



May 29, 2020

The Honorable Andrew M. Cuomo
Governor
New York State Capitol Building
Executive Chambers
Albany, NY 12224

Dr. Howard A. Zucker
Commissioner
New York State Department of Health
Corning Tower, Empire State Plaza
Albany, NY 12237

Dear Governor Cuomo and Commissioner Zucker,

On behalf of The National Automatic Merchandising Association (NAMA) and its members, I would like to thank you for your extraordinary leadership during these challenging times and your efforts to assist New York businesses currently working to re-open their doors.

I am writing today to urge clarification in the recently released, "Interim Guidance for Office-Based Work During the Covid-19 Public Health Emergency". Specifically, to request your support in permitting the use of vending machines, office coffee/tea/water services, micro markets (unattended retail) and pantry service in the workplace – while practicing safe social distancing and sanitation measures.

Founded in 1936, NAMA represents the United States convenience services industry, with its core membership being comprised of owners and operators of vending machines, micro markets, office coffee/tea/water, and pantry services providers, as well as the manufacturers of refrigerated vending machines used throughout the industry. With nearly 1,000-member companies – including many of the world's most recognized brands – NAMA provides advocacy, education, research, and business forums for its membership. The convenience services industry employs over 150,000 Americans nationally and provides nearly \$26 billion in annual economic impact. In the state of New York alone, the industry generates \$1.1 billion in annual economic impact and employs nearly 6,000 hardworking New Yorkers.

As you are aware, the convenience services industry was deemed essential by Department of Homeland Security's (DHS) Cybersecurity and Infrastructure Agency (CISA) during the COVID-19 public health emergency, and has worked vigorously to keep breakrooms stocked with necessary nourishment for the front line heroes in hospitals, 911 dispatch centers, police stations, fire houses, truck stops, rest areas, and food production facilities throughout your state. Our members have ensured the safety and well-being of these workers while providing round-the-clock service of essential snack, food, beverages and other nourishment throughout the pandemic.

As we enter a new stage of recovery, we seek to continue that same essential service to all workers and workplaces. However, the above referenced interim guidance stating, "*Responsible Parties should close non-essential amenities and communal areas which promote gathering or are high-touch (e.g. vending machines, communal coffee machines),*" is inconsistent with the DHS guidance and may be

misinterpreted by management in workplace locations to discontinue use of such services, leaving the most essential workers without access to the safe, contact-less distribution of food and beverages.

Additionally, this language contradicts the following two bullet points also contained in the interim guidance stating: *“Responsible Parties must put in place practices for adequate social distancing in small areas, such as restrooms and breakrooms, and should develop signage and systems (e.g. flagging when occupied) to restrict occupancy when social distancing cannot be maintained in such areas,”* and that *“Responsible Parties should stagger schedules for employees to observe social distancing for any gathering (e.g. coffee breaks, meals, and shift starts/stops).”*

In fact, breakrooms promote social distancing requirements. On-site vending machines, micro markets, office coffee/tea/water services, and pantry services in employee breakrooms offer a safe and effective way to purchase lunches, snacks, and beverages in a controlled manner. By eliminating the need for employees to travel off-site, they reduce additional interpersonal contact with an outside environment. This decreases the risk of exposure for employees and their colleagues and the likelihood of transmitting the virus to others.

Recently, the Center for Disease Control and Prevention (CDC) updated its [guidance](#) to reflect that the main cause in the transmission of COVID-19 is “person-to-person spread” and that surfaces are “not thought to be the main way the virus spreads.” The CDC also acknowledges the safe use of vending machines and convenience services while recommending their cleaning three times per day in its [“Reopening: Guidance for General Office Settings”](#). Convenience Services Operators have always focused on strict adherence to cleanliness standards, ensuring a high quality and safe service to their customers.

As you look to re-open the economy in New York, we urge you to consider safe social distancing protocols that allow for the continued utilization of the convenience services industry and its unique food and beverage distribution channel in breakrooms.

Again, thank you for your leadership during this unprecedented time for our nation and the citizens of New York. I have personally found your calm, pragmatic and empathetic leadership to be a bright light shining through the darkness. Working together, we are excited to help bring New York and the nation back to a safe resemblance of business as usual and continue serving our over 40 million American customers, where they work, live, and play each day.

If you have any questions about our requests or the essential role our industry plays in America’s workplace, please feel free to contact NAMA’s Director of Federal and State Affairs, Mike Goscinski at mgoscinski@namanow.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carla Balakgie', written in a cursive style.

Carla Balakgie, FASAE, CAE
President & CEO