providers for paid time off associated with NYC Health Department protocols. All COVID-19 related staffing information must be appropriately documented. The City will be providing further guidance on documentation. See the [City Nonprofit Business Continuity Guidance](#).
7. If a staff member is out with the fever and have not been tested for COVID-19, are there any guidelines around staff returning to work?
 - a. Anyone who has COVID-19-like symptoms should be treated like they have COVID-19 in NYC. If you can manage your symptoms at home, you should self-quarantine and only return to work after whichever is longer: 7 days of illness or 3 days after you have any symptoms and not using any medication to treat symptoms. See [Lawyer's Alliance's Guidance on Protecting Your Nonprofit from COVID-19](#), [OSHA Guidance on Preparing Workplaces for COVID-19](#) and [NYC DOHMH Home Self-Monitoring for Coronavirus Disease 2019](#).
8. Some organizations have a probationary period for employees to receive health benefits. How do we offer those employees access to healthcare?
 - a. HSC is actively engaging the City and State on this issue. Check with your group health plan broker to see if that requirement can be waived somehow, or if the plan can be temporary amended.
 - b. If staff do not have a doctor or health insurance, they can visit an NYC Health + Hospitals facility. To find health care visit [NYC Health + Hospitals website](#) or call 311. See [General Guidance for Businesses and Non-Health Care Settings](#) for more information.
9. If a staff member has COVID-19, what are the procedures for the office in terms of cleaning, closures, staff quarantine, etc.?
 - a. According to Lawyer's Alliance, you must ensure that that person leaves the premises, or does not come in, until they are symptom free for 24 hours. You must inform coworkers that they have been exposed but may not reveal the name of the person who is ill. See [OSHA Guidance on Preparing Workplaces for COVID-19](#) for more information.
 - b. See [General Disinfection Guidance for Businesses and Non-Health Care Settings](#), [General Disinfection Guidance for Commercial or Residential Buildings](#), and [Guidance for Businesses and Non-Health Care Settings](#).
10. How should we handle persons who refuse to get screened or accept care?
 - a. You cannot force anyone to accept care, but you can make anyone with symptoms, or who has been exposed to the virus, leave the workplace. The ADA does not interfere with employers following this advice. See the [US Equal](#)

[Employment Opportunity Commission website](#) and [Lawyer's Alliance's Guidance on Protecting Your Nonprofit from COVID-19](#) for more information.

11. Can we ask employees to work at the office if we lack the adequate supplies to keep the office appropriately clean?
 - a. According to Lawyer's Alliance, all employers have a duty under OSHA to provide a clean and safe workplace. See [OSHA Guidance on Preparing Workplaces for COVID-19](#) and [Lawyer's Alliance's Guidance on Protecting Your Nonprofit from COVID-19](#) for more information.
12. If an employee is quarantined but not sick and can work remotely, can the employer require work during a quarantine?
 - a. According to Lawyer's Alliance, yes, you can ask the employee to work during quarantine. See [Lawyer's Alliance's Guidance on Protecting Your Nonprofit from COVID-19](#) for more information.
 - b. Also, according to [NYS Emergency COVID-19 Paid Sick Leave Policy](#), if you are not showing symptoms and are physically able to work through remote access or similar means you are not eligible for quarantine leave.
13. Will funds be made available to facilitate payment of non-clinical staff who do not come to work and cannot work from home?
 - a. For program-specific guidance and aligning to existing program-specific emergency plans, please consult your contracting agency directly or through c-19.hhsteam@mocs.nyc.gov. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
14. Can employees eligible for FMLA use FMLA for childcare during school closures, managing anxiety during this time, remaining at home if you have a pre-existing condition that makes you high risk for COVID-19?
 - a. It depends. If the school is closed due to a mandatory or precautionary quarantine or order of isolation issued by the State, department of health, local board of health, or government entity, you may be eligible to take paid family leave. If your child's school closes for preventative social distancing, you may want to check with your employer to see if there are any benefits that may be available to you. See [NYS COVID-19 Paid Sick Leave Policy](#) for more information.
 - b. The NYC earned safe and sick time act states employers must give employees five days off (paid, if the employer has at least five employees) in the event that the workplace is closed by official order for a public health emergency, or if an employee must stay home to care for a child whose school or child care facility is closed for a public health emergency. See [NYC's Paid Safe and Sick Leave Law](#) for more information.
15. For the NYS new sick leave legislation, how do you define an organization with 100 staff? Does this include full-time, part-time, seasonal employees?
 - a. See the eligibility criteria on the [NYS COVID-19 Paid Sick Leave Policy](#) website for more information.

16. Under the NYS on Pause Executive Order, does this include nonprofits that are classified as essential workers?
 - a. Any essential business or entity providing essential services or functions shall not be subject to the in-person restrictions. See [Executive Order No. 202.6: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency](#) and [Guidance for Determining Whether a Business Enterprise Is Subject to a 75% Workforce Reduction](#), which lists the types of businesses deemed “essential” for more information.
17. If our staff has been told to stay home and have a remote work plan, can they be redeployed later when the City needs workforce for something?
 - a. The Mayor’s declaration of a State of Emergency for NYC triggers Section 7.03 of the Standard Health and Human Service Contract. This section allows Contractor, at the request of and in a manner determined by the Department, to assist the Department in carrying out emergency procedures during the State of Emergency. See [NYC MOCS Letter to Providers](#) and [City Nonprofit Business Continuity Guidance](#) for more information.
 - b. However, you should also check any collective bargaining agreements and regulations regarding union workers while you contact your contracting agency.
18. Can we determine if essential staff designation includes immediate access to protective materials and priority access to testing?
 - a. According to NYC Emergency Management, most of the PPEs that they are getting are going to the City’s first responders first and foremost and other organizations who have applied for PPE materials have been subsequently denied. If there is truly a need, non-profits should try reaching within their umbrella agencies to see if they could procure from them.
 - b. If you have closed a program and have extra supplies, please contact info@humanservicescouncil.org so that we can coordinate the disbursement of PPE.
19. Any general guidance on potential lawsuits from staff if they get infected at work claiming unsafe workplace? Can you assist with the challenge of liability insurance? Will the City cover cost when employees begin suing agencies for failure to protect them from the virus?
 - a. HSC is actively engaging the City and State on this issue.
20. Do you have suggested language for informing staff members that someone they had contact with has tested positive?
 - a. HSC is actively engaging the City and State on this issue.
21. In terms of school coverage – is the City going to make nonprofits who have State contracts separate out City folks from State folks so that only City folks will be covered. When will they release their plan?
 - a. HSC is actively engaging the City and State on this issue.

22. How do employees access the additional paid leave time the governor has authorized, especially if their employer is unaware/unresponsive about it?
- See [NYS Emergency COVID-19 Paid Sick Leave FAQs](#) for more information.
23. Can you provide more information about layoffs?
- See NYS DOL [Worker Adjustment and Retraining Notification](#) for more information.
24. Do essential employees still have the right to refuse to come to work if they have a "reasonable fear" (high risk of contraction, preexisting conditions, unsafe/unclean work environment)?
- According to Lawyer's Alliance, all employers have a duty under OSHA to provide a clean and safe workplace. See [OSHA Guidance on Preparing Workplaces for COVID-19](#) and [Lawyer's Alliance's Guidance on Protecting Your Nonprofit from COVID-19](#) for more information.
25. With the new order from the Governor that only allows first responders and essential services workers to be outside and take public transportation, can we get confirmation from the City/State that showing an email version of an agency's letter is just as good as a physical copy in addition to work ID? Some of our staff don't have access to home printers.
- Currently, essential employees do not need a special credential in order to take public transportation, but just as a precaution, you can provide a letter with your organization's letterhead for your staff to state that this employee is an essential worker and staff should also carry a valid form of photo ID and their work ID. You can use this sample language for letters for essential staff:
 - Please be advised that **EMPLOYEE NAME** ("Essential Worker") works for **AGENCY NAME** ("Employer"), as a **[Food Pantry Worker]**, and has been asked by his/her Employer to perform certain essential functions during the COVID-19 pandemic crisis. Employer is a provider of "*basic necessities to economically disadvantaged populations*", as such business category is referenced in Executive Order No. 202.6 (2020), and, it is the opinion of Employer that Essential Worker is also "Essential City Personnel", as such term has been designated by Mayor de Blasio for non-profit human services personnel during the COVID-19 crisis. Accordingly, the Essential Worker identified above is relieved from travel and other workplace restrictions at this time, in order for him/her to carry out Employer's essential functions.
26. We have essential employees over 70 years of age. Since the Governor has mandated anyone over 70 to stay at home, are they allowed to report to work or do they have to stay at home?
- HSC is actively engaging the City and State on this issue; however, if the employee has preexisting conditions or at high risk of contracting COVID-19, you can work with your employee to work remotely or provide other accommodations so that the employee is not at high risk of contracting the virus.

27. If someone refuses to come to work because they are fearful of transportation issues, is that covered under OSHA? Do they still get paid if they don't show up for work?
 - a. This issue should be determined under the employer's discretion.
28. How can we advocate for staff who are being forced to come to work even when they're sick or with Matilda's Law in place?
 - a. If you have been unlawfully denied sick leave or for more information, please visit the [NYC Department of Consumers Affairs](#) or the [Westchester County Earned Sick Leave resource page](#). If you have been unlawfully denied FMLA leave, or for more information, please visit the [U.S. Department of Labor](#).
 - b. If you believe your employer is requiring non-essential workers to go in to work, [contact the OAG](#).
29. Do we need to keep time logs as staff work remotely?
 - a. Yes, employees should be compensated for all time spent working, and so it is imperative to track all compensable time.
30. Is there official guidance on being able to take everyone's temperature who is in your building, including employees, residents and program participants?
 - a. The U.S. Equal Employment Opportunity Commission (EEOC) issued an [update to its guidance](#) that now expressly acknowledges that employers may implement temperature screening measures in response to the current COVID-19 pandemic. It is important for employers to recognize, however, that this guidance clarifies the ability to use temperature screening under the present circumstances of the COVID-19 pandemic, whereas normally such measures would be unlawful under the ADA. See the [US EEOC website](#) for more information.
31. How much information may an employer request from an employee who calls in sick, in order to protect the rest of its workforce during the COVID-19 pandemic?
 - a. During a pandemic, ADA-covered employers may ask such employees if they are experiencing symptoms of the pandemic virus. For COVID-19, these include symptoms such as fever, chills, cough, shortness of breath, or sore throat. Employers must maintain all information about employee illness as a confidential medical record in compliance with the ADA. See the [US EEOC website](#) for more information.
32. We have a staff person being tested for COVID-19 and they have been working remotely, do you recommend hiring a cleaning service to disinfect the space?
 - a. Yes, please disinfect the workspace according to the [NYCDOHMH General Guidance for Cleaning and Disinfecting for Non-Health Care Settings](#).
33. What documentation do staff need if they have to quarantine themselves to qualify for time off without drawing down sick or vacation accruals?
 - a. The [CDC's Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019](#) discourages requiring a healthcare provider's note for employees who are sick with acute respiratory illness to validate their illness

or to return to work, in order to reduce the burden on busy healthcare providers.

- b. NYC DOHMH has provided a [Health Care Provider Note to Excuse Absence from Work](#).
34. What categories are covered by Matilda's law?
- a. Individuals age 70 and older, those with compromised immune systems and those with underlying illnesses. See [NYS on PAUSE Executive Order](#) for more information.