



COVID-19 PANDEMIC-RELATED RESOURCES FOR NEW YORK CITY SMALL BUSINESSES

Below is a list of COVID-19 pandemic-related actions taken by U.S., New York State, and local authorities that may provide assistance to and place restrictions on small business owners. Also included is relief offered by private companies.

This list will be updated periodically as new developments occur, with new information highlighted. Given the fast-paced nature of developments, information should be considered current as of the date indicated below. Where possible, we have included links to additional resources or information.

This material does not constitute legal advice and does not create an attorney-client relationship. If your business is in need of legal services, please contact the Microenterprise Project Team via our hotline at (347)-521-5729 or via email at microenterprise@volsprobono.org.

NEW YORK FORWARD GUIDELINES		
Phase	Summary	Links
Phase 1	New York State businesses are opening up in phases, based on a region meeting certain health metrics. During Phase 1, the following industries are permitted to open, subject to certain requirements: construction, agriculture, forestry, fishing, and hunting, retail (limited to curbside or in-store pick-up), manufacturing, and wholesale trade. Each industry has its own guidelines.	<ul style="list-style-type: none"> For additional information and industry-specific guidelines for reopening during Phase 1, click here.
Phase 2	<p>New York State businesses are opening up in phases, based on a region meeting certain health metrics. During Phase 2, the following industries are permitted to open, subject to certain requirements: restaurants (outdoor dining and pick-up only), in-store retail (excluding malls), salons and barbershops, real estate services, car dealerships, commercial building management, and offices. Each industry has its own guidelines.</p> <p>NOTE: Under amended Executive Order No. 202.43, businesses engaged in the sale of alcohol for on- or off-premises consumption (e.g., restaurants, liquor stores, etc.) must ensure that persons within 100 ft of the business are in compliance with open-container laws, social</p>	<ul style="list-style-type: none"> For additional information and industry-specific guidelines for reopening during Phase 2, click here. All businesses permitted to reopen during Phase 2 must read their industry-specific Guidance (at the link above) and affirm that they read and understand the guidance here. The text of amended Executive Order No. 202.43 can be found here.

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	<p>distancing regulations, and face-covering rules. Failure to comply may result in the suspension of licenses to sell liquor and the imposition of fines. Businesses that cannot comply must stop selling alcohol until they can. New York City restaurants may also be eligible for New York City’s Open Restaurants Program, which allows restaurants to expand outdoor seating if they meet certain requirements. Restaurants meeting those requirements should apply to receive authorization to expand outdoor seating.</p>	<ul style="list-style-type: none"> • All businesses must develop a written safety plan outlining how they will prevent the spread of COVID-19, and must keep the safety plan on site and available for inspection. This requirement can be satisfied by filling out the template safety plan available here. • More information about New York City’s Open Restaurants Program is available here. • Apply to New York City’s Open Restaurants Program here.
<p>Phase 3</p>	<p>New York State businesses are opening up in phases, based on a region meeting certain health metrics. During Phase 3, the following industries are permitted to open, subject to certain requirements: personal care services (e.g., tattoo and piercing parlors).</p> <p>NOTE: New York City entered Phase 3 on July 6, 2020. Originally, restaurants were expected to be permitted to reopen for indoor seating with limited capacity. Because of recent increases in COVID-19 in other states around the country, Governor Cuomo and Mayor de Blasio announced that indoor seating will not be permitted to reopen during Phase 3 in New York City. Restaurants operating outdoor seating should continue to adhere to Phase 2 guidelines. Under amended Executive Order No. 202.43, businesses engaged in the sale of alcohol for on- or off-premises consumption (e.g., restaurants, liquor stores, etc.) must ensure that persons within 100 ft of the business are in compliance with open-container laws, social distancing regulations, and face-covering rules. Failure to comply may result in the suspension of licenses to sell liquor and the imposition of fines. Businesses that cannot comply must stop selling alcohol until they can. New York City restaurants may also be eligible for New York City’s Open Restaurants Program, which allows restaurants to expand outdoor seating if they meet certain</p>	<ul style="list-style-type: none"> • For additional information and industry-specific guidelines for reopening during Phase 3, click here. • All businesses permitted to reopen during Phase 3 must read their industry-specific Guidance (at the link above) and affirm that they read and understand the guidance here. • All businesses must develop a written safety plan outlining how they will prevent the spread of COVID-19, and must keep the safety plan on site and available for inspection. This requirement can be satisfied by filling out the template safety plan available here. • More information about New York City’s Open Restaurants Program is available here. • Apply to New York City’s Open Restaurants Program here.

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	requirements. Restaurants meeting those requirements should apply to receive authorization to expand outdoor seating.	
Phase 4	New York State businesses are opening up in phases, based on a region meeting certain health metrics. During Phase 4, the following industries are permitted to open, subject to certain requirements: schools and arts/entertainment (e.g., museums, theatres, etc.). Each industry has its own guidelines.	<ul style="list-style-type: none"> For additional information and industry-specific guidelines for reopening during Phase 4, click here.

NEW YORK STATE EXECUTIVE ORDERS

Number	Summary	Links
Executive Order No. 202.8	<p>Executive Order No. 202.8, the New York State PAUSE Order, included closure of all non-essential businesses and instated a 90-day eviction moratorium for both commercial and residential leases, effective on March 20, 2020.</p> <p>NOTE: The eviction moratorium provided for by Executive Order No. 202.8 ended on June 20, 2020. A more limited eviction moratorium took effect then pursuant to Executive Order No. 202.28 (see below).</p>	<ul style="list-style-type: none"> The text of the Order can be found here.
Executive Order No. 202.28	<p>Executive Order 202.28 prohibits landlords from filing or initiating eviction proceedings for the non-payment of rent by persons who are eligible for unemployment benefits or otherwise facing financial hardship as a result of the COVID-19 pandemic. The Order prohibits the filing of such eviction proceedings for 60 days after June 20, 2020.</p>	<ul style="list-style-type: none"> The text of the Order can be found here.

LEGALLY REQUIRED PAID SICK AND FAMILY LEAVE FOR EMPLOYEES

Title	Summary	Links
Federal Emergency Family and Medical Leave Expansion Act	<p>Requires certain employers with fewer than 500 employees to provide employees with paid, job-protected leave for up to 12 weeks, in order for their employees to provide care for family members impacted by COVID-19.</p> <p>NOTE: The Department of Labor has promulgated regulations exempting small businesses with less than 50 employees from the requirements of the Emergency</p>	<ul style="list-style-type: none"> See the Department of Labor's Guidance for Employers and Questions & Answers for more information on requirements. For additional information, Paul Weiss LLP has created a Fact Sheet.

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	Family and Medical Leave Expansion Act under certain circumstances.	
Federal Emergency Paid Sick Leave Act	Requires certain employers with fewer than 500 employees to provide two weeks of paid sick leave to employees who are unable to work due to COVID-19.	<ul style="list-style-type: none"> • See the Department of Labor's Guidance for Employers for more information on requirements. • For additional information with respect to eligibility and requirements, Paul Weiss LLP has created a Fact Sheet.
New York State Paid Sick Leave for COVID-19 Act	Provides paid family leave and disability benefits for employees subject to a mandatory or precautionary order of isolation for COVID-19.	<ul style="list-style-type: none"> • See New York State's Guidance for Employers for more information on requirements. • For additional information with respect to eligibility and requirements, Paul Weiss LLP has created a Fact Sheet.
NYC Paid Sick Leave Laws	Requires certain employers to provide eligible employees with up to 40 hours of paid sick leave.	<ul style="list-style-type: none"> • See the New York City Department of Consumer and Worker Protection's Guidance for Employers for more information on requirements. • For additional information with respect to eligibility and requirements, Paul Weiss LLP has created a Fact Sheet and FAQ.
UTILITIES		
Type	Summary	Links
Internet	A number of internet companies, including AT&T, Comcast, Cox, RCN, Sprint, T-Mobile, and Verizon, have taken the Keep Americans Connected Pledge, agreeing not to terminate services for residential or small business customers who cannot pay bills due to disruptions caused by COVID-19, to waive late fees caused by failure to pay, and to open Wi-Fi hotspots to any American who needs them. We recommend that you contact your carrier for details.	<ul style="list-style-type: none"> • A full list of companies offering this benefit can be found here.

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	NOTE: This commitment ended on June 30, 2020.	
Gas and Electric	In New York City and Westchester County, Con Edison has temporarily suspended any electric and gas service shut-offs.	<ul style="list-style-type: none"> Details can be found here.
TAXES		
Program	Summary	Links
State and Federal Income Tax Filing Extension	Federal and New York State income tax filing and payment deadlines have been extended to July 15, 2020.	<ul style="list-style-type: none"> More information on New York's extension of tax filing deadlines can be found here. More information on the federal government's extension of tax filing deadlines can be found here.
New York Sales Tax	New York State has issued relief from the March 20, 2020 quarterly deadline for sales and use tax filings and remittances.	<ul style="list-style-type: none"> More information on this tax relief program can be found here.
Payroll Tax Credit for Paid Sick Leave Taken by Employees	Eligible employers are entitled to a tax credit for wages required to be paid under the Emergency Paid Sick Leave Act.	<ul style="list-style-type: none"> More information on this tax credit can be found here. Paul Weiss LLP has created a Fact Sheet which provides additional details.
Tax Credit for Sick Leave Taken by Self-Employed Individuals	Eligible self-employed individuals are entitled to a tax credit for sick hours to which they would have been entitled under the Emergency Paid Sick Leave Act if they worked for an eligible employer.	<ul style="list-style-type: none"> More information on this tax credit can be found here. Paul Weiss LLP has created a Fact Sheet which provides additional details.
Payroll Tax Credit for Required Family Leave Taken by Employees	Eligible employers are entitled to a tax credit for wages required to be paid under the Emergency Family and Medical Leave Expansion Act.	<ul style="list-style-type: none"> More information on this tax credit can be found here. Paul Weiss LLP has created a Fact Sheet which provides additional details.
Tax Credit for Family Leave Taken by Self-Employed Individuals	Eligible self-employed individuals are entitled to a tax credit for sick hours to which they would have been entitled under the Emergency Family and Medical Leave Expansion Act if they worked for an eligible employer.	<ul style="list-style-type: none"> More information on this tax credit can be found here. Paul Weiss LLP has created a Fact Sheet which provides additional details.

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DEBT

Program	Summary	Links
Debt Collection Suspension of Non-Medical and Non-Educational Loans	<p>New York State has created an application process for the suspension of debt collection.</p> <p>NOTE: On March 17, 2020 the New York State Attorney General announced an automatic suspension of debt collection for medical and educational loans for at least 30 days. On April 17, 2020, May 18, 2020, and June 17, 2020, the Attorney General renewed this order for an additional 30 days. The order is currently in effect until July 16, 2020.</p>	<ul style="list-style-type: none"> • Businesses are eligible to apply for this program and may apply here. • For additional information with respect to eligibility and requirements, Paul Weiss LLP has created a Fact Sheet.
Federal Student Loan Payment Waiver	<p>The U.S. Department of Education has granted temporary relief for federal student loan borrowers. Federal student loan borrowers are automatically placed in an administrative forbearance, and may temporarily stop making monthly loan payments. For other loans, borrowers should contact their servicers for details.</p> <p>NOTE: This relief is in effect until September 30, 2020.</p>	<ul style="list-style-type: none"> • For more information on eligibility and details, see the Federal Student Aid Office's Guidance.
ADDITIONAL RESOURCE PAGES OF SELECT NON-PROFITS, AGENCIES, AND LAW FIRMS		
Agency/Summary	Link	
VOLS COVID-19 Resource Page	https://volsprobono.org/resourcesduringcovid19	
New York State FAQs for Small Businesses	https://esd.ny.gov/novel-coronavirus-faq-businesses	
New York State Executive Orders	https://www.governor.ny.gov/executiveorders	
U.S. Small Business Administration	https://www.sba.gov/page/coronavirus-covid-19-small-business-guidance-loan-resources	

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Paul Weiss LLP COVID-19 Relief Center	https://www.paulweiss.com/practices/transactional/coronavirus-covid-19-relief-center/practice-overview/relief-center
Start Small Think Big COVID-19 Resource Page	https://www.startsmallthinkbig.org/covid19

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