



**COVID-19 Update for Election Officials
Questions and Answers
May 15, 2020**

The New York State Board of Elections has raised and received a number of questions surrounding elections and COVID-19. The responses below are gleaned directly from New York State Executive Orders and Center for Disease Control fact sheets specific to Coronavirus COVID-19. NYSBOE has also provided these inquiries to the New York State Department of Health for New York specific responses and awaits a formal response.

More comprehensive information can be found in the NYSBOE COVID-19 Guidance Document and Appendix, issued May 15, 2020.

1. Do Board of Election staff members need to wear masks in the office/voting system warehouse when working with other staff in close proximity to each other? What is that close proximity?

Yes. Anyone who is over age two and able to medically tolerate a face-covering must cover their nose and mouth with a mask or cloth face-covering when in public in accordance with Executive Order 202.17 and 202.18.

The CDC's social distancing recommendation is to maintain at least six feet from the general public. Employees should wear face coverings when unable to maintain a six feet social distance from other employees or the public.

On May 6, 2020, the CDC updated strategies and recommendations for employers responding to COVID-19, including those seeking to resume normal or phased business operations to: conduct daily health checks, conduct a hazard assessment of the workplace, encourage employees to wear cloth face coverings in the workplace, if appropriate, implement policies and practices for social distancing in the workplace and improve the building ventilation system.

2. Do Board of Election supervisors/managers need to install dividers/etc. in the office if workers sit closer than 6 feet from each other?

The CDC's social distancing recommendation is to maintain at least six feet from the general public. Employees should wear face coverings when unable to maintain a six feet social distance from other employees or the public.

Barriers are not required, but if employees are within 6 feet of another without such barrier, they should wear a face covering.

The [Interim Guidance for Businesses and Employers](#) and the CDC fact sheet for Businesses and Employers recommends increasing physical space between employees and customers, for example using physical barriers such as partitions.

3. Do voters need to be interviewed before entering BOE/poll sites for assistance, temp/symptoms/test positive/risky travel?

There is no recommended requirement by the CDC for pre entrance testing of voters.

The CDC Recommendations for Election Polling Locations encourages the implementation of social distancing strategies and limiting non-essential visitors. New York State Law via Executive Order requires the wearing of face masks while in public.

4. Should voters be required to wear masks to enter BOE/poll site? What should the BOEs do if voters are unable/refuse to wear masks when entering BOE or poll sites?

Yes, per EO 202.17, effective 8 p.m. on Friday, April 17, 2020, any individual who is over age two and able to medically tolerate a face-covering shall be required to cover their nose and mouth with a mask or cloth face-covering when in a public place and unable to maintain, or when not maintaining, social distance.

Social distance is defined as maintaining six feet of separation. Further, essential business operators and enforcement authorities are prohibited from requesting or requiring medical or other documentation from an individual who declines to wear a face covering due to a medical or other health condition that prevents such usage.

If election officials have the capacity to provide cloth face coverings to voters, there is nothing wrong with that. However, there are many examples of public places encouraging the use of face masks and expecting the public to supply themselves.

At this time, the State Board recommends that County Board of Elections plan for each poll site to have an isolated, separate area in which poll workers may assist a voter that is unable to wear a mask. Poll workers would be supplied with and wear appropriate personal protective equipment (PPE) to assist such voters.

5. How many voters/staff can we have in a poll site/BOE to assist BMD voters, absentees at any one time?

While the CDC does not provide volume/density recommendations it recommends a social distance of six (6) feet be maintained. The CDC recommends social distancing strategies such as increasing the space between individuals and decreasing the frequency of contact.

Boards should prepare a plan for each poll site on how to arrange it so as to have a minimum six (6) feet of social distance throughout the voting process. The utilization of signage before and in the poll site, along with cones and taping to indicate six (6) foot flow are highly recommended. The use of a crowd control coordinator would also be beneficial.

Boards should put in place measures to reduce bi-directional foot traffic using tape or signs with arrows in narrow aisles, hallways, or spaces, and post signage and distance markers denoting spaces of six feet in all commonly used areas and any areas in which lines are commonly formed or people may congregate.

6. How often should BOE disinfect the multiple use items like poll pad/privacy booth/BMD/ballot scanner?

County Boards must develop site specific plans for each poll site. Good hand hygiene is a key to maintaining a clean poll site. Having a hand sanitizing station for each voter to use prior to entering the poll site greatly assists this process. Having propped doors, disposable pens and a garbage can at the poll site exit also aid in poll site maintenance. The CDC Guidance for cleaning and disinfecting public spaces, workplaces, businesses, schools and homes recommends that a workplace develop a plan, implement the plan and maintain and revise your plan.

There is no specific recommendation for cleaning equipment between uses, as it depends on whether there was sufficient hand sanitizing before and after use, or whether persons wore gloves while using equipment. Examples of frequently touched surfaces and objects that will need routine disinfection following reopening are: tables, door knobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets and sinks, and touch screens.

Consult with the machine manufacturer for guidance on appropriate disinfection for voting machines and associated electronics. Consider the use of wipeable covers for electronics.

7. How do we disinfect privacy sleeves?

Disinfecting cardboard sleeves would be different than plastic sleeves. The CDC advises the half-life of the virus on cardboard at room temperature is less than one hour. Per the CDC, soft and porous materials are generally not as easy to disinfect as hard and non-porous surfaces.

Per the CDC, handling paper ballots and other voting materials is thought to be low risk. Studies have shown that the virus that causes COVID-19 dies rapidly on paper. To further reduce the risk, CDC recommends holding directly submitted voting materials for 3 hours prior to handling. If a hold time is not possible, gloves can be worn to handle the materials. Used gloves should be thrown away in a lined trash can. Poll workers should wash their

hands after removing gloves and after handling any potentially contaminated materials. If handwashing with soap and water is not possible, hand sanitizer with at least 60% alcohol can be used.

8. How should BOEs address pens to mark ballots? Provide single use pens or re-use them? How should they be cleaned?

The CDC advises to consider practices that reduce the potential for exposure. A consideration should be made if you need to touch certain materials or surfaces.

If a pen is reused, then it would have to be disinfected after each use. An alternative option would be to provide single use pens for each voter to mark the ballot. This reduces a common point of contact and eliminates the need for routine pen disinfection.

9. How should BOEs plan for PPE supplies, burn rate for election day or nine-days of early voting? Is there any assistance the State is prepared to give CBOEs to supply any PPE in line with any guidance?

County Boards of Election should not wait in the procurement of PPE (gloves, masks, sanitizer, wipes, disinfectants, gowns, plexiglass, and other items) for Early Voting, Election Day and through the canvass process.

The State Board recommends seeking procurement assistance through NY Responds at <https://nyr.dhSES.ny.gov> via your County Office of Emergency Management. Please report any inability to procure PPE to the State Board immediately.

The CDC does not have specific guidance for what would be considered adequate PPE and supplies within the community. CDC has developed a [Personal Protective Equipment \(PPE\) Burn Rate Calculator](#) for use in healthcare settings to track use of PPE and estimate how long supplies may last that may be helpful for tracking in community settings.

10. How should BOEs advise poll workers about bringing food into the poll sites? Sharing with each other?

The State Board recommends against having shared or group food/meals brought into the poll site. An isolated area should be provided for workers to safely wash hands and to use for breaks and meals.

11. As election workers have been deemed essential employees, will access to testing for Board employees be provided?

Coordinate with your state and local health departments as they play an important role in deciding how guidelines are implemented within their jurisdictions, based on local circumstances. Those who are symptomatic should be considered at "priority" for obtaining testing for COVID-19. Health departments or clinicians can choose to treat those who are asymptomatic as "priority," depending on testing capacity and risk in the community.

12. Is the Board required to provide PPE for employees commute to/from work?

Employers must provide essential workers with masks free of charge to wear when interacting with the public per Interim Guidance on Executive Order 202.16.

13. Is a Board required to screen employees upon entry and/or the public for symptoms?

The CDC recommends that poll workers stay at home if they have a fever, respiratory symptoms, or if they believe they are sick.

Mandatory screenings are not required but if conducted, Boards should rely on social distancing, barrier or partition controls, or personal protective equipment (PPE) to protect the screener.

14. What is the protocol for the number of employees per square foot of office space? Per square feet of warehouse space? What is the protocol for common areas (i.e. lunch rooms and rest rooms)?

Create a social distanced environment for your employees to maintain a six (6) foot space. When a six (6) foot social distancing environment is not able to be maintained, wear a face covering and/or install temporary barriers, as applicable. Create staggered schedules for employees to eat, maintain a six (6) foot space for social distancing (e.g. leave every other chair open) and wear a face covering.

15. What is the protocol for protective screens at public reception counters? What is the protocol for protective screens in between or around workstations?

The CDC guide for Businesses and Employers recommends an increase in physical space between employees and customers (e.g. physical barriers such as partitions). The CDC's social distancing recommendation is to maintain at least six feet from the general public. Employees should wear face coverings when unable to maintain a six feet social distance from other employees or the public.

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16. What is the protocol for wearing/utilization of PPE by employees in offices?

Employees are to wear face coverings when they are unable to maintain a six (6) foot social distance in the office and when interacting with the public.

17. What is the protocol for employees changing PPE during the workday?

According to NYS Department of Health: (<https://health.ny.gov/publications/7224/>), employees should:

- Always wash your hands immediately after you take off a mask. Use soap and water, if possible, or alcohol-based hand sanitizer if you are not near a sink;
- Don't handle your facemask and then touch your eyes, nose or mouth. Germs spread that way. Change your facemask whenever it gets moist. Never wear a mask for longer than one day.
- Cloth facemasks may be laundered using hot water but disposable facemasks can be used just once and then thrown away.

The CDC does not consider PPE used this way as medical waste and can be disposed of as regular trash.

18. Should hand sanitizer be provided?

Employees should keep hands clean by washing them often with soap and water for at least 20 seconds. If soap and water are unavailable, use an alcohol-based hand sanitizer containing at least 60% alcohol placed in a manner that is available to employees. Signage in the workplace is ideal.

19. What is the protocol for training poll workers?

Each County Board must update their poll worker training to include COVID-19 safety precautions and instructions, including but not limited to hand hygiene, disinfection, social distancing, face coverings and the flow of the poll site. The training can be mailed, emailed, via conference call or through webinar type instruction.

20. Will there be addition guidance on the number of poll sites and equipment distribution mandates?

There has not been a statutory change to the Election Law.

21. Will there be guidance on locations refusing to be utilized as poll sites despite proper legal designation?

There has not been a statutory change to the Election Law.