

**SENATE, No. 2478**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED MAY 11, 2020

**Sponsored by:**

**Senator STEPHEN M. SWEENEY**

**District 3 (Cumberland, Gloucester and Salem)**

**Co-Sponsored by:**

**Senator Holzapfel**

**SYNOPSIS**

Requires DOH to establish sanitization standards and protocols for casinos operating in State.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/14/2020)**

1 AN ACT concerning casino sanitization procedures and  
2 supplementing P.L.1977, c.110 (C.5:12-1 et seq.).  
3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*  
6

7 1. As used in this act, P.L. , c. (C. )(pending before the  
8 Legislature as this bill):

9 “Casino” means a facility licensed as a casino or gambling house  
10 pursuant to the provisions of P.L.1977, c.110 (C.5:12-1 et seq.) at  
11 which casino gaming, sports wagering, or simulcast is conducted.

12 “Casino floor” means any place that slot machines, table games,  
13 poker, sports betting, or simulcast is located or takes place.

14 “Casino hotel” shall have the same meaning as set forth in section  
15 19 of P.L.1977, c.110 (C.5:12-19).

16 “Department” means the New Jersey Department of Health.

17 “Contactless tipping option” means any method of providing a  
18 gratuity without direct contact between customer and employee, and  
19 includes, without limitation, adding a tip line to the hotel bill, peer-  
20 to-peer mobile payment, Apple, Google Pay, and other similar  
21 means.

22 “Covered establishment” means a casino, casino hotel, hotel, or  
23 food and beverage venue located within or operated in conjunction  
24 with a casino, casino hotel, or hotel.

25 “COVID-19” means the Coronavirus Disease 2019 caused by  
26 SARS-CoV-2.

27 “Disinfectant” means a product registered with the federal  
28 Environmental Protection Agency (EPA) that has qualified for use  
29 against SARS-CoV-2.

30 “Employee dining room” means any space designated by the  
31 operator for employees to take legally or contractually mandated  
32 breaks.

33 “Employees” means full-time and part-time employees, casual or  
34 on-call employees who perform work at the covered establishment,  
35 whether employed directly by the operator of the establishment or by  
36 another entity.

37 “Food and beverage venue” means a restaurant, cafeteria,  
38 institutional dining facility, catering business, commercial kitchen,  
39 event concession or any other portion of a covered establishment that  
40 prepares and serves food to guests or the general public.

41 “Gaming equipment” means any equipment used in the operation  
42 of gambling, including, but limited to, slot machines, dice, card  
43 shoes, shufflers, tiles, roulette balls, simulcast wagering equipment,  
44 gaming device as defined in section 23 of P.L.1977, c.110 (C.5:12-  
45 23), and similar equipment and devices.

46 “Hotel” shall have the same meaning as set forth in section 27 of  
47 P.L.1977, c.110 (C.5:12-27).

1 “Operator” means any person or business entity that employs  
2 employees directly or indirectly at a covered establishment.

3 “SARS-CoV-2” means the novel coronavirus that causes COVID-  
4 19.

5  
6 2. a. The department shall establish written cleaning standards  
7 designed to reduce the transmission of SARS-CoV-2. The standards  
8 shall be implemented and maintained by each operator. The  
9 standards shall provide for disinfection of porous and non-porous  
10 surfaces using appropriate EPA-registered disinfectant products that  
11 have qualified for use against SARS-CoV-2. If there exists no EPA-  
12 registered disinfectant that may be used on non-porous surfaces  
13 effectively or without causing damage to the material, the operator  
14 shall use such other cleaning agent as is appropriate for the material  
15 while using an EPA-registered disinfectant on all other surfaces.  
16 Each operator shall follow the manufacturer’s instructions for all  
17 cleaning and disinfection products for concentration, application  
18 method, and contact time for safe and effective use.

19 b. Cleaning standards under this section shall at a minimum  
20 require the following procedures:

21 (1) High-contact areas. Cleaning standards shall identify high-  
22 contact areas, items, and fixtures with which guests and employees  
23 may be expected to have regular physical contact. High-contact areas  
24 shall include, at a minimum, door and door handles at all exterior  
25 entrances, door handles at interior entrances regularly accessed by  
26 guests and employees, regularly-used instruments such as computer  
27 keyboards, touch screens, credit card readers, printers, telephones,  
28 and light switches, surfaces such as countertops, furniture, and desks  
29 in high usage areas, and ice and vending machines. Employees shall  
30 regularly, and throughout the day, clean and disinfect high-contact  
31 areas. Each operator shall have dedicated personnel responsible for  
32 opening exterior doors at the entrance to the covered establishment  
33 for guests and employees, and for regularly disinfecting such doors.

34 (2) Guest rooms. All surfaces in guest rooms at a covered  
35 establishment shall be cleaned and disinfected on a daily basis,  
36 including, without limitation, walls, windows, mirrors, desks, table  
37 tops, furniture, minibars, interior and exterior handles of doors,  
38 faucets, toilets, headboards and footboards of beds, light switches,  
39 remote controls, telephones, keyboards, touch screens, and other  
40 items. Porous surfaces such as carpeted floor, rugs, and drapes, shall  
41 be disinfected using an EPA-registered disinfectant where available  
42 for the item, or where not, appropriate cleaners indicated for use on  
43 these surfaces. Bed linens and towels shall be changed no less than  
44 daily and shall not be shaken out. Bed scarves and bedspreads shall  
45 be changed upon each guest departure. For the purposes of this  
46 subsection, no covered establishment shall permit a guest to decline  
47 guest room cleaning on a daily basis or offer any incentive to any  
48 guest for declining guest room cleaning on a daily basis.

1       (3) Public areas. All surfaces in lobbies, waiting areas, hallways,  
2 and other public areas shall be cleaned and disinfected regularly  
3 throughout the day including, without limitation, walls, windows and  
4 glass surfaces, desks, table tops and furniture, door handles, and light  
5 switches. Porous surfaces such as carpeted floor, rugs, and drapes  
6 shall be disinfected using an EPA-registered disinfectant where  
7 available for the item, or where not, using appropriate cleaners  
8 indicated for use on these surfaces.

9       (4) Front desk. All front desk counters, desks, and other surfaces  
10 with which members of the public and employees have physical  
11 contact shall be cleaned and disinfected regularly throughout the day.  
12 Computer screens, keyboards, writing utensils, credit card readers,  
13 and desktops shall be disinfected between each use. Room key cards  
14 shall be disinfected prior to being issued to and received from guests.

15       (5) Elevators. All guest and service elevators, including elevator  
16 buttons, shall be cleaned and disinfected regularly throughout the  
17 day.

18       (6) Restrooms. All surfaces in public and non-public restrooms  
19 shall be cleaned and disinfected regularly throughout the day,  
20 including sinks, faucets, walls, toilets, toilet paper dispensers, and  
21 door handles.

22       (7) Dining and bar facilities. All tables, bar tops, menus, check  
23 presentation holders, writing utensils, and computer screens shall be  
24 disinfected between each use. Other areas shall be cleaned and  
25 disinfected regularly throughout the day.

26       (8) Meeting rooms. All surfaces in meeting rooms, including  
27 table-tops and chairs, shall be cleaned and disinfected regularly,  
28 including during meeting breaks.

29       (9) Kitchens and food preparation areas. Areas and items  
30 involved with food preparation shall be cleaned and disinfected  
31 regularly throughout the day, including, without limitation, all work  
32 surfaces, tables, utensils, counters, and computers.

33       (10) Non-public areas. All surfaces in non-public areas such as  
34 hallways, offices, storerooms, locker rooms, and employee cafeterias  
35 shall be cleaned and disinfected regularly throughout the day,  
36 including without limitation, tables, walls, windows and glass  
37 surfaces, desks, table tops and furniture, benches, door handles, light  
38 switches, and other items. Porous surfaces such as carpeted floor,  
39 rugs, and drapes, shall be disinfected regularly throughout the day  
40 using an EPA-registered disinfectant where available for the item, or  
41 where not, appropriate cleaners indicated for use on these surfaces.

42       (11) Fitness centers. All surfaces in fitness centers shall be  
43 cleaned and disinfected regularly, including without limitation, all  
44 exercise equipment, weights, tables, countertops, chairs, lockers, and  
45 benches.

46       (12) Laundry. Laundry shall be washed according to the  
47 manufacturer's specifications at the warmest appropriate water  
48 setting for the item and then dried completely. All surfaces and

1 equipment, such as laundry carts and hampers, shall be regularly  
2 cleaned and disinfected throughout the day. Dirty laundry shall not  
3 be shaken out prior to cleaning.

4 (13) Casino floor. The casino floor shall be treated as a public  
5 area subject to paragraph (3) of this subsection for cleaning purposes,  
6 and all gaming equipment shall be cleaned between each use, but not  
7 less than once every four hours.

8 (14) Employee dining room. Employee dining rooms shall be  
9 cleaned and disinfected in accordance with the provisions of  
10 paragraph (7) of this subsection.

11 c. Copies of the cleaning standards shall be posted at areas  
12 where employees regularly receive daily instruction regarding work  
13 duties and on bulletin boards where the operator regularly posts  
14 official communications with employees. Copies of the cleaning  
15 standards shall be made available to employees or their bargaining  
16 representative at no cost.

17  
18 3. The department shall establish the following control measures  
19 and protocols to be implemented and maintained by each operator:

20 a. Each covered establishment and each operator shall ensure to  
21 the extent reasonably possible that employees remain at least six feet  
22 apart from other employees and guests while performing their  
23 assigned work and during breaks. Workstations and public areas shall  
24 be set up, as appropriate, to allow for proper social distancing. Break  
25 periods shall be structured, and additional break areas shall be made  
26 available to ensure that employees may take legally mandated breaks  
27 while maintaining proper social distancing. In no event shall any  
28 employee be required to work in a guest room while a guest is present  
29 in the room.

30 b. Each covered establishment and each operator shall, to the  
31 extent reasonably possible, ensure that guests remain at least six feet  
32 apart from other unassociated guests and from employees, including  
33 without limitation the placement of markings on floors six feet apart,  
34 limitations on the number of guests in public areas, and placement of  
35 furniture, tables, and seating. Guests shall be advised to maintain a  
36 distance of six feet from other unassociated guests while waiting in  
37 line at the front desk of a hotel or casino or at the entrance to any  
38 food and beverage venue. Operators shall assign dedicated personnel  
39 to maintain social distancing at the front desk and at any food and  
40 beverage venue. Exterior doors shall be left open or be operated  
41 automatically where possible. Each operator shall have dedicated  
42 personnel responsible for opening exterior doors for guests and  
43 employees, and for regularly disinfecting such doors. Guests shall  
44 be seated at food and beverage venues at least six feet from any other  
45 table. Social gatherings of more than 10 persons shall be prohibited.  
46 Elevator use shall be limited to associated guests, in groups of no  
47 more than five, and the covered establishment shall station at least

1 one dedicated attendant for each five elevators to ensure that this  
2 protocol is followed. Elevators shall be disinfected after each use.

3 c. Each casino shall configure the casino floor in a manner that  
4 encourages social distancing, including by:

5 (1) closing or removing every other table game to ensure a  
6 minimum of six feet between tables;

7 (2) removing every other chair from table games, leaving the  
8 table with three positions;

9 (3) turning off or removing slot machines in order to create a  
10 minimum of six feet between slot machines;

11 (4) preventing gatherings at slot machines, table games, or other  
12 gaming positions;

13 (5) encouraging social distancing at sports book and simulcast;

14 (6) encouraging social distancing at ATMs, cage cashiers, bars,  
15 and restaurants on the casino floor; and

16 (7) limiting the number of poker tables and seats at poker tables  
17 to ensure appropriate social distancing.

18 d. Each casino shall enable employees with direct customer  
19 service responsibilities, including, but not limited to, door persons,  
20 bell persons, cashiers, cocktail servers, bartenders, food servers, food  
21 runners, and bussers to have appropriate protective gear and to  
22 maintain social distancing.

23 e. Each covered entity and each operator shall place signage  
24 near the entrance of the covered establishment and on each floor in  
25 front of the elevator banks. The signs shall be in English and Spanish  
26 and shall contain the following language in no less than 24-point font:  
27

28 BY ORDER OF THE NEW JERSEY DEPARTMENT OF HEALTH  
29

30 Guests are required to practice social distancing and safe sanitary  
31 practices while on the premises of this establishment. Guests shall  
32 maintain a distance of six feet from guests not in their party and from  
33 employees at all times, except when service needs require a closer  
34 proximity. Social gatherings of more than 10 persons are prohibited.  
35 Guests are instructed to wash their hands frequently. Any guest who  
36 has been diagnosed with COVID-19 or is experiencing symptoms of  
37 COVID-19 shall report such information to management upon check-  
38 in or upon the advent of such symptoms. Common symptoms of  
39 COVID-19 include fever, dry cough, and shortness of breath. Other  
40 symptoms include muscle pain, headache, and sore throat.

41 f. Alcohol-based hand sanitizer, containing at least 60 percent  
42 alcohol, shall be made readily available to guests and employees in  
43 areas where there is likely to be direct or indirect physical contact  
44 among guests, among employees, or between guests and employees,  
45 including, but not limited to, the following areas: employee locker  
46 rooms, rooms where employee meetings are held, employee  
47 breakrooms and cafeterias, front desks, bell desks, lobbies, kitchens,  
48 public restrooms, entrances to food and beverage venues, principal

1 entrances to the establishment, each floor in front of elevator banks  
2 and next to ATM machines, and at least one per 5,000 square feet of  
3 other public spaces.

4 g. Handwashing breaks shall be scheduled for employees at least  
5 every hour at a washing facility supplied with soap. At other times,  
6 employees shall have access to hand sanitizer in proximity to their  
7 work area such that they do not have to interrupt their normal duties  
8 to access it.

9 h. All fitness centers at covered establishments shall remain  
10 closed until cleared to be reopened by the department or the  
11 Governor. Upon reopening, signs shall be posted at all fitness centers  
12 limiting the number of guests to ensure social distancing and  
13 instructing guests in handwashing and the use of masks and gloves.  
14 Exercise equipment shall be configured to ensure spacing of six feet.  
15 Alcohol-based hand sanitizer containing at least 60 percent alcohol  
16 and nitrile, non-allergenic disposable gloves and masks shall be  
17 placed in the vicinity of exercise equipment and weights and in any  
18 changing room. Germicidal wipes or spray and paper towels shall be  
19 placed in the vicinity of exercise equipment and weights, and signage  
20 shall instruct guests to wipe down equipment and weights after each  
21 use.

22 i. N-95 masks, if available, or surgical masks, and nitrile, non-  
23 allergenic gloves shall be provided to employees at no cost to the  
24 employee, subject to availability, and, where not available,  
25 reasonable substitutes shall be procured. N-95 masks and latex  
26 gloves, or reasonable substitutes, shall be made available to guests  
27 upon request, subject to availability.

28 j. Plexiglass shields or other appropriate barriers of appropriate  
29 height and width to ensure maximum possible protection for guests  
30 and employees shall be installed at the front desk, at food and  
31 beverage venue registers, at any ordering station in a food and  
32 beverage venue operated as a cafeteria, and at other registers in a  
33 covered establishment in order to physically separate guests and  
34 employees.

35 k. Employee time-keeping mechanisms at a covered  
36 establishment shall not require direct contact between an employee  
37 and the mechanism, such as finger swipe identification systems.  
38 Substitute time-keeping mechanisms shall be implemented.

39 l. To the maximum extent feasible, operators shall schedule  
40 employees in teams that shall operate separately from each other,  
41 without any shift overlap. Once assigned to a team, the operator shall  
42 not switch employees to a different team or shift.

43 m. In order to minimize contact with and the direct transmission  
44 of material from guest to employee, for those employees who  
45 regularly receive cash gratuities, including, but not limited to, door  
46 persons, bell persons, valet attendants, guest room attendants,  
47 cocktail servers, and bartenders, the operator shall make available a  
48 contactless tipping option. The operator shall place signage near the

1 entrance of the covered establishment, on each floor in front of the  
2 elevator banks, and at entrances to the casino floor if applicable. The  
3 signs shall be in English and Spanish in 24-point font and shall  
4 describe the methods in which a guest can leave a contactless tip.

5  
6 4. a. The department shall establish a written COVID-19  
7 response plan designed to monitor and respond to instances and  
8 potential instances of COVID-19 among employees or guests. The  
9 plan shall be implemented and maintained by each operator and shall:

10 (1) Designate key persons responsible for overseeing on-site  
11 enforcement of the plan during all periods of operation of the covered  
12 establishment and post the name and contact numbers of such persons  
13 on employee bulletin boards, by elevators, in fitness centers, and in  
14 guest rooms.

15 (2) Require that any employee who believes that they cannot  
16 safely return to work be permitted to remain on layoff with pay until  
17 such time as the department declares that COVID-19 no longer poses  
18 a significant public health threat.

19 (3) Require that all new employees and all employees returning  
20 to work for the first time since the declaration of the public health  
21 emergency and state of emergency by the Governor on March 9, 2020  
22 be offered an antibody test with adequate time before starting work.  
23 The testing shall be performed by a licensed third-party laboratory,  
24 and the results shall be provided to the employee and a physician of  
25 the employee's choice. Any employee determined by their provider  
26 to pose a threat of transmission of COVID-19 shall be entitled to take  
27 up to 24 days off with pay. The operator shall pay for the testing and  
28 physician consultation in full.

29 (4) Designate an area at the covered establishment where  
30 employees shall check-in each day to complete non-contact  
31 temperature checks and a COVID-19 questionnaire. Employees who  
32 are experiencing symptoms of COVID-19 shall not be permitted to  
33 work but shall be instructed to undergo testing, to be paid for in full  
34 by the operator.

35 (5) Require that any employee who has a reasonable belief that  
36 he or she has been exposed to SARS-CoV-2 be permitted to take time  
37 off work with pay to be tested and await results. The operator may  
38 require proof that the employee has undergone testing with  
39 reasonable promptness given the availability of testing.

40 (6) Require that any employee who has tested positive for SARS-  
41 CoV-2 or has been diagnosed with COVID-19 shall be entitled to  
42 take up to 24 days off with pay. All employees who have had close  
43 contact with the employee, defined as working within six feet for at  
44 least 10 minutes, within the prior five calendar days shall be notified  
45 within 24 hours of the employer learning of the diagnosis and  
46 instructed to undergo testing with reasonable promptness given the  
47 availability of testing.

1 (7) Require that any guest who reports a diagnosis or symptoms  
2 of COVID-19 shall be requested to self-quarantine in his or her guest  
3 room during the pendency of his or her stay. Upon departure, the  
4 room shall be cleaned and disinfected by a specially trained and  
5 certified environmental services team. All employees who had  
6 contact with the guest shall be notified and instructed to undergo  
7 testing as soon as testing is available.

8 (8) Require that the names of employees and guests diagnosed  
9 with COVID-19 or who report symptoms of COVID-19 as addressed  
10 under this section shall be kept confidential.

11 (9) Require that the operator report to the department any  
12 instance in which an employee or guest has been diagnosed or  
13 exhibited symptoms of COVID-19.

14 b. Copies of the COVID-19 response plan shall be posted at  
15 areas where employees regularly receive daily instruction regarding  
16 work duties and at bulletin boards where the operator regularly  
17 communicates with employees. Copies of the plan shall be made  
18 available to employees or their bargaining representative at no cost.  
19

20 5. a. All managerial and non-managerial employees employed  
21 at a covered establishment shall receive training in the following  
22 subjects:

23 (1) COVID-19 symptoms;

24 (2) how the COVID-19 virus is spread;

25 (3) prevention of the spread of COVID-19;

26 (4) the requirements of this act, P.L. , c. (C. )(pending before  
27 the Legislature as this bill);

28 (5) the cleaning standards required under section 2 of this act; and

29 (6) the COVID-19 response plan developed under section 4 of  
30 this act.

31 No operator shall employ an employee for a total of more than 30  
32 days who has not received a certificate demonstrating completion of  
33 the training program required under this subsection.

34 b. Training in the requirements of this act shall be conducted via  
35 a remote training program, with a duration of at least 30 minutes,  
36 approved and conducted by the department. Training required under  
37 this subsection shall be made available in English, Spanish, and other  
38 languages regularly spoken by employees at the workplace.

39 c. Each employee shall receive the training required under  
40 subsection b. of this section within 30 days of the effective date of  
41 this act, and annually thereafter unless the department requires  
42 remedial training sooner based on changing public health  
43 circumstances. Newly hired employees shall receive the training  
44 required under subsection b. within 10 days of hire. Training under  
45 subsection b. shall be considered paid work time.

46 d. On a monthly basis, the independent training organization  
47 selected and each operator at a covered establishment shall submit to  
48 the department:

1 (1) a list of all employees who have attended the training required  
2 under subsection b. of this section; and

3 (2) a verification form signed by each employee that the  
4 employee attended the training.

5 The department shall audit these lists to verify compliance on a  
6 monthly basis.

7 e. In addition to the training required under subsection b. of this  
8 section, each operator shall conduct site-specific training on the  
9 covered establishment's cleaning standards and COVID-19 response  
10 plan for all employees who are working at the covered establishment.  
11 Such training shall be conducted by knowledgeable staff at the  
12 covered establishment, on at least a monthly basis. The operator shall  
13 maintain accurate records of attendance at such training sessions.  
14

15 6. No operator, manager, or other person shall discharge, reduce  
16 in compensation, increase workload, impose fees or charges, change  
17 duties, or otherwise take adverse action against any employee for  
18 opposing any practice proscribed by this act, P.L. ,  
19 c. (C. )(pending before the Legislature as this bill), for  
20 participating in proceedings related to this act, for seeking to enforce  
21 his or her rights under this act by any lawful means, or for otherwise  
22 asserting rights under this act, including without limitation,  
23 remaining on layoff as described in section 4 of this act, or for  
24 refusing to perform work that they believe poses a risk to themselves  
25 or others, or for reporting work conditions they believe may be  
26 unsafe.  
27

28 7. a. The department shall have the authority to enforce this act,  
29 P.L. , c. (C. )(pending before the Legislature as this bill), on  
30 its own initiative or upon complaint by any member of the public.  
31 The department, upon investigation and adjudication that affords a  
32 covered establishment or operator due process, shall have the  
33 authority to immediately order a covered establishment closed to the  
34 public if the department determines that the operator has violated any  
35 provision of this act and such violation poses an imminent threat to  
36 the public health. Such order of closure shall remain in effect until  
37 the department determines, after a public hearing, that the covered  
38 establishment may safely reopen to the public.

39 b. The department shall have the authority to impose a civil fine,  
40 in an amount of up to \$500 for an initial violation, and \$1,000 for  
41 each subsequent violation, for a violation of any provision of this act.

42 c. An employee may bring a civil action in the Superior Court  
43 of the State of New Jersey for violations of section 6 of this act and  
44 may be awarded:

45 (1) all actual damages, including, but not limited to, lost pay and  
46 benefits suffered by the employee and statutory damages in the sum  
47 of \$1,000, whichever is greater;

48 (2) punitive damages, pursuant to State law; and

1 (3) the court shall award reasonable attorneys' fees and costs to  
2 an employee who prevails in any such enforcement action.

3 d. Nothing in this act shall preclude any person from bringing a  
4 civil action based on any requirements set forth in this act, where  
5 such civil action is otherwise recognized under the law.

6  
7 8. The Commissioner of Health, pursuant to the "Administrative  
8 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt  
9 rules and regulations necessary to effectuate the purposes of this act.

10  
11 9. If any provision or application of this act, P.L. ,  
12 c. (C. )(pending before the Legislature as this bill), is declared  
13 illegal, invalid, or inoperative, in whole or in part, by any court of  
14 competent jurisdiction, the remaining provisions and portions thereof  
15 shall remain in full force or effect. The courts are hereby authorized  
16 to reform the provisions of this act in order to preserve its maximum  
17 permissible effect.

18  
19 10. Within six months after the effective date of this act, P.L. ,  
20 c. (pending before the Legislature as this bill), the department shall  
21 issue a report to the Legislature, pursuant to section 2 of P.L.1991,  
22 c.164 (C.52:14-19.1), on the initial implementation and effectiveness  
23 of this act in promoting public health and shall advise the Legislature  
24 on the need for further action. The department shall issue a second  
25 report to the Legislature within 12 months of the effective date of this  
26 act, and annually thereafter, on the effectiveness of this law in  
27 promoting public health and the necessity of its continued  
28 implementation.

29  
30 11. This act shall take effect 14 days following the date of  
31 enactment, except that the commissioner may take any anticipatory  
32 administrative action in advance as shall be necessary for the  
33 implementation of this act.

34  
35  
36 STATEMENT

37  
38 The COVID-19 pandemic has led to the closure of casinos and  
39 hotels across the State to protect the public and employees during the  
40 public health emergency. This bill sets sanitization standards and  
41 protocols for casino operators in the State to promote public health  
42 and keep employees and guests safe when operations at casinos and  
43 hotels resume.

44 Under the bill, the Department of Health will establish written  
45 cleaning standards designed to reduce the transmission of the virus.  
46 The standards will be implemented and maintained by the operators.  
47 The standards will provide for the timely and consistent disinfection  
48 of porous and non-porous surfaces using EPA-registered disinfectant

1 products. The cleaning standards will, at a minimum, include high-  
2 contact areas, guest rooms, public areas, front desks, elevators,  
3 restrooms, dining and bar facilities, meeting rooms, kitchen and food  
4 preparation areas, non-public areas, fitness centers, laundry, casino  
5 floors, and employee dining rooms. Copies of the cleaning standards  
6 will be posted conspicuously on bulletin boards where employees  
7 commonly receive information from operators.

8 The department will also establish control measures to reduce  
9 potential transmission of the virus and promote public health through  
10 social distancing and other safety measures. Such measures will  
11 include implementing social distancing protocols for employees and  
12 guests, ensuring easy access to alcohol-based hand sanitizer and N-  
13 95 masks, and scheduling employees in teams. Signage will be  
14 placed throughout the establishments to encourage guests to practice  
15 social distancing and safe sanitary practices. Signage will also be  
16 placed regarding contactless tipping to further minimize contact  
17 between guests and employees.

18 To monitor and respond to instances and potential instances of  
19 COVID-19 among employees or guests, the department will establish  
20 a written response plan. Among other things, the plan will designate  
21 key persons responsible for overseeing on-site enforcement of the  
22 plan, require antibody tests for all employees, and require daily  
23 contactless temperature checks of all employees. Employees who  
24 believe they cannot safely return to work will remain on layoff with  
25 pay. The measures also provide steps for employees and guests who  
26 report a diagnosis or symptoms of COVID-19. The response plan  
27 will also be posted conspicuously on bulletin boards where  
28 employees commonly receive information from operators.

29 Training will be required for all managerial and non-managerial  
30 employees. The training will cover COVID-19, the prevention of  
31 COVID-19, and the cleaning standards and response plan in this bill.  
32 The training will be conducted remotely.

33 No operator, manager, or other person will take adverse action  
34 against any employee for opposing any provision of the bill. The  
35 department will have the authority to enforce the bill. The  
36 department will enforce fines against operators for any violations of  
37 this bill.

38 The department will issue a report to the Legislature within six  
39 months of the effective date of the bill on the initial implementation  
40 and effectiveness of the provisions of the bill. A second report will  
41 be issued within six months of the first report. Each subsequent  
42 report will be issued annually thereafter.