



# Labor & Employment Issues Client Alert

Pitta LLP  
For Clients  
June 30, 2020 Edition



**“Every record has been destroyed or falsified, every book rewritten, every picture has been repainted, every statue and street building has been renamed, every date has been altered.**

**And the process is continuing day by day and minute by minute. History has stopped. Nothing exists except an endless present in which the Party is always right.”**

**-George Orwell, 1984-**

## **GOVERNOR CONSIDERING A PAUSE TO FULL IMPLEMENTATION TO PHASE 3 OF NY FORWARD IN NYC**

On June 29, 2020 Governor Andrew Cuomo held a briefing to discuss the COVID-19 pandemic. The Governor expressed concern with the surging COVID-19 infection rates throughout the country. Yesterday, Texas, Florida, Arizona and several other states reported record numbers of COVID-19 hospitalizations. Governor Cuomo stated that his administration may bar New York City from offering indoor dining when New York City enters Phase 3 of the NY Forward to reopen the economy. The Governor reasoned that New York City, with its status as a major tourist attraction and with 3 major airports in close proximity, is vulnerable and he wants to proceed with caution.

New York City is scheduled to enter into Phase 3 on Monday, July 6th. Phase 3 allows customers to sit inside of restaurants and receive service, so long as tables are six feet apart and the restaurant’s capacity is kept under 50 percent.

Governor Cuomo said, "A virus spreads in closed, indoor areas that have air conditioning systems... We know that indoor dining has been problematic. Outdoor dining has worked very well all across the state." Several elected officials, including New York City Council Committee on Health chairman Mark Levine, have called for the City to refrain from offering indoor dining to prevent a spike in COVID-19 infections.

Governor Cuomo also warned New York City residents to comply with social distancing guidance to prevent another spike in COVID-19. The Governor is expected to make a final decision on whether New York City restaurants will be able to offer indoor dining by Wednesday.

## **GOVERNOR SAYS AIR FILTERS MAY HELP TO REDUCE COVID-19 INDOOR TRANSMISSION**

At a press briefing yesterday, Governor Andrew Cuomo said that a study by the National Aeronautics and Space Administration (“NASA”) found that air filters with a high Minimum Efficiency Reporting Value (“MERV”), such as High Efficiency Particulate Air (“HEPA”), helps to reduce the presence of COVID-19 in air filtration systems.

The Governor said that malls will have to install filters with a MERV capable of filtering COVID-19 such as HEPA to be able to reopen.

Governor Cuomo recommends that all businesses and offices consider installing filters with a MERV rating capable of filtering COVID-19 to help protect employees from infection.

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**“We believe in the ideas of family, mutuality,  
the sharing of benefits and burdens  
for the good of all, feeling one another’s pain,  
sharing one another’s blessing  
recognizing that at the heart of the matter  
we are bound to each other.”  
-Mario M. Cuomo-**

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