

## Western New York to Begin Reopening Process on May 19

Gov. Andrew Cuomo announced this morning that the five counties of Western New York – Allegany, Cattaraugus, Chautauqua, Erie and Niagara – have now met the seven benchmarks necessary to begin the reopening process. Phase One of the reopening process will therefore begin in Western New York tomorrow, May 19.

This development has come as a surprise to many. Just last week, it was thought that Western New York still fell short on several of the metrics for reopening, including hospitalizations and COVID-19 deaths. It was thus expected that reopening would likely not begin until the end of May. In the past several days, however, the state indicated that Western New York had made significant progress on the benchmarks. This culminated with Gov. Cuomo announcing today that Western New York has now qualified to begin the reopening process tomorrow.

Phase One allows for the reopening of construction, manufacturing, wholesale supply trade, agriculture, forestry, fishing and all retail with curbside pickup. Under the plan introduced by the governor, there will be at least a two-week separation between each of the four phases of reopening. For a detailed discussion of the industries eligible for reopening at each phase, please see this [information memo](#).

Employers are required to prepare a plan for the safe reopening of its business. The plan should address, among other things, methods by which to enhance the personal safety of employees and customers, necessary changes to the workplace layout, and adaptive health protocols. For additional information concerning reopening plans, please review this [information memo](#).

The attorneys at Bond, Schoeneck and King can assist with the development and implementation of your reopening plan. We have formed a new practice, [COVID-19 Recovery for Business](#), to help clients recover and reopen. For questions or assistance on reopening in Western New York, please contact [James Rooney](#), [Mark Moldenhauer](#) or any of the attorneys at the firm whom you regularly consult.



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