

# Response to COVID-19: State Reopening Plans<sup>1</sup>

Update of August 11, 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.<sup>2</sup>

If you have any questions concerning this memorandum, please reach out to your regular firm contact or the following authors

NEW YORK

**Jennifer Kennedy Park**

+1 212 225 2357

[jkpark@cgsh.com](mailto:jkpark@cgsh.com)

**Michael Albano**

+1 212 225 2438

[malbano@cgsh.com](mailto:malbano@cgsh.com)

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<sup>2</sup> 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 [CDC May 2020 guidelines](#), 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.

On May 27, 2020, the CDC also released [advisory guidance](#) for businesses in office buildings. This guidance includes recommendations, such as:

- Create a COVID-19 workplace health and safety plan by reviewing the [CDC Interim Guidance for Businesses and Employers](#).
- Before resuming business operations, check the building to see if it is ready for occupancy.
  - Ensure ventilation systems are working properly, especially if they have been shut down for a period of time.
  - Increase circulation of outdoor air to the extent possible unless opening windows or doors would pose a safety or health risk.
- Identify where and how workers might be exposed to COVID-19 at work.
  - Conduct a thorough hazard assessment to identify workplace hazards that could increase risk of COVID-19 transmission.
  - If contractors are employed in the workplace, develop plans to communicate with the contracting company regarding modifications to work processes and requirements for the contractors to prevent transmission of COVID-19.
- Develop hazard controls using [the hierarchy of controls](#) to reduce transmission among workers.
  - Modify floor plans to maintain six feet between employees.
  - Install transparent shields or other physical barriers where possible to separate employees and visitors where social distancing is not an option.

- Use methods to physically separate employees in all areas of the facilities including using signs, tape marks, or other visual cues.
- Replace high-touch communal items, such as coffee pots, water coolers, and bulk snacks, with alternatives such as pre-packaged, single-serving items.
- Take steps to improve ventilation in the building, including using natural ventilation (windows, doors, fans) to the extent possible.
- Consider using portable high-efficiency particulate air (HEPA) fan/filtration systems to help [enhance air cleaning](#) (especially in higher risk areas). Ensure exhaust fans in restroom facilities are functional and operating at full capacity when the building is occupied.
- Consider using [ultraviolet germicidal irradiation \(UVGI\)](#) as a supplement to help inactivate the virus.
- Change the way people work.
  - Isolate sick employees immediately and send them home as soon as possible.
  - Perform enhanced [cleaning and disinfection](#) after anyone suspected or confirmed to have COVID-19 has been in the workplace.
  - Stagger shift times and break times to decrease density in workplace.
  - Consider posting signs in parking areas and entrances that ask guests and visitors to wear cloth face coverings if possible, to not enter the building if they are sick, and to stay six feet away from employees, if possible.
  - Clean and disinfect high-touch surfaces.
  - Establish policies and practices for social distancing (covered in current policies).
  - For those who commute on public transportation, offer incentives to not use public transportation, but if they must, encourage handwashing as soon as possible after their trip.
  - Employees should wear [a cloth face covering](#) to cover their nose and mouth in all areas of the business.
- Educate employees and supervisors about steps they can take to protect themselves at work.
  - CDC has free, simple [posters available](#).
  - Provide information and training on policies.

In addition to the CDC guidelines described above, OSHA issued [Guidance on Returning to Work](#) on June 18, 2020. OSHA's guidelines include recommendations for implementing safety principles in each of the three reopening phases outlined in the CDC guidance. OSHA's guidelines also respond to frequently asked questions regarding testing, screening, and PPE. Finally, the guidelines provide sources for additional information.

### **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	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
1.	Alabama	✓	✓	✓			✓	Retail Restaurants Close-Contact Service Providers

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Athletic Facilities Entertainment Child Care & Camps
2.	Alaska	✓	✓	✓				Non-Essential Public Facing Businesses 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

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Theaters Casinos Youth Activities General Business
4.	Arkansas	✓	✓	✓				Retail Gyms & Fitness Centers Camps Restaurants Cosmetology Indoor Venue Outdoor Venue Casinos Pools Bars & Clubs
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 Hair Salons Child Care Day Camps Shopping Centers Campgrounds & Outdoor Recreation Gaming

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Family Entertainment Fitness Facilities Museums, Galleries, Zoos, & Aquariums Restaurants, Bars, & Wineries Personal Care Services
6.	Colorado	✓	✓	✓			✓	General Business Retail Construction Grocery Stores Restaurants Child Care P-12 Education Real Estate Recreation Outdoor Recreation Office Businesses Higher Education Manufacturing Personal Services Agriculture Campgrounds Day Camps Residential Camps Indoor Events Outdoor Events Short-Term Rentals
7.	Connecticut	✓	✓	✓	✓		✓	Hair Salons & Barbershops Museums & Zoos Offices Restaurants Retail & Malls Campgrounds General Business Amusement Parks Hotels & Lodging Indoor Dining Indoor Museums, Zoos, & Aquariums

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Libraries Outdoor Events Personal Services Sports & Fitness Gyms
8.	Delaware	✓	✓	✓	✓	✓	✓	Arts & Culture Food & Drink Retail Malls Personal Services Casinos Racetracks Parks & Recreation Child Care Jewelry Stores Cosmetology Golf Drive-In Movies Farmer's Markets Pools Youth Sports
9.	District of Columbia	✓	✓	✓	✓	✓	✓	Childcare Cosmetology Dental Care Elective Surgery For-Hire Vehicles Parks & Open Spaces Restaurants
10.	Florida	✓	✓	✓	✓			Bars, Pubs, & Nightclubs Restaurants Gyms Large Sporting Events & Theme Parks Vacation Rentals Personal Services Retail
11.	Georgia	✓	✓	✓				Restaurants & Dining Services Retail Gyms Personal Services



	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Bowling Cinemas Healthcare Childcare Film & Television Personal Services Bars Amusement Parks Summer Camps Live Performance Venues Conventions Food Establishments
12.	Hawaii	✓	✓	✓			✓	General Business Auto Dealerships Car Washes Pet Grooming Observatories Shopping Malls Barbers & Beauty Child Care
13.	Idaho	✓	✓	✓	✓	✓		General Business Indoor Gyms & Recreational Facilities Child Care Youth Services Close Contact Services Restaurants Bars Pools & Waterparks Movie Theaters Long-Term Facilities
14.	Illinois	✓	✓	✓	✓		✓	Food Establishments Long Term Care Facilities Daycares Funeral Homes Manufacturing Fitness Centers Offices

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Personal Care Services Retail Indoor & Outdoor Recreation Service Counters Day Camps Youth Sports Restaurants and Bars Golf Tennis Boating / Fishing Child Care Museums Zoos Cinema & Theatre Outdoor Spectator Events Film Production Casinos
15.	Indiana	✓	✓	✓	✓			Personal Care Gyms & Fitness Manufacturing, Industrial, & Construction Retail & Malls Restaurants, Bars, & Nightclubs Cultural, Entertainment, Sports, Tourism Recreation & Amusement Professional Offices Child Care Youth Day Camps Adult Day Care Campgrounds Recreational Sports Raceways Pools & Aquatics General Business

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
16.	Iowa	✓	✓	✓				Restaurants Fitness Centers Malls Libraries Race Tracks Other Retail Social & Fraternal Clubs Salons & Barbershops Farmers Markets Movie Theaters Bars Outdoor Performance Venues Casinos & Gaming Amusements Skating Rinks & Skate Parks
17.	Kansas	✓	✓	✓	✓			Food Service Transit General Businesses Personal Services Outdoor Sports
18.	Kentucky	✓	✓	✓	✓			Meatpacking Facilities Manufacturing & Distribution Construction Dealerships Office-Based Businesses Horse Racing Pet Grooming & Boarding Photography Funeral & Memorial Services Retail Restaurants & Bars Massage Therapy Nail Salons Tanning Salons Tattoo Parlors

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Barbers & Hair Salons Aquatic Centers Auto Racing Bowling Alleys Fitness Centers Movie Theaters Child Care Youth Sports Auctions Fishing Tournaments Educational & Cultural Activities Horse Shows Pools Venues & Event Spaces
19.	Louisiana	✓	✓	✓	✓	✓		Funerals Restaurants & Bars Personal Care Shopping Malls Gaming Gyms & Fitness
20.	Maine	✓	✓	✓	✓	✓		General Business Drive-In Theaters Golf Outdoor Marinas Cosmetology Dog Grooming Auto Dealership Car Wash Retail Restaurants Lodging Campgrounds & RV Parks Nail Technicians Tanning Services Overnight Camps Day Camps & Recreation Community Sports

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Construction Real Estate Transportation Museums Gyms Tattoo & Body Piercing Services
21.	Maryland	✓	✓	✓	✓		✓	Retail Manufacturing Personal Services
22.	Massachusetts	✓	✓	✓	✓		✓	Construction Manufacturing Office Spaces Laboratories Salons & Barbershops Car Washes Pet Grooming Offices Laboratories Restaurants Outdoor Recreational Activities
23.	Michigan	✓	✓	✓	✓		✓	In-Person Retail Construction Manufacturing Maintenance Workers Offices Laboratories Restaurants & Bars General Industry In-Home Services Personal Care Services Sports & Entertainment Gyms Large Venues
24.	Minnesota	✓	✓	✓			✓	Restaurants & Bars Gyms Recreational & Meetings

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Personal Care Services
25.	Mississippi	✓	✓	✓				Retail Restaurants Salons, Barbershops, & Gyms Tattoo Parlors
26.	Missouri	✓	✓	✓				Restaurants Retail
27.	Montana	✓	✓	✓			✓	Restaurant/Bar/ Brewery/Distillery/ Casinos Outdoor Recreation Personal Care/Service Child Care Pools Gyms Places of Assembly
28.	Nebraska	✓	✓	✓				Salons & Barber Shops Childcare Bars & Restaurants Massage Therapy Body Art Dentistry Sports Wedding & Funeral Receptions Agriculture, Farmers Markets, Fairs & Auctions, & Nurseries Gyms
29.	Nevada	✓	✓	✓	✓	✓	✓	Restaurants Barbershops & Salons Vehicle Dealers Retail Cannabis Agriculture Appliance & Furniture Showrooms Banking & Financial Services

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Drive-Ins Real estate / Leasing Retail Transportation, Couriers, & Warehousing General Office Environments Taxis
30.	New Hampshire	✓	✓	✓			✓	Retail Drive-In Movie Theaters Golf Restaurants Child Care Campgrounds Manufacturing Hospitals Cosmetology Dental Lodging Day Camps Overnight Camps Acupuncture Amateur & Youth Sports Attractions Body Art Equestrian Facilities Health & Fitness Massage Performing Arts/Streaming Media Weddings Amusement Parks Movie Theaters Arts & Music Education Performing Arts Venues

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
31.	New Jersey	✓	✓	✓	✓		✓	Retail Restaurants & Bars Construction Drive-In Theaters Non-Essential Retail Child Care Food & Beverage Establishments Manufacturing & Warehousing Recreational and Entertainment Cosmetology, Massage, & Bodywork Therapy Tanning & Body Art Establishments Outdoor Pools Summer Camps Outdoor Recreation Organized Sports
32.	New Mexico	✓	✓	✓	✓		✓	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 and Processors Veterinarians & Animal Care Facilities Construction & Field Operations



	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Automobile Dealerships & Services Personal Services Gyms Child Care
33.	New York	✓	✓	✓	✓		✓	Construction Agriculture Retail Manufacturing Wholesale Trade Offices Real Estate Vehicle Sales, Leases, & Rentals Bars Retail Rentals, Repair, & Cleaning Commercial Building Management Outdoor Dining Restaurants Personal Care Services Racing Activities Auto Racing Dentistry Child Care & Day Camps Professional Sports Training Facilities Pools Sports & Recreation Higher Education Low-Risk Outdoor Arts & Entertainment Low-Risk Indoor Arts & Entertainment Media Production Professional Sports
34.	North Carolina	✓	✓	✓	✓		✓	General Business Large Venues

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Retail Restaurants Restaurants Within Other Facilities Personal Care Tattoo Businesses Pools & Spas Child care Malls Farms & Packhouses Day Camps Overnight Camps Outdoor Fitness Gyms & Fitness Centers Youth, College, and Amateur Sports Higher Education
35.	North Dakota	✓	✓					Restaurants & Bars Fitness Centers Personal Services Movie Theaters Senior Meal Sites Large Gatherings Banquets, Ballrooms, Wedding and Event Venues Manufacturing, Agribusiness and Agriculture
36.	Ohio	✓	✓	✓			✓	Manufacturing, Distribution & Construction Consumer, Retail, & Services General Office Environments Restaurants & Bars Child Care Day Camps Massage Therapy

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Salons, Spas, Barbershops, Tanning Salons & Tattoo Services Gyms Pools Casinos & Races Fairs Assisted Living Facilities Driver Examination Services Residential Camps Contact Sport Practices Non-Contact Sports Higher Education Healthcare
37.	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 Summer Camps Pools
38.	Oregon	✓	✓	✓	✓		✓	Outdoor Recreation Retail Stores Personal Services Restaurants & Bars Malls

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Gyms & Fitness Venues & Event Operators Swimming Pools & Spas Hospitals Ambulatory Surgical Centers Other Health Care Settings
39.	Pennsylvania	✓	✓	✓	✓		✓	General Business Construction Restaurants Gyms & Fitness Facilities Education Grocery Stores Salons Barber Shops
40.	Rhode Island	✓	✓	✓			✓	General Business Restaurants, Entertainment, & Close-Contact Businesses Garden Centers, Retail Nurseries, & Greenhouses Non-Critical Retail Critical Retail Child Care Gyms Golf Courses Campgrounds & Drive-In Movies Salons & Barbers Airports Bus Services Car & Van Transport Ferries Passenger Trains
41.	South Carolina	✓	✓					Restaurants

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Close Contact Service Providers Cosmetology Fitness Centers Pools Attractions
42.	South Dakota	✓	✓					N/A
43.	Tennessee	✓	✓	✓				Retail Exercise Facilities Restaurants Close Contact Personal Services Lodging Manufacturing Construction Office Building Non-Contact Recreation Media Production
44.	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 Massage & Other Personal-Care Zoos & Aquariums

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Rodeos Recreation Bars Professional Sports Amusement Parks Fine Arts Media Production Outdoor Events Valet Parking Video Game Facilities
45.	Utah	✓	✓	✓			✓	Restaurants, Bars, Convenience Stores Retail Hospitality Events, Cultural Arts, & Entertainment Personal Services Home Repair Gyms & Fitness Centers Construction, General Contractors, & Manufacturing Daycare Healthcare
46.	Vermont	✓	✓	✓			✓	Professional Services Manufacturing, Construction, & Distribution Outdoor Recreation Retail Drive-Ins Lodging & Campgrounds Restaurants Dental Procedures Close Contact Businesses Overnight Camps Indoor Arts, Culture, & Entertainment Sports

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Large Outdoor Event Venues
47.	Virginia	✓	✓	✓	✓		✓	Restaurants Farmers Markets Retail Fitness Personal Care & Grooming Campgrounds Pools Recreational Sports Entertainment
48.	Washington	✓	✓	✓			✓	Existing Construction Projects Restaurants Personal Services Professional Services In-Store Retail Manufacturing Construction Photography Pet Grooming Private Instruction Fitness Real Estate Higher Education & Critical Workforce Training Agriculture Domestic Services Outdoor Recreation & Golf Card Rooms
49.	West Virginia	✓	✓	✓	✓			Small Businesses with Fewer than 10 Employees Restaurants Religious Entities & Funeral Homes Professional Services Indoor Dining at Restaurants

	State	Most Businesses Opened, Subject to Conditions	Reopening Has Begun	Phased Approach	Gating Criteria Before Each Phase	Includes Federal Gating Criteria	Face Covering Rule for Businesses (Customer or Employee)	Industry Specific Guidelines
								Large/Specialty Retail Stores Outdoor Recreation Fitness Centers Casinos Movie Theaters Low-Contact Sports Bingo Halls Motorsports & Powersports Summer Camps Fairs, Festivals, & Amusement Parks
50.	Wisconsin	✓	✓	✓	✓	✓	✓	Agriculture Construction Entertainment & Amusement Gyms & Fitness Centers Hair & Nail Salons Hospitality & Lodging Manufacturing Professional Services Restaurants Retail
51.	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 then again [amended](#) on May 22, 2020 and [amended](#) on July 3, 2020, and permits most businesses to reopen subject to certain restrictions. Governor Ivey [amended](#) the order again on July 15 to add a statewide mask mandate, effective July 16 at 5:00pm.

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 where 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.

Effective July 16, Governor Ivey issued an [amended emergency order](#) mandating each person wear a mask or facial covering at all times subject to several exceptions.

**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, and [Phase 3](#) began on May 22, 2020. On May 19, 2020, Governor Dunleavy [announced](#) that all businesses would be allowed to fully reopen on May 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.** On May 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 May 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. Alaska has provided [guidance](#) for businesses during Phase Three and Phase Four, but the guidance is only advisory.

**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. On May 28, 2020, Governor Ducey [announced](#) that youth activities may resume.

On June 29, 2020, Governor Ducey signed [Executive Order 2020-43](#) to prohibit large gatherings and to cease the issuance of new special event licenses and pause the operations of bars, gyms, movie theaters, waterparks and tubing rentals. The Order was extended indefinitely on July 23, 2020. On July 9, 2020, he signed [Executive Order 2020-47](#) requiring all restaurants to limit indoor capacity to 50%, among other additional restrictions for restaurants.

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

- [Retail.](#)
- [Restaurants & Bars.](#)
- [Barbers and Hairdressers.](#)
- [Pools.](#)
- [Gyms and Fitness Providers.](#)
- [Spas, Massage Therapists, and Personal Services.](#)
- [Shopping Malls.](#)
- [Theaters.](#)
- [Casinos.](#)
- [Youth Activities & Day Camps.](#)
- [General Business.](#)

#### **4. Arkansas**

Arkansas did not enact a broad closure of all non-essential businesses, but issued a [Proclamation](#), which was subsequently [updated](#), 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](#): Large outdoor venues, 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, museums, funeral homes, bowling alleys, lecture halls, and indoor venues (theaters, arenas, stadiums, auction houses) may reopen.
- May 22, 2020: Pools may reopen.
- May 26, 2020: Bars may reopen.
- June 1, 2020: Community based and school sponsored team sports.
- June 15, 2020: Indoor businesses permitted to operate at 2/3 capacity.

**Industry-Specific Guidance.**

- [Indoor Venue.](#)
- [Outdoor Venue.](#)
- [Retail.](#)
- [Gyms & Fitness Centers.](#)
- [Camps.](#)
- [Restaurants.](#)
- [Cosmetology.](#)
- [Casinos.](#)
- [Pools.](#)
- [Bars & Clubs.](#)

**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 [announced](#) would 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 entered 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 varies 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, malls, and community centers.

- Gradually opening some lower risk workplaces with adaptations:
  - Retail (e.g. curbside pickup followed by in-store shopping).
  - 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 were allowed to reopen statewide for curbside pickup. Manufacturers that support those retailers were also 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 involves creating opportunities for higher risk sectors to adapt and re-open. In select counties (in others, the reopening is delayed), businesses may begin reopening, with certain restrictions, according to the following schedule:

- May 26, 2020: Hair salons and barber shops.
- June 12, 2020: Schools, day camps, hotels, bars, gyms, campgrounds, museums, casinos, pools, restaurants and bars, and professional sports. Music, TV and film productions are also [permitted to resume](#) with the approval of the California Department of Public Health. Family entertainment centers may also reopen, including movie theaters (at 25% capacity), bowling alleys, miniature golf, batting cages, and arcades.
  - California Public Health has announced the mandatory closure for bars for counties who have been on the [County Monitoring list](#) for more than 14 days. This includes the counties of Fresno, Imperial, Kern, Kings, Los Angeles, San Joaquin and Tulare.
- June 19, 2020: Nail salons, tattoo parlors, massage services, and other personal care businesses.

- [June 28, 2020](#): Certain counties were ordered to re-close bars in response to a spike in Covid-19 cases.
- [July 1, 2020](#): Certain counties were ordered to re-close indoor dining, wineries and tasting rooms, indoor family entertainment centers and movie theaters, indoor zoos and museums, and indoor cardrooms.
- [July 13, 2020](#): All counties were ordered to re-close indoor dining, bars, wineries, indoor family entertainment centers and movie theaters, indoor zoos and museums, and indoor cardrooms. In 30 counties (accounting for 80% of the state's population), gyms, hair salons, malls, and non-essential offices must close.
- [Later Date](#): Theme parks and entertainment venues like 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.](#)
- [Hair Salons.](#)
- [Childcare.](#)
- [Day Camps.](#)
- [Shopping Centers.](#)
- [Campgrounds, RV Parks, & Outdoor Recreation.](#)
- [Cardrooms, Satellite Wagering Facilities, & Racetracks.](#)
- [Family Entertainment Centers.](#)
- [Fitness Facilities.](#)
- [Museums, Galleries, Zoos, & Aquariums.](#)
- [Restaurants, Bars, & Wineries.](#)
- [Personal Care Services.](#)

## **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. A number of counties have also received [state-approved variances](#) allowing them to permit the reopening of additional businesses. 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 27, 2020](#): Restaurants can reopen for in-person dining.
- [June 1, 2020](#): Youth day camps and overnight camps may begin subject to certain restrictions. Deadline to determine whether to reopen summer activities and public spaces like libraries (via a future announcement).
- [June 4, 2020](#): Gyms, pools, and outdoor recreation.
- [June 18, 2020](#): Higher education, manufacturing, residential camps, and indoor and outdoor events and venues such as conferences, theaters, malls, museums, fairs, and concerts.
- [June 30, 2020](#): Bars were ordered to re-close.

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

- **Worksites**
  - Deputize workplace coordinator(s) charged with addressing COVID-19 issues.
  - Maintain six-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.**

- [General Business.](#)
- [Retail.](#)
- [Construction.](#)
- [Grocery Stores.](#)
- [Restaurants.](#)
- [Child Care.](#)
- [P-12 Education.](#)
- [Field Services & Real Estate.](#)
- [Local & Personal Recreation.](#)
- [Outdoor Recreation.](#)
- [Office-Based Businesses.](#)
- [Higher Education.](#)
- [Non-Critical Manufacturing.](#)
- [Personal Services.](#)
- [Agriculture.](#)
- [Campgrounds.](#)
- [Day Camps & Youth Sports Camps.](#)
- [Residential Camps.](#)
- [Indoor Events.](#)
- [Outdoor Events.](#)
- [Short-Term Rentals.](#)

**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. Connecticut released its full reopening plan, [Roadmap for Reopening Connecticut](#), on May 26, 2020.



**Gating Criteria for Initial Reopening.** Seven criteria had to be satisfied before the reopening plan could commence. Those criteria were:

- 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.

To progress to Reopen Level Two, the following five criteria must be met:

- Less than 100 bed net increase in hospitalization in the last week of Reopen Level One.
- 100,000 tests a week and more than half of contacts identified within 48 hours.
- Testing plan for key workers and priority high-risk communities implemented.
- Fewer than 20% of beds occupied by COVID-19 patients at the peaked bed capacity.
- Rules and regulations disseminated two weeks prior to Reopen Level Two.

**Reopen Level One.** [Reopen Level One](#) began May 20, 2020. Prior to opening, businesses must [self-certify](#) that they are complying with Connecticut's strict safety guidelines. The businesses that were allowed to reopen included:

- Restaurants (outdoor only - no bar areas).
- Retail and malls at 50%.
- Offices at 50% (continue work from home where possible).
- Hair salons and barbershops (June 1, 2020; by appointment only).
- Museums, zoos (outdoor only), and outdoor recreation.
- Casinos (June 1, 2020).

**Reopen Level Two.** Per Governor Lamont's [announcement](#), Reopen Level Two began June 17, 2020. 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.
- Campgrounds.
- Bowling alleys
- Social clubs and pools.
- Gyms.
- Restaurants for indoor dining.
- Bars.
- Hotels.
- Museums.
- Zoos and aquariums.
- Outdoor amusement parks.
- 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.** Businesses in the following industries must comply with the state's [sector specific guidance](#), which include the following industries:

- General Business.
- Private Campgrounds.
- Hair Salons & Barbershops.
- Museums & Zoos (phase two guidance available [here](#)).
- Offices.
- Restaurants.
- Retail & Malls.
- Amusement Parks (phase two guidance available [here](#)).
- Hotels & Lodging (phase two guidance available [here](#)).
- Indoor Dining.
- Indoor Museums, Zoos, & Aquariums.
- Indoor Recreation (phase two guidance available [here](#)).
- Libraries (phase two guidance available [here](#)).
- Outdoor Events (phase two guidance available [here](#)).
- Personal Services.
- Sports & Fitness Facilities.
- [Gyms](#) (provided in subsequent guidance).

## **8. Delaware**

Delaware has [implemented](#) a three phase reopening plan. Previously, the [Second Extension](#) of the Declaration of a State of Emergency for the State of Delaware required 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.
- Florists (per subsequent [modification](#)).

On May 20, 2020, Governor Carney [announced](#) all retail businesses may reopen by appointment. In addition, ice cream shops and trucks reopened May 15, 2020, and pools reopened 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.** The initial phase of reopening began on June 1, 2020 at 8:00 am. In addition to continued social distancing and gathering limitations for individuals, as well as required face masks, a number of restrictions remain in place for businesses. Subject to those restrictions, most businesses will to be able to resume in-person operations under the [Nineteenth Modification](#) of the Declaration of a State of Emergency at 30% occupancy, unless a different cap is listed below). Businesses that may reopen include:

- Arts and culture businesses, museums, galleries, and historical attractions.
- Restaurants and breweries, taverns, and taprooms that provide table service (not bars).
- Retail.
- Malls.
- Barber shops and hair salons.
- Tanning salons.
- Exercise facilities.
- Realty (occupancy capped at 10 individuals per house).
- Casinos.
- Racetracks (no fans permitted).
- Parks and recreation facilities such as zoos, miniature golf courses, and batting cages (no occupancy cap, but must maintain six feet of social distancing).
- Youth sports (group classes capped at 10 individuals).

In addition, other personal care services including tattoo parlors, massage therapy services, nail care, and similar businesses were permitted to open, at 30% capacity and by appointment only, on June 8, 2020.

**Phase 2.** Phase Two began on June 15, 2020. The capacity limit on gatherings was increased to 50 and the capacity limit on businesses that were allowed to operate at 30% capacity in Phase One were increased to 60% (except personal care services and exercise facilities). Child care and summer camps may also reopen in Phase 2. On June 20, 2020, youth and adult recreational sports may resume. Personal care businesses may expand to 60% capacity as of June 22, 2020.

**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. Phase 3 was expected to begin on Monday, June 29, but has been indefinitely [delayed](#).

**Industry-Specific Guidance.** Delaware's Phase One [reopening guide](#) includes several industry-specific requirements, including requirements for the following types of businesses:

- Arts & Culture.
- Food & Drink Establishments (Phase two guidance available [here](#)).
- Retail.
- Malls.
- Personal Services (barbershops & hair salons, tanning salons, exercise facilities) (Phase two guidance available [here](#)).
- Casinos.
- Racetracks.
- Parks & Recreation.
- Child Care.

- Jewelry Stores ([May 8 reopening announcement](#)).
- Cosmetology ([May 8 reopening announcement](#)).
- Golf ([May 8 reopening announcement](#)).
- Drive-In Movies ([May 8 reopening announcement](#)).
- [Farmer's Markets](#) (provided in subsequent guidance).
- [Swimming Pools](#) (provided in subsequent guidance).
- [Youth Sports](#) (provided in subsequent guidance).

## 9. **District of Columbia**

The city lifted its stay-at-home order at 12:01 am on [May 29, 2020](#) and [Phase One](#) of the city's reopening plan began.

**Gating Criteria.** Consistent with CDC and federal recommendations, the city is considering the following criteria in determining when to move among phases:

- COVID-19 Case Decline.
  - Sustained 14-day decrease in community spread.
  - Low transmission rate of under one transmission per infected individual for 3 days.
- Testing Capacity.
  - Capacity to test individuals who are symptomatic, in essential roles, at-risk healthcare workers, or who have had close contacts with individuals who have tested positive for COVID-19.
- Health Care System Capacity.
  - Hospital occupancy under 80% for over 7 days, without resort to surge capacity.
- Public Health System Capacity.
  - Sufficient contact tracing system for COVID-19 cases.
  - Contact tracing attempt of new cases within 1 day and their close contacts within 2 days.

**Phase One.** Phase One of the reopening plan began on May 29, 2020. Gatherings of up to 10 individuals were permitted, but social distancing of six feet must be maintained wherever possible. In addition, the following businesses may reopen:

- Restaurants for outdoor dining (subject to additional restrictions and including bars that serve food).
- Non-essential retail (and other businesses as applicable) for curbside or front-door pickup.
- Barbershops and salons (by appointment only).
- Golf courses, tennis courts, parks, dog parks, and track and field spaces.

**Phase Two.** Phase Two began June 22, 2020. In Phase Two, gatherings of up to 50 people are permitted. Retail businesses and restaurants are permitted to resume indoor services at 50% capacity. Capacity limits on gyms are lifted. Additional personal services such as tanning, tattoo, hair removal, and nail salons are permitted to reopen by appointment only. Museums can reopen with capacity limits.

**Industry-Specific Guidance.** Washington, D.C., also includes requirements for the following types of businesses:

- [Childcare.](#)
- [Cosmetology & Barber Professionals.](#)
- [Dental Care.](#)
- [Elective Surgery.](#)
- [For-Hires Vehicles, Taxi, and Rideshare Vehicles.](#)
- [Parks & Open Spaces.](#)

- [Restaurants.](#)

## **10. 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.** Phase Two began per [Executive Order 20-139](#) on June 5, 2020 at 12:01 am for all counties except Miami-Dade, Broward, and Palm Beach. Bars and nightclubs are allowed to reopen at 50% capacity. Theaters, bowling alleys, concert halls, and other indoor entertainment businesses are also allowed to reopen at 50% capacity. Personal care services including tattooing, body piercing, acupuncture, tanning, and massage businesses may reopen, subject to Department of Health guidelines. Social groups of up to 50 individuals are permitted to gather. On [June 26, 2020](#), Florida imposed new restrictions in response to a spike in cases, including ordering bars to stop serving alcohol on the premises. Full guidelines have not yet been released for the new restrictions.

**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).

## **11. 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](#), a [May 12, 2020 Executive Order](#), a [May 28, 2020 Executive Order](#), a [June 11, 2020 Executive Order](#), and a [July 15, 2020 Executive Order](#):

- [April 27, 2020](#): Restaurants, bowling alleys, theaters.
- [May 1, 2020](#): Non-essential businesses, unless otherwise specified.
- [June 1, 2020](#): Bars and nightclubs.
- [June 12, 2020](#): Amusement parks, fairs, and circuses allowed to resume.
- [June 16, 2020](#): Removal of capacity limits for restaurants and increased capacity at bars.
- [July 1, 2020](#): Conventions and live performance venues may resume, subject to certain restrictions. Gatherings are limited to no more than 50 people, unless six feet of social distancing can be maintained.
- [Indefinite](#): Swimming pools.

Per the [June 29, 2020 Executive Order](#), non-essential businesses that reopen must implement the following measures through July 15, 2020, at 11:59 pm:

- Screening and evaluating workers who exhibit signs of illness.
- Posting signage at the front of the facility stating that individuals who have symptoms of COVID-19 shall not enter the store.
- 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 [Executive Orders](#) also include 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.
- [Film and Television](#) (advisory).
- Personal Services.
- Bars.
- Amusement Parks, Fairs, & Circuses.
- Summer camps.
- Live Performance Venues.
- Conventions.
- Food establishments.

## **12. 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 Three.

**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.

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

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

**Phase Three.** In Phase Three, the [Ninth Supplementary COVID-19 Proclamation](#) large venues, bars, gyms, indoor exercise facilities, movie theaters, museums, and clubs were permitted to reopen on June 19, 2020, 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.](#)
- [Barbers & Beauty Operators.](#)

### **13. 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. On June 11, 2020 Governor Little [announced](#) that Idaho would move into Stage Four on June 13, 2020 and provided additional “Stay Healthy” [guidelines](#) for individuals and employers.

**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.

- Restaurant dining rooms, indoor gyms and recreation facilities, and hair salons may open 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 and return employees to work in phases.
  - All open businesses continue to follow protocol for opening.
- Specific Type of Employer.
  - Bars can reopen if they meet the industry protocols. Nightclubs can also reopen as bars if they meet the industry protocols.
  - Large venues like movie theaters remain closed.

**Stage Four—June 13.**

- 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.
  - Nightclubs and large entertainment venues may resume operations if able to meet business protocols.
  - 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](#) (subsequent Stage Four guidance provided [here](#)).
- [Pools & Waterparks.](#)
- [Bars, Breweries, Wineries, Distilleries](#) (subsequent Stage Four guidance provided [here](#)).
- [Movie Theaters.](#)
- [Campgrounds.](#)
- [Outfitting Services.](#)
- [Long-term Care Facilities](#)

#### **14. 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. Most of Illinois advanced to Phase Three on May 29, 2020. Chicago joined the rest of the state in Phase Three on June 3, 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.

On July 2, 2020, Fourth Judicial Circuit Judge Michael D. McHaney ruled that Governor Pritzker's executive orders requiring certain businesses closures violated the state constitution and voided the orders. The state has appealed the decision.

On July 15, 2020, Governor Pritzker announced a new [mitigation plan](#) to prevent a resurgence of COVID-19 in Illinois. The plan calls for increased testing and tracing measures throughout the state.

**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.** On May 29, 2020, Phase Three began and included 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 are 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 50% occupancy cap).
- All child care facilities (10 child per classroom limit).
- Bars and restaurants for on-premises consumption, subject to occupancy cap.
- Pools (for lap swimming).

**Phase Four: Revitalization.** Illinois, including Chicago, moved to Phase Four on June 26, 2020. 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, gatherings of up to the lesser of 50 individuals or 50% of room capacity will be permitted. Additional non-essential businesses will be allowed to reopen, subject to having an IDPH approved safety guidance and any additional requirements listed below, including:

- Indoor and outdoor recreational businesses.
- Museums and zoos (at 25% capacity).
- Cinema and theaters.
- Outdoor seated spectator events (at 20% capacity).
- Film production.
- Casinos (July 1, 2020).

**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.** Illinois provides additional guidance for the following industries:

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

In addition, Illinois has release guidance for industries allowed to be open in Phase Three, with requirements for:

- [Manufacturing.](#)
- [Health & Fitness.](#)
- [Offices.](#)
- [Personal Care Services.](#)
- [Retail.](#)
- [Indoor and Outdoor Recreation.](#)
- [Service Counters.](#)
- [Day Camps.](#)
- [Youth Sports.](#)
- [Golf.](#)
- [Restaurants & Bars.](#)
- [Tennis.](#)
- [Boating / Fishing.](#)

- [Child Care.](#)
- [Museums.](#)
- [Zoos.](#)
- [Cinema & Theatre.](#)
- [Outdoor Seated Spectator Events.](#)
- [Film Production.](#)
- [Casinos.](#)

## **15. 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, and community pools may open in all counties, except Cass, Lake, and Marion, if compliant with health precautions. In Stage 3, Indiana raises the capacity limit at retail stores, commercial stores, and malls to 75% (although the indoor common areas of shopping malls are restricted at 50% capacity). Restaurants may continue to operate at 50% capacity. In the counties of Cass, Lake, and Marion, the same easing of restrictions took effect on June 1 2020.

**Stage 4.** Starting June 12, 2020, bars and nightclubs (at 50% capacity), entertainment and tourism businesses, movie theaters, bowling alleys, and similar facilities (at 50% capacity), large venues, and amusement or water parks may [resume](#), subject to certain restrictions. Additionally, restaurants can operate at 75% capacity, while certain other businesses may operate at full capacity, including retail and malls. Some regions were required to wait to enter Stage 4 until June 15, 2020.

The governor announced a modified plan on July 1, 2020, and counties will enter Stage 4.5 beginning on July 4, which entails substantially similar restrictions as were observed in Stage 4 but permits social gatherings of up to 250 people. Governor Holcomb [announced](#) at a news conference on July 15, 2020 that the state would remain in Stage “4.5” for at least another two weeks.

**Stage 5.** On July 30, 2020, Gov. Holcomb announced that Indiana will move into Stage 5 after August 27, 2020. At that time, 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 (additional advisory [guidelines](#)).
- Gyms and Fitness (additional advisory [guidelines](#)).
- Manufacturing, Industrial, Construction (additional advisory [guidelines](#)).
- Retail and Malls (additional advisory [guidelines](#)).
- Healthcare.
- Restaurants, Bars, and Nightclubs (additional advisory [guidelines](#)).
- Cultural, Entertainment, Sports, Tourism.
- Recreation and Amusement.
- Professional Office Settings (advisory [guidelines](#)).
- Child Care Programs (advisory [guidelines](#)).
- Youth Summer Day Camps (advisory [guidelines](#)).
- Day Services for Adults with Developmental Disabilities (advisory [guidelines](#)).
- Campgrounds (advisory [guidelines](#)).
- Recreational Sports & Facilities (advisory [guidelines](#)).
- Raceways (advisory [guidelines](#)).
- Pools & Aquatic Facilities (advisory [guidelines](#)).
- [Golf](#) (includes advisory measures).
- [General Businesses](#) (includes advisory measures).

## **16. 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.

Effective May 28, 2020 at 12:01 am, the Governor's May 26, 2020 [Proclamation of Disaster Emergency](#) permitted the reopening of bars, wineries, and social clubs at 50% occupancy and subject to additional restrictions. On June 1, 2020, recreational businesses were permitted to reopen, including outdoor performance venues, race tracks, casinos, bowling alleys, arcades, amusement parks, skating rinks, and skate parks. Beginning June 12, 2020, businesses are no longer be subject to occupancy limits.

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 six 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 six 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.](#)
- [Bars.](#)
- [Outdoor Performance Venues.](#)
- [Casinos & Gaming Facilities.](#)
- [Amusements.](#)
- [Skating Rinks & Skate Parks.](#)

**17. Kansas**

Kansas revealed [Ad Astra: A Plan to Reopen Kansas](#) on April 30, 2020, which includes four phases. Kansas later added a Phase 1.5 to its [reopening plan](#). On May 26, 2020, Governor Kelly [announced](#) the revocation of the statewide order instituting Phase 2 of the reopening plan. The reopening plan is now advisory but may be adopted at the county level as a mandatory order.

**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 six 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 would move to Phase Two on May 22, 2020. On May 26, 2020, Governor Kelly [announced](#) that the guidelines in Phase Two and subsequent phases would only be advisory, unless adopted by a county as mandatory measures. Phase Two recommends that mass gatherings of over 15 individuals be prohibited, masks should be worn in public settings, telework should be encouraged by employers, nonessential travel avoided, and six feet of social distancing maintained. Phase Two further recommends that the following establishments remain closed:

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

**Phase Three.** Pursuant to Governor Kelly’s May 26, 2020 announcement, the measures in this phase will not be mandatory, unless adopted at the county level. Governor Kelly recommended that communities advance to Phase Three on June 5, 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 Four (“Phase Out”).** During this phase, which had originally been scheduled to begin June 22, 2020 but has been delayed, social distancing is still encouraged, as are heightened cleaning and hygiene practices by employers. As with the other phases, Phase Four will be optional. Local governments may also impose more stringent restrictions.

**Industry-Specific Guidance.**

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

- [Massage Therapy.](#)
- [Outdoor Sports.](#)

## **18. 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 determined whether Kentucky had met certain public health benchmarks, which are based on the federal guidelines. The Governor began 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.

**Phase Three.** Phase Three began June 29, 2020. It continues many of the same restrictions from Phase Two, but allows groups of 50 people or fewer. In addition, it includes the reopening of businesses listed below, beginning with the reopening of certain businesses on June 29, 2020.

**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.
- [May 25, 2020](#): Social gatherings of no more than 10 people, barbers, salons, cosmetology businesses and similar services.
- [June 1, 2020](#): Auctions, auto racing, aquatic centers, bowling alleys, fishing tournaments, fitness centers, and movie theaters allowed to reopen.
- [June 8, 2020](#): Educational and cultural activities including aquariums, distilleries, libraries, limited outdoor attractions, museums, and horse shows, as well as some in-home childcare programs.
- [June 15, 2020](#): Center-based childcare programs and day camps, as well as low-contact youth sports.
- [June 29, 2020](#): Bars, venues and events spaces, and remaining youth sports.
- [July 1, 2020](#): Auctions, aquatic centers, bowling alleys, fitness centers, and movie theaters were allowed to increase business capacity to 50% of normal operations.

**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 & Bars.](#)
- [Massage Therapy.](#)
- [Nail Salons.](#)
- [Tanning Salons.](#)
- [Tattoo Parlors.](#)
- [Barbers & Hair Salons.](#)
- [Aquatic Centers.](#)
- [Auto & Dirt Track Tracing.](#)
- [Bowling Alleys.](#)
- [Fitness Centers.](#)
- [Movie Theaters.](#)
- [Childcare.](#)
- [Youth Sports.](#)
- [Auctions.](#)
- [Fishing Tournaments.](#)
- [Educational & Cultural Activities.](#)
- [Horse Shows.](#)
- [Public Swimming Facilities.](#)

- [Venues & Event Spaces.](#)

## **19. Louisiana**

Governor Edwards [announced](#) that Phase One began 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 relied on the federal gating criteria to determine when to begin Phase One of its reopening plan.

**Phase One.** The following businesses are 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.

**Phase Two.** [Phase Two](#) began on June 5, 2020 and will last a minimum of 21 days. During Phase Two, restaurants, casinos, and retailers may increase their capacity limit from 25% to 50%. Casinos may reopen slot machines at 75% capacity. In addition, the following businesses may reopen, subject to additional capacity limits and/or industry-specific restrictions:

- Bars, breweries, and pool halls.
- Tattoo parlors.
- Pools.
- Massage parlors.
- Spas.
- Gyms.
- Food courts in shopping malls.
- Skating and event centers.
- Movie theaters, bowling alleys, and other recreational businesses.
- Sporting venues.

On July 11, 2020, additional [restrictions](#) took effect that require the closure of all bars to on-premises consumption and the restriction of both indoor gatherings and outdoor gatherings where social distancing cannot be maintained to 50 individuals.

On July 21, 2020, Governor Edwards [announced](#) that Phase Two will remain in place until at least August 7, 2020.

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

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

- [Restaurants.](#)
- [Restaurants and Bars.](#)
- [Beauty Shops, Salons, and Barber Shops.](#)
- [Shopping Malls.](#)
- [Casinos, Racetracks, and Video Poker Establishments.](#)
- [Gyms & Fitness Centers.](#)

## **20. 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.** Maine entered Stage Two under [Executive Order 55](#) on May 31, 2020. The Order raises the cap on gatherings to 50 people and continues 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. Although the Order does not allow for the reopening of Stage Two businesses, it contemplates the gradual reopening of the following types of businesses during Stage Two:

- Hospitality.
  - Restaurants.
  - Lodging.
- Outdoor Recreation.
  - Campgrounds/RV parks.
  - Day camps.
- Retail.
  - All retail businesses.
- Other Businesses.
  - Personal services (nail technicians, tanning salons) (per May 19, 2020 [announcement](#)).
  - Gyms and fitness centers (per May 19, 2020 [announcement](#)).

**Stage Three—July-August.** Maine entered into Stage Three on July 1, 2020. 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.
    - i. On June 22, 2020, Governor Mills [announced](#) that Maine was postponing the re-opening of indoor service at bars.
  - Lodging, such as hotels, campgrounds, summer camps, or RV parks.
- Outdoor Recreation.
  - Charter boats, excursions – fewer than 50 people.
  - Summer Camps.
- Personal Services.
  - 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.

On July 8, 2020, Governor Mills issued an [order](#) requiring retail stores with over 50,000 square feet of shopping space, eating establishments, bars, tasting rooms, and lodging operations and accommodations in certain counties to implement measures (e.g., denial of entry or service) that require customers to wear face coverings.

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

**Industry-Specific Guidance.**

- [General Business.](#)
- [Movie Theaters.](#)
- [Golf.](#)
- [Outdoor.](#)
- [Marinas.](#)
- [Cosmetology.](#)
- [Dog Grooming.](#)
- [Auto Dealership.](#)
- [Car Washes.](#)
- [Retail.](#)
- [Restaurants.](#)
- [Lodging.](#)
- [Campgrounds and RV Parks.](#)
- [Nail Technicians.](#)
- [Tanning Services.](#)
- [Overnight Summer Camps.](#)
- [Day Camps & Summer Recreation.](#)
- [Community Sports.](#)
- [Construction.](#)
- [Real Estate.](#)
- [Transportation.](#)
- [Museums.](#)
- [Gyms & Fitness Centers.](#)
- [Tattoo & Body Piercing.](#)

**21. 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. Stage Two began at 5:00 pm on June 5, 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.

In addition, the following businesses may resume at 5:00 pm on May 29, 2020:

- Restaurants for outdoor dining.
- Low-contact youth sports.
- Youth day camps, restricted to Maryland residents.
- Outdoor pools, subject to 25% occupancy caps.

These allowances 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.** Maryland began Stage Two on June 5, 2020 at 5:00 pm under [Executive Order No. 20-06-03-01](#). Most businesses may now reopen. However, gatherings of more than 10 individuals are still prohibited, and the following types of businesses must remain closed:

- Senior centers.
- Fitness centers.
- Indoor theaters.
- Indoor dining at restaurants, bars, and similar establishments.



- Interior common areas in malls and retail only accessible by interior common areas in malls.
- Recreational establishments like bowling alleys, amusement parks, and social clubs (except for minimum operations as defined in the Order).

Indoor dining at restaurants and outdoor amusements (e.g., miniature golf and go-karts) may resume at 50% capacity at 5:00 pm on June 12, 2020. Casinos, arcades, malls, and gyms and related indoor fitness (at 50% capacity) were permitted to resume at 5:00 pm on June 19, 2020.

Effective at 5:00 pm on July 31, 2020, personal services establishments (at 50% capacity), outdoor recreational establishments, indoor recreational establishments (at 50% capacity), fitness centers (at 50% capacity), and casinos, racetracks, and simulcast betting facilities (at 50% capacity) are permitted to reopen. In addition, all other businesses, except as otherwise closed by executive order, that are not part of the critical infrastructure sectors identified by the U.S. Department of Homeland Security may open to the general public.

**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.](#)

## **22. 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 allows 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, drive-in movie theaters, zoos, car washes, pet groomers, outdoor adventure activities, select athletic fields and courts, outdoor gardens and zoos, and retail (curbside pick-up only) may open.
- June 1, 2020: Office spaces in Boston may open at 25% capacity.

**Phase Two: Cautious.** Phase Two, which began June 8, 2020, includes the reopening of additional industries with more face to face interactions, again subject to restrictions and capacity limits. During [Phase Two](#), the following types of businesses may reopen, each subject to certain restrictions:

- Retail.
- Restaurants for outdoor dining.
- Lodging.
- Adult day care.
- Youth & adult amateur sports.
- Certain youth classes.
- Professional sports training.
- Golf, summer camps, pools, outdoor recreation.
- Warehouses and distribution centers.
- Post-secondary education to allow degree completion.
- Day camps.
- Funeral homes.

Step 2 of this phase, which began June 22, 2020, includes the additional reopening of the following types of businesses:

- Additional personal services such as nail salons.
- Restaurants for indoor dining.
- Offices may increase their capacity from 25% to 50%.

**Phase Three: Vigilant.** [Phase Three](#), which began July 6, 2020 for most of the state and began July 13, 2020 for Boston, occurs in two steps. During step 1, indoor gatherings of up to 25 people are permitted and outdoor gatherings of up to 100 people are permitted. The following businesses may resume in step 1:

- Outdoor theaters & performance venues of moderate capacity.
- Fitness centers & health clubs.
- Indoor recreational businesses like bowling alleys with low potential for contact.
- Amateur or professional derbies and sports (without spectators).

- Post-secondary education.
- Casinos
- Horse racing (without spectators).
- Indoor recreational & athletic facilities.
- Museums, indoor historic spaces, and aquariums.
- Sightseeing and organized tours.
- Wedding and event spaces.
- Overnight camps.
- Indoor non-athletic instructional classes for adults.

Step 2 will include the additional reopening of the following types of businesses:

- Indoor theaters, concert halls, and other performance venues of moderate capacity.
- Indoor recreational businesses like trampolines and laser tag with high potential for contact.

**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.](#)
- [Restaurants.](#)
- [Outdoor recreational activities.](#)

### **23. 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. On June 1, 2020, the governor [moved](#) the entire state into Phase 4.

**Gating Criteria.** Michigan has establish 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.** Michigan entered [Phase 4](#) on June 1, 2020. During this phase, gatherings of up to 100 are permitted, and lower-risk businesses are permitted to open with strict safety measures, including the following types of businesses:

- June 1, 2020: Outdoor athletic events (subject to 100 person cap), in-home services like cleaning, drive-in movie theaters, office workers whose work cannot be done remotely.
- June 4, 2020: Retail may operate without appointments.
- June 8, 2020: Bars, restaurants (indoor dining at 50% capacity), day camps, pools.
- June 15, 2020: Personal care businesses like hair salons, massage businesses, and nail salons (reopened on June 10, 2020 for portions of northern Michigan).

**Phase 5 – Containing.** Portions of northern Michigan entered [Phase 5](#) on June 10, 2020, with the rest of the state to follow in the next couple of weeks. During this phase, indoor gatherings of up to 50, outdoor gatherings of up to 250, will be permitted, and most businesses will be allowed to reopen with additional safety measures, including the additional reopening of the following types of businesses:

- Theaters, bowling alleys, arcades, and climbing facilities.
- Gyms.
- Outdoor concert spaces and performance spaces.
- Convention centers and meeting halls.
- Night clubs.
- Pools.
- Race tracks.
- Sports arenas and stadiums.

A U.S. District Court ruling permits the reopening gyms statewide on June 25, 2020.

Effective July 1, 2020, Governor Whitmer [ordered](#) bars to close indoor services, except for those in northern Michigan. Effective July 13, 2020, the Governor [ordered](#) all businesses that are open to the public to deny service to customers or deny entry to customers who are not wearing a face covering as required by the order. Moreover, businesses that are open to the public must post signs at entrances instructing customers of their legal obligation to wear a mask.

**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:

- [General Industry \(Phase 5 Updates\)](#).
- [In-Person Retail \(Phase 5 Updates\)](#).
- [Construction \(Phase 5 Updates\)](#).
- [Manufacturing \(Phase 5 Updates\)](#).
- [Maintenance Workers](#).
- [Offices \(Phase 5 Updates\)](#).
- [Laboratories \(Phase 5 Updates\)](#).
- [Restaurants and Bars \(Phase 5 Updates\)](#).
- In-Home Services ([Phase 5](#)).
- Personal Care Services ([Phase 5](#)).
- Sports & Entertainment Facilities ([Phase 5](#)).
- Gyms & Similar Facilities ([Phase 5](#)).
- [Large Venues](#).
- [Pharmacies](#).

A July 29, 2020 [Executive Order](#) has imposed further requirements on these industries.

#### **24. 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 like hair salons and tattoo shops may also open on June 1, 2020 at 25% capacity, subject to the same appointment and face mask requirements.

**Phase Three.** Beginning June 10, 2020, the outdoor gathering limit was raised to 25, and a number of restrictions on businesses were eased. Gyms may reopen at 25% capacity, and restaurants may offer indoor dining at 50% capacity (reservation required). Personal service businesses are able to increase their capacity to 50%. Movie theaters, bowling alleys, arcades, museums, and other indoor entertainment venues may open at 25% capacity. Outdoor entertainment, like concerts, may resume, and pools may reopen at 50% capacity. Across all businesses, both indoor and outdoor, gatherings may never exceed 250 individuals. The requirement to telework if possible remains in place.

Pursuant to a July 22, 2020 [Executive Order](#), all businesses must update their COVID-19 Preparedness Plans to include the face covering requirements articulated by the Executive Order, including those that have been incorporated into the Industry Guidance applicable to their business in the Stay Safe Minnesota plan.

**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.

**Industry-Specific Guidance.**

- [Restaurants & Bars.](#)
- [Gyms & Fitness Centers.](#)
- [Seated & Recreational Entertainment & Meeting Venues.](#)
- [Personal Care Services.](#)

**25. 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, all places of indoor amusement and recreation shall remained closed to the public. 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](#)). Other businesses may subsequently reopen on the following schedule:

- [April 27, 2020 at 8:00 am](#): Limited operation of pools and parks may reopen per [Executive Order 1478](#).
- [May 25, 2020 at 8:00 am](#): Salons, barber shops, and other personal care and personal grooming facilities, as well as fitness centers and gyms, may reopen subject to several restrictions under [Executive Order 1480](#).

- May 15, 2020: 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) may reopen per [Executive Order 1486](#).
- May 25, 2020 at 8:00 am: Outdoor places of amusement and recreation, including amusement parks, waterparks, go-cart tracks, mini golf, and playgrounds may reopen per [Executive Order 1487](#).
- June 1, 2020 at 8:00 am: Governor Reeves instituted [Executive Order 1492](#) allowing organized youth sports, movie theaters, auditoriums, libraries, and museums to reopen. With the enactment of this measure, all businesses would be permitted to reopen in Mississippi. However, businesses remain subject to the restrictions included in the new Order.

A full reopening had been scheduled for July 1, 2020; however, due to the surge in cases in late June, Governor Reeves announced that full reopening would be delayed.

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

- [Retail](#).
- [Restaurants](#).
- [Salons, Barbershops, and Gyms](#).
- [Tattoo Parlors](#).
- [Outdoor Recreational Activities](#).
- [Indoor Recreational Activities](#).
- [Reception Halls & Conference Centers](#).

## **26. 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](#).

**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.

**Phase Two.** The state entered Phase Two on June 16, 2020 and lifted all statewide restrictions.

**Industry-Specific Guidance.**

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

## **27. Montana**

On April 22, 2020, Montana announced its [phased reopening plan](#). Montana entered Phase Two 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 began 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.

As provided in the [July 15, 2020 Directive](#), in counties in which there are four or more confirmed and active COVID-19 cases, all businesses and other persons responsible for indoor spaces open to the public shall require and take reasonable measures to ensure that employees and other members of the public wear a face covering. Additionally, all points of entry to the public must have a clearly visible sign posted stating: “Mask or face covering use required for ages five and older.” For any organized outdoor activity where social distancing is not possible or not observed, sponsors shall require and take reasonable measures to ensure that attendees are wearing a face covering.

**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.

## **28. 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.

**Phase One.** Reopening is subject to [restrictions](#) specific to each of those types of businesses. Moreover, a new [Directed Health Measure](#) required 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 ended for three counties on May 18, 2020.

**Phase Two.** On May 21, 2020, Governor Ricketts [announced](#) additional changes to Nebraska's directed health measures to allow more businesses to reopen with fewer restrictions on June 1, 2020. In all but four counties, gatherings of 25 individuals or 25% of an area's capacity, whichever is greater, are permitted. Bars may reopen for outdoor services, subject to a 50% occupancy cap and a limit of six individuals per table. In addition, gyms, personal services like salons, barber shops, massage therapy and tattoo parlors (subject to face mask requirement), and wedding and funeral reception venues are permitted to operate at 50% capacity or 25 people (excluding staff), whichever is greater. Team sports may reopen and may schedule games as of June 18, 2020. On June 22, 2020, Nebraska raised capacity restrictions on bars, restaurants, gyms, personal care businesses, arenas, theaters, libraries, and outdoor venues like stadiums.

In the counties of Dakota, Hall, Hamilton, and Merrick, gatherings remain subject to a 10-person cap, including gyms and event venues. Salons, barber shops, massage therapy services, and tattoo parlors are also subject to the smaller occupancy limit of 10 patrons. Bars must remain closed. Childcare facilities are subject to a 15 child per room limit.

**Phase Three.** Governor Ricketts has announced that 89 of the state's counties moved to Phase Three of the reopening on June 22, 2020. The remaining four counties of Dakota, Hall, Hamilton, and Merrick moved to Phase Two and entered Phase Three on July 6, 2020. In addition to relaxing certain industry-specific requirements, Phase Three increases capacity limits to the following:

- Indoor gatherings at 50% capacity, not to exceed 10,000.
- Outdoor gatherings at 75% capacity, not to exceed 10,000.
- Child care at 156 – 30 children per room, depending on age.
- Gyms at 75% capacity.
- Salons, barber shops, massage therapy services, and tattoo parlors/body art facilities at 75% capacity.
- Restaurants, bars, and gentlemen's clubs at 100% capacity for dine-in services.

**Phase Four.** In Phase Four, all capacity limits will be lifted, except for the indoor gathering capacity limit, which will be increased to 75%. Some social distancing requirements for indoor gatherings will also remain in place. Otherwise, industry-specific guidance will become advisory rather than mandatory.

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

- Salons & Barber Shops (advisory recommendations also [available](#)).
- Massage Therapy ([advisory](#)).
- Body Art and Tattooing ([advisory](#)).
- Childcare.
- Bars & Restaurants.
- Gyms.
- Sports (as provided in the May 21, 2020 [Guidance](#)).
- Wedding & Funeral Receptions (as provided in the May 21, 2020 [Guidance](#)).

- [Agriculture, Farmers Markets, Fairs & Auctions, & Nurseries.](#)
- [Dentistry.](#)

## 29. **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.

Effective July 10, 2020, [Declaration of Emergency Directive 027](#) requires that restaurants and food establishments licensed to serve food in a restaurant-type setting shall operate under Phase One conditions when located in a county with an Elevated Disease transmission. Bars, pubs, taverns, distilleries, and wineries in a county with an Elevated Disease Transmission not licensed to serve food shall close and remain closed.

**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.** Phase Two began May 29, 2020. 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. Gatherings of up to 50 will be permitted, and the gaming industry reopened June 4, 2020. In [Phase Two](#), the following types of businesses may reopen:

- Bars, pubs, and taverns that do not have a license to serve food at 50% capacity.
- Gyms & fitness facilities at 50% capacity for larger gyms and with closed locker rooms and six-feet apart equipment for all gyms.
- Museums, zoos, art galleries, and aquariums (without interactive exhibits).
- Movie theaters, bowling alleys, mini-golf, amusement parks, and indoor malls (each subject to occupancy restrictions and limits on areas where people can congregate).
- Youth sports and recreation.
- Spas (without open communal facilities).
- Massage services, body art and body piercing establishments by appointment only (face masks must be worn, no art around the nose and mouth).
- Aquatic facilities, pools, and water parks at 50% capacity (without open communal areas).
- As of [June 24, 2020](#), businesses must ensure that customers and clients use face coverings, provide employees with face coverings and make sure they are worn in any spaces visited by the public.

On June 29, 2020, Phase Two was [extended](#) to July 31, 2020.

**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.
- Taxis ([separate guidance](#)).

### **30. 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:

- [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).
- [June 1, 2020](#): Fitness centers, massage therapy, and tattoo and piercing shops.
- [June 5, 2020](#): Hotels and lodging.
- [June 15, 2020](#): Restaurants (for limited indoor dining) and wedding reception venues (at 50% capacity). Fitness centers and gyms may resume normal gym activity at 50% capacity. Bowling alleys, racetracks, pools, and outdoor attractions may resume. Gatherings of more than 10 individuals may also resume.
- [June 22, 2020](#): Day camps.
- [June 28, 2020](#): Overnight camps.
- [June 29, 2020](#): Indoor movie theaters, performing arts centers, and amusement parks.

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.** New Hampshire's industry-specific guidance is mostly advisory, but includes some required measures and provides additional guidance for the following industries:

- [Drive-In Movie Theaters.](#)
- [Golf.](#)
- [Restaurants.](#)
- [Campgrounds.](#)
- [Manufacturing.](#)
- [Hospitals.](#)
- [Cosmetology.](#)
- [Dental.](#)
- [Retail.](#)
- [Child Care.](#)
- [Lodging.](#)
- [Day Camps.](#)
- [Overnight Camps.](#)
- [Acupuncture.](#)
- [Amateur & Youth Sports.](#)
- [Attractions.](#)
- [Body Art.](#)
- [Equestrian Facilities.](#)



- [Health & Fitness.](#)
- [Massage.](#)
- [Performing Arts/Streaming Media.](#)
- [Weddings.](#)
- [Amusement Parks.](#)
- [Movie Theaters.](#)
- [Arts & Music Education.](#)
- [Performing Arts Venues.](#)

### **31. 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.** Six principles will be used to help making the determination of when to move to subsequent phases. 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 at the business adopt 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 were allowed beginning May 26, 2020.

On June 9, 2020, Governor Murphy [announced](#) that indoor gatherings would be permitted at the lesser of 25% building capacity or 50 people total. All attendees must wear face coverings and maintain social distancing. The limit on outdoor gatherings was raised from 25 to 100 individuals.

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.** New Jersey entered Stage 2 on June 15, 2020. Businesses allowed to reopen during Stage Two include the following:

- June 15, 2020: Restaurants for outdoor dining and in-person non-essential retail (at 50% occupancy), as well as child care centers.
- June 22, 2020: Hair salons and barber shops, as well as tattoo parlors, pools, organized youth sports, and outdoor recreation (except amusement parks and arcades).
- June 29, 2020: Indoor malls and arcades.
- July 1, 2020: Higher education.
- July 2, 2020: Casinos, amusement parks, museums, and indoor recreational facilities (including bowling alleys but excluding movie theaters).
- July 3, 2020: The capacity limit for indoor gatherings was raised to 100 people (still limited to 25% of the building's capacity). The outdoor gathering capacity limit was raised to 500 people.
- July 6, 2020: Youth summer camps and programs, as well as clinical and lab programming at higher education institutions.

In addition, indoor dining, gyms, bars, and offices are expected to reopen during Phase 2, although a date has not yet been set. Additional details regarding Stage Two of the state's reopening are forthcoming.

**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 \(Order re outdoor dining\).](#)
- [Construction.](#)
- [Drive-In Theaters.](#)
- [Non-Essential Retail.](#)
- [Manufacturing & Warehousing.](#)
- [Child Care Facilities.](#)
- [Recreational and Entertainment Businesses.](#)



- [Cosmetology, Massage, & Bodywork Therapy Services.](#)
- [Tanning & Body Art Establishments.](#)
- [Outdoor Pools.](#)
- [Summer Camps.](#)
- [Outdoor Recreation.](#)
- [Organized Sports \(Order regarding contact practices and competitions\).](#)

### **32. New Mexico**

On April 22, 2020, Governor Lujan Grisham [announced](#) that New Mexico will be implementing 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.

Governor Lujan Grisham [announced](#) the reopening of several additional types of businesses as of June 1, 2020, including the following:

- Restaurants for indoor services (at 50% capacity).
- Hair salons, barbershops, tattoo parlors, massage services, and nails salons (by appointment only and at 25% capacity).
- Indoor malls (at 25% capacity).
- Gyms (at 50% capacity).
- Drive-in theaters
- Hotels (at 50% capacity).

**Phase Two.** The resurgence of COVID-19 cases has delayed the state's move to Phase Two to a date sometime after July 1, 2020.

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. As of July 1, 2020, Governor Lujan Grisham [announced](#) that retailers must enforce a statewide mandatory face-covering rule, requiring customers to wear face coverings in order to enter store premises or otherwise face a \$100 penalty. As of July 13, 2020, Governor Lujan Grisham has [announced](#) that indoor dining at restaurants and breweries will be required to reclose.

On July 30, 2020, New Mexico's Department of Health extended its emergency [public health order](#) and [streamlined](#) categories of business operations.

**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.
- Salons, Spas, Tattoo Parlors, & Related Services.
- Gyms.
- [Childcare Centers](#) (separate guidance).

### **33. 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. For regions that have not begun the reopening process, [Executive Order 202.34](#) extends the state's closure order through June 27, 2020. Businesses can find out what phase their region is in and whether they are allowed to reopen on the state's [website](#). New York City moved to Phase One on June 8, 2020, at which point, the entire state had commenced the reopening process. As of June 24, 2020, each region of New York has now entered Phase Three, except for New York City. On June 26, 2020, New York began its transition to Phase Four, with five regions moving to Phase Four. New York City entered a modified version of Phase Three on June 6, 2020, which did not permit indoor dining to resume. As of July 20, 2020, all regions have entered Phase Four, including New York City.

Separate and apart from the phased reopening, Governor Cuomo has also [announced](#) that dentistry businesses may resume statewide beginning June 1, 2020. Dental practices must comply with the state-issued guidance, but may offer non-emergency services. On June 11, 2020, Governor Cuomo [announced](#) that pools and playgrounds, could reopen upon permission from local authorities. In addition, summer camps may reopen as of June 29, 2020.

**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 includes 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 includes the reopening of the following types of businesses, subject to industry-specific requirements:

- Office based-jobs.
- Real estate services.
- Retail (in-store shopping).
- Retail rental, repair, and cleaning.
- Vehicle sales, leases, and rentals.
- Limited barbershop and hair salon services.
- Restaurants and bars for outdoor dining.

**Phase Three.** Phase Three includes the re-opening of restaurants for indoor dining and remaining personal care businesses. Gatherings of up to 25 people will be permitted.

**Phase Four.** Phase Four includes low-risk arts, entertainment, and recreation businesses, as well as media production. Higher education institutions and businesses may also resume. Phase Four does not include malls, movie theaters, and gyms; however, malls may reopen in regions that have entered Phase Four as of July 10, 2020. On July 8, 2020, Governor Cuomo announced that malls must install enhanced HVAC filtration systems in order to reopen.

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 and Phase Two that businesses must comply with in order to reopen during those phases. 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](#) (Phase One).
- [Retail](#) (Phase Two).
- [Wholesale Trade.](#)
- [Offices.](#)

- [Real Estate.](#)
- [Vehicle Sales, Leases & Rentals.](#)
- [Retail Rental, Repair, & Cleaning.](#)
- [Commercial Building Management.](#)
- [Outdoor Dining.](#)
- [Restaurants & Food Services](#) (Phase Three).
- [Personal Care Services](#) (Phase Three).
- [Racing Activities.](#)
- [Dentistry.](#)
- [Bars](#) (Phase Three).
- [Child Care & Day Camps.](#)
- [Auto Racing.](#)
- [Professional Sports Training Facilities.](#)
- [Pools.](#)
- [Sports & Recreation.](#)
- [Higher Education](#) (Phase Four).
- [Low-Risk Outdoor Arts & Entertainment](#) (Phase Four).
- [Low-Risk Indoor Arts & Entertainment](#) (Phase Four).
- [Media Production](#) (Phase Four).
- [Professional Sports](#) (Phase Four).

### **34. 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](#) began 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](#) moved 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 wearing 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). As of June 24, 2020, certain [enumerated businesses](#) must require employees and

customers to wear face coverings during the course of Phase Two. On July 7, 2020, a preliminary injunction was issued in the state case, [\*North Carolina Bowling Proprietors Association v. Cooper\*](#), that allowed bowling alleys to reopen.

**Phase Three.** Phase Three will tentatively begin September 11, 2020 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](#) (additional [guidance](#) here).
- [Restaurants Within Other Facilities.](#)
- [Personal Care Businesses.](#)
- [Tattoo Businesses.](#)
- [Pools & Spas.](#)
- [Child Care.](#)
- [Day Camps & Overnight Camps](#) (additional [guidance](#) for day camps and [guidance](#) for overnight camps).
- [Malls & Shopping Centers.](#)
- [Farms, Packhouses, and Related Facilities.](#)
- [Large Venues.](#)
- [General Business.](#)
- [Outdoor Fitness.](#)
- [Gyms & Fitness Centers.](#)
- [Youth, College, and Amateur Sports.](#)
- [Higher Education.](#)

### 35. 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. Beginning June 5, 2020, restrictions on visitation in skilled nursing and basic care facilities are [modified](#) to permit visitation in accordance with certain requirements.

**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.](#)
- [Senior Meal Sites.](#)
- [Large Gatherings.](#)
- [Banquets, Ballrooms, Wedding and Event Venues](#)
- [Manufacturing, Agribusiness and Agriculture](#)

**36. 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.
- June 10, 2020: Movie theaters, museums, zoos, aquariums, art galleries, country clubs, indoor entertainment centers, indoor sports facilities, and other recreational businesses, excluding amusement parks (per subsequent [press release](#)).
- June 19, 2020: Casinos and races; amusement parks and water parks (per subsequent [press release](#)).

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.

On July 22, 2020, Governor DeWine issued a [statewide mask order](#). The order took effect on Thursday, July 23, 2020 at 6:00 p.m. The order includes exceptions for individuals younger than 10 years old, officiants at religious services, those exercising or playing sports, those with disabilities, and those who are actively eating or drinking.

**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](#) (additional [restriction](#) here).
- [Child Care](#) (additional [guidance](#) here).
- [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.](#)
- [Casinos and Races.](#)
- [Fairs.](#)
- [Assisted Living Facilities.](#)
- [Driver Examination Services.](#)
- [Residential Camps.](#)
- [Contact Sport Practices.](#)
- [Non-Contact Sports.](#)
- [Higher Education.](#)

- [Healthcare.](#)

### **37. 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.** Governor Kevin Stitt [announced](#) that Phase Three began 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.

- Hair salons, barbershops, spas, nail salons, tattoo parlors, body piercing shops, pet groomers, and similar businesses may now accept walk-ins.
- Overnight summer camps may now resume.
- There are no limits to group sizes, provided businesses, event organizers and local officials consider social distancing.
- Businesses may resume unrestricted staffing at worksites.

**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.](#)
- [Summer Camps.](#)
- [Swimming Pools.](#)

### **38. 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 were 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).

In order to enter [Phase Two](#), counties must be able to:

- Ensure 95% of contact tracing follow up can occur within one day.
- Ensure 70% of those in contact with someone who tests positive can be identified.

- Maintain flat or decreased percentage of positive cases within the prior week.

In the alternative, if counties can provide a sufficient mitigation plan for a deficiency in any of the factors above, it may also be permitted to move to Phase Two.

**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.** Governor Brown has [announced](#) that 26 counties were allowed to reopen as of June 8 of 2020, with additional counties to gradually follow suit. 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 allows in-personal local gatherings of up to 100 outdoors and 50 indoors in Phase Two. Certain larger venues may have gatherings of up to 250 people. Phase Two also includes the following easing of restrictions on businesses:

- Offices may reopen for in-person work, although teleworking remains strongly encouraged.
- Extended open hours for bars and restaurants.
- Reopening of movie theaters, bowling alleys, and arcades.
- Reopening of pools.
- Resumption of some recreational sports.

In addition, zoos, museums, and outdoor gardens were allowed to reopen statewide subject to certain restrictions on June 5, 2020.

Face coverings are currently required for indoor public spaces. As of July 15, [face coverings](#) are also required in outdoor public spaces when physical distancing is not possible. On July 22, Governor Brown announced [additional requirements](#) for face coverings and businesses to stop the spread of COVID-19. Face coverings must be worn by all individuals over the age of 5, including individuals who are exerting themselves physically indoors and outdoors when six feet of distance cannot be maintained.

**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](#) (subsequent Phase Two guidance [here](#)).
- [Retail Stores.](#)
- [Personal Services Providers.](#)
- [Restaurants & Bars](#) (subsequent Phase Two guidance [here](#) and [here](#)).
- [Malls.](#)
- [Employers.](#)
- [Gyms and Fitness.](#)
- [Venues & Event Operators.](#)
- [Swimming Pools & Spas.](#)

- [Hospitals](#)
- [Ambulatory Surgical Centers](#)
- [Other Health Care Settings](#)

### **39. 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](#) moved to Phase Yellow on May 22, 2020, and [remaining counties](#) entered Phase Red on June 4, 2020. The state will move across phases on a county-by-county basis, with all counties, including [Philadelphia](#), which moved to Phase Yellow on June 5, 2020. Governor Wolf has also [announced](#) that an initial 17 counties moved to Phase Green on May 29, 2020. Additional counties will continue to be gradually added to both Phase Yellow and Phase Green. 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. The governor [announced](#) that on June 12, 2020, twelve counties are moved into Phase Green. Philadelphia was the last county to enter Phase Green on July 3, 2020.

**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.** In Phase Red strong restrictions on activities outside of the home continue to apply, 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 involves 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.
- Outdoor dining at restaurants and bars.

- Outdoor recreation, including golf and sports-related activities, may resume.

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](#) encompasses 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.

- Teleworking is strongly encouraged, but not required.
- Restaurants, bars, personal care services, gyms and spas, and entertainment businesses may operate at 50%.
- Personal care services are limited to appointments only, which are also strongly encourages for gyms and spas.
- Restaurants and bars may resume indoor services, but party sizes are limited to four people and social distancing must be maintained.

**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 six 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 six 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 six 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 six 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 six 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 six 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 25% of maximum occupancy, maintain social distancing of six feet at check-out and counter lines and place signage throughout each site to encourage customers and employees to maintain social distancing.
    - Only serve alcohol for on-premises consumption when in the same transaction as a meal.
    - 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 six 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:

- [General Business.](#)
- [Construction.](#)
- [Restaurants.](#)
- [Gyms & Fitness Facilities.](#)
- [Grocery Stores.](#)
- [Salons.](#)
- [Barber Shops.](#)



#### **40. 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 began May 9, 2020 after the stay-at-home order was allowed to expire. The governor [announced](#) that Phase Two of the plan began on June 1, 2020. Rhode Island [moved into](#) Phase Three on June 30, 2020.

**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.** Rhode Island entered Phase Two on June 1, 2020. [Phase Two](#) allows restaurants (at 50% capacity), retail, malls, and close-contact businesses like hair and nail salons to reopen. Gyms and fitness studios are also be allowed to reopen, as well as some outdoor recreational activities like zoos. In addition, more childcare options 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 be allowed to bring one third of their workforce back to the office, but those who can work from home should continue to do so.
- 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, social gatherings are limited to 25 people when indoors and 50 people when outdoors. Public events can be up to 125 people indoors or up to 250 people outdoors. Reopened indoor venues may increase capacity to 66% of the building's occupancy or one person per 100 square feet. Certain practices 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:

- [General Business.](#)
- [Restaurants, Entertainment, Close-Contact Businesses.](#)
- [Garden Centers, Retail Nurseries, and Greenhouses.](#)
- [Non-Critical Retail](#) (Phase Three guidance also [available](#)).
- [Critical Retail.](#)
- [Child Care.](#)
- [Gyms](#) (Phase Three guidance also [available](#)).
- [Golf Courses.](#)
- [Airports.](#)
- [Bus Services.](#)
- [Car & Van Transportation.](#)
- [Ferries.](#)
- [Passenger Railroad Services.](#)
- [Residential Realtors.](#)
- [Offices.](#)
- [Pools.](#)
- [Youth Sports.](#)
- [Outdoor Recreational Businesses.](#)
- [Personal Services](#)

#### **41. 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 [announced](#) that restaurants were 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 were allowed to reopen on May 18, 2020, subject to the new industry guidelines. Finally, recreational activities reopened on May 22, 2020, including businesses such as zoos, museums, aquariums, waterparks, amusement parks, bingo facilities, and miniature golf. Youth and adult sports leagues may begin practicing as of May 30, 2020, with games resuming June 15, 2020. Bowling alleys were allowed to reopen June 12, 2020.

As of July 11, 2020, Governor McMaster has [announced](#) that bars and restaurants may not sell alcohol after 11:00pm.

On July 29, 2020, Governor McMaster announced that all previously recommended [guidelines](#) for restaurants and other establishments that attract groups of people will be [mandatory](#). This order takes effect on Monday, August 3, 2020.

**Industry-Specific Guidance.**

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

**42. 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.

**43. 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 were lifted and larger attractions (e.g., racetracks, amusement parks, waterparks, theaters, auditoriums, large museums) were permitted to open subject to restrictions. [Executive Order No. 55](#) allows for the resumption of all sports (contact and non-contact) provided certain safety guidelines are followed. 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.](#)
- [Media Production.](#)

#### **44. 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](#), as subsequently [updated](#):

- 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 26, 2020: Food court areas in shopping malls and driver's education programs may reopen.
- 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 and waterparks may also reopen statewide at 25% occupancy.
- May 31, 2020: Professional sports, adult recreational sports, and youth camps and sports programs, may resume subject to additional restrictions. Games may resume at a later date.

**Phase Three.** Texas began [Phase Three](#) on June 3, 2020. Most businesses are permitted to operate at 50% capacity, unless otherwise previously permitted to operate at 100% capacity. Restaurants are permitted to operate at 75% capacity beginning June 12, 2020, as well as any businesses in a county with 10 or fewer active cases). As of June 19, 2020, amusements parks and carnivals are permitted to operate at 50% capacity (or could reopen earlier if in a county with fewer than 1,000 cases).

On June 26, 2020, the Governor issued [Executive Order No. GA-28](#), which closed bars and reintroduced 50% occupancy restrictions for all business except:

- Any services listed by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) in its Guidance on the Essential Critical Infrastructure Workforce, Version 3.1 or any subsequent version.
- Child-care services.
- Youth camps, including but not limited to those defined as such under Chapter 141 of the Texas Health and Safety Code, and including all summer camps and other daytime and overnight camps for youths.
- Recreational sports programs for youths and adults.
- Close contact personal care and beauty services that operate with at least six feet of social distancing between work stations (e.g., cosmetology salons, hair salons, nail salons, massage establishments, tattoo studios).



On July 2, 2020, the Governor issued [Executive Order No. GA-29](#), which requires most people in Texas to wear a face covering in nearly all public spaces, including commercial buildings, and authorizes law enforcement to issue a warning or fine to individuals for non-compliance. Those exempt from the face-covering requirement include any person:

- Obtaining a service that requires temporary removal of the face covering for a particular reason (e.g., for security surveillance while visiting a bank);
- Consuming food or drink, or seated at a restaurant to eat or drink;
- Giving a speech for broadcast or to an audience;
- In a county that meets the specific requirements outlined in Executive Order No. GA-29.

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 six 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.](#)
- [Amusement Parks.](#)
- [Fine Arts Performance Halls.](#)
- [Media Production.](#)
- [Outdoor Events.](#)
- [Valet Parking.](#)
- [Video Game Facilities.](#)

#### **45. 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](#). Subsequent [executive orders](#) have moved parts of the state to Yellow (Low Risk) on a county by county basis.

**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 six 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.

On July 27, 2020, Governor Herbert issued [Executive Order 2020-46](#) updating the [Phased Guidelines](#) to allow buffets and 24-hour restaurants to reopen in compliance with state guidelines specific to these unique businesses. The order will remain in effect until August 7, 2020.

**Industry-Specific Guidance.** In addition to publishing general employer [guidelines](#) and [best practices](#), Utah has published Yellow Phase guidelines for each of 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.](#)
- [Childcare.](#)

#### **46. 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. Under [Addendum 14 to Executive Order 01-20](#), lodging operations may resume for certain customers effective May 15, 2020. On July 24, 2020, Governor Scott issued [Executive Order 01-20](#) directing businesses to implement measures notifying customers of the statewide requirement to wear a facial covering. As of [July 31, 2020](#), retail stores are permitted to operate at 50% capacity (up from 25% previously).

[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.
- Under [Addendum 15 to Executive Order 01-20](#), restaurants may reopen on May 22, 2020 for outdoor dining. Salons and barbershops may reopen on May 29, 2020 subject to certain restrictions.
- Under [Addendum 16 to Executive Order 01-20](#), other close contact businesses, dental procedures, businesses requiring work in the home, and limited overnight youth summer camp programs may resume operations.
- Under [Addendum 17 to Executive Order 10-20](#), restaurants, bars, and catering services may resume indoor services.

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.](#)
- [Dental Procedures.](#)
- [Close Contact Businesses.](#)
- [Overnight Summer Camps.](#)
- [Indoor Arts, Culture, & Entertainment.](#)
- [Sports.](#)
- [Large Outdoor Event Venues.](#)

#### **47. 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 issued [Executive Order Number Sixty-One](#) beginning Phase One at 12:00 am on May 15, 2020, although reopening in certain Northern Virginia areas was delayed until May 29, 2020. 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.** With the exception of Richmond and Northern Virginia, the state entered Phase Two on June 5, 2020 under [Executive Order Number Sixty-Five](#). Northern Virginia and Richmond entered Phase Two on June 12, 2020. In this phase, gatherings of up to 50 people will be permitted and the following businesses may reopen subject to certain restrictions:

- Restaurants for indoor service at 50% capacity.
- Gyms and fitness centers for indoor classes and workouts at 30% capacity.
- Pools.
- Entertainment venues such as museums, zoos, aquariums, outdoor concerts, outdoor sporting venues, and outdoor performing arts venues..
- Recreational sports.

**Phase Three.** Virginia entered Phase Three on July 1, 2020. Teleworking, social distancing, and face mask guidelines remain unchanged in Phase Three, but the capacity limits are lifted for restaurants, bars, and retail. The capacity limit for gyms and swimming pools is increased to 75%. Entertainment businesses may reopen at 50% capacity, including businesses like museums, outdoor venues, horse shows, and zoos. Child care services may reopen to all people across the state. Groups of up to 250 are permitted. However, on June 30, 2020, Governor Northam announced that bar seating and congregating areas remain prohibited.

On July 15, 2020, Governor Northam adopted [enforceable workplace safety standards](#) which require employers to notify all employees if a coworker tests positive for the virus, and prohibits employees who are known or suspected to be positive for COVID-19 from returning to work for 10 days or until they receive two consecutive negative tests. The standards also require customer-facing employees to social distance, wear a face-covering and have frequent access to hand washing or sanitizer.

**Industry-Specific Guidance.** Appended to the [guidelines](#) applicable to all businesses during Phase One are industry-specific guidelines, certain 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.

Appended to the [guidelines](#) applicable to all businesses during Phase Two are industry-specific guidelines, certain of which are mandatory for the following businesses:

- Restaurants.
- Farmers markets.
- Non-essential retail.
- Fitness.
- Swimming pools.
- Recreational sports.
- Personal care and grooming.
- Campgrounds and overnight camps.
- Entertainment and Public Amusement.

#### **48. Washington**

Governor Inslee has announced a [four phase reopening plan](#). Employers of reopening businesses must comply with industry-specific guidance to be issued no later than May 15, 2020 which, at a minimum, requires 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). As of June 1, 2020, counties can [apply](#) to move to subsequent phases faster than others. Counties that are in Phase Two may apply to move to Phase Three after three weeks of being in Phase Two. Counties are interspersed across a modified Phase One, Phase Two, and Phase Three. On June 24, 2020, Governor Inslee [announced](#) a statewide mask mandate requiring cloth coverings in most public areas.

**Gating Criteria.** Counties that wished to enter Phase One had to 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](#) stayed in place through May 31, 2020. Certain businesses began 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 curb-side pick-up orders only).
- Existing construction projects (subject to [industry-specific limitations](#)).
- Essential businesses under the Stay Home – Stay Healthy Order.

As of June 1, 2020, counties in Phase One may also apply to enter a modified Phase One, in which the following additional businesses may reopen (as outlined for Phase Two):

- New construction projects.
- All remaining manufacturing.
- Real estate.
- In-store retail.
- Hair and nail salons / barbers.
- Professional services.
- Photography.
- Pet grooming.
- Restaurants.

**Phase Two.** Several counties have received [approval](#) to enter 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.** Several counties have entered Phase Three, and all counties may apply to enter Phase Three after Phase Two has been in place for 21 days. On June 27, 2020, Governor Inslee [announced](#) that he is putting a pause on counties moving into Phase Four. 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 tables 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.

**Modified Phase Three.** On July 16, 2020, Governor Inslee [announced](#) the social gathering limit under Phase Three would be reduced from 50 people to 10 people beginning July 20, 2020. The social gathering limit does not apply to businesses operating legally under the [Safe Start](#) guidance. The announcement also imposed a ban on live entertainment statewide.

On July 2, 2020, Governor Inslee [announced](#) he had expanded his June 27, 2020 pause on reopening to counties that have yet to move to Phase Three, as well as counties moving into Phase Four. In addition, businesses must require that customers wear face coverings before entering their premises.

**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 \(July 24, 2020 Changes\).](#)
- [Personal Services.](#)
- [Professional Services.](#)
- [In-Store Retail.](#)
- [Manufacturing.](#)
- [Construction.](#)
- [Professional Photography.](#)
- [Pet Grooming.](#)
- [Private Instruction Fitness.](#)
- [Real Estate.](#)
- [Fitness & Training.](#)
- [Higher Education & Workforce Training.](#)
- [Agriculture.](#)
- [Domestic Services.](#)
- [Outdoor Recreation & Golf.](#)
- [Card Rooms.](#)

**49. 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 were permitted to reopen.

**Week Four.** In [Week Four](#), gyms and fitness centers were 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 were lifted.

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

**Weeks Six and Seven.** During these weeks of the [reopening plan](#), movie theaters and casinos may reopen beginning June 5, 2020. Low-contact outdoor youth sports and adult sport facilities may reopen beginning June 8, 2020. Private campgrounds, cabins, and lodges may open to out of state guests beginning June 10, 2020.

West Virginia currently has no timeline for reopening nursing home visitation, entertainment venues and gatherings larger than 25 people. No additional openings were scheduled for Week Eight.



**Week Nine.** Beginning June 22, 2020, motorsport and powersport racing, as well as summer youth camps, may resume.

**Week Ten.** Beginning July 1, 2020, fairs, festivals, amusement parks, and outdoor open-air concerts may resume.

On July 13, 2020, the Governor issued [Executive Order No. 51-50](#) which reduced the statewide social gathering limit from 100 to 25 individuals, closed all fairs, festivals and similar events, and prohibited indoor and outdoor concerts statewide. The 25-person social gathering limit does not apply to any business that has been deemed essential under [Executive Order No. 9-20](#).

**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.](#)
- [Casinos.](#)
- [Movie Theaters.](#)
- [Low-Contact Sports.](#)
- [Bingo Halls.](#)
- [Motorsports & Powersports.](#)
- [Summer Camps.](#)
- [Fairs, Festivals, & Amusement Parks.](#)

## **50. 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](#). However, local restrictions on the reopening of businesses remain in effect.

**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.** Before the Court's decision, Phase One would have included:

- 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 would have included:

- 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 would have resumed 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.](#)

### **51. 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. On July 28, the Wyoming Department of Health issued an order [prohibiting most indoor gatherings of more than 50 people](#).

#### **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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