

Response to COVID-19: State Reopening Plans¹

Update of May 22, 2020

In response to the COVID-19 pandemic, non-essential businesses across the United States faced executive orders by state Governors instructing them to close or significantly limit all in-person operations. States are now considering how best to reopen their economies, balancing the desire to permit businesses to operate with the need to continue to slow the spread of COVID-19. The federal government has unveiled its Guidelines for Opening Up America Again, a three-phased approach intended to help state and local officials determine when and how to reopen their economies while continuing to protect Americans from the spread of COVID-19. A phased approach is one in which restrictions are modified in phases, gradually moving towards resuming business as usual with no particular COVID-19 related restrictions. Such approaches often rely on gating criteria to establish when it is time to move to the next phase, for example whether COVID-19 related symptoms and confirmed cases have decreased, whether hospitals are capable of treating their patients without relying on crisis care, and whether sufficient testing is available. Individual states have also begun issuing and enacting their own proposed guidelines and plans, many of which follow the federal government's three-phased approach. Below is a summary of the federal guidelines followed by a snapshot of the state-issued plans and fulsome summaries of the key aspects of those plans.²

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² Please also see Cleary's [Response to COVID-19: State Executive Orders](#) memo for information regarding state executive orders closing non-essential businesses.

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Federal Guidelines for Opening Up American Again

The [Opening Up America Again](#) guidelines, as further supplemented by the [May 2020 CDC Report](#), divide a plan for a return to operations into three phases. They also note that states may need to tailor the guidelines for local circumstances.

Gating Criteria. Before states begin the phased reopening, the federal guidelines propose they satisfy the following criteria:

- Symptoms.
 - Downward trajectory of influenza-like illnesses reported within a 14-day period AND
 - Downward trajectory of cases with symptoms resembling COVID-19 reported within a 14-day period.
- Cases.
 - Downward trajectory of documented COVID-19 cases within a 14-day period OR
 - Downward trajectory of positive COVID-19 tests as a percent of total tests within a 14-day period (flat or increasing volume of tests).
- Hospitals.
 - Treat all patients without crisis care AND
 - Robust testing program in place for at-risk healthcare workers, including emerging antibody testing.

Phase One. In “Phase One”, the federal guidelines encourage all vulnerable individuals to continue to shelter in place, and members of a household with vulnerable residents should be aware of the heightened risk to vulnerable individuals within their residence. The federal guidelines also suggest that:

- Businesses:
 - Continue to encourage telework, whenever possible and feasible with business operations.
 - If possible, return to work in phases.
 - Close common areas where personnel are likely to congregate and interact, or enforce strict social distancing protocols.
 - Minimize non-essential travel and adhere to CDC guidelines regarding isolation following travel.
 - Strongly consider special accommodations for personnel who are members of a vulnerable population.
- Large venues (e.g., sit-down dining, movie theaters, sporting venues) can operate under strict physical distancing protocols.
- Elective surgeries can resume, as clinically appropriate, on an outpatient basis at facilities that adhere to Centers for Medicare and Medicaid Services (“CMS”) guidelines.
- Gyms can open if they adhere to strict physical distancing and sanitation protocols.
- Bars should remain closed.

Phase Two. The federal guidelines suggest that states move to “Phase Two” upon the satisfaction of the gating criteria, above, for a second time and in the absence of any evidence indicating a rebound of COVID-19. During this phase, the federal guidelines encourage continued shelter in place for vulnerable individuals. The federal guidelines loosen the recommended restrictions for businesses in “Phase Two” as follows:

- Removes the proposal to return to work in phases.
 - Recommends moderate, rather than strict, social distancing protocols for close common areas where personnel are likely to congregate and interact.
- Removes the recommendation to minimize non-essential travel and to adhere to CDC guidelines regarding isolation following travel.
- Recommends moderate, rather than strict, physical distancing protocols for large venues.

- In-patient elective surgeries may resume.
- Bars may reopen with diminished standing-room occupancy, where applicable and appropriate.

Phase Three. The federal guidelines suggest that states that both have no evidence of a rebound in COVID-19 infections and satisfy the gating criteria, above, for a third time move to “Phase Three” and resume the unrestricted staffing of worksites. The guidelines recommend that large venues be allowed to operate under limited physical distancing protocols. In addition, the guidelines propose gyms may relax sanitation protocols to their standard protocols, and bars may increase standing room capacity.

Recommendations for Employers. In all three phases, the federal guidelines recommend that employers develop and implement appropriate policies, in accordance with applicable regulations and guidance, as well as industry best practices, regarding:

- Social distancing and protective equipment.
- Temperature checks.
- Sanitation.
- Use and disinfection of common and high-traffic areas.
- Business travel.

The federal guidelines also suggest that businesses monitor their workforce for indicative symptoms and do not allow individuals exhibiting COVID-19 symptoms to physically return to work until cleared by a medical provider. The guidelines further suggest that businesses develop and implement policies and procedures for workforce contact tracing following a positive employee COVID-19 test.

The CDC Report includes industry-specific interim guidance to assist certain establishments in reopening. The guidance is not mandatory, but sets forth a so-called menu of safety measures, so that establishments, as well as states and local governments can choose those that best fits their circumstances. The industries for which guidance is provided are child care programs, school and day camps, employers with workers at high risk, restaurants and bars, and mass transit administrators.

State Reopening Plans

Below is a snapshot of the state issued plans followed by summaries of the key aspects of those plans.

| | State | Most Businesses Opened, Subject to Conditions | Reopening Has Begun | Phased Approach | Gating Criteria Before Each Phase | Includes Federal Gating Criteria | Industry Specific Guidelines |
|----|---------|-----------------------------------------------|---------------------|-----------------|-----------------------------------|----------------------------------|------------------------------------------------------------------------------------------------------------------------|
| 1. | Alabama | ✓ | ✓ | ✓ | | | Retail Restaurants Close-Contact Service Providers Athletic Facilities Entertainment Child Care & Camps |
| 2. | Alaska | ✓ | ✓ | ✓ | | | Non-Essential Public Facing Businesses |

| | State | Most Businesses Opened, Subject to Conditions | Reopening Has Begun | Phased Approach | Gating Criteria Before Each Phase | Includes Federal Gating Criteria | Industry Specific Guidelines |
|----|----------|-----------------------------------------------|---------------------|-----------------|-----------------------------------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | | | | | Non-Essential Non-Public Facing Businesses Retail Businesses Restaurants Dine-In Services Bars Personal Care Services Theaters Childcare & Day Camps Fishing Charters Gym & Fitness Centers Swimming Pools Bowling Alleys Bingo Halls Libraries, Museums, & Archives Lodging & Overnight Camping Intrastate Travel & Outdoor Day Activity |
| 3. | Arizona | ✓ | ✓ | ✓ | | | Retail Restaurants Barbers & Hairdressers Pools Gyms & Fitness Spas, Massage Therapists, & Personal Services Shopping Malls Theaters Casinos |
| 4. | Arkansas | ✓ | ✓ | ✓ | | | Retail Gyms & Fitness Centers Camps Restaurants Cosmetology Indoor Venue |

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|----|-------------|-----------------------------------------------|---------------------|-----------------|-----------------------------------|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | | | | | Outdoor Venue Casinos Pools |
| 5. | California | | ✓ | ✓ | ✓ | | General Businesses Construction Agriculture Grocery Stores Logistics Auto Dealerships Communications Infrastructure Delivery Services Energy & Utilities Food Packing Hotels Life Sciences Manufacturing Mining & Logging Office Workspaces Ports Public Transit Real Estate Retail |
| 6. | Colorado | ✓ | ✓ | ✓ | | | Construction Grocery Stores |
| 7. | Connecticut | | | ✓ | ✓ | | Hair Salons & Barbershops Museums & Zoos Offices Restaurants Retail & Malls Campgrounds General Business |
| 8. | Delaware | | ✓ | ✓ | ✓ | ✓ | Jewelry Stores Cosmetology Golf Drive-In Movies Farmer's Markets Pools |
| 9. | Florida | ✓ | ✓ | ✓ | ✓ | | Bars, Pubs, & Nightclubs Restaurants Gyms |

| | State | Most Businesses Opened, Subject to Conditions | Reopening Has Begun | Phased Approach | Gating Criteria Before Each Phase | Includes Federal Gating Criteria | Industry Specific Guidelines |
|-----|----------|-----------------------------------------------|---------------------|-----------------|-----------------------------------|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| | | | | | | | Large Sporting Events & Theme Parks Vacation Rentals Personal Services Retail |
| 10. | Georgia | ✓ | ✓ | ✓ | | | Restaurants & Dining Services Retail Gyms Personal Services Bowling Cinemas Healthcare Childcare |
| 11. | Hawaii | | ✓ | ✓ | | | General Business Auto Dealerships Car Washes Pet Grooming Observatories Shopping Malls |
| 12. | Idaho | ✓ | ✓ | ✓ | ✓ | ✓ | General Business Indoor Gyms & Recreational Facilities Child Care Youth Services Close Contact Services Restaurants Bars |
| 13. | Illinois | | | ✓ | ✓ | | Food Establishments Long Term Care Facilities Daycares Funeral Homes Retail Stores Manufacturers |
| 14. | Indiana | | ✓ | ✓ | ✓ | | Personal Care Gyms & Fitness Manufacturing, Industrial, & Construction Retail & Malls Restaurants, Bars, & Nightclubs |

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|-----|-----------|-----------------------------------------------|---------------------|-----------------|-----------------------------------|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | | | | | Cultural, Entertainment, Sports, Tourism Recreation & Amusement General Business |
| 15. | Iowa | ✓ | ✓ | ✓ | | | Restaurants Fitness Centers Malls Libraries Race Tracks Other Retail Social & Fraternal Clubs Salons & Barbershops Farmers Markets Movie Theaters |
| 16. | Kansas | ✓ | ✓ | ✓ | ✓ | | Food Service Transit General Businesses Personal Services Outdoor Sports |
| 17. | Kentucky | | ✓ | ✓ | ✓ | | Meatpacking Facilities Manufacturing & Distribution Construction Dealerships Office-Based Businesses Horse Racing Pet Grooming & Boarding Photography Funeral & Memorial Services Retail Restaurants Massage Therapy Nail Salons Tanning Salons Tattoo Parlors Aquatic Centers |
| 18. | Louisiana | ✓ | ✓ | ✓ | ✓ | ✓ | Funerals Restaurants |

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|-----|---------------|-----------------------------------------------|---------------------|-----------------|-----------------------------------|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 19. | Maine | | ✓ | ✓ | ✓ | ✓ | General Business Drive-In Theaters Golf Outdoor Marinas Cosmetology Dog Grooming Auto Dealership Car Wash Retail Restaurants Lodging Campgrounds & RV Parks Nail Technicians |
| 20. | Maryland | ✓ | ✓ | ✓ | ✓ | | Retail Manufacturing Personal Services |
| 21. | Massachusetts | | ✓ | ✓ | ✓ | | Construction Manufacturing Office Spaces Laboratories Salons & Barbershops Car Washes Pet Grooming Offices Laboratories Restaurants & Bars |
| 22. | Michigan | | ✓ | ✓ | ✓ | | In-Person Retail Construction Manufacturing Maintenance Workers |
| 23. | Minnesota | ✓ | ✓ | ✓ | | | N/A |
| 24. | Mississippi | ✓ | ✓ | | | | Retail Restaurants Salons, Barbershops, & Gyms Tattoo Parlors |
| 25. | Missouri | ✓ | ✓ | ✓ | | | Restaurants Retail |
| 26. | Montana | ✓ | ✓ | ✓ | | | Restaurant/Bar/ Brewery/Distillery/ Casinos Outdoor Recreation |

| | State | Most Businesses Opened, Subject to Conditions | Reopening Has Begun | Phased Approach | Gating Criteria Before Each Phase | Includes Federal Gating Criteria | Industry Specific Guidelines |
|-----|---------------|-----------------------------------------------|---------------------|-----------------|-----------------------------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | | | | | Personal Care/Service Child Care Pools Gyms Places of Assembly |
| 27. | Nebraska | ✓ | ✓ | | | | Salons Childcare Restaurants Massage Therapy Body Art Dentistry |
| 28. | Nevada | ✓ | ✓ | ✓ | ✓ | ✓ | Restaurants Barbershops & Salons Vehicle Dealers Retail Cannabis Agriculture Appliance & Furniture Showrooms Banking & Financial Services Drive-Ins Real estate / Leasing Retail Transportation, Couriers, & Warehousing General Office Environments |
| 29. | New Hampshire | ✓ | ✓ | ✓ | | | Retail Drive-In Movie Theaters Golf Grooming Restaurants |
| 30. | New Jersey | | ✓ | ✓ | ✓ | | Retail Restaurants & Bars Construction Drive-In Theaters Non-Essential Retail |
| 31. | New Mexico | | ✓ | ✓ | ✓ | | Retail Restaurants Office & Call Centers |

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|-----|----------------|-----------------------------------------------|---------------------|-----------------|-----------------------------------|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | | | | | Grocery Stores & Farmers' Markets Youth Programs Manufacturing, Warehouse, & Food Production Hotels, Resorts, & Lodging Golf Courses Tour Operators Farms, Ranches, & Dairy Producers and Processors Veterinarians & Animal Care Facilities Construction & Field Operations Automobile Dealerships & Services |
| 32. | New York | | ✓ | ✓ | ✓ | | Construction Agriculture Retail Manufacturing Wholesale Trade |
| 33. | North Carolina | | ✓ | ✓ | ✓ | | Retail Restaurants & Bars Personal Care & Tattoo Businesses Pools Child care Malls Farms & Packhouses Day Camps Day Camps & Overnight Camps |
| 34. | North Dakota | ✓ | ✓ | | | | Restaurants & Bars Fitness Centers Personal Services Movie Theaters Large Gatherings |
| 35. | Ohio | ✓ | ✓ | ✓ | | | Manufacturing, Distribution & Construction |

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|-----|--------------|-----------------------------------------------|---------------------|-----------------|-----------------------------------|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | | | | | Consumer, Retail, & Services General Office Environments Restaurants & Bars Child Care Day Camps Massage Therapy Salons, Spas, Barbershops, Tanning Salons & Tattoo Services Gyms Pools |
| 36. | Oklahoma | ✓ | ✓ | ✓ | ✓ | | Museums Bars Entertainment Personal Care Gyms Outdoor Recreational Facilities Pet Grooming Spas Tattoos Administrative Offices Festivals & Fairs Full Services & Quick Service Restaurants Non-Profit Organizations Outdoor Concerts |
| 37. | Oregon | | ✓ | ✓ | ✓ | | Outdoor Recreation Retail Stores Personal Services Restaurants & Bars Malls Gyms & Fitness |
| 38. | Pennsylvania | | ✓ | ✓ | ✓ | | General Business Construction |
| 39. | Rhode Island | | ✓ | ✓ | | | Restaurants, Entertainment, & Close-Contact Businesses |

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| | | | | | | | Garden Centers, Retail Nurseries, & Greenhouses Non-Critical Retail Critical Retail |
| 40. | South Carolina | ✓ | ✓ | | | | Restaurants Close Contact Service Providers Cosmetology Fitness Centers Pools Attractions |
| 41. | South Dakota | ✓ | ✓ | | | | N/A |
| 42. | Tennessee | ✓ | ✓ | ✓ | | | Retail Exercise Facilities Restaurants Close Contact Personal Services Lodging Manufacturing Construction Office Building Non-Contact Recreation |
| 43. | Texas | ✓ | ✓ | ✓ | | | All Employers Movie Theaters Restaurants Retailers Museums & Libraries Single-Person Offices Tanning Salons Nail Salons Cosmetology & Hair Salons Barber Shops Office-Based Employers Manufacturers Gyms Youth Clubs Child Care Youth Sports Youth Camp Day Camp |

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|-----|------------|-----------------------------------------------|---------------------|-----------------|-----------------------------------|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | | | | | Massage & Other Personal-Care Zoos & Aquariums Rodeos Recreation Bars Professional Sports |
| 44. | Utah | ✓ | ✓ | ✓ | | | Restaurants, Bars, Convenience Stores Retail Hospitality Events, Cultural Arts, & Entertainment Personal Services Home Repair Gyms & Fitness Centers Construction, General Contractors, & Manufacturing Daycare Healthcare |
| 45. | Vermont | | ✓ | ✓ | | | Professional Services Manufacturing, Construction, & Distribution Outdoor Recreation Retail Drive-Ins Lodging & Campgrounds Restaurants |
| 46. | Virginia | ✓ | ✓ | ✓ | ✓ | | Restaurants Farmers Markets Retail Fitness Personal Care & Grooming Campgrounds |
| 47. | Washington | | ✓ | ✓ | | | Existing Construction Projects Restaurants Personal Services Professional Services |

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|-----|---------------|-----------------------------------------------|---------------------|-----------------|-----------------------------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | | | | | In-Store Retail Manufacturing Construction Photography Pet Grooming Private Instruction Fitness Real Estate |
| 48. | West Virginia | ✓ | ✓ | ✓ | ✓ | | Small Businesses with Fewer than 10 Employees Restaurants Religious Entities & Funeral Homes Professional Services Indoor Dining at Restaurants Large/Specialty Retail Stores Outdoor Recreation Fitness Centers |
| 49. | Wisconsin | ✓ | ✓ | ✓ | ✓ | ✓ | Agriculture Construction Entertainment & Amusement Gyms & Fitness Centers Hair & Nail Salons Hospitality & Lodging Manufacturing Professional Services Restaurants Retail |
| 50. | Wyoming | ✓ | ✓ | | | | Gyms Personal Care Services Child Care Facilities Restaurants & Bars |

1. Alabama

Alabama instituted an [Amended Order of the State Health Officer](#) on April 28, 2020, which was [further amended](#) on May 8, 2020, and permits most businesses to reopen subject to certain restrictions. The state has not announced an intent to institute a phased reopening plan, and the Amended Order expires at 5:00 pm on May 22, 2020.

Effective April 30, 2020, at 5:00 pm, the Amended Order requires businesses to take certain precautions where practicable, as follows:

- Where practicable, all employers must take reasonable steps:
 - Maintaining six feet of separation between employees.
 - Regularly disinfecting frequently used items and surfaces.
 - Encouraging handwashing.
 - Preventing employees who are sick from coming into contact with other persons.
 - Facilitating remote working arrangements.
 - Minimizing employee travel.
- Where practicable, businesses or other establishments open to the public must take reasonable steps:
 - Maintaining six feet of separation between such persons (except for those persons who share the same household).
 - Regularly disinfecting frequently used items and surfaces.
- Retailers must:
 - Limit occupancy to 50% of normal occupancy load as determined by the fire marshal, as well as post that reduced occupancy rate.
 - Not knowingly allow customers to congregate within six feet of one another.
 - Take reasonable steps to comply from CDC and Alabama Department of Public Health sanitation guidelines.

Effective [May 11, 2020](#), close-contact service providers (e.g., barber shops, hair salons, nail salons, spas tattoo services, massage therapy) may reopen, subject to certain requirements that patrons practice social distancing, employees wear face masks, and handwashing occurs immediately before providing services. Restaurants and bars may reopen for on-premises consumption so long as they limit party sizes to eight persons and maintain six feet of separate between parties. Athletic facilities may also reopen, subject to social distancing guidelines, a 50% occupancy cap, and the requirement that each employee wear a face mask when interacting with guests. Entertainment venues must remain closed.

Effective [May 22, 2020](#), at 5:00 pm, entertainment venues (e.g., bowling alleys, concert venues, theaters, playgrounds) may reopen at 50% occupancy and subject to social distancing, facial covering, and sanitation requirements. Athletic training activities may also resume. Child day care facilities and camps may reopen on May 23, 2020 subject to certain requirements.

Industry-Specific Guidance. The [Amended Order](#) includes guidance specific to:

- Restaurants and Similar Establishments.
- Retail.
- Close-Contact Service Providers.
- Athletic Facilities.
- Entertainment Venues.
- Athletic Facilities.
- Child Day Care Facilities & Camps.

2. Alaska

On April 21, 2020, Alaska's [COVID-19 Health Mandate 011](#), instructing all residents to remain home and all non-essential businesses to cease in-person operations, expired. On April 21, 2020, Governor Mike Dunleavy announced [Phase One](#) of Alaska's reopening plan, which began on April 24, 2020. [Phase Two](#) began on May 8, 2020. On March 19, 2020, Governor Dunleavy [announced](#) that all businesses would be allowed to fully reopen on March 22, 2020.

Phase One. On April 22, 2020, Governor Dunleavy announced [Health Mandate 016](#), which outlines Phase 1 of his Reopen Alaska Responsibly Plan. Under that plan, business closings were extended until 8:00 am on Friday, April 24, 2020, at which point non-essential businesses were permitted to reopen under Phase One.

[Health Mandate 016](#) permits businesses to resume so long as they follow state guidance pertaining to social distancing and capacity (e.g., reservations only, cloth face coverings, capacity limits), hygiene (e.g., providing hand washing capability or sanitizer), staffing (e.g., training for employees re COVID-19 mitigation, pre-shift screening for symptoms), and cleaning and disinfecting (e.g., must follow CDC protocols).

Phase Two. [Phase Two](#) began on May 8, 2020. During Phase Two, all reopening non-essential public-facing businesses must [implement certain requirements](#) related to social distancing (e.g., 50% occupancy cap), hygiene (e.g., providing handwashing capability or sanitizer), staffing (e.g., providing training for employees on COVID-19 requirements), and disinfecting (e.g., performing cleaning and disinfecting in compliance with CDC protocols weekly).

Non-public-facing businesses [face similar requirements](#), in addition to requirements including requiring all occupied desks, cubicles, or open workspaces to be at least six feet apart and maximizing remote work opportunities for eligible employees.

Phases Three & Four. During Phase Three, most businesses would be able to open at 75% capacity, and larger gatherings would be allowed. On March 19, 2020, Governor Dunleavy [announced](#) that the state would combine Phases Three and Four to allow for a full reopening of all businesses at 100% capacity beginning at 8:00 am on March 22, 2020. Employers are still recommended to permit employees to work remotely if possible and individuals are encouraged to wear face coverings when in public.

Industry-Specific Guidance. Alaska provides tailored reopening requirements to the following categories of businesses and activities:

- [Non-Essential Public Facing Businesses.](#)
- [Retail Businesses.](#)
- [Restaurants Dine-In Services.](#)
- [Bars.](#)
- [Personal Care Services.](#)
- [Non-Essential Non-Public Facing Businesses.](#)
- [Theaters.](#)
- [Childcare and Day Camps.](#)
- [Fishing Charters.](#)
- [Gym and Fitness Centers.](#)
- [Swimming Pools.](#)
- [Bowling Alleys.](#)
- [Bingo Halls.](#)
- [Libraries, Museums, and Archives.](#)
- [Lodging and Overnight Camping.](#)
- [Intrastate Travel and Outdoor Day Activity.](#)

3. Arizona

On April 29, 2020, Governor Doug Ducey announced his step-by-step approach to continue reenergizing Arizona's economy entitled [Return Stronger](#). Although the state's stay-at-home [Order](#) does not expire until May 15, 2020, the April 29, 2020 announcement allows for the staggered reopening of certain businesses. On May 15,

2020, [Executive Order 2020-36](#) replaced the stay-at-home order, relaxed statewide restrictions, and encouraged individuals to continue to maintain physical distancing. Under the new Order, businesses are required to create and implement policies based on guidance from the CDC, OSHA, Department of Labor, and ADHS to limit and mitigate the spread of COVID-19.

Beginning May 4, 2020, retail businesses were allowed to sell goods through delivery service, window service, walk-up service, drive-through service, drive-up service or curbside delivery provided they establish and implement sanitation and physical distancing measures.

Beginning May 8, 2020, retail businesses could resume expanded in-person operations provided they implement social distancing and sanitation measures established by the United States Department of Labor or the [Arizona Department of Health Services](#). Barbers and cosmetologists could also reopen subject to certain restrictions.

Beginning May 11, 2020, dine-in services that comply with CDC, OSHA, and state guidelines were permitted to reopen. On May 13, 2020, pools, gyms, and spas may reopen with physical distancing and enhanced sanitation. Major league sports can reopen, without fans, starting May 16, 2020.

Industry-Specific Guidance. The reopening measures also include requirements specific to:

- [Retail.](#)
- [Restaurants.](#)
- [Barbers and Hairdressers.](#)
- [Pools.](#)
- [Gyms and Fitness Providers.](#)
- [Spas, Massage Therapists, and Personal Services.](#)
- [Shopping Malls.](#)
- [Theaters.](#)
- [Casinos.](#)

4. Arkansas

Arkansas did not enact a broad closure of all non-essential businesses, but issued a [Proclamation](#) closing or limiting the operation of select categories of businesses (e.g., bars, clubs, dine-in restaurants, gyms, certain entertainment venues) and requiring social distancing measures. Arkansas has not issued a broad reopening plan, but has permitted closed businesses to reopen on the following schedule, pursuant to certain requirements:

- May 4, 2020: Gyms, fitness centers, athletic clubs, and weight rooms may reopen.
- May 6, 2020: Barber shops, body art establishments, cosmetology, and spas may reopen.
- May 11, 2020: Restaurants may resume dine-in operations.
- May 18, 2020: Casinos may reopen.
- May 22, 2020: Pools may reopen.
- May 26, 2020: Bars may reopen.
- May 28, 2020: Theaters, arenas, stadiums and auction houses may reopen.

Industry-Specific Guidance.

- [Indoor Venue.](#)
- [Outdoor Venue.](#)
- [Retail.](#)
- [Gyms & Fitness Centers.](#)

- [Camps.](#)
- [Restaurants.](#)
- [Cosmetology.](#)
- [Casinos.](#)
- [Pools.](#)

5. **California**

On April 28, 2020, Governor Gavin Newsom announced [California's Roadmap to Pandemic Resilience](#) setting forth a four stage plan to reopen the state.

Gating Criteria. The plan notes that there are six indicators that will determine when to modify the current Stay-at-Home Order:

- Ability to test, contact trace, isolate, and support the exposed.
- Ability to protect those at high risk for COVID-19.
- Surge capacity for hospital and health systems.
- Therapeutic development to meet the demand.
- Ability of businesses, schools, and childcare facilities to support physical distancing.
- Determination of when to reinstitute measures like Stay-At-Home.

The plan also specifies [criteria](#), as subsequently modified, needed to go from Stage One to Stage Two.

- COVID—19 hospitalizations stable over a 7-day average (less than 5% change) OR no more than 20 COVID-19 hospitalization on any single day in the past 14 days.
- Under 25 new cases per 100,000 residents in the past 14 days OR less than 8% testing positive in the past 7 days.
- Ability to test at least 1.5 per 1,000 residents daily.
- Testing availability for at least 75% of residents.
- Sufficient contact tracing staff.
- Hospital capacity to accommodate a 35% surge due to COVID-19 cases.
- Skilled nursing facility prevention and containment plans, including a 14-day PPE supply for staff.
- County plans related to containment, hospitals, employer guidance, and the plans for subsequent reopening phases.

Stage One: Safety and Preparedness. Stage One involves making the essential workforce environment as safe as possible, and involve the following measures:

- Continue to build out testing, contact tracing, PPE, and hospital surge capacity.
- Continue to make essential workplaces as safe as possible.
 - Physical and work flow adaption.
 - Essential workforce safety net.
 - Make PPE more widely available.
 - Individual behavior changes.
- Prepare sector-by-sector safety guidelines for expanded workforce.

Stage Two: Lower Risk Workplaces. Stage Two, which Governor Newsom has [announced](#) will begin to rollout May 8, 2020, involves creating opportunities for lower risk sectors to adapt and re-open and allow modified school programs and childcare to re-open. Not all counties will enter Stage Two at the same time, with most of the state entering Stage Two sometime after May 8, 2020. Moreover, the progression through the following openings will vary on a county-by-county basis depending on the county's ability to fulfill the gating criteria in

order to receive a [county variance](#), including the ability to reopen dine-in restaurants, shopping centers, and community centers.

- Gradually opening some lower risk workplaces with adaptations:
 - Retail (e.g. curbside pickup).
 - Manufacturing.
 - Offices (when telework not possible).
 - Opening more public spaces.
- Expanded Workforce Safety Net:
 - Wage replacement so workers can stay home when sick.
- Schools and Childcare Facilities with Adaptations:
 - Summer programs and next school year potentially starting sooner (July/August).
 - Childcare facilities to provide more care.
 - Address learning gaps.
 - Ensure students and staff are protected.
 - Allow broader workforce to return to work.

On May 8, 2020, bookstores, clothing stores, toy stores, florists and similar retailers will be allowed to reopen statewide for curbside pickup. Manufacturers that support those retailers will also be allowed to resume production, subject to additional restrictions(e.g., cleaning and disinfecting measures). Under the [Guidance](#), retail businesses should also create a written worksite-specific COVID-19 prevention plan at every facility.

Stage Three: Higher Risk Work Places. Stage Three will involve creating opportunities for higher risk sectors to adapt and re-open.

- Open higher risk environments with adaptations and limits on size of gatherings:
 - Personal care (hair and nail salons, gyms).
 - Entertainment venues (movie theaters, sports without live audiences).

Stage Four: End of Stay-At-Home Order. Stage Four will involve returning to an expanded workforce in the highest risk workplaces.

- These workplaces can reopen once all indicators for modifying the Stay-at-Home order are satisfied and treatments for COVID-19 have been developed:
 - Concerts.
 - Convention Centers.
 - Live audience sports.

Before reopening, all businesses must comply with the applicable industry-specific guidance, as well as the following [generally applicable requirements](#) to:

- Perform a detailed risk assessment and implement a site-specific protection plan.
- Train employees on how to limit the spread of COVID-19, including how to screen themselves for symptoms and stay home if they have them.
- Implement individual control measures and screenings.
- Implement disinfecting protocols.
- Implement physical distancing guidelines.

Industry-Specific Guidance. The provides guidance for the following industries:

- [Retail.](#)
- [General Businesses.](#)
- [Construction.](#)

- [Agriculture.](#)
- [Grocery Stores.](#)
- [Logistics.](#)
- [Auto Dealerships.](#)
- [Communications Infrastructure.](#)
- [Delivery Services.](#)
- [Energy and Utilities.](#)
- [Food Packing.](#)
- [Hotels and Lodging.](#)
- [Life Sciences.](#)
- [Manufacturing.](#)
- [Mining and Logging.](#)
- [Office Workspaces.](#)
- [Ports.](#)
- [Public Transit.](#)
- [Real Estate.](#)
- [Retail.](#)

6. **Colorado**

On April 26, 2020, Governor Jared Polis announced [Executive Order 2020-044: Safer at Home](#) which provides for the reopening of postsecondary institutions and certain business operations. Safer at Home provides for a phased reopening businesses:

- [May 1, 2020](#): Retail and personal services can open (if implementing best practices).
- [May 4, 2020](#): Non-critical offices can reopen (if implementing best practices and lower in density).
- [May 25, 2020](#): Deadline to determine whether restaurants, ski resorts, and day camps can open (via a future [announcement](#)).
- [June 1, 2020](#): Deadline to determine whether to reopen summer activities and public spaces like libraries (via a future [announcement](#)).

Safer at Home requires all business to implement certain [best practices](#) including:

- **Worksites**
 - Deputize workplace coordinator(s) charged with addressing COVID-19 issues.
 - Maintain 6-foot distancing when possible, and discourage shared spaces.
 - Frequently sanitize all high-touch areas. ([Additional Guidance](#))
 - Post signage for employees and customers on good hygiene.
 - Ensure proper ventilation. ([OSHA Guidance](#))
 - Avoid gatherings (meetings, waiting rooms, etc.) of more than 10 people.
 - Implement symptom monitoring protocols (including workplace temperature monitoring and symptom screening questions) where possible. ([Additional Guidance](#))
 - Eliminate or regularly sanitize any items in common spaces (i.e., break rooms) that are shared between individuals (i.e., condiments, coffee makers, vending machines). ([Additional Guidance](#))
 - Provide appropriate protective gear like gloves, masks, and face coverings and encourage appropriate use. ([Additional Guidance](#))
- **Employees**
 - Require employees showing any symptoms or signs of sickness, or who has been in contact with known positive cases to stay home.
 - Connect employees to company or state benefits providers.

- Provide flexible or remote scheduling for employees who need to continue to observe Stay-at-Home, who may have child or elder care obligations, or who live with a person who still needs to observe Stay-at-Home due to underlying condition, age, or other factors.
- Encourage and enable remote work whenever possible.
- Minimize all in-person meetings.
- Provide hand washing facilities/stations and hand sanitizer.
- Encourage breaks to wash hands or use hand sanitizer.
- Phase shifts and breaks to reduce employee density.
- Wear appropriate protective gear like gloves, masks, and face coverings and encourage appropriate use. ([Additional Guidance](#))
- To protect customers
 - Create special hours for people at higher risk of severe illness from COVID-19.
 - Encourage and facilitate 6-foot distancing inside of the business for all patrons.
 - Encourage use of protection like gloves, masks, and face coverings.
 - Provide hand sanitizer at entrance.
 - Install shields or barriers where possible between customers and employees.
 - Use contactless payment solutions, no touch trash cans, etc. whenever possible.

Industry-Specific Guidance.

- [Construction.](#)
- [Grocery Stores.](#)

7. Connecticut

On April 30, 2020, Governor Lamont [announced](#) the state's plans for a phased reopening, although [Executive Order No. 7X](#) currently requires the closure of non-essential businesses through May 20, 2020.

Gating Criteria for Initial Reopening. Seven criteria must be satisfaction before the reopening plan can commence. Those criteria are:

- 14-day decline of hospitalizations.
- Increased testing available.
- Sufficient contact tracing capacity.
- Protect high-risk populations.
- Adequate healthcare capacity.
- Adequate supply of PPE.
- Appropriate physical distancing regulations.

Reopen Level One. Once the initial reopening criteria is met, Connecticut will allow certain types of businesses to reopen. [Reopen Level One](#) begins May 20, 2020. Prior to opening, businesses must [self-certify](#) that they are complying with Connecticut's strict safety guidelines. The businesses that will be allowed to reopen include:

- Restaurants (outdoor only - no bar areas).
- Retail and malls.
- Offices (continue work from home where possible).
- Hair salons and barbershops.
- Museums, zoos (outdoor only).

Reopen Levels Two through Four. On May 20, 2020, Governor Lamont [announced](#) that Reopen Level Two would begin around June 20, 2020. Rules for Reopen Level Two will be released at least two weeks prior to its initiation, and this phase will include the opening of the following businesses:

- Personal services (e.g., nail salons, tattoo parlors).
- Movie theaters.
- Outdoor arts, entertainment, and events up to 50 people.
- Bowling alleys
- Social clubs and pools.
- Restaurants for indoor dining.
- Hotels.
- Museums.
- Zoos.
- Outdoor amusement parks.
- Public libraries.
- Youth sports.
- Summer day camps (June 22, 2020).

Reopen Levels Three and Four. The plans for Reopen Levels Three and Four have not yet been announced. However, Reopen Level Three will start no sooner than four weeks after Reopen Level Two begins, and it will include the opening of bars, indoor event spaces and venues, indoor amusement parks and arcades, and outdoor events with up to 100 attendees.

Industry-Specific Guidance.

- [General Business.](#)
- [Private Campgrounds.](#)
- [Hair Salons & Barbershops.](#)
- [Museums & Zoos.](#)
- [Offices.](#)
- [Restaurants.](#)
- [Retail & Malls.](#)

8. Delaware

Delaware has announced a target date of June 1, 2020 for Phase I of the state's reopening plan and [announced](#) the general contours for what reopening will look like in the state. The [Second Extension](#) of the Declaration of a State of Emergency for the State of Delaware requires in-person operations at all Non-Essential Businesses to cease until May 31, 2020. However, beginning on May 8, 2020, Governor John Carney [announced](#) that, subject to additional requirements, jewelry stores may reopen by appointment only, hair care services may be offered for workers at essential businesses, and the following small business retailers may reopen for curbside service:

- Clothing stores.
- Shoes stores.
- Sporting goods, hobby, musical instruments.
- Book, periodical, music stores.
- Department stores.
- Tobacco and vape.
- Other general merchandise.
- Office supply, stationery, and gift stores.
- Used merchandise stores.
- Consumer goods rental.

On May 20, 2020, Governor Carney has [announced](#) all retail businesses may reopen by appointment. Retailers and restaurants may reopen at 30% capacity on June 1, 2020. In addition, ice cream shops and trucks may reopen May 15, 2020, and pools may reopen at 20% capacity on May 22, 2020.

Gating Criteria. Before entering Phase One of the reopening plan, the following criteria based on federal guidelines must be met:

- 14-day decline in percent of positive cases.
- Ability to treat COVID-19 patients in hospitals without crisis care.
- Extensive testing programs for health care workers.

Phase 1. In addition to continued social distancing and gathering limitations for individuals, a number of restrictions will remain in place for businesses. Subject to those restrictions, most businesses will be able to resume in-person operations. Bars will remain closed.

Phase 2. Although many of the same restrictions will remain in place in Phase 2, larger gatherings will be permitted, and bars will be able to reopen with a reduced capacity. Some physical distancing requirements will also be relaxed.

Phase 3. Restrictions on gatherings and businesses will be further relaxed. Many businesses will be permitted to follow standard, as opposed to heightened, sanitation protocols.

Industry-Specific Guidance. Several industry-specific requirements accompany the [May 8 reopening](#) announcement, including requirements for the following types of businesses:

- Jewelry Stores.
- Cosmetology.
- Golf.
- Drive-In Movies.
- [Farmer's Markets](#) (provided in subsequent guidance).
- [Swimming Pools](#) (provided in subsequent guidance).

9. **Florida**

On April 30, 2020, Governor Ron DeSantis announced his plan for Florida's reopening entitled [Safe. Smart. Step-by-Step](#) which has six guiding principles: (1) public health & safety; (2) protection of the vulnerable; (3) health care system readiness; (4) economic recovery; (5) protection of civil liberties and maintaining individual rights; (6) public confidence; and (7) partnership with local communities. Florida has also [outlined](#) the steps that will likely be taken during each of the three phases of its reopening plan and laid out recommendations for businesses in each of those steps.

Gating Criteria. Before moving to the next reopening phase, Florida will consider the following benchmarks:

- Cough-Associated Admissions.
- Influenza-Like Illness Visits.
- Florida COVID-19 Cases and Hospitalizations.
- New Case Positivity Rates.
- Hospital Bed Availability.
- COVID-19 Fatalities.
- Long-term care Facilities.
- Testing Sites.
- Contact Tracing.

Phase One. During Phase One, businesses in Miami-Dade and Broward counties remain closed until May 18, 2020. In other counties, retail and restaurants reopened on May 4, 2020, and barbershops and cosmetology salons reopened on May 11, 2020.

In-store retail establishments and restaurants with on-premises dining were each subject to a 25% occupancy limit under [Executive Order 20-112](#). Under [Executive Order 20-123](#), that occupancy limit was raised to 50%. Museums, library, gyms, and fitness centers may also operate at 50%. Additionally, restaurants must maintain social distancing of six feet between parties, allow only parties of ten or fewer people to sit together, and keep bar counters closed. Bars, pubs, and nightclubs remain closed.

Employers encouraged to continue teleworking, screen employees before reentry, and avoid non-essential travel. Social groups of more than ten individuals are not permitted where space does not readily allow for appropriate social distancing. Certain close-contact service providers (e.g., salons and barbers) must adopt appropriate social distancing and precautionary measures per [Executive Order 20-120](#).

Phase Two. Though an executive order laying out the terms of Phases Two and Three has not yet been issued, Florida has provided an [outline](#) of what will occur during these phases. During Phase Two, in-store retail establishments and restaurants with on-premises dining will be allowed to increase their occupancy to 75% of full capacity. Bars and nightclubs will be allowed to reopen at 50% capacity. Gyms, fitness centers, and personal services will be allowed to operate at 75% capacity. Social groups of up to 50 individuals will be permitted to gather.

Phase Three. During Phase Three, the occupancy limits of the prior two phases will likely be fully lifted. Businesses will still need to implement some limited social distancing protocols and sanitation practices.

Industry-Specific Guidance. In addition to the requirements above, certain types of businesses must comply with industry-specific guidance, as follows:

- [Barbershops & Cosmetology](#) (e.g., customers by appointment only).

10. Georgia

Governor Brian P. Kemp has announced that businesses may reopen according to the following schedule, as laid out in an [April 23, 2020 Executive Order](#), an [April 27, 2020 Executive Order](#), and a [May 12, 2020 Executive Order](#):

- [April 27, 2020](#): Restaurants, bowling alleys, theaters.
- [May 1, 2020](#): Non-essential businesses, unless otherwise specified.
- [May 31, 2020](#): Bars and nightclubs.
- [Indefinite](#): Swimming pools performance venues, and operators of amusement rides.

Per the [April 23, 2020 Executive Order](#), non-essential businesses that reopen must implement the following measures through May 13, 2020, at 11:59 pm:

- Screening and evaluating workers who exhibit signs of illness.
- For retail businesses, posting a sign on the storefront stating that individuals who have a fever or other symptoms of COVID-19 shall not enter the store.
- Requiring workers who exhibit signs of illness to not report to work or to seek medical attention.
- Enhancing sanitation of the workplace as appropriate.
- Disinfecting common surfaces regularly.
- Requiring hand washing or sanitation by workers at appropriate places within the business location.

- Prohibiting gatherings of workers during working hours.
- Permitting workers to take breaks and meals outside, in their office, or personal workspace, or in such other areas where proper Social Distancing is attainable.
- Implementing teleworking for all possible workers.
- Implementing staggered shifts for all possible workers.
- Holding all meetings and conferences virtually, whenever possible.
- Delivering intangible services remotely, whenever possible.
- Discouraging workers from using other workers' phones, desks, offices, or other work tools and equipment.
- Prohibiting handshaking and other unnecessary person-to-person contact in the workplace.
- Placing notices that encourage hand hygiene at the entrance to the workplace and in other workplace areas where they are likely to be seen.
- Enforcing Social Distancing of non-cohabitating persons while present on such entity's leased or owned property.
- For retailers and service providers, providing for alternative points of sale outside of building, including curbside pick-up or delivery of products and/or services as permitted by law.
- Open sales registers must be at least six feet apart.
- Point of sale equipment should be frequently cleaned and sanitized.
- Increasing physical space between workers and patrons.
- Suspending the use of PIN pads, PIN entry devices, electronic signature capture, and any other credit card receipt signature requirements to the extent permitted by agreements with credit card companies and credit agencies.

Industry-Specific Guidance. The [April 23, 2020 Executive Order](#) also includes requirements specific to businesses in the following industries:

- Restaurants & Dining Services.
- Retail Businesses (e.g., 50% occupancy limit).
- Grocery Stores (optional).
- Gyms and Fitness Centers.
- Body Art Studios, Estheticians, Hair Designers, Licensed Massage Therapists, and Tanning Facilities.
- Indoor Movie Theaters and Cinemas.
- Bowling Alleys.
- Healthcare.
- Childcare.

11. Hawaii

On May 18, 2020, Hawaii [announced](#) its reopening plan, [Beyond Recovery: Reopening Hawai'i](#). The plan includes four phases, with reopening measures beginning in Phase Two. Hawaii is currently in Phase Two.

Gating Criteria. In order to move between phases, the following gating criteria must be met:

- Minimum of 14 days between phases.
- Decrease in new COVID-19 cases.
- Improvement in capacity utilization for testing, hospitals, and contact tracing.
- For Phase Four, effective treatments and containment methods, herd immunity, and/or vaccines.

Phase One. On May 5, 2020, however, Hawaii's [Seventh Supplementary COVID-19 Proclamation](#) announced that the first step of the state's phased reopening would begin on May 7, 2020. Under the Order, the stay at home directive continues, but the following businesses may reopen:

- Agriculture (e.g., landscape, nurseries).
- Auto dealerships (by appointment).
- Car washes.
- Pet grooming services (by appointment).
- Observatories and support facilities (subject to cancellation of gatherings of 10 or more and disinfecting of shared equipment after each use).
- Retail and repair services (fitting rooms must remain closed).
- Shopping malls (subject to continued closure of food court dining areas, play areas, entertainment areas, common areas apart from access to retail businesses, and arcades).

The Order imposes additional closures for Honolulu City and County, as well as Maui County. The reopening plan anticipates that indoor gathering places, indoor exercise facilities, museums, theaters, personal services, and restaurants for dining-in will also be allowed to reopen sometime in June.

Phase Two. In Phase Two, the [Eighth Supplementary COVID-19 Proclamation](#) allows most remaining businesses will be permitted to reopen subject to physical distancing and safe practices. Large venues, bars, and clubs will be required to remain closed. In addition, physical distancing requirements will be eased for the following types of businesses:

- Agriculture.
- Healthcare and social assistance.
- Outdoor spaces.

Phase Three. In Phase Three, large venues, bars, and clubs will be permitted to reopen, subject to physical distancing and safe practices. All other occupancy limits and physical distancing limitations will be lifted. Businesses will still need to comply with safe practices requirements.

Phase Four. Businesses will be permitted to return to normal operations.

Businesses that are open must take the following measures:

- Limit building occupancies to ensure that six-foot social distancing can be maintained.
- Ensure employees who interact with customers or goods to be purchased wear a cloth face covering recommended by the CDC while at work and that customers wear CDC recommended face coverings while waiting to enter the building.
- Make hand sanitizer and sanitizing products readily available for employees and customers. Employees handling items from customers shall frequently use hand sanitizer.
- Regularly disinfect all high-touch surfaces.
- Post online whether a facility is open and how best to reach the facility and continue services by phone or remotely. Encourage customers to do their business remotely by phone or online to the extent possible.
- Provide, if feasible, online ordering and purchase of goods and customer pickup of orders at a location outside the facility or provide for delivery to customer locations.
- Post a sign at the entrance of the facility informing all employees and customers that they should: wear CDC recommended face coverings while in the business or operation, avoid entering the business or operation if they have a cough or fever or otherwise do not feel well, maintain a six-foot distance from one another, not shake hands or engage in unnecessary physical contact.

Industry-Specific Guidance. Hawaii's [Seventh Supplementary COVID-19 Proclamation](#) also includes guidelines specific to the following industries:

- Auto Dealerships.
- Car Washes.
- Pet Grooming.
- Observatories.
- Shopping Malls.
- General Business.

12. Idaho

On April 23, 2020, Governor Little announced his plan to help Idaho rebound from the economic impacts of COVID-19 entitled [Idaho Rebounds: Our Path to Prosperity](#). Idaho contemplates a phased approach during which all individuals should continue to engage in physical distancing, wear face coverings in public, stay home if sick, practice good hygiene and disinfect surfaces and objects regularly. The state has also released suggested guidance for businesses operating during [Stage One](#) and [Stage Two](#) of the reopening plan.

In addition to the stages below, Idaho is permitting the following businesses to open on specified dates:

- [May 16, 2020](#): Restaurant dining rooms, indoor gyms and recreation facilities, and hair salons may open if able to meet business protocols.
- [June 13, 2020](#): Bars, nightclubs, and large entertainment venues may resume operations if able to meet business protocols.

Gating Criteria. All of the following criteria must be met before Idaho advances to the next stage of reopening.

- Syndromic:
 - Downward trend or low numbers of COVID 19-like illness patients visits as tracked by Emergency Departments within a 14-day period AND
 - Downward trend or very low numbers of patients with COVID-19-like illness admitted from Emergency Departments within a 14-day period.
- Epidemiologic:
 - Downward trend or low levels of documents COVID-19 cases reported within a 14-day period OR
 - Downward trend of positive COVID-19 PCR tests as a percent of total tests within a 14-day period (including flat or increasing volume of tests).
- Healthcare:
 - Treat all patients without needing to use crisis standards of care AND
 - Available ventilators, intensive care unit beds, and personal protective equipment (PPE) to safely care for additional COVID-19 patients in hospitals AND
 - Robust COVID-19 testing program in place for at-risk healthcare workers.

Stage One—May 1-15. Stage One includes [general business protocols](#) and more specific protocols for [daycares](#) and [youth activities](#).

- Individuals.
 - All vulnerable Idahoans should continue to self-quarantine.
 - Gatherings, both public and private, should be avoided.
 - Minimize non-essential travel and adhere to CDC guidelines regarding isolation.
 - Continue 14-day self-quarantine for people entering Idaho.
- Employer.

- Continue to encourage telework.
 - Non-essential businesses should implement plans for re-opening.
- Specific Type of Employer.
 - Bars and nightclubs, indoor gyms and recreation facilities, hair salons, large venues (e.g. theaters and sporting venues) remain closed.
 - Restaurant dining rooms remain closed.
 - Daycares and organized youth activities and camps can reopen.

Stage Two—May 16-29.

- Individuals.
 - All vulnerable Idahoans should continue to self-quarantine.
 - Gatherings, both public and private, of less than 10 people, can occur.
 - Minimize non-essential travel and adhere to CDC guidelines regarding isolation.
 - Continue 14-day self-quarantine for people entering Idaho.
- Employer.
 - Continue to encourage telework.
 - All open businesses continue to follow protocol for opening.
- Specific Type of Employer.
 - Bars and nightclubs, and large venues remain closed.
 - Hair salons, indoor gyms and recreation facilities and restaurant dining rooms can reopen if able to meet business protocols.

Stage Three—May 30-June 12.

- Individuals.
 - Vulnerable Idahoans can resume public interactions.
 - Gatherings, both public and private, of 10-50 people, where appropriate physical distancing and precautionary measures are observed can occur.
 - Non-essential travel can resume to locations that allow it.
 - Discontinue the 14-day self-quarantine for people entering Idaho.
- Employer.
 - Continue to encourage telework.
 - All open businesses continue to follow protocol for opening.
- Specific Type of Employer.
 - Bars and nightclubs and large venues remain closed.

Stage Four—June 13-June 26.

- Individuals.
 - Vulnerable Idahoans can resume public interactions.
 - Gatherings, both public and private, of more than 50 people, where appropriate physical distancing and precautionary measures are observed can occur.
 - Non-essential travel can resume to locations that allow it.
- Employer.
 - Resume unrestricted staffing of worksites.
 - Special accommodations for employees who are considered vulnerable should be made.
 - All open businesses continue to follow protocol for opening.
- Specific Type of Employer.
 - Bars and nightclubs may operate with diminished standing-room occupancy, where applicable and appropriate.
 - Large venues can operate under limited physical distancing protocol.

Industry-Specific Guidance. Idaho has also released guidance providing steps that certain types of businesses should take for reopening:

- [Indoor Gyms and Recreational Facilities.](#)
- [Child Care.](#)
- [Youth Organizations.](#)
- [Close Contact Services.](#)
- [Restaurants.](#)
- [Pools & Waterparks.](#)
- [General Businesses.](#)
- [Bars, Breweries, Wineries, Distilleries.](#)

13. Illinois

Illinois issued its reopening plan, [Restore Illinois](#), on May 5, 2020. The plan includes five phases, the last three of which concern reopening businesses. Illinois is currently in Phase Two, and the date for moving to Phase Three has not yet been announced but will occur no earlier than May 29, 2020. The gating criteria for determining when the state will move to each subsequent phase are specific to that phase. Illinois will move among phases by region.

Phase One: Rapid Spread. Phase One was not a reopening phase. It included the closure of non-essential businesses, except for work from home and minimum basic operations.

Phase Two: Flattening. Phase Two was also not a reopening phase and included the closure of non-essential businesses as in Phase One. The following restrictions remain in place:

- Only essential manufacturing businesses may operate.
- Non-essential businesses continue remote work except for minimum basic operations, as defined in the Executive Orders.
- Bars and restaurants are open only for delivery, pickup, and drive through.
- Personal health care services and health clubs remain closed.
- Essential retail stores may operate with restrictions.
- Non-essential retail stores may open for delivery and curbside pickup.

Phase Three: Recovery. Phase Three begins the reopening of businesses. The gating criteria for moving to Phase Three include:

- At or under 20% positivity rate and increasing no more than 10 percentage points over a 14-day period.
- No overall increase in hospital admissions for COVID-19-like illness for 28 days.
- Available surge capacity of at least 14% of ICU beds, medical and surgical beds, and ventilators.
- Testing available for all patients, health care workers, first responders, people with underlying conditions, and residents and staff in congregate living facilities.
- Contact tracing and monitoring within 24 hours of diagnosis.

In Phase Three, certain non-essential businesses will be allowed to reopen, subject to having an IDPH approved safety guidance and any additional requirements listed below, including:

- Non-essential manufacturing (subject to ability to ensure social distancing).
- Non-essential businesses (subject to determination of risk level of business).
- Barber shops and salons.
- Health and fitness clubs (only for outdoor services).

- Retail (subject to occupancy cap).

Phase Four: Revitalization. The gating criteria for moving to Phase Four include:

- At or under 20% positivity rate and increasing no more than 10 percentage points over a 14-day period.
- No overall increase in hospital admissions for COVID-19-like illness for 28 days.
- Available surge capacity of at least 14% of ICU beds, medical and surgical beds, and ventilators.
- Testing available in region regardless of symptoms or risk factors.
- Contact tracing and monitoring within 24 hours of diagnosis for more than 90% of cases in region.

In Phase Four, additional non-essential businesses will be allowed to reopen, subject to having an IDPH approved safety guidance and any additional requirements listed below, including:

- Remaining manufacturing.
- Remaining non-essential businesses.
- Bars and restaurants for on-premises consumption (subject to occupancy cap)
- Remaining personal care services.
- Health and fitness clubs (subject to occupancy cap).
- Retail (subject to occupancy cap).

Phase Five: Illinois Restored. Although there are no specific gating criteria for moving to Phase Five, the shift will occur with the development of a vaccine, effective and widely available treatment, or the elimination of new cases over a sustained period of time through herd immunity or other factors. All businesses will be permitted to resume normal operations. Conventions, festivals, and large events will be allowed to take place without capacity limits.

Industry-Specific Guidance. [Executive Order 2020-32](#) provides additional guidance for the following industries:

- [Retail Stores.](#)
- [Manufacturers.](#)
- [Foods Establishments.](#)
- [Long-Term Care Facilities.](#)
- [Funeral Homes.](#)
- [Daycares.](#)

14. Indiana

Indiana issued [Executive Order 20-26, Roadmap to Reopen](#) on May 1, 2020, which announced a 5-stage program for reopening the state. Stages 1 and 2 were explained in the Order with additional guidance to come on the remaining.

Gating Criteria. Counties may be permitted to advance to the next stage or be required to stay at a current stage or return to a former stage based on the following factors:

- The number of hospitalized COVID-19 patients.
- The capacity for critical care beds and ventilators.
- The ability to test for COVID-19.
- The capacity for contact tracing.

All businesses should also implement the following at

- Designate six feet of distance;

- Make hand sanitizer and sanitizing products readily available for employees and customers;
- Separate operating hours for vulnerable populations; and
- Increase online and remote access, including posting online whether facility is open.

Stage 1. From, May 1, 2020 to May 4, 2020, all Indiana counties must follow the stay-at-home directives in [Executive Order 20-22](#).

Stage 2. From May 4, 2020 to May 21, 2020, all Indiana counties, except Cass, Lake, and Marion, are permitted to move on to Stage 2. Lake and Marion Counties are permitted to advance on May 11, 2020 and Cass County on May 18, 2020. In Stage 2, businesses are allowed to reopen, unless specifically identified as a business allowed to reopen in a later stage below. Personal care services, restaurants, and bars must wait a week from May 4, 2020 to reopen. [Executive Order 20-26](#) lists requirements businesses must follow before being allowed to reopen:

- Develop and implement a plan to ensure a safe environment for employees and customers, which must be provided to each employee, be posted publicly, and address at least the following:
 - Employee health screening processes.
 - Enhanced cleaning and disinfecting protocols for the workplace.
 - Enhanced ability of employees and customers to wash their hands or take other personal hygiene measures.
 - Compliance with social distancing requirements established by the CDC, including maintaining six-foot social distancing for employees and members of the general public when possible or employing separation measures.
- Comply with IOSHA safety and health standards, which includes providing employees with a workplace free from recognized hazards that are likely to cause death or serious physical harm.

In addition, retail businesses reopening in Stage 2 must abide by the following:

- 50% occupancy capacity.
- Limited hours of operation and separate operating hours for the elderly and other vulnerable customers, if possible.
- Face coverings for employees and possibly customers.
- 25% occupancy capacity for common areas around retail businesses.
- Encouraging curbside delivery and call-in ordering.

Stage 3. Starting May 22, 2020, gyms and fitness centers, playgrounds, tennis courts, basketball courts, community pools, and movie theaters may open in all counties, except Cass, Lake, and Marion, if compliant with health precautions. In Stage 3, Indiana will raise the capacity limit at retail stores and malls to 75%.

Stage 4. Starting June 14, 2020, bars and nightclubs, entertainment and tourism businesses, large venues, and amusement or water parks may resume subject to certain restrictions.

Stage 5. Starting July 4, 2020, conventions, sports events, festivals, and state fairs may resume.

Industry-Specific Guidance. The [reopening plan](#) also includes requirements specific that the following types of businesses must implement before reopening:

- Personal Care.
- Gyms and Fitness.
- Manufacturing, Industrial, Construction.
- Retail and Malls.
- Healthcare.

- Restaurants, Bars, and Nightclubs.
- Cultural, Entertainment, Sports, Tourism.
- Recreation and Amusement.
- [General Businesses](#).

15. Iowa

The Iowa Department of Public Health published its [Public Health COVID-19 Reopening Guidance](#) on April 27, 2020. Iowa's guidance does not contemplate pre-planned phases for reopening, but rather a reopening process progressively announced by continuous proclamations, the first of which was issued April 27, 2020.

On April 27, 2020, the Governor of Iowa released a three-part [proclamation](#) announcing that the following businesses could resume operations at 50% of normal operating capacity in 77 of Iowa's 99 counties:

- Restaurants.
- Business centers.
- Retail stores.
- Enclosed malls (except play areas and common seating areas, including food courts).
- Social, community, recreational and leisure and sporting events (limited to 10 people).
- Spiritual and religious gatherings (no limitations).

Effective May 1, 2020 at 5:00 am, restaurants, fitness centers, malls, libraries, race tracks, and other retail establishments were allowed to reopen, unless located in the twenty-two listed counties where the closure Proclamations remain in place. A further proclamation [issued on May 6, 2020](#) allowed some businesses in the remaining twenty-two counties to begin reopening effective May 8, 2020 at 5:00 am.

Effective at 5:00 am on May 15, 2020, salons, barbershops, massage establishments, and tattoo parlors may reopen statewide under the Governor's May 13, 2020 [Proclamation of Disaster Emergency](#). In addition, any businesses, including restaurants and malls, previously closed in 22 of Iowa's 99 counties may reopen.

Effective May 20 2020, museums, aquariums, and zoos may resume operations under the Governor's May 20, 2020 [Proclamation of Disaster Emergency](#). Effective at 5:00 am on May 22, 2020, movie theaters (at 50% capacity), wedding receptions, and auctions may resume. Across the state, bars, entertainment businesses, and unsolicited door-to-door sales must continue to cease operations.

The April 27, 2020 Guidance includes the following rules that reopening businesses must follow in addition to adhering to federal OSHA guidelines:

- Follow CDC guidance related to cleaning and disinfection for community facilities, including frequent cleaning and disinfecting of all high touch surfaces.
- Encourage and provide supplies to allow for frequent hand washing and hand sanitizing for employees and the public.
- Provide reminders to employees and members of the public to stay at least 6 feet away from others when in the facility and mark 6foot intervals when possible.
- Post signage at the door indicating no one should enter the establishment if they currently have symptoms or have been around anyone with a confirmed COVID-19 diagnosis in the last 14 days.
- If an employee or a member of the public becomes ill while at the facility, ask them to share that information with management, leave the facility and then call their health care provider.
- Members of the public and employees should consider the use of cloth face coverings (when practical) if staying at least 6 feet away from others is not possible.
- Anyone who is high risk for more severe COVID-19 illness should continue to stay home.

- Businesses should continue to follow IDPH’s business guidance related to preventing, detecting and reporting outbreaks.
- Businesses should use messaging to remind employees of steps they should be taking to protect their own health while at work.

Industry-Specific Guidance.

- [Restaurants.](#)
- [Fitness Centers.](#)
- [Malls.](#)
- [Libraries.](#)
- [Race Tracks.](#)
- [Retail.](#)
- [Fraternal Clubs.](#)
- [Salons & Barbershops.](#)
- [Farmers Markets.](#)
- [Movie Theaters.](#)

16. Kansas

Kansas revealed [Ad Astra: A Plan to Reopen Kansas](#) on April 30, 2020, which includes four phases. Kansas issued an [updated version](#) of the reopening plan on May 14, 2020 reflecting the addition of Phase 1.5.

Gating Criteria: Before lifting stay-at-home orders locally, each county is encouraged to observe the following metrics:

- Stable or declining rate of disease spread per 100,000 population over a 14-day period;
- Stable (flat) or downward trajectory of new COVID-19 in-patients counts within a 14-day period; and
- Downward trajectory of COVID-19 deaths within a 14-day period.

Phase One. During this phase, which begins on May 4, 2020, mass gatherings of over 10 individuals are prohibited, masks are encouraged in public settings, telework should be encouraged by employers, nonessential travel should be avoided and 6 feet of social distancing is required. The following establishments must remain closed during this phase:

- Bars and nightclubs (except for curbside and carryout services).
- Non-tribal casinos.
- Indoor leisure spaces.
- Fitness centers and gyms.
- Personal service businesses where close contact can’t be avoided.
- Community centers.
- Large entertainment venues (with a capacity of 2,000+).
- Fairs, festivals, parades and graduations.
- Public swimming pools.
- Organized sports facilities.
- Summer camps.

In order to reopen during Phase One, businesses must satisfy each of the following requirements:

- Maintain at least six feet of distance between customers, whether individuals or groups, and erecting physical barriers sufficient to prevent virus spread between seated customers in the case of restaurants.

- Follow fundamental cleaning and public health practices.
- Avoid any instances in which groups of more than ten individuals are in one location and unable to consistently maintain six feet of distance.

Phase 1.5. On May 14, 2020, Governor Laura Kelly [announced](#) that the state would slow its reopening plan. This additional “phase” begins on May 18, 2020. It continues most of the restrictions and closures of Phase One, with the following exceptions:

- Personal service businesses may reopen, but only by appointment.
- Fitness centers and gyms may reopen, but may not offer in-person group classes or open locker rooms.

Phase Two. Governor Kelly [announced](#) that Kansas will move to Phase Two on May 22, 2020. During this phase, mass gatherings of over 15 individuals are prohibited, masks are encouraged in public settings, telework should be encouraged by employers, nonessential travel should be avoided and 6 feet of social distancing is encouraged. The following establishments must remain closed during this phase:

- Bars, nightclubs, and pools.
- Large entertainment venues (with a capacity of 2,000+).
- Fairs, festivals, parades, and graduations.
- Summer camps.

Phase Three. During this phase, which is expected to begin June 8, 2020, mass gatherings of over 90 individuals are prohibited and individuals should be encouraged to adhere to personal hygiene guidelines. On-site staffing will be unrestricted and nonessential travel may resume. All establishments may operate pursuant to mass gathering guidelines.

Phase Out. During this phase, which will begin no earlier than June 15, 2020, gatherings are unrestricted, but social distance should be maintained where applicable, individuals should continue to adhere to personal hygiene guidelines and employers should follow any additional guidance for business that is published by the state.

Industry-Specific Guidance.

- [Food Service Establishments.](#)
- [Transit.](#)
- [General Businesses.](#)
- [Personal Services.](#)
- [Nail Salons.](#)
- [Massage Therapy.](#)
- [Outdoor Sports.](#)

17. Kentucky

On April 21, 2020, Governor Andy Beshear announced the broad-strokes of the provisions of Kentucky’s phased reopening plan, [Healthy at Work](#).

Gating Criteria. The plan specifies seven benchmarks that must be met before Kentucky will begin Phase Two of its reopening plan:

- 14 days of decreasing cases.
- Increased testing capacity and contact tracing.
- Personal protective equipment (PPE) availability.
- Ability to protect at-risk populations.

- Ability to social distance and follow the CDC's guidelines on large gatherings.
- Preparedness for possible future spike.
- Status of vaccine and treatment.

Phase One: State-Readiness Evaluation. During Phase One, the Governor will determine whether Kentucky has met certain public health benchmarks, which are based on the federal guidelines. The state will also release additional information and guidance for Phase Two. The Governor will begin the phased reopening of health care services. Phase One also provides [minimum requirements](#) which all Essential Businesses had to comply with by no later than May 11, 2020 and which all reopening businesses must implement before reopening. These requirements include:

- Continue telework where possible.
- Phased return to work.
- Enforce social distancing.
- Limit face-to-face interaction.
- Universal masks and any other necessary PPE.
- Adequate hand sanitizer and encouraging hand washing.
- Restrict common areas.
- Proper sanitation.
- Conduct daily temperature/health checks.
- Create a testing plan.
- Make special accommodations.
- Designate a "Health at Work" officer.
- Educate and train employees.
- Contact tracing.

Phase Two: Business-Readiness Evaluation. In Phase Two, the Governor will allow a gradual reopening of select business sectors, subject to certain health and safety measures. Businesses that are closed due to COVID-19, industry groups, and trade associations are encouraged to submit reopening proposals discussing possible strategies and challenges their business or sector will face in safely reopening.

Targeted Openings. In addition to the reopening phases above, Governor Beshear [announced](#) targeted reopening dates as follows:

- May 11, 2020 – Manufacturing, construction, vehicle and vessel dealerships, professional services (at 50% of pre-outbreak capacity), horse racing (without spectators), and pet grooming and boarding.
- May 20, 2020 – Retail.
- May 22, 2020 – Restaurant dining rooms (subject to 33% capacity limit).
- May 25, 2020 – Social gatherings of no more than 10 people, barbers, salons, cosmetology businesses and similar services.

Industry-Specific Guidance.

- [Meatpacking Facilities.](#)
- [Manufacturing & Distribution.](#)
- [Construction.](#)
- [Vehicle or Vessel Dealerships.](#)
- [Office-Based Businesses.](#)
- [Horse Racing.](#)
- [Pet Grooming / Boarding.](#)

- [Photography.](#)
- [Funeral and Memorial Services.](#)
- [Retail.](#)
- [Restaurants.](#)
- [Massage Therapy.](#)
- [Nail Salons.](#)
- [Tanning Salons.](#)
- [Tattoo Parlors.](#)
- [Aquatic Centers.](#)

18. Louisiana

Governor Edwards has announced that he will extend the state's Stay at Home Order until May 15, 2020, as the state currently does not meet the federal gating criteria for entering Phase One of reopening. Governor Edwards has [announced](#) that Phase One will begin on May 15, 2020. Businesses may [register](#) for guidance and updates online. For businesses that maintain in-person operations, the Louisiana Department of Health urges certain [precautions](#).

Gating Criteria. Louisiana is relying on the federal gating criteria to determine when to begin Phase One of its reopening plan.

Phase One. The following businesses will be allowed to reopen during [Phase One](#) subject to a 25% occupancy cap, as well as social distancing and hygiene restrictions:

- Gyms and fitness centers.
- Barber shops and hair/nail salons.
- Casinos and video poker.
- Theaters.
- Racetracks (but not open to spectators).
- Museums, zoos, and aquariums (no tactile exhibits).
- Bars and breweries with LDH food permits.

Industry-Specific Guidance. In addition, Louisiana has issued requirements for the following industries:

- [Funerals and Handling of Bodies.](#)
- [Restaurants.](#)

19. Maine

On April 29, 2020, Governor Janet Mills announced Maine's plan to restart the economy entitled [Together, We Are Maine: Restarting Maine's Economy](#) which contemplates four gradual stages of reopening. Under the Governor's plan, the stages are based on calendar months, to allow for time to assess the effectiveness of the health and safety precautions put into place and give businesses a predictable timeframe to plan for opening. The guiding principles of this approach include (1) protecting public health; (2) maintaining health care readiness; (3) building reliable and accessible testing; and (4) prioritizing public-private collaboration.

Governor Mills has also [announced](#) an expedited reopening schedule for businesses in 12 rural Maine counties. In those counties, retail businesses may resume May 11, 2020, and restaurants may resume dine-in service on May 18, 2020.

Gating Criteria. The Maine CDC will be tracking three primary metrics in its evaluating of whether or not to progress through the stages:

- Symptoms: A downward trajectory of influenza-like illnesses and COVID-like syndromic cases.
- Cases: A downward trajectory of documented cases and newly hospitalized patients.
- Health System Preparedness: The capacity of Maine’s hospital systems to treat all patients without crisis care and the ability of state to engage in a robust testing program.

Stage One—May. Stage 1 contemplates a continued prohibition on gatherings of more than 10 people as well as the continued quarantine of all people entering Maine for a period of 14 days. All businesses that have been open may remain open.

The following businesses may open per Maine’s [Checklist Standards](#):

- Entertainment.
 - Drive-in theaters.
- Health Care.
 - Health care from Maine licensed providers, with a recommendation that they prioritize care for patients with time-sensitive conditions.
 - Assure the safety of patients, staff, and communities; manage the use of essential resources such as personal protective equipment and testing supplies.
 - Pace reopening services to the level of community COVID-19 activity, maintaining capacity in our hospitals for potential outbreaks.
- Outdoor Recreation.
 - Golf courses and disc golf courses, with restrictions.
 - Guided outdoor activities (hunting, fishing).
 - Guided boating (5 or fewer customers).
 - Marinas.
 - Some 30 State Parks and Historic sites, but coastal sites will remain closed.
 - State owned public lands trails.
 - Private campgrounds (effective May 22, 2020).
- Personal Services.
 - Barber shops and Hair salons.
 - Dog Grooming.
- Retail/Commercial.
 - Auto Dealership Sales.
 - Car Washes.

Stage Two—June. Stage 2 contemplates a continued prohibition on gatherings of more than 50 people and the 14-day quarantine on people entering Maine. All businesses that have been open may remain open. At-risk people should stay home when possible. Employees in legal and professional fields may return to offices, including State employees, as needed.

- Hospitality.
 - Restaurants.
 - Lodging.
- Outdoor Recreation.
 - Campgrounds/RV parks.
 - Day camps.
 - Coastal State Parks, with some services.
- Retail.
 - All retail businesses.

Stage Three—July-August. Stage 3 maintains the prohibition on gatherings of more than 50 people and the 14-day quarantine on people entering Maine. All businesses that have been open may remain open. At-risk people should stay home when possible. Employees in legal and professional fields may return to offices, including State employees, as needed.

- Hospitality.
 - Bars.
 - Lodging, such as hotels, campgrounds, summer camps, or RV parks.
- Outdoor Recreation.
 - Charter boats, excursions – fewer than 50 people.
 - State Park Campgrounds.
 - Summer Camps.
- Gyms & Fitness Centers (per May 19, 2020 [announcement](#)).
- Personal Services.
 - Nail salons (per May 19, 2020 [announcement](#)).
 - Spas.
 - Tattoo and piercing parlors.
 - Massage Facilities.
 - Cosmetologists and estheticians.
 - Electrolysis services.
 - Laser hair removal services, and similar personal care and treatment facilities and services.

Stage Four—TBD. All businesses are open and operating with appropriate safety modifications.

Industry-Specific Guidance.

- [General Business.](#)
- [Drive-In Theaters.](#)
- [Golf.](#)
- [Outdoor.](#)
- [Marinas.](#)
- [Cosmetology.](#)
- [Dog Grooming.](#)
- [Auto Dealership.](#)
- [Car Wash.](#)
- [Retail.](#)
- [Restaurants.](#)
- [Lodging.](#)
- [Campgrounds and RV Parks.](#)
- [Nail Technicians.](#)

20. Maryland

The [Maryland Strong Roadmap to Recovery](#) establishes three stages of reopening that will be implemented on a local level upon the determination that the locality has satisfied the requisite gating criteria. Maryland may further divide the three stages into sub-phases and change the plan as warranted by public health and economic conditions. Stage One began at 5:00 pm on May 15, 2020.

In each phase of reopening, individuals currently teleworking shall continue to telework for the duration of the State of Emergency. Physical distancing and mask requirements shall also continue throughout the duration of the State of Emergency.

The plan contemplates some flexibility for local governments to adjust the reopening plan in light of regional differences. County health officers may also order local businesses and gathering places to restrict service or close if deemed to be operating in a manner dangerous to the public health, regardless of whether said business falls within a category generally opened statewide.

Gating Criteria. In each locality, the state will determine whether the following gating criteria have been met and will then permit county health officers to expand the permitted activities and businesses in that locality.

- Primary Metric: The current hospitalization rate (including the current ICU bed usage rate) for COVID patients.
- Secondary Metric: The number of daily COVID deaths.

If either metric sees a surge or spike, it will be an indication that the locality is not succeeding in “flattening the curve.” If hospitalizations remain steady and ICU resources continue to be available, it will be an indication that localities can move to the next stage of the recovery plan.

Stage One: Low Risk. The announcement of the initiation of Stage One occurred upon the determination that Maryland had:

- Sufficiently satisfied the gating criteria, above.
- Procured sufficient PPE for frontline healthcare workers.
- Generated hospital surge capacity.
- Generated adequate testing capacity.
- Created a robust contact tracing program.

Stage One is governed by [Executive Order No. 20-05-13-01](#). Under the Order, certain non-essential businesses are permitted to reopen as follows:

- Retail businesses may reopen subject to a 50% occupancy limit and face covering requirements.
- All manufacturing businesses and facilities may open.
- Beauty salons (limited to hair services) and barber shops may reopen subject to a 50% occupancy limit.
 - All staff when interacting with others or in public and customers must wear face coverings.
 - Businesses are limited to appointments only.
 - Businesses must clean and disinfect the area in which the service was provided after finishing with each customer.
- Golf courses, outdoor shooting ranges, marinas and watercraft rental businesses, campgrounds, and horse boarding/riding facilities may reopen per an earlier announcement).
- Restaurants and bars may continue carry-out, delivery, and drive-through operations.
- Fitness centers may continue to provide child care services.
- Outdoor-facing portions of malls may reopen.

These allowance may be slowed or reversed upon:

- An unexpected increase in hospitalizations or a sustained increase over a period of 5 or more days in cases requiring intensive care.
- Indications that Marylanders are disregarding physical distancing guidelines.
- Significant outbreaks of community transmission (not clusters or outbreaks in particular nursing homes or vulnerable communities) where contact tracing cannot establish the route of the spread.

Stage Two: Medium Risk. In determining whether to enter Stage Two in a locality, the state will again consider the gating criteria above.

Examples of changes that could be implemented in this stage include the allowance of the following:

- Larger social gatherings.
- Reopening restaurants and bars with restrictions.
- Reopening indoor gyms and fitness classes.
- Reopening childcare centers.
- Returning some transit schedules to normal.
- Elective and outpatient procedures at hospitals.

Stage Three: High Risk. Entry into Stage Three requires either:

- A widely available and FDA-approved vaccine, OR
- Safe and effective therapeutics that can rescue patients with significant disease or prevent serious illness in those most at risk to reach a full return to normal conditions.

Examples of changes that could be implemented in this stage including the allowance of the following:

- Larger social gatherings.
- High-capacity bars and restaurants.
- Reopening of entertainment venues.

Industry-Specific Guidance. Maryland has also issued best practices for businesses in the following industries:

- [Retail.](#)
- [Manufacturing.](#)
- [Personal Services.](#)

21. Massachusetts

On May 11, 2020, Governor Baker [announced](#) a [four-phase approach](#) to reopening the state. Massachusetts announced its detailed [reopening plan](#), with Phase One beginning on May 18, 2020. There will be a minimum of three weeks for each phase..

Upon the launch of reopening, businesses will need to comply with the following [requirements](#):

- Social distancing.
 - All persons, including employees, customers, and vendors, should remain at least six feet apart to the greatest extent possible.
 - Establish protocols to ensure that employees can practice adequate social distancing.
 - Provide signage for safe social distancing.
 - Require face coverings or masks for all employees.
- Hygiene protocols.
 - Provide hand washing capabilities throughout the workplace.
 - Ensure frequent hand washing by employees and adequate supplies to do so.
 - Provide regular sanitization of high touch areas.
- Staffing and operations.
 - Provide training for employees regarding the social distancing and hygiene protocols.
 - Employees who are displaying COVID-19-like symptoms do not report to work.
 - Establish a plan for employees getting ill from COVID-19 at work, and a return-to-work plan.
- Cleaning and disinfecting.
 - Establish and maintain cleaning protocols specific to the business.

- When an active employee is diagnosed with COVID-19, cleaning and disinfecting must be performed.
- Disinfection of all common surfaces must take place at intervals appropriate to said workplace.

Phase One: Start. The first phase will allow limited industries that are more naturally set up to have little face to face interaction to resume operations with strict restrictions. Certain businesses may reopen on a staggered schedule in Phase One, as follows:

- May 18, 2020: Manufacturing and construction businesses may resume in-person operations.
- May 25, 2020: Laboratories, office spaces (apart from those located in Boston), limited personal services such as barbershops and hair salons, and retail (curbside pick-up only) may open.
- June 1, 2020: Office spaces in Boston may open.

Phase Two: Cautious. The second phase will include the reopening of more industries with more face to face interactions, again subject to restrictions and capacity limits. During Phase Two, retail, restaurants, lodging, and additional personal services such as nail salons may open, with restrictions and some capacity limitations.

Phase Three: Vigilant. The third phase will allow for the loosening of some of the restrictions from the earlier phases. During Phase Three, bars, arts and entertainment such as casinos, gyms, and museums, and all other business activities except for nightclubs and large venues may resume.

Phase Four: New Normal. The final phase will not happen until a vaccine or therapy has been developed to effectively treat COVID-19. Phase Four will permit the full resumption of business as usual.

Industry-Specific Guidance. Certain industries are subject to additional requirements:

- [Construction.](#)
- [Manufacturing.](#)
- [Office spaces.](#)
- [Laboratories.](#)
- [Salons and barbershops.](#)
- [Car washes.](#)
- [Pet grooming.](#)

22. Michigan

On May 7, 2020, Governor Whitmer announced that Michigan's restrictions and reopening would occur in [six phases](#). Phases 1 and 2 consisted of COVID-19 spreading throughout the state. Michigan is currently in Phase 3.

Gating Criteria. Michigan has established gating criteria that will be considered in determining when to move to the next phase on a phase-specific basis. They may be updated per additional guidance from the CDC and public health experts. Those gating criteria are:

- Moving to Phase 3:
 - Cases and deaths decline for an extended period.
 - Monitor impact on vulnerable populations.
 - Sufficient health system capacity in place.
 - Improved testing, contact tracing, and containment capacity.
- Moving to Phase 4:
 - Cases and deaths decline more sharply, percent positive decreasing.
 - Healthcare system capacity continues to strengthen.

- Robust testing, contact tracing, and containment protocols in place.
- Moving to Phase 5:
 - Cases and death at low absolute rates per capita.
 - Health system capacity very strong.
 - Robust testing, contact tracing, and containment protocols in place.
- Moving to Phase 6:
 - High uptake of an effective therapy or vaccine.

Phase 3 – Flattening. During this stage, everyone is required to practice six-foot social distancing and wear face coverings. Most non-essential businesses remain closed, but the following have been permitted to resume:

- May 7, 2020: Construction, real estate activities, and work traditionally performed outdoors.
- May 11, 2020: Manufacturing workers.
- May 22, 2020: Retail businesses, offices, bars and restaurants in Northern Michigan and the Upper Peninsula (per [Executive Order 2020-92](#)).
- May 26, 2020: Retail businesses statewide (limited to appointments only) and auto dealerships (per [Executive Order 2020-96](#)).

Phase 4 – Improving. During this phase, lower-risk businesses will be permitted to open with strict safety measures. These include non-essential retail businesses, with occupancy caps, and offices, but only to the extent telework is not possible.

Phase 5 – Containing. During this phase, gatherings of increased size will be permitted, and most businesses will be allowed to reopen with additional safety measures, including restaurants and bars for consumption on premises.

Phase 6 – Post-Pandemic. Once effective therapy or a vaccine has been established, all businesses will be permitted to reopen.

Industry-Specific Guidance. The reopening plan also includes requirements specific to the following industries:

- [In-Person Retail](#).
- [Construction](#).
- [Manufacturing](#).
- [Maintenance Workers](#).
- [Offices](#).
- [Laboratories](#).
- [Restaurants and Bars](#).

23. Minnesota

On April 23, 2020, Governor Tim Walz announced [Executive Order 20-40](#), permitting Non-Critical Exempt Businesses to return to work under certain conditions. The Order defines Non-Critical Exempt Businesses to include only industrial and manufacturing businesses and businesses in office-based settings. All workers in such businesses who can work from home must continue to do so. Retail stores opened for [curbside pickup](#) on May 4, 2020. Minnesota also released a [Stay Safe Plan](#) describing its four phases of reopening.

Phase One. On May 13, 2020, Governor Walz issued [Executive Order 20-56](#) allowing the stay-at-home order to expire on May 18, 2020. Retail stores may reopen at 50% capacity and must have safety plans in place. The Order maintains a prohibition on gatherings of more than 10 people.

The Orders permit workers at Non-Critical Exempt Businesses who cannot work from home to return to the workplace upon the business' completion of certain requirements including:

- Establishing and Implementing a COVID-19 [Preparedness Plan](#). Each plan must adequately address the following areas:
 - Require work from home whenever possible.
 - Ensure that sick workers stay home.
 - Social distancing.
 - Employee hygiene and source control.
 - Cleaning and disinfection protocols.
 - Implementation of Minnesota OSHA Standards and MDH and CDC Guidelines.
- Certification and signature of the Preparedness Plan by senior management.
- Dissemination and posting of the Preparedness Plan in the workplace.
- Training for workers on the contents of the Preparedness Plan.
- Workers and management must ensure compliance with the Preparedness Plan.

Employers must have their Preparedness Plan available to regulatory authorities and public safety officers upon request.

Phase Two. Beginning June 1, 2020, the same requirements for Non-Critical Exempt Businesses that applied in Phase One continue to be in effect, but bars and restaurants may reopen for outdoor dining with a 50-patron occupancy limit, reservations, and masks. Personal services businesses may also open on June 1, 2020 at 25% capacity, subject to the same appointment and face mask requirements.

Phase Three. A date has not yet been announced for Phase Three, but the phase will increase occupancy caps and potentially reopen gyms. The requirement to telework if possible will remain in place.

Phase Four. A date has not yet been announced for Phase Four. Occupancy caps will be increased and entertainment businesses will be allowed to reopen.

24. Mississippi

On April 24, 2020, Governor Tate Reeves signed [Executive Order 1477: Safer at Home](#) permitting all businesses and non-profit entities operating within the State of Mississippi to open/re-open subject to the following limitations to minimize person to person interactions and associates risk of transmission of COVID-19:

- Businesses and non-profits shall take all reasonable measures to ensure compliance with the Mississippi State Department of Health's and CDC's regulations.
- Retail businesses shall adopt reasonable measures to prevent the spread of COVID-19, including but not limited to, limiting the number of customers in their stores at one time to no greater than 50% of store capacity in order to ensure compliance with social distancing protocols, and frequent cleaning of high-contact surfaces.
- All common areas where employees or customers are likely to congregate and interact shall be closed or strict social distancing protocols should be enforced.
- Non-essential business travel should be minimized.
- Special accommodations should be made for employees that are members of a vulnerable population to reduce their potential exposure to COVID-19.

Under the new Order, fitness and exercise gyms, dance studios, clubs, tattoo parlors, spas, salons, barber shops, and all other personal care and personal grooming facilities shall remain closed to the public but may continue Minimum Operations. Moreover, all places of amusement and recreation, whether indoors or outdoors, shall remained closed to the public, except as permitted by [Executive Order 1473](#) for the limited operations of beaches,

state park lakes, state lakes and reservoirs or permitted by [Executive Order 1478](#) for the limited operation of pools and parks. Restaurants and bars are open for on-premises dining (subject to the restrictions in [Executive Order 1478](#)), and may remain open 24 hours a day if they do not serve alcohol, or until 10:00 pm if they do serve alcohol (Executive Order 1486). Under [Executive Order 1486](#), several additional businesses may reopen, including dance studios (subject to the requirements for gyms), parks (subject to hour restrictions), fishing tournaments (subject to restrictions in the order), and tattoo parlors (subject to extensive restrictions in the order).

Industry-Specific Guidance. Certain industries are subject to additional requirements:

- [Retail.](#)
- [Restaurants.](#)
- [Salons, Barbershops, and Gyms.](#)
- [Tattoo Parlors.](#)

25. Missouri

On April 27, 2020, the Missouri Department of Health and Senior Services released a [Health Order](#) initiating Phase One of Governor Mike Parson's [Show Me Strong Recovery Plan](#).

Gating Criteria. Governor Parson has not specified the gating criteria that will determine when Phase One of the Recovery Plan will end and Phase Two begin, but the current Health Order is in effect from May 4, 2020, at 12:01 am, through May 31, 2020, at 11:59 pm.

Phase One. In addition to requirements for individuals, such as mandatory social distancing, the Health Order imposes a 25% occupancy limit for retail businesses with location sizes less than ten thousand square feet and a 10% occupancy limit for retail businesses with location sizes larger than ten thousand square feet. Restaurants may offer dining services provided they allow for six feet between tables, lack communal seating for parties that are not connected, and have no more than ten people at a single table.

Industry-Specific Guidance.

- [Restaurants.](#)
- [Retail.](#)

26. Montana

On April 22, 2020, Montana announced its [phased reopening plan](#). Montana is currently in Phase One of that reopening plan, and Phase Two takes effect on June 1, 2020.

Phase One. In Phase One, Montana lifts the Stay at Home Directive and reopens non-essential businesses, except as follows:

- [May 4, 2020](#): Restaurants, bars, breweries, distilleries, and casinos may reopen with restrictions.
- [May 15, 2020](#): Gyms, pools, movie theaters, and museums with restrictions (subject to 50% occupancy limit in each case).

Reopening businesses must adhere to the following reopening guidelines during Phase One:

- Health assessments must be conducted for all employees at the beginning of each shift.
- In establishments where customers wait in a line, non-household customers should remain physically distanced.
- Waiting areas where adequate physical distancing cannot be maintained must be closed.
 - Customers should be encouraged to call for a reservation or an appointment, or establishments should use an online wait listing application.

- Physical distancing of six feet must be maintained between non-congregate customers, this may require:
 - A reduction in capacity.
 - A reduction of seating in service and waiting areas.
 - Management of waiting areas and waiting lines.
 - Systems that reduce the amount of contact time between customers and staff.
- Phase One continues the [requirement](#) for certain travelers arriving in Montana from another state or country to self-quarantine for 14 days.

Phase Two. On March 19, 2020, Governor Steve Bullock issued a [Directive](#) laying out the framework for Phase Two, which begins June 1, 2020. Under Phase Two, groups of up to 50 are permitted to congregate, all businesses may operate subject to certain capacity limits and operational restrictions, and the travel quarantine is lifted. The occupancy limit for restaurants, bars, casinos, gyms, pools, and hot tubs is raised from 50% to 75%. In addition, concert venues, bowling alleys, and other places of assembly are permitted to reopen subject to a 75% occupancy limit. Businesses must otherwise continue to comply with the reopening guidelines for Phase One, provided above.

Phase Three. A date has not been announced for Phase Three, but this phase will mark a return to normal operations.

Industry-Specific Guidance. The [reopening plan](#) also includes requirements specific to:

- Restaurants, Bars Breweries, Distilleries, and Casinos.
- Outdoor Recreation.
- Personal Care and Services.
- Child Care Facilities (as provided in the [April 1, 2020 Directive](#)).
- Pools.
- Gyms & Fitness Centers.
- Places of Assembly.

27. Nebraska

Governor Pete Ricketts has [announced](#) that its [Directed Health Measure](#) implementing a statewide stay-at-home order would be allowed to expire on May 4, 2020. That Order had required the closure of beauty and nail salons, barber shops, massage therapy services, indoor theaters, tattoo parlors and studios, gentlemen's clubs, bottle clubs, and restaurants and bars for on-premises consumption.

Reopening is subject to [restrictions](#) specific to each of those types of businesses. Moreover, a new [Directed Health Measure](#) will require the closure of theaters and gentlemen's clubs through May 31, 2020, and the continued closure of some businesses in a few counties. Governor Ricketts has [announced](#) that those continued closures will end for three counties on May 18, 2020.

Industry-Specific Guidance. In addition, Governor Ricketts' [announcement](#) includes industry-specific requirements for:

- Salons (advisory recommendations also [available](#)).
- Massage Therapy ([advisory](#)).
- Body Art and Tattooing ([advisory](#)).
- Dentistry ([advisory](#)).
- Childcare.
- Restaurants (as provided in the April 28, 2020 [Guidance](#); advisory recommendations also available).

28. Nevada

On April 30, 2020, Governor Steve Sisolok [announced](#) Nevada's reopening plan entitled Nevada United: Roadmap to Recovery. Per [Declaration of Emergency Directive 018](#), the state entered Phase One on May 9, 2020.

Gating Criteria. For Nevada to successfully and gradually transition from the current response to Phase One, the statewide criteria listed below must be met:

- Downward Trending Data.
 - Decline in percentage of people testing positive.
 - Decrease in the trend of COVID-19 hospitalizations.
- Strengthen Healthcare Infrastructure.
- Testing Expansion.
- Case Contact Tracing.
- Protect Vulnerable Populations.

Phase One: Battle Born Beginning. Nevada has released [Initial Guidance](#) detailing which businesses may reopen during Phase One and under what conditions, as well providing requirements and recommendations for individuals. Professional services and other general office environments should continue to be conducted virtually or by telephone whenever possible during Phase One. Subject to the requirements listed below, businesses may otherwise reopen in-person operations, except for the following:

- Nightclubs, bars, pubs, and taverns that do not have a license to serve food.
- Gyms & fitness facilities.
- Entertainment and recreational activity venues (e.g., indoor theaters, zoos, amusement parks).
- Brothels and houses of prostitution.
- Adult entertainment establishments.
- Spas and aesthetic service establishments, except for nail/hair salons and barber shops.
- Body art and body piercing establishments.
- Gaming establishments.

The Initial Guidance imposes a number of requirements on businesses maintaining in-person operation during Phase One. In addition to the Initial Guidance's generally applicable requirements, retail businesses are subject to a 50% occupancy cap and several recommendations. All businesses must require employees who interact with the public to wear face coverings to the maximum extent practicable. Businesses must also adopt the [measures](#) promulgated by the Nevada State Occupational Safety and Health Administration, including the below.

- As a part of their general operations:
 - Provide face coverings for employees serving the public and require these employees to wear the face coverings.
 - Prohibit gatherings of 10 or more people.
 - Promote frequent and thorough hand washing, and provide workers, customers, and worksite visitors with a place to wash their hands. If soap and running water are not immediately available, provide alcohol-based hand rubs containing at least 60% alcohol.
 - Maintain regular housekeeping practices, including routine cleaning and disinfecting of surfaces and equipment with EPA-approved cleaning chemicals.
 - Provide sanitation and cleaning supplies to be used on shared equipment and surfaces.
 - Conduct daily surveys of changes to staff/labor health conditions.
 - Ensure that first responders are provided with, and use, the necessary PPE and other protective equipment.
 - Provide access to potable and sanitary water.

- As a part of social distancing:
 - Maintain six feet of social distancing.
 - Complete a Job Hazard Analysis for each task, procedure, or instance where social distancing is infeasible/impractical, identifying the task, hazard being addressed, and controls used. Any Job Hazard Analysis must yield results as effective as social distancing.

Phase Two: Silver State Stabilization. The goals of Phase Two are to control COVID-19 transmission through fully expanded and robust public health efforts statewide and to continue to carefully lift restrictions on businesses and public life. The duration of Phase Two will depend on progress toward these goals and sustained ability to meet the criteria. A minimum of 2-3 weeks is needed to assess and evaluate data and trends throughout the phase.

- Broader opening of Commerce/Retail, services, and public life under extremely strict social distancing measures, hygiene, and occupancy controls. "Safer at Home" recommendations remain in place.
- Vulnerable populations should remain home until the outbreak has subsided.
- Strongly encourage improvised face covering use by all.

Phase Three: On the Road to Home Means Nevada. The goal of Phase Three is to continue easing restrictions further in preparation for return to normalcy. States can transition to Phase Four once "a robust surveillance sentinel system is in place, coupled with widespread point-of-care testing and a robust ability to implement tracing, isolation, and quarantines—and this is supported by the availability of therapeutics that can help mitigate the risk of spread or reduce serious outcomes in those with infections—or alternatively a vaccine has been developed and tested for safety and efficacy."

- Ease measures on some public and mass gatherings and non-essential travel with highly modified operations.
- Vulnerable populations should remain home until the outbreak has subsided.

Phase Four: Home Means Nevada – Our New Normal. The goal of Phase Four is to return to normalcy in daily lives, including education, work, and social and public life.

- Most/all businesses operating, with enhanced hygiene and vigilance.

Industry-Specific Guidance. The Initial Guidance includes requirements specific to:

- Restaurants (e.g., ban on self-service stations, employees must wear face coverings).
- Barber shops, hair salons, and nail salons (e.g., by appointment only).
- Vehicle dealers (e.g., test drives may not have dealer representative in the vehicle).
- Retail cannabis dispensaries (e.g., customers must wear face masks).

In addition, Nevada has released [industry-specific guidance](#) with both mandatory and recommended provisions for the following industries:

- Agriculture.
- Appliance and Furniture Showrooms.
- Auto Dealerships (see also Initial Guidance).
- Banking and Financial Services.
- Barber Shops and Barber Schools (see also Initial Guidance).
- Drive-In Operations.
- Food Establishments (see also Initial Guidance).
- General Office Environments (see also Initial Guidance).
- Hair Care Salons (see also Initial Guidance).
- Nail Care Salons (see also Initial Guidance).

- Real Estate / Leasing.
- Retail & Consumer Services.
- Transportation, Couriers, & Warehousing.

29. New Hampshire

On May 1, 2020, New Hampshire announced the state's [Stay at Home 2.0](#) plan. The following industries will be able to phase-in or expand their services, with certain restrictions, throughout the month of May:

- [May 4, 2020](#): Certain Health Care Services.
- [May 11, 2020](#): Retail, Drive-in Movie Theaters, Golf Courses, Barbers and Hair Salons.
- [May 18, 2020](#): Restaurants (for outdoor dining).

New Hampshire additionally announced [Universal Guidelines for All New Hampshire Employers and Employees](#). The guidelines, which are applicable to both essential businesses and reopening businesses, recommend that employers:

- Develop a process for screening all employees reporting for work for COVID-19 related symptoms.
 - Identify a location and assign a person who will screen each employee every day before they enter the work-place. Such plans should be clearly communicated with employees. The person performing the screening should wear a cloth face covering/mask.
 - The screener should ask the following questions:
 - Have you been in close contact with a confirmed case of COVID-19?
 - Have you had a fever or felt feverish in the last 72 hours?
 - Are you experiencing any respiratory symptoms including a runny nose, sore throat, cough, or shortness of breath?
 - Are you experiencing any new muscle aches or chills?
 - Have you experienced any new change in your sense of taste or smell?
 - Document the temperature of all employees daily before their shift:
 - Employers should take the temperatures of their employees on-site with a non-touch thermometer each day upon the employees arrival at work.
 - If this is not possible, temperatures can be taken before arriving as long as it can sufficiently be authenticated by the employee. Normal temperature should not exceed 100.0 degrees Fahrenheit.
 - Upon discovering employees who exhibit COVID-19 symptoms, employers should:
 - Instruct the employee to leave the premises immediately and to seek medical advice. Per EEOC and other pertinent guidelines, employers must maintain the confidentiality of employee health information.
 - Prevent stigma and discrimination in the workplace. Do not make determinations of health risk or health status based on race or country of origin.
- Strongly promote frequent hand hygiene and make alcohol-based hand sanitizer readily available.
 - Monitor employee hand washing or use of hand sanitizer and encourage frequent hand hygiene. If possible, employers should make available individual bottles of hand sanitizer to each employee and place hand sanitizer in frequently visited locations for both employees and customers.
- Implement workplace cleaning and disinfection practices.
 - These practices should follow CDC guidelines with regular sanitation of high-moderate touch surfaces at least every two hours. Develop policies for worker protection and provide training to all staff prior to assigning cleaning tasks.
- Mitigate exposure.
 - Reduce the risk to employers and employees in the workplace by supporting the use of cloth face coverings in areas where social distancing is difficult to maintain, implementing social

- distancing guidelines, and modified employee schedules, where possible, to reduce the number of physical interactions.
- Meetings, for example, should be conducted by phone or computer conferencing applications when able; in-person meetings should be limited and employees should maintain a safe distance of at least six feet from others at all times.
 - Employers should also take steps to limit self-service options. For example, customer samples, communal packaging, food/beverages (e.g., candy dishes, common creamers at coffee stations).
 - Promote etiquette for coughing, sneezing, and handwashing.
 - Provide employees and the public with tissues, no-touch trash cans, soap and water, and hand sanitizer with at least 60% alcohol.
 - Discourage workers from using other workers' phones, desks, offices, or other work tools and equipment, when possible. If an employee becomes sick during the day, they should be sent home immediately. Surfaces in their workspace should be cleaned and disinfected.
- Allow Employees to work from home as much as practical.
 - Work from home policies assist in limiting exposure and maintaining social distancing and are encouraged as much as possible while still allowing a business to open.
 - Plan for potential COVID-19 cases.
 - Implement plans to continue your essential business functions in case you experience higher than usual absenteeism.
 - Employers should work with state and local officials when needed to monitor and investigate cases of COVID-19. In all cases, they should work in a manner to ensure privacy rights.
 - Covered employers and employees should be reminded of the provisions of the federal Families First Coronavirus Response Act.
 - This law allows for paid sick leave or expanded family and medical leave for specified reasons, such as for self-quarantining or seeking a medical diagnosis for COVID-19 symptoms
 - Update the Employee Illness Policy.
 - Employees who are sick or not feeling well must stay home, and they should notify their supervisor by phone.
 - Review policies to make sure that policies and practices are consistent with public health recommendations and are consistent with existing state and federal workplace laws.
 - Employers should amend or update their internal policies to include symptoms of COVID-19 or create a COVID-19 specific policy. Maintain flexible, non-punitive policies that permit employees to stay home if ill or to care for a sick family member. These policies should incorporate any sector specific recommendations by the state of New Hampshire. All staff should sign the policy, and the policy should be posted for confirmation.
 - Communicate frequently with both employees and customers about steps being taken to prevent spread of COVID-19 in the workplace.
 - Employers should communicate expectations to employees with recommendations on steps everybody can take to prevent spread of COVID-19.
 - Post extensive signage on health policies, including the following documents in the workplace to help educate building occupants on COVID-19 best practices.
 - Communicate with customers about steps being taken to protect them from COVID-19 exposure in the workplace.

Industry-Specific Guidance.

- [Drive-In Movie Theaters.](#)
- [Golf.](#)

- [Restaurants.](#)
- [Campgrounds.](#)
- [Manufacturing.](#)
- [Hospitals.](#)
- [Cosmetology.](#)
- [Dental.](#)
- [Retail.](#)

30. New Jersey

Governor Philip Murphy has [announced](#) the “The Road Back: Restoring Economic Health Through Public Health” reopening plan. On May 18, 2020, Governor Murphy [announced](#) additional details for the four stages of the state’s reopening plan, although full details for the latter three stages have not yet been released.

Gating Criteria. Although the specifics for when New Jersey will begin allowing businesses to reopen have not been released, the Governor’s announcement included six principles that would be used to help making the determination. Those principles include the ability to:

- Demonstrate Sustained Reductions in New COVID-19 Cases and Hospitalizations.
 - 14-day trend lines showing appreciable and sustained drop in new COVID-19 cases, hospitalizations, and other metrics reflecting decreasing burden of disease.
 - Hospitals stepping down from functioning under crisis standards of care.
- Expand Testing Capacity.
- Implement Robust Contact Tracing.
- Secure Safe Places and Resources for Isolation and Quarantine.
- Execute a Responsible Economic Restart.
- Ensure New Jersey’s Resiliency.

Stage One. New Jersey is currently in Stage One. As a part of that phase, Governor Murphy issued [Executive Order No. 142](#) on May 13, 2020, loosening several restrictions on businesses and permitting construction projects to resume. The order also permits gatherings and recreational businesses in which attendees remain in their vehicles. Non-essential retail may reopen for curbside pickup so long as the business adopts policies that meet the Order’s enumerated requirements, including ensuring that transactions are handled in advance by remote means wherever feasible. On May 20, 2020, automobile dealers and bike shops may reopen, and Governor Murphy has [announced](#) that outdoor recreational businesses may resume on May 22, 2020, subject to restrictions including a ten-person capacity limit. In addition, drive-in activities are permitted, and elective surgeries will be allowed beginning May 26, 2020. Throughout Stage One, all workers who can work from home should continue to do so, even if their industry has been permitted to resume in-person operations.

Stage Two. A comprehensive plan for Stage Two has not yet been released, but it will include the reopening of the following businesses:

- Expanded retail.
- Restaurants with outdoor seating.
- Limited personal care.
- Indoor dining (subject to significantly reduced capacity).
- Museums (subject to significantly reduced capacity).
- Libraries (subject to significantly reduced capacity).

Stage Three. As with Stage Two, a comprehensive plan for Stage Three will not be released. However, the following businesses will be allowed to resume:

- Expanded dining.
- Critical in-office work.
- Limited entertainment.
- Expanded personal care.
- Bars with limited capacity.
- All workers who can work from home should continue to do so, even if their industry has been permitted to resume in-person operations.

Stage Four. All individuals will be allowed to resume in-person work, but Stage Four will only occur upon the widespread use of a vaccine or lifesaving treatment.

Across each of the stages of reopening, Governor Murphy has provided several instructions that businesses will need to ensure compliance with, including:

- Wash hands.
- Wear masks in public.
- Respect social distancing.
- Disinfect workplace and businesses.
- Minimize gatherings.
- No mass gatherings.

Industry-Specific Guidance. The state has also released requirements for businesses operating within the following industries:

- [Retail.](#)
- [Restaurants & Bars.](#)
- [Construction.](#)
- [Drive-In Theaters.](#)
- [Non-Essential Retail.](#)

31. New Mexico

On April 22, 2020, Governor Lujan Grisham [announced](#) that New Mexico will be implemented a multi-phased reopening. On May 15, 2020, a new [Public Health Order](#) was issued replacing the closure order and initiating Phase One of the reopening plan.

Gating Criteria. There are [seven draft criteria](#) being considered that would determine when New Mexico would begin reopening, including:

- New case rate trends.
 - Smaller number of new cases a day, to be determined.
 - Declining number of active cases.
- Adequate testing to achieve containment.
 - Testing 100,000 a day.
 - Stable or growing lab testing capacity (in test capacity per day).
 - Ongoing surveillance testing targeted at high-risk sites, populations, and individuals.
- Contact tracing.
 - Adequate and automated (where possible) contact tracing resources to promptly trace up to all new cases each day.
- PPE.
 - Adequate and predicted PPE supplies for each element for a certain number of days, to be determined.

- Hospital capacity.
 - Hospital operating between baseline and surge capacity (not above surge capacity) for general beds, ICU beds, ventilators.
- Healthcare worker health and wellbeing.
 - Adequate PPE and testing program in place for all healthcare workers caring for COVID-19 patients.
 - Less than a certain percentage of healthcare workers with active COVID-19 infections, to be determined.
- Outbreak containment plan.
 - Plans in place and resources available to immediately contain any outbreaks in facilities housing older New Mexicans or other congregate care facilities.

Phase One. Phase One includes a modest relaxation of the restrictions under the state’s business closure order. Gatherings of five or more individuals remain prohibited, and individuals must wear a mask or multilayer cloth face coverings in public settings. Under the order the following businesses must remain closed:

- Close-contact businesses, including barbershops, adult entertainment venues, hair salons, tattoo parlors, nail salons, spas, massage parlors, esthetician clinics, tanning salons, guided raft tours, guided balloon tours, gyms, and personal training services.
- Recreational facilities, including theaters, pools, museums, bowling alleys, miniature golf, arcades, amusement parks, concert venues, indoor shopping malls, etc.
- Casinos.

Both essential businesses and reopened businesses must comply with the requirements in the state’s guidance, [All Together New Mexico: COVID-Safe Practices for Individuals and Employers](#). Under the requirements that apply to all businesses, each business must:

- Limit operations to remote work to the greatest extent possible.
- Arrange workplaces to provide for six feet of distance between individuals wherever possible.
- Close common areas where personnel are likely to congregate wherever possible or modify them to minimize contact.
- Provide for all meetings to take place remotely whenever possible.
- Ensure all employees have face coverings or masks and wear them in the workplace at all times when in the presence of others, except when eating, drinking, or exercising (or unless otherwise advised by a health care provider).
- Train all employees on daily cleaning and disinfecting protocol, hygiene, and respiratory etiquette.
- Make handwashing, sanitizer, and other hygiene support available to employees.
- Screen employees before they enter the workplace each day (verbally or with a written form or text-based or other app).
- Send employees home who are experiencing the COVID-19 symptoms enumerated on page 9 of the guide.
- Prohibit employees with known close contact to a person who is lab-confirmed to have COVID-19 to return to work until authorized by the Department of Health.
- Minimize non-essential travel. Adhere to CDC guidelines and state orders regarding isolation following out-of-state travel.
- Adhere to all CDC and OSHA guidelines.

The guide also includes several advisory provisions applicable to all businesses. Additionally, non-essential businesses are subject to a mandatory 25% occupancy limit and take reasonable steps to ensure customers waiting outside of a business maintain six feet of social distancing.

Phase Two. Governor Grisham has not announced when the state moves to Phase Two, but the executive order initiating Phase One currently remains in effect through May 31, 2020. This phase will likely include the reopening of dine-in restaurants (at 50% capacity), salons, gyms, malls and certain other services.

Industry-Specific Guidance. New Mexico's [guidance for businesses](#) also includes both required and advisory guidance specific to the following industries:

- Retail.
- Restaurants.
- Office & Call Centers.
- Grocery Stores & Farmers' Markets.
- Youth Programs.
- Manufacturing, Warehouse & Food Production.
- Hotels, Resorts, & Lodging.
- Golf Courses.
- Tour Operators.
- Farms, Ranches, & Dairy Producers & Processors.
- Veterinarians & Animal Care Facilities.
- Construction & Field Operations.
- Automobile Dealerships & Services.

32. New York

On April 26, 2020, Governor Cuomo [outlined a phased plan](#) to re-open New York. The [plan](#) will be implemented in phases and will be based on regional analysis and determinations. Governor Cuomo has [announced](#) that the state will allow five regions in New York to move to Phase One on May 15, 2020. These regions do not include New York City. For those regions that have not begun the reopening process, [Executive Order 202.31](#) extends the state's closure order through 11:59 pm on May 28, 2020. Businesses can find out what phase their region is in and whether they are allowed to reopen on the state's [website](#).

Gating Criteria. In order to begin reopening, a region must meet seven criteria, including:

- 14-day decline in hospitalizations (regions with few COVID cases cannot exceed 15 new total cases or 5 new deaths on a 3-day rolling average).
- 14-day decline in hospitalized deaths (or under 5 new deaths on a 3-day rolling average).
- Under 2 new hospitalization per 100,000 residents on a 3-day rolling average.
- 30% share of total hospital beds available.
- 30% share of ICU beds available.
- 30 per 1,000 residents tested monthly using 7-day average of new tests per day
- 30 contact tracers per 100,000 residents (or to meet the current infection rate).

Phase One. Phase one will include resuming the following types of businesses, subject to industry-specific requirements:

- Construction.
- Agriculture, forestry, fishing, and hunting.
- Manufacturing functions with low risk.
- Retail using curbside pickup, in-store pickup, or drop off only.
- Wholesale trade.

Phase Two. Phase two will open certain industries based on priority and risk level including professional services, finance and insurance, retail, administrative support and real estate and rental leasing. Businesses considered “more essential” with inherent low risks of infection in the workplace and to customers will be prioritized, followed by other businesses considered “less essential” or those that present a higher risk of infection spread. As the infection rate declines, the pace of reopening businesses will be increased.

Phase Three. Phase three will include the re-opening of restaurants and hotels and accommodations.

Phase Four. Phase four will include arts, entertainment, recreation and education.

The reopening plan also outlines the following business precautions. Each business industry must have a plan to protect employees and consumers, make the physical work space safer and implement processes that lower risk of infection in the business:

- Adjust workplace hours and shift design as necessary to reduce density in the workplace.
- Enact social distancing protocols.
- Restrict non-essential travel for employees.
- Require all employees and customers to wear masks if in frequent contact with others.
- Implement strict cleaning and sanitation standards.
- Enact a continuous health screening process for individuals to enter the workplace.
- Continue tracing, tracking and reporting of cases.
- Develop liability processes.

Industry-Specific Guidance. New York has issued industry-specific guidance for each of the types of businesses permitted to reopen in Phase One that businesses must comply with in order to reopen during Phase One. The guidance for each industry also includes a link through which businesses should affirm their understanding of their obligation to operate in accordance with the guidance. The state has published guidance businesses in the following industries:

- [Construction.](#)
- [Agriculture, Forestry, Fishing, and Hunting.](#)
- [Manufacturing.](#)
- [Retail.](#)
- [Wholesale Trade.](#)

33. North Carolina

On April 23, 2020, Governor Roy Cooper [announced](#) North Carolina’s plan, entitled [North Carolina: Staying Ahead of the Curve](#), to lift restrictions in three phases once the data show that key metrics are headed in the right direction.

Gating Criteria. In order to begin lifting restrictions, North Carolina needs to see progress in these key metrics:

- Sustained leveling or decreased trajectory in COVID-Like Illness (CLI) surveillance over 14 days.
- Lab-confirmed cases over 14 days.
- Positive tests as a percentage of total tests over 14 days.
- Hospitalizations over 14 days.

Phase One. This [Phase](#) will begin on May 8, 2020 at 5:00 pm.

- Individuals are generally instructed to stay home, but may leave for commercial activity.
- Those retailers and services will need to implement social distancing, cleaning and other protocols.
- Gatherings limited to no more than 10 people.

- Parks can open subject to gathering limits.
- Face coverings recommended in public.
- Restrictions remain in place for nursing homes and other congregate living settings.
- Encourage continued teleworking.

Phase Two. On May 22, 2020 at 5:00 pm, [Executive Order 141](#) moves North Carolina to Phase Two. The new Order lifts the [Stay at Home Order](#) with strong encouragement for vulnerable populations to continue staying at home and all individuals to continue social distancing and wear face masks. Mass gatherings are capped at 10 people indoors and 25 people outdoors. The Order also includes restrictions for certain types of businesses and requires the continued closure of gyms, fitness facilities, entertainment businesses (e.g., bowling alleys, movie theaters, museums, and bars).

Phase Three. Phase Three will occur at least four to six weeks after Phase Two and contemplates:

- Lessening restrictions for vulnerable populations with encouragement to continue practicing physical distancing.
- Allowing increased capacity at restaurants, bars, other businesses, and entertainment venues.
- Further increasing the number of people allowed at gatherings.
- Continuing rigorous restrictions on nursing homes and congregant care setting.

In order to reopen, each retail business must implement the following requirements:

- 50% occupancy cap (based on stated fire capacity, or square footage where no fire capacity).
- Further limit customer occupancy so that customers can stay six feet apart, even if this requires operating beneath the occupancy cap.
- Direct customers to stay at least six feet apart from one another and from workers, except at point of sale, if applicable.
- Mark six feet of spacing in lines at point of sale and in other high-traffic areas for customers.
- Perform frequent and routine environmental cleaning and disinfection of high-touch areas with an EPA-approved disinfectant for COVID-19.
- Provide, whenever available, hand sanitizer containing at least 60% alcohol, systematically and frequently check and refill hand sanitizer stations, provide soap and hand drying materials at sinks.
- Conduct daily symptom screening of workers, using a standard interview questionnaire of symptoms, before workers enter the workplace.
- Immediately send symptomatic workers home.
- Have a plan in place for immediately isolating workers from the workplace if symptoms develop.
- Post signage at the main entrances that reminds people to stay six feet apart, requests people who are or who have recently been symptomatic not to enter, and notifies customers of occupancy cap.

Industry-Specific Guidance. North Carolina provides guidelines specific to the following industries:

- [Retail.](#)
- [Restaurants and Bars.](#)
- [Personal Care, Grooming, & Tattoo Businesses.](#)
- [Pools.](#)
- [Child Care.](#)
- [Day Camps & Overnight Camps](#) (additional [guidance](#) for day camps and [guidance](#) for overnight camps).
- [Malls and Shopping Centers.](#)
- [Farms, Packhouses, and Related Facilities.](#)
- [Day Camps.](#)

34. North Dakota

On April 28, 2020, Governor Doug Burgum [released](#) his plan to restart North Dakota's Economy entitled [ND Smart Restart](#) which includes operating standards for all industries, as well as specific guidance for several high-contact business sectors that were closed or had access limited by Executive Order 2020-06.3 which expired on April 30, 2020.

On April 29, 2020, Governor Burgum signed [Executive Order 2020-06.4](#) providing additional guidance for businesses under ND Smart Restart. Beginning May 1, 2020, personal services, tattoo and body piercing salons, massage therapy services, health club and athletic facilities, restaurants, bars, breweries, distilleries, food trucks, cafes, and movie theaters may reopen in accordance with certain requirements. Businesses that remained open through the pandemic or businesses that voluntarily closed were encouraged to adopt the ND Smart Restart standards. Recreational and sports arenas, and music and entertainment venues remain closed until further notice.

Gating Criteria. North Dakota has [indicated](#) that there eight conditions to ND Smart Restart:

- Robust, widespread rapid testing capability.
- Robust contact tracing and infrastructure.
- Targeted effective quarantine and isolation.
- Protections for the state's most vulnerable.
- Sufficient health care capacity, hospital/ICU beds.
- Adequate PPE availability for healthcare system and public.
- New standard operating procedures for reopening.
- Plans for dealing with a resurgence or additional waves of COVID-19.

The ND Smart Restart Plan provides for certain [standards](#) that all businesses should follow upon reopening:

- Compliance.
 - Adhere to CDC Guidelines for Businesses and Employers.
 - Adhere to ND Department of Health Recommendations and Resources for the Public.
 - Complete the [Workplace Assessment Tool](#) for COVID-19.
- Movement and Activity.
 - Gathering Size: Limit the number of people occupying the facility to ensure all maintain a minimum six-foot distance from one another.
 - Physical Distancing: Mark six-foot increments where lines form.
 - Workplace Activity: Post signage (state provided) at all entrances of the facility.
- Employee and Customer Safety and Trust
 - Personal Protective Equipment (PPE): Encourage use of cloth face coverings to employees and contracted workers whose duties require close contact (within six feet for ten minutes or more) with other employees and/or the public.
 - Hygiene and Cleaning.
 - Provide for contactless payment systems or, if not feasible, provide for disinfecting all payment portals, pens and styluses after each use.
 - Provide hand sanitizer, soap and water or effective disinfectant at or near the entrance of the facility and in other appropriate areas for use by the public and employees, and in locations where there is high frequency employee interaction with members of the public (e.g. cashiers). Restrooms normally open to the public shall remain open to the public.
 - Regularly disinfect other high-touch surfaces according to industry standard operating procedures in conjunction with Personal Protective Equipment (PPE) use for staff.

- Special Measures
 - Develop policies and procedures for prompt identification and isolation of sick staff and customers.
 - Encourage customers to download the Care19 App to increase success levels with contact tracing.

Industry-Specific Guidance.

- [Restaurants and Bars.](#)
- [Fitness Centers.](#)
- [Personal Services.](#)
- [Movie Theaters.](#)
- [Large Gatherings.](#)

35. Ohio

On April 27, 2020, Governor Mike DeWine announced a reopening plan entitled [Responsible Restart Ohio](#) to (1) protect the health of employees, customers, and their families, (2) support community efforts to control the spread of the virus, and (3) lead in responsibly getting Ohio back to work.

The plan requires all businesses to implement the following protocols:

- Require face coverings for employees and recommend them for clients/customers.
- Conduct daily health assessments by employers and employees (self-evaluation) to determine if “fit for duty.”
- Maintain good hygiene at all times – hand washing, sanitizing and social distancing.
- Clean and sanitize workplaces throughout workday and at the close of business or between shifts.
- Limit capacity to meet social distancing guidelines.
 - Establish maximum capacity at 50% of fire code.
 - Use appointment setting where possible to limit congestion.

The plan also requires all businesses to take the following actions when a COVID-19 infection is identified:

- Immediately report employee or customer infections to the local health district.
- Work with local health department to identify potentially exposed individuals to help facilitate appropriate communication/contact tracing.
- Shutdown shop/floor for deep sanitation if possible.
- Professionally clean and sanitize site/location.
- Reopen in consultation with the local health department.

In addition to the plan, the [Director’s Stay Safe Ohio Order](#), allows businesses to reopen according to the following schedule:

- [May 4, 2020 at 12:01 am](#): Non-essential manufacturing, distribution, and construction.
- [May 12, 2020, at 12:01 am](#): Non-essential general office environments.
- [May 12, 2020, at 12:01 am](#): Non-essential retail (although businesses may reopen earlier for curbside pickup, delivery, or appointments).
- [May 15, 2020](#): Personal appearance and beauty businesses and outdoor dining (per subsequent [press conference](#)).
- [May 21, 2020](#): Campgrounds (per subsequent [press conference](#)).
- [May 22, 2020](#): Indoor dining on premises (per subsequent [press conference](#)).
- [May 26, 2020](#): Gyms, fitness centers, pools, bowling alleys and low-contact sports (per subsequent [press conference](#)).

- [May 29, 2020, at 11:59 pm](#): Bars for on-premises consumption, certain child care services, and entertainment and recreation businesses.
- [May 31, 2020](#): Childcare and day camps (per subsequent [press conference](#)).
- [June 1, 2020](#): Catering and banquet centers.

Any of these businesses may continue Minimum Basic Operations before their scheduled reopening date.

On May 20, 2020, a judge for the Lake County Court of Common Pleas issued a preliminary injunction preventing the enforcement of penalties for gyms and fitness centers that reopen. The judge found there was a lack of statutory authority to enforce the criminalization of operations, although suggested that those operations could be regulated. Whether the decision will be appealed or could apply to other closed operations has not yet been announced.

Industry-Specific Guidance. The reopening plan also provides sector specific operating requirements for:

- [Manufacturing, Distribution & Construction.](#)
- [Consumer, Retail & Services.](#)
- [General Office Environments.](#)
- [Restaurants and Bars.](#)
- [Child Care.](#)
- [Day Camps.](#)
- [Massage Therapy, Acupuncture, and Cosmetic Therapy.](#)
- [Hair Salons, Day Spas, Nail Salons, Tanning Facilities, Tattoo Services, and Body Piercings.](#)
- [Gyms, Dance Studios, and Other Personal Fitness Venues.](#)
- [Pools.](#)
- [Campgrounds.](#)

36. Oklahoma

Oklahoma has adopted a reopening plan entitled [Open Up and Recover Safely \(OURS\)](#). OURS also includes recommendations for employers and individuals at each stage of reopening.

Gating Criteria. Before proceeding to a new phase, the Secretary of Health and Mental Health will confirm that:

- Oklahoma COVID-19 hospitalizations and incidents are at a manageable level for 14 days.
- Hospitals are treating all patients without alternate care sites.
- There is sufficient testing material in the state and ability to conduct contact tracing.
- The state can quickly and independently supply sufficient Personal Protective Equipment (PPE) and critical medical equipment, including ICU equipment, to handle a surge.

Phase One. Upon the satisfaction of the additional Gating Criteria below, Oklahoma entered Phase One.

- Ensure the ability to quickly set up safe and efficient testing for symptomatic individuals.
- Provide guidance intended to protect the health and safety of workers in critical industries.
- Monitor conditions to limit and mitigate any rebounds or outbreaks.

Under Phase One of the reopening plan, most businesses are allowed to maintain in-person operations. Phase One permitted the restricted reopening of personal care businesses by appointment and outdoor recreation on April 24, 2020. Subject to certain restrictions, dining, entertainment, sport venues, gyms, and tattoo parlors by appointment were permitted to reopen on May 1, 2020. For all employers reopening in-person operations in Phase One, Oklahoma has issued the following guidance:

- Create plans to allow employees to return to work in phases.

- Close common areas or enforce social distancing protocols.
- Minimize non-essential travel and adhere to CDC guidelines and Executive Orders regarding isolation following travel.
- Honor requests of personnel who are members of a vulnerable population for special accommodations.

Phase Two. Oklahoma moved to Phase Two on May 15, 2020 upon the second satisfaction of the gating criteria.

- In Phase Two, OURS removes the following limitations:
 - Staggered return to work phases for employees.
 - Minimize non-essential travel and adhere to CDC guidelines and Executive Orders regarding isolation following travel.
- In addition, the following may resume:
 - Bars, with diminished standing-room occupancy and under certain protocols.
 - Funerals and weddings, under social distancing protocols.

Phase Three. OURS directs the state to move to Phase Three upon the second satisfaction of the gating criteria, with a goal of doing so on June 1, 2020. In Phase Three, employers can resume unrestricted staffing of worksites. Bars, as well as funerals and weddings, must continue to operate in line with the protocols established by Oklahoma.

Industry-Specific Guidance. The reopening plan also includes requirements specific to the following types of businesses:

- [Museums.](#)
- [Bars.](#)
- [Entertainment.](#)
- [Personal Care.](#)
- [Gyms.](#)
- [Outdoor Recreational Facilities.](#)
- [Pet Grooming.](#)
- [Spas.](#)
- [Tattoos.](#)
- [Administrative Offices.](#)
- [Festivals and Fairs.](#)
- [Full Service and Quick Service Restaurants.](#)
- [Non-Profit Organizations](#)
- [Outdoor Concerts.](#)

37. Oregon

On April 14, 2020, Governor Kate Brown [announced](#) her plan to restart public life and business while maintaining healthy Oregon communities entitled [Reopening Oregon](#). Oregon has not yet finalized its plan. On May 7, 2020, Governor Brown [announced](#) additional details for Phase One, which some counties will be allowed to begin as early as May 15, 2020. Oregon has also provided [guidance](#) applicable to all employers who are reopening.

On May 19, 2020, an Oregon Circuit Court judge issued an opinion in [Elkhorn Baptist Church, et al. v. Katherine Brown Governor of the State of Oregon](#), halting statewide coronavirus restrictions and requiring state legislature approval for continued emergency declarations. The decision has been appealed to the Oregon Supreme Court, and the Order remains in place until further judicial review.

Gating Criteria. In order to enter Phase One, a county must satisfy the following [prerequisites](#):

- Decline in COVID-19 hospitalizations over 14 days or fewer than five hospitalizations.
- 30 COVID-19 tests per 10,000 individuals per week and accessible testing for underserved communities.
- 15 tracers per 100,000 individuals, ability to trace 95% of contacts within 24 hours, and cultural and linguistic competence
- Available room capacity to isolate individuals and response narrative for group living outbreaks.
- Finalized statewide sector guidelines.
- 20% hospital bed surge capacity
- Sufficient PPE for first responders in the county, required daily inventory reporting to OHA, 30-day PPE supply (14-day supply for small and rural hospitals).

Phase One. Upon meeting the gating criteria above and receiving approval of its application from the Oregon Health Authority, a county may begin the limited reopening of the following businesses, subject in each case to physical distancing requirements and additional requirements either listed below or forthcoming:

- Restaurants and bars for sit-down service (subject to face coverings being worn by employees).
- Personal care and service businesses, including barbers and salons (subject to increased sanitation; and by appointment only for salons).
- Gyms and fitness (subject to occupancy caps).
- Retail businesses.

Phase Two. A county must remain in Phase One for at least 21 days before becoming eligible for Phase Two. Depending on the county's continued satisfaction of goal in line with the gating criteria for Phase One, it may be permitted to reopen for Phase Two. Oregon will loosen restrictions on offices and allow in-personal local gatherings of up to 100 in Phase Two.

Phase Three. Concerts, conventions, and live audience sports will be allowed to resume in Phase Three, but Phase Three will not occur until a reliable treatment or prevention is available.

Industry-Specific Guidance. The reopening plan also includes requirement specific to the following industries:

- [Outdoor Recreation.](#)
- [Retail Stores.](#)
- [Personal Services Providers.](#)
- [Restaurants & Bars.](#)
- [Malls.](#)
- [Employers](#)
- [Gyms and Fitness](#)

38. Pennsylvania

Pennsylvania released a plan, entitled [Process to Reopen Pennsylvania](#), listing measures the State has taken to mitigate the spread of COVID-19 and outlining a three-phase plan for reopening the State starting May 8, 2020. Beginning May 8, 2020, [24 counties](#) are allowed to begin reopening, while [additional counties](#) will move to Phase Yellow on May 22, 2020, and [remaining counties](#) remain under the restrictions of the stay-at-home order through June 4, 2020. The state will move across phases on a county-by-county basis. The plan reinforces and builds upon the [Order of the Secretary of the Pennsylvania Department of Health Directing Building Safety Measures](#) and the [Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures](#)

[of Businesses Permitted to Maintain In-Person Operations](#). The plan also alludes to a guidance for business, local governments, workers and customers that is currently in the process of development.

Gating Criteria. Before a region may proceed to a new phase, the Secretary of Health, the Pennsylvania Emergency Management Agency Director, and the Secretary of the Department of Community and Economic Development will make formal recommendations to the Governor, considering the following criteria:

- A target goal of fewer than 50 new confirmed cases per 100,000 population in the 14 previous days.
- Enough testing available for individuals with symptoms and target populations such as those at high risk, health care personnel, and first responders.
- Robust case investigation and contact tracing infrastructure is in place to facilitate early identification of cluster outbreaks and to issue proper isolation and quarantine orders.
- Identification of area's high-risk settings including correctional institutions, personal care homes, skilled nursing facilities, and other congregate care settings, and assurance that facilities have adequate safeguards in place such as staff training, employee screening, visitor procedures and screening, and adequate supplies of PPE to support continued operations.

Pennsylvania will also use a modeling dashboard under development and evaluation by Carnegie Mellon University to take a regional and sector-based approach to reopening, the easing of restrictions, and response.

Phase Red. Phase Red describes the current status of restrictions, including:

- The limitation of business activity to essential businesses only.
- Stay-at-home orders.
- Prohibitions of large gatherings.
- Restrictions on travel except for Life-Sustaining Purposes only.
- Limitations on restaurant and bar service (carry-out and delivery only).

Phase Yellow. Phase Yellow will involve the gradual lifting of certain, Phase Red restrictions as follows:

- Telework must continue where feasible.
- Businesses with in-person operations must adhere to the orders on business and building safety.
- Prohibitions of large gatherings over 25.
- In-person retail is allowed though curbside and delivery services are preferred.

In this phase, all businesses must follow CDC and DOH guidance for social distancing and cleaning and monitor public health indicators so as to adjust orders and restrictions as necessary. Additionally, recreational facilities (e.g., gyms, spas) as well as entertainment venues (e.g., casinos, theaters) will remain closed during this phase.

Phase Green. Phase Green will encompass the lifting of aggressive mitigation orders and restrictions on business. However, all businesses and individuals must follow CDC and Pennsylvania Department of Health Guidelines and monitor public health indicators so as to adjust orders and restrictions as necessary.

The Order of the Secretary of the Pennsylvania Department of Health Directing Building Safety Measures outlines regulations and procedures for ensuring safety in light of the COVID-19 threat for building owners and operators. For commercial, industrial or business-related buildings at least 50,000 square feet, building owners/operators must:

- Clean and disinfect high-touch areas routinely in accordance with CDC guidelines, in spaces that are accessible to customers, tenants, or other individuals.
- Maintain pre-existing cleaning protocols established in the facility for all other areas of the building.

- Ensure that the facility has a sufficient number of employees to perform the necessary cleaning protocols effectively and in a manner that ensures the safety of occupants and employees.
- Ensure that the facility has a sufficient number of security employees to control access, maintain order, and enforce social distancing of at least 6 feet.

The Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures of Businesses Permitted to Maintain In-Person Operations lays out guidelines for owners and operators of Life-Sustaining Businesses that remain open and will serve as the basis for reopening businesses as the process to reopen Pennsylvania progresses. Under these guidelines:

- Businesses that are authorized to maintain in-person operations (other than health care providers), must:
 - Clean and disinfect high-touch areas routinely in accordance with CDC guidelines, in spaces that are accessible to customers, tenants, or other individuals.
 - Maintain pre-existing cleaning protocols established in the facility for all other areas of the building.
 - Establish protocols for execution upon discovery that the business has been exposed to a person with a probable or confirmed case of COVID-19, including:
 - Close off areas visited by the person who is a probable or confirmed case of COVID-19. Open outside doors and windows and use ventilation fans to increase air circulation in the area. Wait a minimum of 24 hours, or as long as practical, before beginning cleaning and disinfection. Cleaning staff should clean and disinfect all areas such as offices, bathrooms, common areas including but not limited to employee break rooms, conference or training rooms and dining facilities, shared electronic equipment like tablets, touch screens, keyboards, remote controls, and ATM machines used by the ill person, focusing especially on frequently touched areas.
 - Identify employees that were in close contact (within about 6 feet for about 10 minutes) with a person with a probable or confirmed case of COVID-19 from the period 48 hours before symptom onset to the time at which the patient isolated.
 - a. If the employee remains asymptomatic, the person should adhere to the practices set out by the CDC in its April 8, 2020 [Interim Guidance for Implementing Safety Practice for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19](#).
 - b. If the employee becomes sick during the work day, the person should be sent home immediately. Surfaces in the employee's workspace should be cleaned and disinfected. Information on other employees who had contact with the ill employee during the time the employee had symptoms and 48 hours prior to symptoms should be compiled. Others at the workplace with close contact within 6 feet of the employee during this time would be considered exposed.
 - c. Promptly notify employees who were close contacts of any known exposure to COVID-19 at the business premises, consistent with applicable confidentiality laws.
 - d. Ensure that the business has a sufficient number of employees to perform the above protocols effectively and timely.
 - Implement temperature screening before an employee enters the business, prior to the start of each shift or, for employees who do not work shifts, before the employee

- starts work, and send employees home that have an elevated temperature or fever of 100.4 degrees Fahrenheit or higher. Ensure employees practice social distancing while waiting to have temperatures screened.
 - Employees who have symptoms (i.e., fever, cough, or shortness of breath) should notify their supervisor and stay home.
 - Sick employees should follow CDC-recommended steps. Employees should not return to work until the CDC criteria to discontinue home isolation are met, in consultation with healthcare providers and state and local health departments. Employers are encouraged to implement liberal paid time off for employees who do not return to work as set forth above.
 - Stagger work start and stop times for employees when practicable to prevent gatherings of large groups entering or leaving the premises at the same time.
 - Limit persons in employee common areas (such as locker or break rooms, dining facilities, training or conference rooms) at any one time to the number of employees that can maintain a social distance of 6 feet.
 - Conduct meetings and trainings virtually (i.e., by phone or through the internet). If a meeting must be held in person, limit the meeting to the fewest number of employees possible, not to exceed 10 employees at one time, and maintain a social distance of 6 feet.
 - Provide employees access to regular handwashing with soap, hand sanitizer, and disinfectant wipes and ensure that common areas (including but not limited to break rooms, locker rooms, dining facilities, rest rooms, conference or training rooms) are cleaned on a regular basis, including between any shifts.
 - Provide masks for employees to wear during their time at the business, and make it a mandatory requirement to wear masks while on the work site, except to the extent an employee is using break time to eat or drink, in accordance with the guidance from the Department of Health and the CDC. Employers may approve masks obtained or made by employees in accordance with Department of Health guidance.
 - Ensure that the facility has a sufficient number of employees to perform all measures listed effectively and in a manner that ensures the safety of the public and employees; ensure that the facility has a sufficient number of personnel to control access, maintain order, and enforce social distancing of at least 6 feet.
 - Prohibit non-essential visitors from entering the premises of the business.
 - Ensure that all employees are made aware of these required procedures by communicating them, either orally or in writing, in their native or preferred language, as well as in English or by a methodology that allows them to understand.
- Businesses that serve the public within a building or defined area (other than health care providers) must:
 - Conduct business with the public by appointment where possible and otherwise limit occupancy to 50% of maximum occupancy, maintain social distancing of 6 feet at check-out and counter lines and place signage throughout each site to encourage customers and employees to maintain social distancing.
 - Alter business hours to provide for sufficient cleaning and restocking time, if possible.
 - Install shields or other barriers at registers and check-out areas to physically separate cashiers and customers or take other measures to ensure social distancing of customers from check-out personnel, or close lines to maintain a social distance between of 6 feet between lines.
 - Encourage use of online ordering by providing delivery or pick-up options.
 - Designate a specific time for high-risk and elderly persons to use the business at least once every week if there is a continuing in-person customer-facing component.

- Require all customers to wear masks while on premises, and deny entry to individuals not wearing masks, unless the business is providing medication, medical supplies, or food, in which case the business must provide alternative methods of pick-up or delivery of such goods; however, individuals who cannot wear a mask due to a medical condition (including children under the age of 2 years per CDC guidance) may enter the premises and are not required to provide documentation of such medical condition.
- In businesses with multiple check-out lines, only use every other register, or fewer. After every hour, rotate customers and employees to the previously closed registers. Clean the previously open registers and the surrounding area, including credit card machines, following each rotation.
- Schedule handwashing breaks for employees at least every hour.
- Where carts and handbaskets are available for customers' use, assign an employee to wipe down carts and handbaskets before they become available to each customer entering the premises.

Industry-Specific Guidance. Pennsylvania has also issued requirements specific to the following:

- [Construction](#).

39. Rhode Island

On April 27, 2020, Governor Gina Raimondo unveiled a phased framework for safely reopening the economy entitled [Reopening RI: Charting the Course](#). Phase One of the plan will begin May 9, 2020 after the stay-at-home order was allowed to expire.

Gating Criteria. Rhode Island has six key indicators for deciding whether to reopen Rhode Island and will reopen when they can answer “yes” to the following questions:

- Has the rate of spread continued to decrease?
- Do we have the capacity to quickly identify community spread on an ongoing basis before a major outbreak occurs?
- Do we have the necessary supports in place for vulnerable populations and for anyone in quarantine?
- Does our healthcare system have the capacity and the PPE to handle future surges?
- Do businesses, schools, childcare sites, faith organizations, and recreational spaces have plans for long-term social distancing?
- Are we prepared to re-impose measures, or reclose certain sectors of the economy, if it becomes necessary?

[Four metrics](#) will determine when the state moves from Phase One to Phase Two:

- Hospital Capacity: Under 70% of ICU and non-ICU beds filled by COVID-19 patients (may scale back reopening if 85% or more of ICU and non-ICU beds are filled).
- Hospitalizations: Consistently fewer than 30 new COVID-19 related hospitalizations per day. (may scale back reopening if that number is consistently above 50).
- Rate of spread: If around 1.1 or fewer people are infected by each infected person (may scale back reopening if 1.3 or more people are infected).
- Doubling rate of current hospitalizations: Hospitalizations are stable or declining (may scale back reopening if the state starts seeing a doubling within twenty days or less).

Phase One: Testing the Water. In [Phase One](#), Rhode Island lifts the stay-at-home order and allows many businesses to reopen in-person operations. Social gatherings are still limited to ten people, and reopened businesses must abide by the state's restrictions. Limited childcare options will become available, subject to strong social distancing guidelines. Non-critical retail locations will be allowed to reopen, subject to capacity

caps and the additional restrictions linked to below. Restaurants are still limited to delivery and take-out, although outdoor dining could be permitted later in Phase One. For all businesses that reopen, Rhode Island provides [Guidelines](#), of which the mandatory guidelines include:

- Complete a COVID-19 [Control Plan](#) by May 11, 2020 (or by May 18, 2020 for non-critical retailers).
- Plan to adopt practices compliant with newly promulgated emergency rules and regulations, as well as executive orders.
- Adhere to gathering size restrictions.
- Apply social distancing measures (six feet of social distancing, or if not feasible, minimize time in violation of social distancing and additional precautions).
- Ensure all employees and visitors wear a cloth face covering mask.
 - Provide appropriate face coverings to employees.
 - Face coverings required unless an employee and/or visitor can easily, continuously, and measurably maintain at least six feet of distance from other employees and/or visitors for the duration of their work and/or time in a building.
 - Not required to refuse entry to a customer not wearing a face covering.
 - Not required for certain individuals (e.g., where wearing one would be damaging to the individual's health).
- Develop a written COVID-19 Control Plan,
 - At a minimum, include social distancing procedures, procedures for ensuring wearing of face coverings, procedures for decontamination of surfaces, procedures for responding to a positive case or outbreak, procedures for minimizing access to the establishment by COVID-19 positive or symptomatic individuals.
 - Make the written plan available to employees.
 - Does not need to be submitted to the Department of Health, but must be made available in the event of an inspection or outbreak.
- Place posters (available [here](#)) educating employees, customers, and visitors about how to protect themselves in accordance with state regulations at entrances and in common areas (e.g., bathrooms).
- Have a minimum of one representative appointed to work with RIDOH on testing employees, contact tracing, case investigation, isolation and quarantine, and any other follow-up related to outbreak containment.
- Implement enhanced cleaning and disinfecting procedures appropriate to the type of business, in any event cleaning business establishments at least once daily.
 - Provide employees with cleaning/disinfecting wipes and/or cleaning materials so that commonly used surfaces can be wiped down.
 - Ensure that any individual who enters the business premises has ready access to a handwashing station with soap and running water and/or hand sanitizer *at all times*.
 - Provide employees with time to wash hands often if sanitizer is not provided.
 - Employees must always wash hands immediately after removing gloves and conducting cleaning procedures.
- Screen employees and visitors for self-reported symptoms consistent with COVID-19 and other COVID-19 risk factors upon entering a business establishment (flexibility in approach, including, if necessary, the posting of an informational poster communicating the screening requirements).
 - Deny entry to people with COVID-19 symptoms that cannot be explained by allergies or other non-infectious causes.
 - Respect individual privacy and not disclose the name of employees who test positive to other employees or the public.
- Business travelers must comply with executive orders.

Phase Two: Navigating Our Way. Phase Two will allow restaurants, retail and close-contact businesses like hair and nail salons may open. In addition more childcare options will become available, still subject to strict public health guidelines. Businesses will need to account for the following applicable provisions:

- Masks, vigilant hand-washing and increased cleaning must remain in place.
- Offices will ease capacity restrictions allowing more people to come in, but many people will still work from home.
- All activities must account for strong social distancing guidelines of remaining 6-feet apart.
- Social gathering limited to 15 people.

Phase Three: Picking Up Speed. In Phase Three, offices, restaurants, retail and other businesses will lift some of the tightest restrictions to allow more people in at one time but will need to operate under long-term safety guidelines. Social gatherings are limited to 50 people. Certain practices will remain in place, such as:

- Masks, vigilant hand-washing and increased cleaning.
- Strong social distancing guidelines of remaining 6-feet apart.

Industry-Specific Guidance. Rhode Island has additionally advised that further restrictions may apply to the following types of businesses:

- [Restaurants, Entertainment, Close-Contact Businesses.](#)
- [Garden Centers, Retail Nurseries, and Greenhouses.](#)
- [Non-Critical Retail.](#)
- [Critical Retail.](#)

40. South Carolina

[Executive Order No. 2020-28](#) lifted restrictions for any previously closed retail stores, effective April 20, 2020, at 5:00 pm. Reopened retail stores are subject to an occupancy cap equal to the lesser of five customers per 1,000 square feet of retail space or 20% of the building's occupancy limit. Reopened retail stores must also implement social distancing and sanitation practices, as detailed in the Order.

[Executive Order No. 2020-31](#) made the business closures in Executive Order No. 2020-21 advisory, rather than mandatory, starting May 4, 2020, at 12:01 am. In addition, the Order allowed restaurants to provide outdoor dining services starting May 4, 2020, at 12:01 am, in addition to the previously authorized off-premises consumption. All other businesses [previously closed](#) by executive order remain closed until further notice (e.g., entertainment venues such as night clubs, bowling alleys, arcades, and recreational and athletic facilities such as fitness and exercise centers, and public playgrounds).

Governor Henry McMaster has [announced](#) that restaurants will be allowed to reopen for indoor dining at 50% occupancy levels on May 11, 2020. Governor McMaster has also [announced](#) that close contact service providers, fitness and exercise centers, commercial gyms, and pools may reopen on May 18, 2020, subject to the new industry guidelines.

Industry-Specific Guidance.

- [Restaurants.](#)
- [Close Contract Service Providers.](#)
- [Cosmetology.](#)
- [Fitness Centers.](#)
- [Pools.](#)
- [Attractions.](#)

41. South Dakota

On April 28, 2020, Governor Kristi Noem [announced](#) her plan to help South Dakotans get “[Back to Normal](#)” following the COVID-19 pandemic along with [Executive Order 2020-20](#) which put the plan into effect.

Gating Criteria. South Dakota’s plan identifies the following criteria:

- Symptoms
 - Downward trajectory of influenza-like illnesses reported within the last 14-day period.
 - Plan in place so all persons with COVID-19 symptoms can receive a test upon recommendation from their provider.
- Cases
 - Downward trajectory of documented cases within a 14-day period in areas with sustained community spread.
 - No clusters that pose a risk to public.
- Hospitals
 - Treat all patients without crisis care.
 - Testing program in place for at risk healthcare workers, including emerging antibody testing.
 - Adequate supply of independently procured personal protective equipment is available for all workforce and patients.
- State
 - SD DOH has the capacity to rapidly investigate COVID-19 cases and initiate containment (isolation and quarantine).
 - SD EOC maintains a rapid response team to support high-risk businesses with a confirmed COVID-19 case.

South Dakota’s plan provides for guidance for all employers including:

- Encourage [good hygiene and sanitation](#) practices, especially in high-traffic areas.
- Encourage employees to stay home when sick.
- If previously operating via telework, begin transitioning employees back to the workplace.
- Where appropriate, [screen employees](#) for symptoms prior to entering the workplace.
- For enclosed retail businesses that promote public gatherings, resume operations in a manner that allows for reasonable physical distancing, good hygiene, and appropriate sanitation. Consider restricting occupancy.

42. Tennessee

On April 28, 2020, Governor Bill Lee issued [Executive Order 30](#) allowing Tennesseans to Return to Work Safely While Encouraging Continued Adherence to Health Guidelines which permits certain businesses, with the exception of businesses that perform close-contact personal services and entertainment, recreational, and gathering venues, to reopen. On [May 6, 2020](#), close-contact personal services were permitted to resume. On [May 22, 2020](#), existing capacity restrictions on restaurants and retail businesses will be lifted and larger attractions (e.g., racetracks, amusement parks, waterparks, theaters, auditoriums, large museums) will be permitted to open subject to restrictions. Tennessee announced its plan to reopen entitled [Tennessee Pledge: Reopening Tennessee Responsibly](#) which provides certain [safeguarding protocols](#) for all businesses in Tennessee based on the recommendations of CDC and OSHA:

- Employers:
 - Allow employees to work from home as much as possible.
 - Screen all employees reporting to work for COVID-19 symptoms.
 - Temperature screening employees.
 - Direct any employee who exhibits COVID-10 symptoms.
 - Implement workplace cleaning and disinfection practices.

- Mitigate exposure in the workplace by implementing social distancing guidelines and modify scheduling.
- Plan for potential COVID-19 cases, and work with local health department officials when needed.
- Covered employers and employees should be aware of the provisions of the federal Families First Coronavirus Response Act.
- Update the Employee Illness policy to include the symptoms of COVID-19.
- Limit self-service options.
- Post extensive signage on health policies.
- Employees:
 - Stay home when feeling ill.
 - Increase hygiene practice.
 - Wear a cloth face covering (not an N-95 or medical mask, which should be reserved for healthcare workers).
 - Practice recommended social distancing to the greatest extent possible.
 - Abide by guidelines established by employer, which may include the use of gloves, social distancing practices in the workplace and increased sanitation.

Industry-Specific Guidance.

- [Restaurants.](#)
- [Exercise Facilities.](#)
- [Retail.](#)
- [Close Contact Personal Services.](#)
- [Lodging.](#)
- [Manufacturing.](#)
- [Construction.](#)
- [Office Building.](#)
- [Non-Contact Recreation.](#)

43. Texas

On April 27, 2020, Texas issued [Executive Order GA-18](#), announcing the first phase of reopening efforts, but has not yet provided conditions for additional phases of reopening. On May 18, 2020, Governor Greg Abbott announced [Phase Two](#) of the state's reopening efforts, which allows by [Executive Order GA 23](#) several additional businesses to reopen on a staggered schedule.

Phase One. Texas allows businesses previously designated as non-essential to reopen on the following staggered schedule:

- [May 1, 2020](#): All retail stores, restaurants, movie theaters, museums, libraries, and shopping malls (each subject to 25% occupancy cap).
 - Play areas, food-courts and interactive services at shopping malls must remain closed.
 - In counties with five or fewer lab-confirmed cases of COVID-19, certain businesses may increase occupancy limits to 50%.
- [May 8, 2020](#): Salons, barbershops, nail salons, and tanning salons.

Phase Two. Texas allows additional businesses to open according to the following schedule for [Phase Two](#):

- [May 18, 2020](#): Offices, manufacturers, gyms, and pools are permitted to reopen on May 18, 2020 (each subject to 25% occupancy cap). Massage establishments, tattoo studios, any other personal care and

beauty services that have not already reopened, and child-care services may reopen (except for a few designated counties).

- May 22, 2020: Bars, aquariums, bowling alleys, bingo halls, simulcast racing, skating rinks, rodeos and equestrian events may each reopen at 25% occupancy. Drive-in concerts and amateur sporting events may also reopen at full capacity subject to additional restrictions. Restaurant occupancy cap raised to 50%.
- May 29, 2020: Services, as noted above, that must remain closed in certain counties may resume. Those counties include Deaf Smith, El Paso, Moore, Potter, and Randall counties. Zoos may also reopen statewide at 25% occupancy.
- May 31, 2020: Professional sports, as well as youth camps and sports programs, may resume subject to additional restrictions.

The reopening announcement was accompanied by a report with business-specific guidance entitled [Texans Helping Texans: The Governor's Report to Open Texas](#). The Report outlines minimum recommended health protocols for all businesses including:

- Training employees on appropriate cleaning and disinfection, hand hygiene, and respiratory etiquette.
- Screening employees before entering the business premises.
- Sending home employees who exhibit COVID-19 symptoms.
- Prohibiting employees with COVID-19 symptoms from returning to the business premises until 3 days have passed since recovery (resolution of fever without fever-reducing medications), respiratory symptoms show signs of improvement, and 7 days have passed since the onset of symptoms. In the alternative, employees can return to the business premises if they obtain a medical professional's note clearing them for return based on an alternative diagnosis.
- Prohibiting employees who have known close contact with an individual that has a lab-confirmed COVID-19 diagnosis from returning to work without a 14 day self-quarantine period from the last date of exposure.
- Arranging for employees to wash or sanitize their hands upon entering the business.
- Arranging for employees to maintain 6 feet of distance from other individuals. Where distancing is impracticable, providing face coverings and encouraging rigorous hand hygiene, cough etiquette, cleanliness and sanitation.
- Individually pack meals that are prepared for employees.
- Arranging for employees to wear face coverings.

The Report encourages the following health protocols for business facilities:

- Regularly disinfect high-touch surfaces, such as doorknobs, tables, chairs, and restrooms.
 - Disinfect any items that come into contact with customers.
 - Make hand sanitizer, disinfecting wipes, soap and water, or similar disinfectant readily available to employees and customers.
- place readily visible signage at the business to remind everyone of best hygiene practices.

Industry-Specific Guidance. In addition to guidance for individuals, employees, and customers, Texas provides [industry-specific checklists](#) for employers and businesses (a combination of mandatory and recommended measures) on top of the health protocols for all businesses above as follows:

- [All Employers.](#)
- [Movie Theaters.](#)
- [Restaurants.](#)
- [Retailers.](#)
- [Museums and Libraries.](#)

- [Single-Person Offices.](#)
- [Tanning Salons.](#)
- [Nail Salons.](#)
- [Cosmetology & Hair Salons.](#)
- [Barber Shops.](#)
- [Office-Based Employers.](#)
- [Manufacturers.](#)
- [Gyms and Exercise Facilities.](#)
- [Youth Clubs.](#)
- [Child Care Centers.](#)
- [Youth Sports Operators.](#)
- [Youth Camp Operators.](#)
- [Day Camp Operators.](#)
- [Massage and Other Personal-Care Services.](#)
- [Zoos and Aquariums.](#)
- [Rodeos and Equestrian Events.](#)
- [Bowling Alleys, Bingo Halls, Simulcasting, Skating Rinks.](#)
- [Bars and Similar Establishments.](#)
- [Professional Sports.](#)

44. Utah

Utah never adopted an order designating non-essential businesses that must close. Instead, Governor Gary Herbert instituted the Directive, [Stay Safe, Stay Home](#), which required individuals to work from home wherever possible and expired on April 30, 2020. In its place, [Utah Leads Together](#), and its accompanying [addendum](#), creates a four-phased system of restrictions on individuals and businesses. Utah [transitioned](#) to the Orange Phase on May 1, 2020 at 12:01 am. Most counties [transitioned](#) to the Yellow Phase beginning May 16, 2020.

Gating Criteria. Utah does not use predetermined gating criteria to determine when to move between phases. Governor Herbert issued an [Executive Order](#), effective May 1, 2020, at 12:01 am, moving the state from Red (High Risk) to Orange (Moderate Risk) and requiring employers and individuals to comply with the guidelines in [Utah Leads Together](#).

Red (High Risk) Phase. Employers in all industries (as specified on pp. 3-4, 7-9 of the addendum) must take “extreme precautions,” including the following:

- Face coverings worn in public settings where other social distancing measures are difficult to maintain.
- Follow strict hygiene standards, including:
 - Wash hands frequently with soap and water for at least 20 seconds.
 - Use hand sanitizer frequently.
 - Avoid touching your face.
 - Cover coughs or sneezes (e.g. into a tissue, sleeve, or elbow; not hands).
 - Regularly clean high-touch surfaces (e.g. door handles, counters, light switches, remote controls, restroom surfaces).
 - Follow any other standards promulgated by the CDC, the Utah Department of Health, and local health department.
- Do not shake hands.
- Interactions in groups of 10 or fewer.
- Increase virtual interactions.

- Stay 6 feet away from others.
- Regularly disinfect high-touch areas (e.g. door handles, buttons/switches, handrails, restroom surfaces).
- Employees and volunteers of businesses operate remotely, unless not possible.
- Employers evaluate workforce strategy, concerns, and enact strategies to minimize economic impact.
- Encourage high-contact businesses not to operate.
- Provide accommodations to high-risk employees.
- Symptom checking in public and business interactions (checklist or verbal symptom checking).
- Design spaces to maintain 6-foot distance between individuals.
- Minimize face-to-face interactions, including with customers (e.g. utilize drive-thru, install partitions).
- Where distancing and hygiene guidelines cannot be followed in full, businesses should consider whether that activity needs to continue for the business to operate.
- Eliminate unnecessary travel and cancel or postpone in-person meetings, conferences, workshops, and training sessions.
- Require employees to self-quarantine when returning from high-risk areas.
- Employers must not allow any individuals under isolation or quarantine to come to work at any time unless authorized by local health department.

Orange (Moderate Risk) Phase. Employers in all industries must continue to comply with the restrictions included in the Red Phase, except as follows:

- Group interactions moved from a cap of 10 to 20.
- High-contact businesses allowed to operate under strict protocols.
- Restaurants may open for dine-in services with strict requirements.
- Travel limitation changed to apply to only out-of-state travel.

Yellow (Low Risk) Phase. Employers in all industries should continue to comply with the restrictions included in the Orange Phase, except as follows:

- Group interactions moved from a cap of 20 to 50.
- Removed guideline to increase virtual interactions.
- Employers now exercise discretion with remote work and returning to onsite work, but must encourage remote work when possible.

Green (New Normal Risk) Phase. This phase removes most of the guidelines, except for the need to now take “reasonable precautions” and to regularly disinfect high-touch areas.

Industry-Specific Guidance. [Utah Leads Together](#), and its accompanying [addendum](#), also includes requirements specific to the following industries:

- Restaurants, Food Service Establishments, Bars, Food Trucks, Convenience Stores.
- Retail, including Grocery Stores, Pharmacy, Convenience Stores.
- Hospitality, Tourism, & Accommodations.
- Events, Cultural Arts & Entertainment.
- Personal Services.
- Home Repair.
- Gyms & Fitness Centers.
- Construction, General Contractors, & Manufacturing.

- Day Care.
- Healthcare.

45. Vermont

Vermont has announced the conditions for Phase I of reopening, but has not yet provided the conditions for additional phases of reopening.

Phase One. Effective April 20, 2020, Vermont instituted [Addendum 10 to Executive Order 01-20](#), which in combination with the [Agency of Commerce and Community Development Guidance](#), initiates the state's "Work Smart & Stay Safe – Restart VT: Phase I" plan. The Order is was in effect until midnight on May 15, 2020, but may be extended. Under [Addendum 12 to Executive Order 01-20](#), manufacturing, construction, and distribution operations may begin subject to compliance with the health and safety requirements below and enhanced training programs on May 11, 2020. Additionally, Governor Scott has [announced](#) that retail businesses will be allowed to reopen on May 18, 2020, subject to a 25% occupancy limit and requirements similar to those listed below. Under [Addendum 14 to Executive Order 01-20](#), lodging operations may resume for certain customers effective May 15, 2020.

[Phase One](#) allows businesses to reopen as follows:

- Operations involving no more than two persons per location or job for outdoor work and construction work in unoccupied structures, as well as supporting services via curbside pick-up and delivery services.
- Commercial retail operations providing curbside pick-up, delivery services, and warehouse or distribution operations.
- Services operating with a single workers (e.g., appraisers, realtors, attorneys, pet care operators) so long as no more than two persons (service provider and client) are present at one time.
- Under [Addendum 14 to Executive Order 01-20](#), lodging operations may resume for certain customers effective May 15, 2020.
- Pools and beaches.
- Restaurants may reopen on May 22, 2020 for outdoor dining.

In addition, all businesses must implement the following [requirements](#):

- Employees shall not report to, or be allowed to remain at, work if sick or symptomatic (fever, cough, and/or shortness of breath).
- Employees must observe strict social distancing of six feet. Businesses shall ensure customers observe social distancing, as well, and limit the occupancy of common areas to ensure social distancing.
- Employees must wear non-medical cloth face coverings (bandanna, scarf, nonmedical mask, etc.) over their nose and mouth when in the presence of others. Retail cashiers may use a sneeze guard in lieu of a mask.
- Employees must have easy and frequent access to soap and water or hand sanitizer. Handwashing or hand sanitization is also recommended before entering and leaving job sites.
- All common spaces and equipment, including bathrooms, frequently touched surfaces and doors, tools and equipment, and vehicles must be cleaned and disinfected at the beginning, middle and end of each shift and prior to transfer from one person to another.
- Prior to the commencement of each work shift, pre-screening and health survey shall be required to verify each employee has no symptoms of respiratory illness (fever, cough, and/or shortness of breath). At the present time non-contact thermometers are in short supply, however employers shall

immediately order, and use their best efforts to obtain, thermometers in order to conduct routine temperature checks.

- Signs must be posted at all entrances clearly indicating that no one may enter if they have symptoms of respiratory illness.
- When working inside, open doors and windows to promote air flow to the greatest extent possible and limit the number of people occupying a single indoor space.
- No more than 2 people shall occupy one vehicle when conducting work.
- No symptomatic or COVID-19 positive workers are allowed on site and any worker(s) who have contact with a worker or any other person who is diagnosed with COVID-19 are required to quarantine for 14 days.
- All operations shall designate a health officer on-site at every shift responsible for ensuring compliance with the Executive Order and the Addenda thereto and applicable ACCD Guidance.
- All business, non-profit and government operations must use remote work whenever possible.
- Employers must document completion by all employees, including those already working (except healthcare workers, first responders, and others already trained in infection control, personal protection/universal precautions) of a training on mandatory health and safety requirements as provided by VOSHA, or another training program that meets or exceeds the VOSHA-provided standard by May 4, 2020.
- All businesses with 10 or more employees that closed for 7 or more days during the emergency must complete and keep on file a reopening and training plan.
- Employees who travel outside of the state must quarantine upon their return.

Industry-Specific Requirements. The following industries must abide by the additional [requirements](#):

- Manufacturing, Construction and Distribution Operations.
- Outdoor Recreation Businesses, Facilities, Operations.
- Retail Operations.
- Drive-In Operations.
- Lodging, Campgrounds and other Accommodations.
- Low or Non-Contact Professional Services.
- Restaurants.

46. Virginia

Governor Ralph Northam has announced a [multi-phased reopening plan](#), which has not yet begun. The Governor has provided [additional details](#) for Phase One of the plan and anticipates there will be three phases in total. The details for the subsequent phases have not yet been released. Each phase will last approximately two to three weeks.

Gating Criteria. Virginia's metrics for determining when to initiate Phase One, which will also closely resemble the metrics for determining when to move to additional phases, include:

- Downward trend in percentage of positive tests over 14 days.
- Downward trend in hospitalizations over 14 days.
- Increased testing and tracing.
- Enough hospital beds and intensive care capacity.
- Increasing and sustainable supply of PPE.

Phase One. Governor Northam has issued [Executive Order Number Sixty-One](#) beginning Phase One at 12:00 am on May 15, 2020. Governor Northam has [announced](#) that jurisdictions in Northern Virginia will delay their reopening until 12:00 am on May 28, 2020. A definitive date for Phase Two has not yet been set, but the Order

establishing Phase One currently remains in effect until June 10, 2020 at 11:59 pm. Most businesses are allowed to reopen during Phase One, although certain recreational and entertainment businesses, as follows, must remain closed:

- Theaters, performing arts centers, concert venues, museums, and other indoor entertainment centers.
- Racetracks and historic horse racing facilities.
- Bowling alleys, skating rinks, arcades, amusement parks, trampoline parks, fairs, arts and crafts facilities, aquariums, zoos, escape rooms, public and private social clubs, and all other places of indoor public amusement.

Virginia has also issued advisory [guidelines](#) applicable to all businesses during Phase One, as well as requirements for the industries listed below. Among the requirements for non-essential brick and mortar retail businesses are a 50% occupancy cap and face coverings for employees working in customer-facing areas. In-person gatherings of ten or more individuals remain banned.

Phase Two. A definitive date for Phase Two has not yet been set, but the Order establishing Phase One currently remains in effect until June 10, 2020 at 11:59 pm.

Industry-Specific Guidance. Appended to the advisory guidelines applicable to all businesses during Phase One are industry-specific guidelines, many of which are mandatory, for the following types of businesses:

- Restaurants.
- Farmers Markets.
- Non-Essential Retail.
- Fitness.
- Personal Care and Grooming.
- Campgrounds and Overnight Camps.

47. Washington

Governor Inslee has announced a [four phase reopening plan](#) that is expected to begin May 5, 2020 and last approximately three weeks per phase. Employers of reopening businesses must comply with industry-specific guidance to be issued no later than May 15, 2020 which, at a minimum, will require compliance with the social distancing and hygiene requirements indicated by the [Washington State Department of Health](#) (e.g., six feet of separation, closure of workplace common spaces, clean high-touch areas).

Gating Criteria. Counties wishing to enter Phase One must submit a plan that receives sign-off from state authorities regarding steps to fulfill the following:

- Making testing available and accessible to everyone in the county with symptoms.
- Staffing case investigations and contact tracing.
- Housing people in isolation or quarantine who cannot or do not want to do so at home.
- Providing case management services to those in isolation and quarantine.
- Responding rapidly to outbreaks in congregate settings.

Phase One. During Phase One, most of the restrictions under [Proclamation 20-25, Stay Home – Stay Healthy](#) will stay in place, as the Order has been extended through May 31, 2020. Certain businesses may begin to reopen (or remain open) starting May 5, 2020, as follows:

- Some outdoor recreation (hunting, fishing, golf, boating, hiking).
- Landscaping.
- Automobile sales.
- Car washes.

- Pet walkers.
- Retail (for curbside pick-up orders only).
- Existing construction projects (subject to [industry-specific limitations](#)).
- Essential businesses under the Stay Home – Stay Healthy Order.

Phase Two. During Phase Two, certain businesses, in addition to those allowed to open during Phase One, may now open for in-person operations:

- All outdoor recreation involving fewer than five people.
- All remaining manufacturing.
- New construction projects.
- In-home / domestic services (e.g., nannies, housecleaning, etc.).
- Retail (for in-store purchased subject to certain restrictions to be specified).
- Real estate.
- Professional services / office-based business (telework remains strongly encouraged).
- Hair and nail salons / barbers.
- Housecleaning.
- Restaurants (subject to a 50% occupancy limit and with table sizes no larger than five).
- Gyms & fitness centers (subject to strict occupancy limits).

Phase Three. Under Phase Three, the following businesses and activities may resume:

- Outdoor group recreational sports activities (5 – 50 people).
- Recreational facilities (public pools, etc.) (subject to a 50% occupancy cap).
- Restaurants (subject to a 75% occupancy cap and with table sizes no larger than ten).
- Bars (subject to a 25% occupancy cap).
- Indoor gyms (subject to a 50% occupancy cap).
- Movie theaters (subject to a 50% occupancy cap).
- Government operations (telework remains strongly encouraged).
- Libraries and museums.
- All other business activities not yet listed, except for nightclubs and events with greater than 50 people.

Phase Four. The reopening plan removes most of the remaining business restrictions and allows the resumption of the following:

- All recreational activity.
- Nightclubs.
- Concert venues.
- Large sporting events.
- Unrestricted staffing of worksites (subject to the continuance of physical distancing and good hygiene).

Industry-Specific Guidance.

- [Existing Construction Projects.](#)
- [Restaurants.](#)
- [Personal Services.](#)
- [Professional Services.](#)
- [In-Store Retail.](#)
- [Manufacturing.](#)

- [Construction.](#)
- [Professional Photography.](#)
- [Pet Grooming.](#)
- [Private Instruction Fitness.](#)
- [Real Estate.](#)
- [Fitness & Training.](#)

48. West Virginia

On April 27, 2020, Governor Jim Justice unveiled his comprehensive plan to reopen various aspects and its economy entitled [West Virginia Strong – The Comeback](#). The plan is divided into six weeks of steps gradually reopening the state.

Gating Criteria. The plan will begin in full once West Virginia has had three consecutive days wherein the statewide cumulative percent of positive test results is below 3%.

Week One. Week One began on April 30, 2020. As part of Week One, the following can occur:

- Elective medical procedures can resume.
- Hospitals can resume normal operating procedures, including outpatient healthcare, although hospitals should work with boards and associations to develop appropriate criteria for the following areas:
 - Primary Care.
 - Dentistry.
 - Physical therapy/Occupational therapy.
 - Psychological/mental health.
- Daycares can reopen with the testing of daycare staff.

Week Two. Beginning May 4, 2020, [Executive Order 32-20](#) provides that each of the following should all occur with physical distancing, sanitization and face coverings:

- Small businesses with less than 10 employees can resume operations.
- Professional Services (by appointment only and waiting in vehicle instead of inside) can resume.
 - Hair and nail salons, barbershops.
 - Dog grooming.
- Outdoor dining at restaurants can occur.
- Churches and funerals with limited gathering size can take place.
 - Participants should take precautions, including seating in every other pew, physical distancing, and using face coverings.

Week Three. In Week Three, West Virginia has [announced](#) that dental offices, licensed wellness centers, and drive-in theaters will be permitted to reopen.

Week Four. In [Week Four](#), gyms and fitness centers will be permitted to resume on May 18, 2020. Starting May 21, 2020, the following businesses will also be permitted to reopen:

- Indoor dining at restaurants at 50% capacity.
- Large/specialty retail stores.
- Outdoor recreation rentals (kayaks, bicycles, boats, rafts, canoes, ATVs and similar equipment).
- Outdoor motorsport and powersport racing with no spectators, as well as certain outdoor recreational activities.

- Tanning businesses.
- Indoor malls and similar facilities.

Additionally, the requirement that out of state travelers self-quarantine will be lifted.

Week Five. West Virginia will [permit](#) bars (at 50% capacity), museums, and zoos to reopen on May 26, 2020. Spa and massage businesses may reopen May 30, 2020.

Weeks Six and Seven. During these final weeks of the [reopening plan](#), casinos may reopen on June 5, 2020. Low-contact outdoor youth sports may reopen June 8, 2020.

West Virginia currently has no timeline for reopening nursing home visitation, entertainment venues and gatherings larger than 25 people.

Industry-Specific Guidance. West Virginia provides additional guidance on the following industries:

- [Small Businesses with fewer than 10 employees.](#)
- [Restaurants.](#)
- [Religious Entities and Funeral Homes.](#)
- [Professional Services.](#)
- [Indoor Dining at Restaurants.](#)
- [Large/ Specialty Retail Stores.](#)
- [Outdoor Recreation.](#)
- [Fitness Centers.](#)

49. Wisconsin

On April 20, 2020, Wisconsin issued [Emergency Order 31](#) which announced Wisconsin's [Badger Bounce Back](#) phased approach to re-opening its economy and society, with each phase being incrementally less restrictive on businesses and individuals. The Department of Health Services will announce the transition to each Phase with an order fully articulating the changes that each Phase will bring. Effective May 11, 2020, [Emergency Order 36](#) allows in-person retail to reopen so long as the building has an outdoor-facing entrance and limits occupancy to five customers at a time. Drive-in movie theaters may also reopen, subject to additional restrictions. All businesses must review the [Wisconsin Economic Development Corporation](#) guidelines and consider adopting applicable policies.

On May 13, 2020, the Wisconsin Supreme Court in [Wisconsin Legislature v. Secretary-Designee Andrea Palm](#) declared the amended stay-at-home invalid on the grounds that required rulemaking procedures had not been followed when instituting it. The Court, in its opinion, did not consider Emergency Order 31 regarding the reopening plan, but did suggest that this Order may also be invalid on related grounds. As of May 14, 2020, neither the stay-at-home order nor the reopening order required the closure of businesses, although additional restrictions to retail businesses may be applied through [Emergency Order 36](#).

Gating Criteria. The state must show progress or advancement in the following areas before progressing through to the next Phase:

- Testing: Every Wisconsin resident who has symptoms of COVID-19 has access to a lab test. Results will be reported to the patient and public health officials within 48 hours of collection. The ultimate goal is 85,000 tests per week or approximately 12,000 tests per day.
- Tracing: Increase contact tracing by up to 1,000 people and implement technology solutions to ensure everyone who is infected or exposed will safely isolate or quarantine.

- Tracking: Building on systems used to track influenza and the COVID-19 pandemic, track the spread of COVID-19 and report on the Wisconsin Gating Criteria and other related metrics.
- Personal Protective Equipment: Procure PPE and other necessary supplies to support health care and public safety agencies.
- Health Care Capacity: Assess the need for and readiness to support surge capacity for our healthcare system.

Specific gating criteria includes:

- Symptoms:
 - Downward trajectory of influenza-like illnesses reported within a 14-day period, and
 - Downward trajectory of COVID-19-like syndromic cases reported in a 14-day period.
- Cases:
 - Downward trajectory of positive tests as a percent of total tests within a 14-day period.
- Hospitals:
 - Treatment of all patients without crisis care.
 - Robust testing programs in place for at-risk healthcare workers.
 - Decreasing numbers of infected healthcare workers.

Phase One. Phase One will include:

- Allowing mass gatherings of up to 10 people; restaurants opening with social distancing requirements.
 - Removal of certain restrictions including retail restrictions for Essential Businesses and Operations.
- Additional operations for non-essential businesses.
- K-12 schools to resume in person operation; and child care settings resuming full operation.

Phase Two. Phase Two will include:

- Allowing mass gatherings of up to 50 people.
- Restaurants resuming full operation.
- Bars reopening with social distancing requirements.
- Non-essential businesses resuming operations with social distancing requirements.
- Postsecondary education institutions may resume operation.

Phase Three. Phase Three will resume all business activity and gatherings, with minimal protective and preventative measures in place for the general public and more protective measures for vulnerable populations.

Industry-Specific Requirements. Reopening businesses in the industries below are encouraged to follow certain best practices:

- [Agriculture.](#)
- [Construction.](#)
- [Entertainment and Amusement.](#)
- [Gyms and Fitness Centers.](#)
- [Hair and Nail Salons.](#)
- [Hospitality and Lodging.](#)
- [Manufacturing.](#)
- [Professional Services.](#)
- [Restaurants.](#)
- [Retail.](#)

50. Wyoming

Wyoming enacted a [Statewide Public Health Order](#) on March 19, 2020 closing select businesses that expired April 30, 2020. Following the expiration of the order, gyms, barbershops, hair salons, and other personal care services were [permitted](#) to operate with restrictions. On May 13, 2020, the [Wyoming Department of Health](#) allowed the opening of bars, restaurants and other places of public accommodation that serve food or beverages. Gyms and performing venues remain closed.

Industry-Specific Guidance.

- [Gyms.](#)
- [Personal Care Services.](#)
- [Child Care Facilities.](#)
- [Restaurants and Bars.](#)

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Cleary Gottlieb has established a [COVID-19 Resource Center](#), providing information and thought leadership on developing events. In addition, we have a [COVID-19 Task Force](#) that is acting as a repository for practical solutions, best practice and issue-spotting to help our clients by sharing market experience, insight and advice from across our global presence.

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