COVID-19 is already having consequences for the restaurant and nightlife industry in New York City. Many businesses have seen a significant decrease in customers, including cancellations of reservations and large events. They are concerned that they will have to reduce employee hours, lay off workers — and some businesses may need to shutter, at least temporarily, if not permanently. We recognize COVID-19 presents many immediate and long-term challenges and uncertainties for public health and economic stability in New York City. We commend our leaders in government for their immediate attention to this critical matter and their around-the-clock efforts to try and keep us safe and our city stable. In this spirit we present a 12-point Mitigation and Support Plan for NYC Restaurants and Nightlife Establishments in response to COVID-19. While immediate action is necessary on certain recommendations, others must be considered depending on the length and overall impact of the pandemic on the city’s hospitality industry. While certain recommendations may address sensitive issues, we assure you they intend to provide guidance and insight into what many small business owners believe they need to sustain their businesses and employment operations during this state of emergency. The New York City Hospitality Alliance remains committed to working with all parties in a constructive manner to keep people safe, businesses open, and New Yorkers earning income during this challenging time.
1. **Wage and Business Interruption Cash Infusions:** Restaurants and nightlife establishments operate on razor-thin margins and employ many people. Some restaurants and nightlife establishments will need immediate cash infusions such as employee wage and business interruption subsidies to keep their doors open and New Yorkers employed.

2. **Paid Safe and Sick Leave Law:** Paid Safe and Sick Leave Law subsidies should be provided to certain businesses, especially, if employees are sick and/or required to be quarantined and legally entitled to collect pay. If the State of New York passes a statewide paid sick leave law, it must expressly exempt the City of New York as we already have our own law enacted and additional and/or conflicting requirements will pose significant confusion and burdens on local restaurants and nightlife establishments, or it must pre-empt local laws so we have one law for the State of New York.

3. **Delivery Fees:** The City Council should expedite passage of Int. 1908-2020, which will cap excessive third-party delivery fees by companies like Grubhub/Seamless at 10%. Delivery fees usually range from 15% - 30%+ of a total order and sometimes are not profitable for restaurants. Many restaurants lose money on their deliveries. We cannot urge restaurants to offer delivery and tell New Yorkers to order-in during this state of emergency if it will hurt restaurants while providing delivery companies a profit windfall.

4. **Fine and Penalty Forgiveness:** Suspend the payment of all fines and provide cure periods to restaurants and nightlife establishments for violations that do not pose an immediate hazard to the public and workers.

5. **Rent and Tenant Protections:** Provide rent subsidies and certain eviction protections to commercial tenants.

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6. **Sidewalk Café Fees:** The City of New York should waive the March 30th sidewalk café consent fees and eliminate its 18% annual interest rate imposed on fees when restaurants opt to pay in multiple installments. Additionally, the City should allow all applicants for sidewalk cafes whose applications have received a positive recommendation from the local Community Board, to operate immediately on an application pending status and not have to wait months to operate.

7. **Fair Work Week Law:** New York City’s Fair Work Week Law requires certain restaurant employers to provide employee schedules two-weeks in advance and levies significant penalties for shift cancellations and modifications of hours within that timeframe. COVID-19 presents many scheduling challenges due to its fluid and uncertain nature. Even if the two-week advance scheduling requirement remains intact during this state of emergency, the penalties for shift cancellations and changes in hours should be waived as they pose financial burdens on businesses that may have to adjust schedules for public health and other related matters.

8. **Community Boards:** Community Boards should provide the option of remote hearings to all Liquor License and Sidewalk Café applicants.

9. **Liquor License Applications:** Under the State of Emergency declared by the Governor, give the State Liquor Authority (SLA) the authority to permit businesses to operate with a Temporary License in New York City while its application is going through the lengthy backlog at the SLA, like they do for applicants elsewhere in the state. Let’s encourage small business owners willing to open a new restaurant or bar in this crisis, not make them wait many months for a license.

10. **Commercial Rent Tax:** Suspend the Commercial Rent Tax on ground floor tenants like eating and drinking establishments.

11. **Legal Services:** Government should help provide pro-bono legal services to businesses regarding their legal obligations on COVID-19 related matters.

12. **No-Interest Loans:** Provide no-interest loans to additional businesses.