In accordance with Executive Order 2020-96 and 2020-97, Retail Industry Operations are REQUIRED to:

- **Develop a COVID-19 preparedness and response plan**
  Establish a response plan for dealing with a confirmed infection in the workplace. Designate one or more worksite supervisors to implement, monitor, and report on COVID-19 control strategies. See Guidance on Preparing Workplaces for COVID-19 developed by OSHA.
  

- **Increase facility cleaning**
  Clean and disinfect to limit exposure to COVID-19, especially on high-touch surfaces. Adopt protocols to clean and disinfect the facility in the event of a positive COVID-19 case. Make cleaning supplies available to employees upon entry, provide time for hand washing or hand sanitizer use.

- **Provide non-medical grade face coverings**
  Require employees to wear face coverings when they cannot consistently maintain six feet of separation from other individuals. Signs for workplaces are available in the BLDHD Business Toolkit.

- **Conduct daily entry screening protocols at dedicated entry point(s) to worksites**
  Sample workplace Health screening documentation can be found in the BLDHD Business Toolkit.

- **Maintain 6-ft distancing**
  Keep employees and patrons on premises at least six feet from one another to the maximum extent possible, through the use of ground markings, signs, and physical barriers as appropriate.

- **Physical barriers shall be installed where social distancing of 6 feet is difficult.**
  Install at checkout or other service points that require interaction, including plexiglass, tape markers, or tables, as appropriate.
• **Limit staffing**  
Minimize staff on premises to the minimum number necessary to operate.

• **Train employees**  
At a minimum, cover workplace infection-control practices, proper use of PPE, steps for symptomatic employees, reporting unsafe working conditions, and how to manage symptomatic people.

• **Notification of confirmed COVID-19**  
Within 24 hours of the identified case, whether an employee, customer, or another visitor to the store, employers must notify the local public health department, and any co-workers, contractors or suppliers who may have come into contact with that person.

• **Communications materials for customers**  
Create pamphlets or post signs to:  
- Inform customers of changes to store practices and to explain precautions the store is taking to prevent infection.  
- Inform customers not to enter if they are or have recently been sick  
- Instruct customers of legal obligation to wear face coverings inside the store

• **Adhere to the following restrictions:**
  - For stores of less than 50,000 square feet of customer floor space, must limit the number of people in the store (including employees) to 25% of the total occupancy limits established by the State Fire Marshal or a local fire marshal.  
  - Stores of more than 50,000 square feet must:  
    - Limit the number of customers in the store at one time (excluding employees) to 4 people per 1,000 square feet of customer floor space.  
    - Create at least two hours per week of dedicated shopping time for vulnerable populations, which for purposes of this order are people over 60, pregnant women, and those with chronic conditions like heart disease, diabetes, and lung disease.  
  - The director of the Department of Health and Human Services is authorized to issue an emergency order varying the capacity limits described in this subsection as necessary to protect the public health.

• **Requirements specific to Retail Industry, see section 6 of the Executive Order 2020-97.**
Public Health Guidance for Retail Establishments

**Conduct Risk Assessment**
Establish critical protective guidelines. Consider the following questions:

- Are there locations where employees routinely congregate?
- Are tools and equipment frequently shared by multiple employees?
- Does customer flow allow for social distancing measures?
- Where are areas in your business that would not allow customers and staff to properly distance?
- Who are your high risk employees?
- Is your business actively engaged in activities that promote disease transmission?
- Does your business have existing cleaning and disinfecting procedures?
- How quickly can you communicate with employees?
- Are communication resources needed in multiple languages?

**Physical Distancing**
Establish policies and procedures for social distancing. Consider the following:

- Ensure that employees and customers limit close contact (stay six feet apart). Appoint a staff person who will ensure that people standing in any lines or meeting in rooms maintain physical distance.
- In areas of high-volume traffic, utilize spacing tools for social distancing screenings and lines (e.g., place tape on floor to keep people adequately spaced; place arrows in the aisle to direct the flow of movement in one direction).
- Provide services by appointment, take-out/delivery options or curbside pick-up. Establish designated pick-up zones for customers to help maintain social distancing.
- Establish online, no touch payment systems/processes.
- Consider strategies to minimize face-to-face contact and deliver services remotely (e.g., drive-thru windows, phone-based communication, online order).
- Reduce on premise capacity by 50% and limit to a maximum of 50 people, not including staff.
- Reconfigure retail space to enable social distancing (e.g. reduce inventory on floor, use smaller displays, strategically place inventory).
- Establish staggered lunch and break times for staff.

**Engineering & Environmental Controls**
Improve engineering controls and perform routine environmental cleaning.

Consider the following:

- Consider installing physical barriers, such as clear plastic guards where feasible (e.g. purchase point).
- Increase ventilation rates and percentage of outdoor air that circulates into the system.
- Support respiratory etiquette and hand hygiene for employees, customers, and visitors by:
  - Provide tissues, no-touch disposal receptacles, and soap and water in the workplace (if not readily available, use alcohol-based hand sanitizer that is at least 60% alcohol). Employees should wash their hands frequently throughout the day. If hands are visibly dirty, soap and water should be chosen over hand sanitizer. Ensure adequate supplies are maintained and place hand sanitizers in multiple locations.
  - Place posters that encourage hand hygiene to help stop the spread of COVID-19 at the entrance to your workplace and in other areas where they are likely to be seen.
**Public Health Guidance for Retail Establishments**

(continued)

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### Engineering & Environmental Controls (continued)

Improve engineering controls and perform routine environmental cleaning.

Consider the following:

- Support respiratory etiquette and hand hygiene for employees, customers, and visitors by: (continued).
  - Discourage handshaking – encourage the use of other non-contact methods of greeting.
  - Direct employees to visit CDC website for information on coughing and sneezing etiquette and handwashing.
- Discourage workers from using co-workers’ phones, desks, offices, or other office tools and equipment, when possible. If they must use, provide disposable wipes so that commonly used surfaces (including doorknobs, remote controls, etc.) can be wiped down between each use.

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### Administrative Controls

Establish administrative controls while employees and visitors are onsite.

Consider the following:

- Identify a workplace coordinator who will be responsible for COVID-19 issues and their impact at the workplace.
  - Implement daily health and temperature screening for employees upon arriving to work.
  - Provide education and training on new processes, COVID-19, and the use of PPE while in the building.
- Review Human Resource policies to make sure that policies and practices are consistent with both public health recommendations and existing state and federal workplace laws.
  - Implement flexible sick leave and supportive policies and practices.
  - Ensure that sick leave policies are flexible and consistent with public health guidance and provide employee training on new policies. If sick leave is not a benefit, it is recommended that employers draft a non-punitive emergency sick leave policy.
  - Maintain flexible policies that permit employees to stay home to care for a sick family member or take care of children due to school/daycare closures.
  - Employers should not require a positive COVID-19 test result or a healthcare provider’s note for employees who are sick to validate their illness, qualify for sick leave, or to return to work.
  - Connect employees to Employee Assistance Program (EAP) resources and community resources as needed. Employees may need additional social, behavioral, and other services for mental health support.
  - Consider temporarily assigning employees at high risk for virus to duties that do not involve close contact with the public.
- Assess essential functions and the reliance that the community has on your services/products.
  - Talk with companies that provide your business with contract or temporary employees about the importance of sick employees staying home and encourage them to develop non-punitive leave policies.
  - Talk with business partners about response plans. Share best practices with other businesses in your communities (especially in your supply chain), Chambers of Commerce, and associations to improve community response efforts.
Administrative Controls (continued)

Establish administrative controls while employees and visitors are onsite.

Consider the following:

- Assess essential functions and the reliance that the community has on your services/products (continued).
  - Determine how you will operate if absenteeism spikes from increases in sick employees, those who stay home to care for sick family members, and those who must stay home to watch their children. Plan to monitor and respond to absenteeism in the workplace. Implement plans to continue your essential business functions. Cross-train employees to perform essential functions so the workplace can operate even if key employees are absent.

Personal Protective Equipment (PPE)

Require the appropriate type of PPE for employees and customers.

Consider the following:

- Workers with medium exposure risk (as defined in the Risk Assessment section on pages 10-11) need to wear some combination of gloves, face coverings, and/or face shield or goggles.
- Consider providing cloth face coverings.
- Consider requiring customers to wear cloth face coverings upon entry. Keep in mind some customers may not be able to wear face coverings due to medical conditions. For this reason, be mindful of discriminatory behavior from staff or customers.
Below is a breakdown of the requirements of Executive Order 2020-97 which establishes safeguards for employees leaving their residence to work pursuant to Executive Order 2020-96 and Executive Directive 2020-6 which establishes the Office of Worker Safety.

E0 2020-97 REQUIRES BUSINESSES TO MINIMALLY DO THE FOLLOWING:

☐ Develop a COVID-19 preparedness and response plan consistent with OSHA guidelines
☐ Designate a work place supervisor to implement, monitor and report on the plan developed as a result of the above requirement
☐ Provide COVID-19 training to employees addressing infection control practices, proper use of personal protective equipment (PPE), steps to notify the employer of a positive test or symptoms, and how to report unsafe work conditions
☐ Conduct daily entry self-screening of employees including a questionnaire covering symptoms or confirmed exposure to positive people
☐ Maintain a distance of 6 feet between all people at the business to the maximum extent possible using ground markings, etc.
☐ Provide non-medical grade facemasks to all employees
☐ Require face coverings be worn when employees cannot maintain consistently maintain 6 feet of distance from each other
☐ Increase disinfection and cleaning of the business with special attention to shared objects and high-touch surfaces
☐ Develop protocols to be used for cleaning if there is a positive test at the location
☐ Make cleaning supplies available to employees upon arrival at work and allow time for them to wash their hands or use hand sanitizer frequently
☐ Notify the local health dept. and co-workers, contractors, or suppliers who may have come into contact with the person within 24 hours of having an employee test positive,
☐ Follow EO 2020-36 which prohibits any retaliating against employees who stay home or leave work when they are at particular risk of infecting others
☐ Establish a response plan to send employees home and temporary closure when dealing with a confirmed infection
☐ Restrict business related travel to essential travel only
☐ Encourage employees to use PPE and hand sanitizer on public transportation
☐ Promote remote work to the fullest extent possible
☐ Adopt additional reasonable infection control measures in light of the work performed at the location and the infection rate in the community
BUSINESSES WHOSE WORK IS PRIMARILY OUTDOORS MUST:

- **Prohibit** gatherings where people cannot maintain 6 feet of distance from one another
- **Limit** in-person interaction with clients or patrons to the maximum extent possible and prohibit any interaction where 6 feet of distance cannot be maintained
- **Provide** PPE for employees and require its use
- **Adopt** protocols to limit the sharing of tools and equipment to the maximum extent possible and frequently clean tools and equipment

There are specific rules for businesses in construction, manufacturing, and laboratories that were incorporated here as well.

RETAIL STORES THAT ARE OPEN FOR IN-STORE SALES MUST:

- **Create** material for customers to inform them of the changes to in-store practices and to explain the precautions being taken to prevent infection
- **Establish** lines to regulate entry into the store and create markings for patrons to allow them to stay at least 6 feet apart while waiting in line
- **Limit** the number of customers allowed in the store at one time consistent with section 6(c) (1) in this order
- **Establish** at least 2 hours a week where vulnerable people are allowed to shop
- **Post** signs at the entrance informing customers of their legal obligation to wear masks while in the store
- **Post** signs at the entrance telling customers not to enter if they are or have recently been sick
- **Design** spaces in the store and activities that encourage 6 feet of distance from one another
- **Install** physical barriers at checkout or other service points
- **Establish** an enhanced cleaning schedule
- **Train** employees on appropriate cleaning procedures including for cashiers on cleaning between customers and how to manage symptomatic people
- **Notify** employees if they learn that anyone who was positive was in the store

OFFICES MUST:

- **Assign** entry points for employees to avoid congestion
- **Provide** visual markers outside the building to maintain distance in case of congestion
- **Take** steps to reduce entry congestion and ensure effective screening
- **Require** face coverings in shared spaces
- **Increase** distances between employees by spreading out work spaces, staggering space usage, etc.
- **Turn** off water fountains
Prohibit social gatherings and meetings that do not allow for social distancing or create unnecessary movement in the office
Provide disinfecting supplies and require workstations be wiped down at least twice daily
Post signs about the importance of personal hygiene
Disinfect high-touch surfaces
Institute cleaning protocol when symptomatic employees are sent home
Notify employees if a positive person was at the office
Prohibit non-essential visitors
Restrict non-essential travel including in-person conference events

RESTAURANTS AND BARS MUST:

Limit capacity to 50% of normal seating. Require six feet of separation between parties or groups at different tables or bar tops
Create communications material for customers to inform them of changes to restaurant or bar practices and to explain the precautions that are being taken to prevent infection
Close waiting areas and ask customers to wait in cars for a call when their table is ready
Close self-serve food or drink options, such as buffets, salad bars, and drink stations
Provide physical guides, such as tape on floors or sidewalks and signage on walls to ensure that customers remain at least six feet apart in any lines
Post signs at store entrances informing customers not to enter if they are or have recently been sick
Post signs instructing customers to wear face coverings until they get to their table
Require hosts and servers to wear face coverings in the dining area
Require employees to wear face coverings and gloves in the kitchen area when handling food, consistent with guidelines from the FDA
Limit shared items for customers (e.g., condiments, menus) and clean high-contact areas after each customer
Train employees on: use of personal protective equipment in conjunction with food safety guidelines, food safety health protocols, and how to manage symptomatic customers upon entry or in the restaurant
Notify employees if the employer learns that an individual with a confirmed case of COVID-19 has been there
Close restaurant immediately if an employee shows multiple symptoms of COVID-19 and perform a deep clean, consistent with guidance from the FDA and CDC
Require a doctor’s written release to return to work if an employee has a confirmed case of COVID-19
Install physical barriers at cash registers, bars, host stands, and other areas where maintaining physical distance of six feet is difficult. To the maximum extent possible, limit the number of employees in shared spaces, including kitchens, break rooms, and offices, to maintain at least a six-foot distance between employees.

Local government can decide to establish more stringent guidelines for businesses. Businesses must maintain a record of the requirements in sections 1(c), (d), and (k).

ED 2020-6 creates the Office of Worker Safety and allows someone to be appointed Director of COVID-19 Workplace Safety. EO 2020-91 establishes the workforce safety rules for all businesses across the state as the process of in-person work gradually returns. The Director of Workplace safety (and all agencies required to monitor compliance with workplace safety) will bring enforcement actions against any employer who violates these orders.