

# COVID-19: State Reopening Status and Requirements<sup>1</sup>

January 12, 2021

In response to the threat of COVID-19 in the United States, governors across the nation issued orders instructing individuals to stay at home and closing businesses deemed non-essential. Over the summer of 2020, as states began reopening their economies, most states put forth plans outlining how they intended to do so, providing businesses guidelines or requirements for reopening, and balancing the risk of increased spread with the benefits of a reopened economy. The below state summaries provide an overview of those reopening plans and requirements for businesses upon reopening.<sup>2</sup> In addition, the chart and summaries identify states that have reinstated additional restrictions on individuals and businesses in light of the resurgence of COVID-19 beginning in the fall of 2020. Many states have imposed new business closures, capacity limits, face mask requirements, and other restrictions in an attempt to curb the renewed spread of the disease. The chart and summaries will continue to be updated as states respond to changing conditions. The below information is a summary of the requirements; for full details, consult the relevant state orders and guidance.

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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, and Cleary's [Response to COVID-19: State Reopening Plans](#) memo for information regarding state reopening plans.

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State <sup>3</sup>	Non-Essential Closure Orders				
	Initial Closure Orders	States with Additional Restrictions since October 2020	Business Closures?	Mask Requirements?	Capacity Limits?
Alabama <sup>**‡</sup>	<a href="#">Expired</a> April 30, 2020 at 5:00 pm	<a href="#">Effective</a> November 5, 2020	No	Yes	No
Alaska	<a href="#">Expired</a> April 21, 2020	<a href="#">Effective</a> November 15, 2020	No	No	No
Arizona	<a href="#">Expired</a> May 15, 2020 at 11:59 pm	N/A			
Arkansas <sup>*</sup>	<a href="#">No broad-based closure order</a> <sup>4</sup>	<a href="#">Effective</a> November 20, 2020	No	<a href="#">Yes</a>	<a href="#">Yes</a>
California <sup>**†‡</sup>	<a href="#">Yes</a> , until further notice	<a href="#">Effective</a> November 21, 2020	<a href="#">Yes</a> (in certain regions)	<a href="#">Yes</a>	No
Colorado <sup>**†‡</sup>	<a href="#">Expired</a> April 26, 2020	<a href="#">Effective</a> December 30, 2020	Yes	<a href="#">Yes</a>	<a href="#">Yes</a>
Connecticut <sup>**†‡</sup>	<a href="#">Expired</a> May 20, 2020	<a href="#">Effective</a> November 6, 2020	No	Yes	Yes
Delaware <sup>**†‡</sup>	<a href="#">Expired</a> May 31, 2020	<a href="#">Effective</a> November 23, 2020	No	Yes	Yes (e.g., restaurants are operating at 30% capacity indoors)
District of Columbia <sup>**‡</sup>	<a href="#">Expired</a> June 8, 2020	<a href="#">Effective</a> December 23, 2020	Yes (museums)	Yes	Yes (e.g., capacity of restaurants will be reduced from 50% to 25%)

<sup>3</sup> The chart also reflects states that had implemented face mask requirements as of August 6, 2020. In light of evolving regulatory norms and litigation in places such as [Georgia](#), [Connecticut](#), [Louisiana](#), [North Carolina](#), and [Massachusetts](#), surrounding face mask and covering requirements, we expect state requirements in this area will continue to change.

<sup>\*</sup> These states have implemented an individual face mask or face covering requirement.

<sup>†</sup> These states have implemented requirements for employers to enforce face mask requirements as to employees.

<sup>‡</sup> These states have implemented requirements for retailers to enforce face mask requirements as to customers.

<sup>4</sup> Arkansas's Executive Order 20-13 was not a broad order closing all non-essential businesses, but did provide for the closure of schools, bars, clubs, restaurants, gyms, and indoor entertainment venues.

State <sup>3</sup>	Non-Essential Closure Orders				
	Initial Closure Orders	States with Additional Restrictions since October 2020	Business Closures?	Mask Requirements?	Capacity Limits?
Florida	<a href="#">Expired</a> April 30, 2020	N/A			
Georgia	<a href="#">Expired</a> April 30, 2020 (4.02.20.01)	<a href="#">Effective</a> December 1, 2020	No	No	Yes
Hawaii**†	<a href="#">Expired</a> May 31, 2020	<a href="#">Effective</a> November 23, 2020	Some industries remain closed (bars, clubs, large venues)	Yes	Varies by county
Idaho	<a href="#">Expired</a> April 30, 2020	<a href="#">Effective</a> November 14, 2020	No	No	Yes
Illinois**†	<a href="#">Expired</a> May 30, 2020	<a href="#">Effective</a> November 20, 2020	Some industries closed (casinos, theaters, etc.)	Yes	25% capacity, generally
Indiana	<a href="#">Expired</a> May 1, 2020 at 11:59 pm	<a href="#">Effective</a> December 13, 2020	No	Yes	No
Iowa	<a href="#">Expired</a> April 30, 2020 at 11:59 pm, for all but 22 listed counties <sup>5</sup>	<a href="#">Effective</a> December 9, 2020	No	Yes	No
Kansas*	<a href="#">Expired</a> May 3, 2020 at 11:59 pm	<a href="#">Effective</a> November 25, 2020	No	Yes	No
Kentucky	<a href="#">Yes</a> , until rescinded by further order	<a href="#">Effective</a> November 20, 2020	No	Yes	Yes
Louisiana*	<a href="#">Expired</a> , May 15, 2020	<a href="#">Effective</a> November 25, 2020	No	Yes	Yes
Maine*	<a href="#">Expired</a> April 30, 2020	<a href="#">Effective</a> November 19, 2020	No	Yes	Yes
Maryland**‡	<a href="#">Expired</a> May 15, 2020	<a href="#">Effective</a> November 17, 2020	No	Yes	Yes

<sup>5</sup> Iowa's order applied only to certain specified non-essential businesses, was a more limited order closing only select businesses, and did not define what constituted an "essential" business.

State <sup>3</sup>	Non-Essential Closure Orders				
	Initial Closure Orders	States with Additional Restrictions since October 2020	Business Closures?	Mask Requirements?	Capacity Limits?
Massachusetts <sup>**†</sup>	<a href="#">Expired</a> May 18, 2020	<a href="#">Effective</a> November 2, 2020	No	Yes	Yes
Michigan <sup>*††</sup>	<a href="#">Expired</a> June 1, 2020	<a href="#">Effective</a> December 7, 2020	No	Yes	Yes
Minnesota	<a href="#">Expired</a> May 18, 2020	<a href="#">Effective</a> November 20, 2020	Yes	Yes	Yes
Mississippi	<a href="#">Expired</a> April 27, 2020 at 8:00 am	<a href="#">Effective</a> November 11, 2020	No	Yes (in most counties)	Yes (in most counties)
Missouri	<a href="#">Expired</a> May 3, 2020 at 11:59 pm.	N/A	No	No	No
Montana <sup>†</sup>	<a href="#">Expired</a> April 24, 2020	<a href="#">Effective</a> November 20, 2020	No	Yes (masks now required in all counties)	Yes (e.g., public gatherings limited to 25 individuals)
Nebraska	<a href="#">Expired</a> May 3, 2020 <sup>6</sup>	<a href="#">Effective</a> December 24, 2020	No (only at high rates of infection at county level)	No	Yes (e.g., 75% capacity limit on indoor gatherings)
Nevada <sup>††</sup>	<a href="#">Expired</a> May 15, 2020	<a href="#">Effective</a> November 24, 2020	No	Yes (individual face mask requirement)	Yes (25% capacity limit on public gatherings & recreational businesses)
New Hampshire <sup>*</sup>	<a href="#">Expired</a> May 4, 2020 at 12:01 am	N/A			
New Jersey <sup>**††</sup>	<a href="#">Rescinded</a> June 9, 2020	<a href="#">Effective</a> November 17, 2020	No	Already in place	Yes (e.g., outdoor events limited to

<sup>6</sup> Nebraska's Directed Health Measure of April 9, 2020 was not a broad order closing all non-essential businesses, but provided for 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. Those businesses were permitted to reopen May 3, 2020, with the exception of theaters and gentlemen's clubs, which the governor [announced](#) remained closed through May 31, 2020.

State <sup>3</sup>	Non-Essential Closure Orders				
	Initial Closure Orders	States with Additional Restrictions since October 2020	Business Closures?	Mask Requirements?	Capacity Limits?
					150 people as of November 23, 2020)
New Mexico <sup>**†‡</sup>	<a href="#">Expired</a> May 15, 2020	<a href="#">Expired</a> November 30, 2020	By county	Already in place	By county
New York <sup>**†‡</sup>	<a href="#">Yes</a> , through August 20, 2020	County-level <a href="#">micro-cluster zones</a>			
North Carolina <sup>**†‡</sup>	<a href="#">Expired</a> May 8, 2020 at 5:00 pm	<a href="#">Effective</a> November 25, 2020	No	Yes (businesses must enforce)	Separate public gathering limits
North Dakota	<a href="#">Expired</a> May 1, 2020 at 8:00 am <sup>7</sup>	<a href="#">Effective</a> January 8, 2021	No	Yes (businesses must enforce)	Yes (e.g., 50% capacity limit for restaurants)
Ohio <sup>**†‡</sup>	<a href="#">Expired</a> May 1, 2020 at 11:59 pm	<a href="#">Effective</a> December 10, 2020	No	Yes (businesses must enforce)	Yes (e.g., 6 feet of social distancing)
Oklahoma	<a href="#">Expired</a> April 30, 2020	<a href="#">Effective</a> November 16, 2020	No	Yes (for state-owned businesses and property)	Yes (e.g., 6 feet minimum separation in bars and restaurants)
Oregon <sup>**†‡</sup>	<a href="#">Expired</a> , May 14, 2020	<a href="#">Effective</a> December 2, 2020	Yes (on a <a href="#">county-by-county basis</a> )	Yes (businesses must enforce)	Yes (on a <a href="#">county-by-county basis</a> )
Pennsylvania <sup>**†‡</sup>	<a href="#">Expired</a> May 8, 2020 at 12:01 am	<a href="#">Effective</a> November 27, 2020	Yes	Yes (businesses must enforce unless the individual	Yes (6 feet physical distancing and occupancy limits)

<sup>7</sup> North Dakota's Executive Order 2020-06.1 order of March 27, 2020 was not a broad order closing all non-essential businesses, but provided for the closure of on-premises dining at restaurants/bars, recreational facilities (e.g., gyms, theaters), cosmetology businesses, and elective personal care services (e.g., tattoo parlors).

State <sup>3</sup>	Non-Essential Closure Orders				
	Initial Closure Orders	States with Additional Restrictions since October 2020	Business Closures?	Mask Requirements?	Capacity Limits?
				qualifies for an exception)	
Rhode Island <sup>*†‡</sup>	<a href="#">Expired</a> May 8, 2020	<a href="#">Effective</a> December 17, 2020	No	Yes (businesses must enforce)	Yes (e.g., occupancy limits)
South Carolina	<a href="#">Expired</a> , May 4, 2020	<a href="#">Effective</a> December 23, 2020	No	Yes	Yes (e.g., gatherings shall not exceed 50% of the occupancy limit)
South Dakota	No closure order <sup>8</sup>	N/A			
Tennessee	<a href="#">Expired</a> April 29, 2020 at 12:01am but <a href="#">subsequent order</a> reinstated on September 29, 2020.	<a href="#">Effective</a> December 20, 2020	No	No	Yes (e.g., 6 feet minimum separation and gatherings limited to 50 people)
Texas <sup>*</sup>	<a href="#">Expired</a> April 30, 2020	<a href="#">Effective</a> October 7, 2020.	No	No (encouraged and recommended but there are local rules)	No (75% occupancy limit)
Utah <sup>*†‡</sup>	<a href="#">Expired</a> April 30, 2020 <sup>9</sup>	<a href="#">Effective</a> December 18, 2020	No	Yes	Yes (75% occupancy limit)

<sup>8</sup> South Dakota [Executive Order No. 2020-08](#) did not close businesses, but recommended the suspension or modification of service of enclosed retail businesses that promote public gatherings (e.g. any enclosed facility, operating as a bar, restaurant, brewery, cafe, casino, coffee shop, recreational or athletic facility, health club, or entertainment venue). Such businesses were encouraged to alter operations if their business required that 10 or more people be in an enclosed space with less than 6 ft. of distance between them.

<sup>9</sup> Utah did not have an order widely closing Non-Essential Businesses. On April 17, 2020, Utah released Version 2 of its [Utah Leads Together](#) plan for economic recovery, and, as an addendum, included [Phased Guidelines](#), which establish tiered health and safety recommendations based on risk level. Until April 30, 2020, Utah was at High Risk, which provided for closures of gyms and fitness facilities and the dine-in portion of restaurants, as well as limited operations for personal service businesses (e.g., barbers, nail technicians). Effective May 1, 2020, the state is at “Moderate Risk.” Effective May 16, 2020, certain counties will move to “Low Risk” while others remain at “Moderate Risk.”

State <sup>3</sup>	Non-Essential Closure Orders				
	Initial Closure Orders	States with Additional Restrictions since October 2020	Business Closures?	Mask Requirements?	Capacity Limits?
Vermont <sup>**†‡</sup>	<a href="#">Expired</a> May 15, 2020	<a href="#">Effective</a> December 15, 2020	Yes	<a href="#">Yes</a>	No
Virginia <sup>**†‡</sup>	<a href="#">Expired</a> May 14, 2020	<a href="#">Effective</a> December 14, 2020	No	No	Yes (75% occupancy limit for fitness facilities)
Washington <sup>**†‡</sup>	<a href="#">Expired</a> May 31, 2020	<a href="#">Effective</a> December 10, 2020	Yes	Yes	Yes
West Virginia <sup>*</sup>	<a href="#">Expired</a> May 4, 2020	N/A			
Wisconsin <sup>*</sup>	The <a href="#">Order</a> , was <a href="#">struck down</a> by the Supreme Court of Wisconsin on May 13, 2020.	N/A		<a href="#">Yes</a>	
Wyoming <sup>†</sup>	<a href="#">Expired</a> April 30, 2020 <sup>10</sup>	<a href="#">Effective</a> January 2, 2021	No	<a href="#">Yes</a> (and businesses must post signage)	Yes (indoor gathering limit lowered to 10 people)

### Alabama

**Closure Order.** The Alabama [Amended Order](#) instructing individuals to stay home except when performing essential activities and instructing certain categories of non-essential businesses to close to non-employees expired at 5:00 pm on April 30, 2020. Under the Order, non-essential businesses were permitted to continue curbside pickup and delivery, and essential retailers were subject to a 50% occupancy cap, a six-foot social distancing requirement, and sanitation guidelines from the CDC and Alabama Department of Public Health.

<sup>10</sup> Wyoming's relevant Statewide Public Health Orders were not a broad order closing all non-essential businesses, but provided for the closure of on-premises dining at restaurants, bars/cigar bars, gyms, theaters, child care (except those servicing the children of Essential Personnel, as defined in the order), and personal services (e.g., nail salons, massage parlors).

**Reopening Plan.** Upon the expiration of the stay-at-home order, a subsequent [Amended Order](#) took effect allowing businesses to reopen, subject to social distancing and sanitation guidelines. [The Order](#) was amended again July 15 to add a mandatory requirement that all persons wear face masks subject to a list of exceptions, and extended on November 5, 2020.

***Reopening Requirements.*** Under the reopening [Amended Order](#), businesses that maintain in-person operations must comply with the precautions described below.

- Subject to the listed exceptions, all persons must wear a mask or other facial covering when within six feet of a person from another household when they are in:
  - An indoor space open to the public.
  - A vehicle operated by a transportation service.
  - An outdoor space where ten or more people are gathered.
- 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:
  - Not knowingly allow customers to congregate within six feet of one another.
  - Take reasonable steps to comply with CDC and Alabama Department of Public Health sanitation guidelines.

***Industry-Specific Guidelines.*** There is guidance specific to:

- [Restaurants and similar establishments](#) (e.g., dine-in permitted with social distancing).
- [Retail](#) (e.g., occupancy limited to no more than 50%).
- [Close-contact service providers](#) (e.g., employees must wear masks).
- [Athletic facilities](#) (e.g., take reasonable steps to prevent congregating in common areas).
- [Entertainment venues](#) (e.g., occupancy limited to no more than 50%).
- [Educational Institutions](#) (maintain six feet of separation between persons).
- [Child care facilities](#) (e.g., face coverings for each employee).



## Alaska

**Closure Order.** On March 27, 2020, Alaska enacted [COVID-19 Health Mandate 011](#), instructing all residents to remain home and all non-essential businesses to cease in-person operations. The mandate expired on April 21, 2020.

**Reopening Plan.** On April 21, 2020, Governor Mike Dunleavy announced [Phase One](#) of Alaska's reopening plan, which extended the business closings until April 24, 2020, after which non-essential businesses were permitted to reopen subject to limitations. [Phase Two](#) began on May 8, 2020. On May 18, 2020, Governor Dunleavy [announced](#) that the state was ready to begin Phase Three of the [Reopen Alaska Responsibly Plan](#). A full reopening of the economy took place on May 22, 2020, during which all businesses, houses of worship, libraries, and museums could open, and all recreational and sports activities could resume.

**Reopening Requirements.** Alaska required all reopening non-essential public-facing businesses [to meet the following requirements](#) for Phase Two:

- Social distancing requirements, such as:
  - Encouraging reservations (walk-ins are permitted if a visitor log is kept with visitor contact information).
  - Strongly encouraging cloth face coverings to be worn by all employees.
  - Limiting itself to no more than 50% maximum building capacity at one time.
  - Limiting groups or parties to only those in the same household.
  - Maintaining at least six feet between individuals and household groups.
  - Establishing a COVID-19 Mitigation Plan.
  - Having entryway signage notifying the public of the mitigation plan and state that no person with symptoms may enter the premises.
- Hygiene protocols, such as:
  - Providing handwashing capability or sanitizer.
  - Providing for hourly touch-point sanitizations (e.g., workstations, equipment, doorknobs, screens, restrooms).
  - Requiring frequent handwashing by employees and the availability of an adequate supply of soap, disinfectant, hand sanitizer and paper towels.
- Staffing requirements, such as:
  - Providing training for employees regarding COVID-19 requirements.
  - Conducting pre-shift screening and maintaining a staff screening log.
  - Preventing from any employee showing symptoms of COVID-19 from serving customers and from reporting to work.
  - Mandating that an employee stay home within 72 hours of exhibiting a fever.
  - Establishing a plan for employees getting ill and a return-to-work plan following CDC Guidance.
- Cleaning and Disinfecting Protocols, such as:
  - Performing cleaning and disinfecting in compliance with CDC protocols weekly (or shutting down for a 72 hour period to allow natural deactivation of the virus).
  - Cleaning and disinfecting as soon as an active employee tests positive for COVID-19.

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

*COVID-19 Resurgence: Additional Restrictions.* On November 5, 2020, Governor Mike Dunleavy announced the issuance of the a new Public Health Disaster Emergency Declaration effective November 16, 2020. This new declaration does not close businesses, but suspends certain regulations and statutes to allow agencies to best address the COVID-19 Emergency. An [additional declaration](#) on December 15, 2020 extended the Public Health Disaster Emergency and imposed coronavirus testing requirements for travelers.

*Industry-Specific Guidelines.* Alaska's [reopening plan](#) provides the following industry guidelines:

- [Retail businesses](#) (e.g., limit household party size per visit).
- [Restaurants](#) (e.g., limit to 50% of maximum capacity; closing all buffets; fully sanitize table and chairs after each group).
- [Bars](#) (e.g., using disposable ware).
- [Personal Care Services](#) (e.g., reservations only; no person allowed to stay in waiting areas).
- [Theaters](#) (e.g., no more than 25% of maximum capacity).
- [Childcare and Day Camps](#) (e.g., group size must be no more than ten children).
- [Fishing charters](#) (e.g., passengers must bring own food and drinks aboard).
- [Gyms and fitness centers](#) (e.g., social distancing of at least 10 feet must be maintained while exercising).
- [Swimming pools](#) (e.g., no more than 50% capacity).
- [Bowling alleys](#) (e.g., no more than 25% capacity).
- [Bingo halls](#) (e.g., walk-ins prohibited).
- [Libraries, museums, and archives](#) (e.g., no more than 25% capacity).
- [Lodging and Overnight Camping](#) (e.g., take reservations online or by phone and encourage electronic payment methods).
- [Intrastate travel and outdoor day recreation](#) (e.g., in mixed household groups, members of each group must wear cloth face coverings).
- [Social, religious, and other gatherings](#) (e.g., six feet of distance must be maintained, cloth face coverings strongly encouraged).

## Arizona

**Closure Order.** Arizona issued an [Order](#) implementing stay-at-home measures for individuals and requiring non-essential businesses to cease most in-person operations. The Order expired May 15, 2020.

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, and on December 2, 2020 [Executive Order 2020-60](#) eased regulations on restaurants to encourage outdoor dining.

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

- [Retail](#) (e.g., implement symptom screening for employees).
- [Restaurants & Bars](#) (e.g., intensify cleaning, disinfection, and ventilation practices).
- [Barbers and Hairdressers](#) (e.g., provide gloves if employees touch customer's faces).
- [Pools](#) (e.g. disinfect with chlorine and bromide).
- [Gyms and Fitness Providers](#) (e.g., sanitize gym equipment before and after every use).
- [Spas, Massage Therapists and Personal Services](#) (e.g., require employees to wash hands before and after providing client service).
- [Shopping Malls](#) (e.g., provide signage including floor decals or taping to reinforce social distancing).
- [Theaters](#) (e.g., operate with reduced capacity and limit areas where customers and employees congregate).
- [Casinos](#) (e.g., clean and disinfect slot machines, tables and kiosks on a regular schedule).
- [Youth Activities & Day Camps](#) (e.g., do not share equipment or sanitize after each use).
- [General Business](#) (e.g., maintain physical distance).

## Arkansas

**Closure Order.** Arkansas did not enact a broad closure of all non-essential businesses, but has issued a [Proclamation](#) closing or limiting the operation of select categories of businesses (e.g., bars, clubs, dine-in restaurants, gyms, certain entertainment venues) and implementing required social distancing protocols. All operating businesses are required to:

- Limit occupants so that people can easily maintain a six-foot distance from one another.
- Mark off six-foot increments where lines form.
- Provide hand sanitizer or handwashing stations at entrances and other high-touch locations.
- Retail services must provide contactless payment systems or disinfect payment areas.
- Regularly disinfect high-touch surfaces.
- Post a sign at the entrance informing all employees, customers, and congregants that they should:
  - Avoid entering the facility if they have a cough or fever.
  - Maintain a minimum six-foot distance from one another.
  - Sneeze and cough into one's elbow.
  - Not shake hands or engage in any unnecessary physical contact.

**Reopening Plan.** 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: Recreational pools may reopen.
- May 26, 2020: Bars may reopen.
- June 1, 2020: Community based and school sponsored team sports.
- June 15, 2020: Capacity at the indoor businesses above lifted from 1/3 to 2/3 capacity.

COVID-19 Resurgence: Additional Restrictions. Effective [November 20, 2020](#), businesses that serve alcohol must close at 11:00 PM.

Industry-Specific Guidelines. Arkansas has issued requirements specific to:

- [Large Venues](#) (e.g., limit audiences to 50 people or fewer).
- [Retail](#) (e.g., limit customers so that they can stay six feet apart).
- [Gyms & Fitness Centers](#) (e.g., screen all staff and participants for symptoms).
- [Camps](#) (not yet permitted to open).
- [Restaurants](#) (e.g., limit seating to 33% of total capacity).
- [Cosmetology](#) (e.g., schedule all services with sufficient time in between to disinfect).

- [Casinos](#) (e.g., arrange seating to maintain a 6-foot distance).
- [Recreational Pools](#) (e.g., limit participants to 50% of total capacity).
- [Bars & Clubs](#) (e.g., maintain 10-foot distancing between tables).

## California

**Closure Order.** The California [Order](#) implementing stay-at-home measures and permitting only essential businesses to continue in-person operations is in effect until further notice.

**Reopening Plan.** California anticipates following a four-stage opening plan called [Roadmap to Pandemic Resilience](#). California moved from Phase Two into Phase Three on a county-by-county basis. In select counties (in others, the reopening is delayed), businesses reopen, with certain restrictions, according to the following schedule:

- [May 26, 2020](#): Hair salons and barber shops.
- [June 12, 2020](#): Schools, day camps, bars, gyms, campgrounds, museums, casinos, pools, restaurants, bars and professional sports. Music, TV and film production is 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.

*[COVID-19 Resurgence: Additional Restrictions](#)*. On November 19, 2020, Governor Gavin Newsom announced a [limited stay-at-home order](#) in certain regions, which will be in effect from November 21 until December 21. This order requires that all gatherings between members of different households must cease between 10:00 PM and 5:00 AM. As of [December 5, 2020](#), any region with ICU bed capacity below 15% must close all businesses other than critical infrastructure. This regional stay-at-home order currently applies to 98% of California's population.

- [Stage One: Safety and Preparedness](#). Stage One will involve 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 [began to](#) rollout May 8, 2020, involves creating opportunities for lower risk sectors and modified school programs and childcare to re-open.
  - Gradually open the following lower risk workplaces with adaptations:
    - Retail (e.g., curbside pickup).
    - Manufacturing.
    - Offices (when telework not possible).
    - Opening more public spaces.
  - Expanded Workforce Safety Net:
    - Wage replacement so workers can stay home when sick.
  - Schools and Childcare Facilities with Adaptations.
  
- Stage Three: Higher Risk Work Places. Stage Three will involve creating opportunities for higher risk sectors to adapt and re-open. Additional businesses allowed to reopen during Stage Three include businesses such as:
  - Theme parks.
  - Personal care (hair and nail salons, gyms).
  - Entertainment venues (movie theaters, sports without live audiences).
  - In-person religious services (churches, weddings).
  
- 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.

Industry-Specific Guidelines. California also provides operating guidelines specific to:

- [General Industry](#) (e.g., encourage sick employees to stay home).
- [Construction](#) (e.g., make handwashing facilities available and encourage use).
- [Agriculture](#) (e.g., avoid sharing phones, work tools, or other equipment).
- [Grocery Stores](#) (e.g., provide disposable wipes for shopping carts).
- [Logistics, warehousing, and trucking](#) (e.g., stagger break and lunch times).
- [Auto Dealerships](#) (e.g., provide hand sanitizer through showrooms and service areas).
- [Communications Infrastructure](#) (e.g., sanitize hard hats and face shields after each shift).
- [Delivery Services](#) (e.g., clean delivery vehicle between delivery routes).
- [Energy and Utilities](#) (e.g., transition all meetings to virtual platforms).

- [Food Packing](#) (e.g., consider cohorting workers to minimize exposure).
- [Hotels and Lodging](#) (e.g., transport dirty linens in sealed, single-use bags).
- [Life Sciences](#) (e.g., consider installing portable high-efficiency air cleaners).
- [Manufacturing](#) (e.g., reduce person-to-person production hand-offs with shelves).
- [Mining and Logging](#) (e.g., stagger team travel to sites to maintain physical distancing).
- [Office Workspaces](#) (e.g., disinfect shared office equipment between shifts or uses).
- [Ports](#) (e.g., minimize personal transaction time and use digital paperwork where possible).
- [Public Transit](#) (e.g., remind the public to use face coverings and avoid facing others).
- [Real Estate](#) (e.g., remind clients to use face coverings when visiting properties).
- [Retail](#) (e.g., equip customer entrances and exits with hand sanitizer and sanitizing wipes; create a written worksite-specific COVID-19 prevention plan at every facility).
- [Hair Salons](#) (e.g., implement physical distancing or protective barriers such as Plexiglas).
- [Childcare](#) (e.g., clean and sanitize toys where possible, and limit the use of toys that cannot be easily cleaned).
- [Day Camps](#) (e.g. clean and disinfect frequently touched surfaces at camp and on transportation vehicles).
- [Shopping Centers](#) (e.g., implement measures to ensure physical distancing between and among workers and customers).
- [Campgrounds, RV Parks, & Outdoor Recreation](#) (e.g., equip check-in areas with sanitation products).
- [Cardrooms, Satellite Wagering Facilities, & Racetracks](#) (e.g., display signage to remind customers of physical distancing).
- [Family Entertainment Centers](#) (e.g. provide disposable items where possible, or disinfect before and after each customer).
- [Fitness Facilities](#) (e.g., space equipment at least six feet apart).
- [Museums, Galleries, Zoos, & Aquariums](#) (e.g., establish one-way directional walkways where possible).
- [Restaurants, Bars, & Wineries](#) (e.g., prioritize outdoor seating and curbside pickup).
- [Personal Care Services](#) (e.g., workers must wear face coverings at all times).
- [Guidance for Counties on Monitoring List](#) (e.g., providing personal care and hair care services outdoors).



## Colorado

**Closure Order.** The Colorado [Order](#) implementing stay-at-home measures and closing non-critical businesses expired on April 26, 2020. Critical businesses were required take the following precautions:

- Maintain six feet of social distancing.
- Wash hands with soap and water frequently.
- Cover coughs and sneezes.
- Regularly clean high-touch surfaces.
- Stop shaking hands.

**Reopening Plan.** Following the expiration of the Order, Colorado implemented the [Safer at Home](#) phased reopening plan. Colorado has opened postsecondary institutions, retail businesses, personal services, and non-critical offices, with certain precautions. A number of counties have also received [state-approved variances](#) allowing them to permit the reopening of additional businesses. On May 12, campgrounds in state parks may open with county permission. Colorado reopened other businesses pursuant to the following schedule:

- [May 27, 2020](#): Restaurants reopened for in-person dining.
- [June 1, 2020](#): Youth day camps and overnight camps may begin subject to certain restrictions.
- [June 4, 2020](#): Gyms, pools, and outdoor recreation may reopen subject to certain restrictions.
- [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.

The reopening plan 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.
- To protect customers
  - Create special hours for people at higher risk of severe illness from COVID-19.
  - Encourage and facilitate six-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.

*COVID-19 Resurgence: Additional Restrictions.* On December 30, 2020 Colorado [extended](#) and amended its Order declaring a disaster in Colorado. Each county or region is at one of five levels of closures based on the number of new COVID-19 cases, percent positivity of tests, and hospitalizations. At current levels, all businesses are open at limited capacity except for bars and indoor seated events and entertainment, which are closed.

*Industry-Specific Guidelines.* Colorado also provides operating guidelines specific to:

- [General Business](#) (e.g. maintain 6-foot distancing and discourage shared spaces).
- [Retail](#) (e.g. provide face coverings and gloves to employees).
- [Construction](#) (e.g., reduce size of work crews).
- [Grocery stores](#) (e.g., consider spacing tools for customers such as tape markers on floor).
- [Restaurants](#) (e.g. conduct daily disinfection and full cleaning in-between shifts).
- [Child Care](#) (e.g. no more than 10 children in one group).
- [P-12 Education](#) (e.g. designate rooms to quarantine individuals).
- [Field Services & Real Estate](#) (e.g. maintain detailed log of customer interactions to enable contact tracing).
- [Local & Personal Recreation](#) (e.g. all indoor facilities remain closed).
- [Office-Based Businesses](#) (e.g. modify flow of people traffic to minimize contact).
- [Higher Education](#) (e.g. limit the sharing of equipment).

- [Non-Critical Manufacturing](#) (e.g. conduct daily temperature checks and monitor employees for symptoms).
- [Personal Services](#) (e.g. sanitize all financial transaction equipment after each use).
- [Agriculture](#) (e.g. modify workflow procedures to allow six feet of distancing).
- [Campgrounds](#) (e.g. clean and disinfect all facilities after each group).
- [Day Camps & Youth Sports Camps](#) (e.g. provide personal protective equipment for all staff).
- [Residential Camps](#) (e.g. provide personal protective equipment for all staff).
- [Indoor Events](#) (e.g. require the use of masks or face coverings whenever possible).
- [Outdoor Events](#) (e.g. enhance cleaning and sanitation of common touch points).
- [Short-Term Rentals](#) (e.g. schedule at least 24 hours between guests to clean).

## Connecticut

**Closure Order.** The Connecticut [Order](#) closing in-person operations of non-essential businesses expired on May 20, 2020. The Order required essential businesses to follow [safe workplace rules](#) provided by the Connecticut Department of Economic and Community Development (“DECD”). These rules include:

- Essential employees who are able to work from home should be working from home.
- Employees who have traveled internationally in a region where COVID-19 is active, or have returned from a cruise, should stay home and self-monitor for 14 days after returning.
- Eliminate all non-essential workplace travel.
- Distribute summaries of health insurance processes and procedures to employees.
- Ensure that all employees that do not speak English as their first language are aware of procedures by communicating the procedures, either orally or in writing, in their native or preferred language.
- Ensure that the facility has a sufficient number of employees to perform all measures listed here effectively and in a manner that ensures the safety of the public and employees.
- Control access to external visitors including:
  - Prohibiting entry into the facility for non-essential visitors.
  - Interviewing approved visitors about their current health condition and recent travel history.
  - Using soap and water or within available supplies, hand sanitizer at point of entry to the facility.
- Masks or cloth face coverings are required.
- Control contact between employees and customers to ensure social distancing.
- Eliminate transmission points, including by opening internal doors where possible, providing no-touch receptacles, and frequently cleaning high-touch points.

**Reopening Plan.** On April 30, 2020, Connecticut announced a [phased plan to reopen the state](#). Pursuant to [Executive Order PP](#), Phase One of the Reopening Plan began on May 20, 2020. Prior to reopening, businesses were required to [self-certify](#) that they were complying with Connecticut’s strict safety guidelines. During Phase One, the following businesses were permitted to resume:

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

Governor Lamont [announced](#) Reopen Level Two began around June 20, 2020. Reopen Level Two includes the [opening of the following businesses](#):

- All 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.
- Restaurants for indoor dining
- Bars
- Hotels.
- Museums.
- Zoos.
- Outdoor amusement parks.
- Youth sports.
- Summer day camps (June 22, 2020).

*COVID-19 Resurgence: Additional Restrictions.* Starting Friday, [November 6, 2020](#), Connecticut regressed from Phase 3 to Phase 2.1, which requires businesses in certain sectors to close at 10:00 PM each night and implements more stringent capacity limits for both commercial and residential spaces. Governor Lamont [extended all COVID-19 Executive Orders](#) to February 9, 2021, and issued an order [granting enforcement authority](#) for violations of size and capacity restrictions.

*Industry-Specific Guidelines.* Connecticut has published requirements specific to:

- [Hair Salons & Barbershops](#) (e.g., open only at 50% capacity, by appointment only).
- [Museums and Zoos](#) (e.g., close all indoor or interactive exhibits) (Phase two guidance available [here](#)).
- [Offices](#) (e.g., rearrange offices to maintain six feet of distance between people).
- [Restaurants](#) (e.g., stagger shift times to minimize contact between employees).
- [Retail & Malls](#) (e.g., consider designated hours for vulnerable populations).
- [Campgrounds](#) (e.g., 20 ft. distance between campsites).
- [General Business](#) (e.g., 50% capacity limit for businesses that reopen).
- [Amusement Parks](#) (e.g., hand sanitizer shall be made available at entrance points and common areas, where possible).
- [Hotels & Lodging](#) (e.g., use announcement system and screens to reinforce distancing instructions).
- [Indoor Recreation](#) (e.g., consider an exit from the facility separate from the entrance to allow for one-way foot traffic).
- [Libraries](#) (e.g., develop cleaning checklists).
- [Outdoor Events](#) (e.g., use signage and barrier protection to limit movement and maintain distancing, and direct the flow of traffic).
- [Gyms](#) (e.g., limit of 50% for most businesses that reopen).

## Delaware

**Closure Order.** The Delaware [Directive](#) instructing all Delaware residents to shelter in place and instructing non-essential businesses to cease almost all in-person operations expired on May 31, 2020. The Directive also implements safety guidelines for Essential Businesses, including:

- Maximize the use of telework.
- Implement sick-leave policies to enable employees who have been exposed to COVID-19, who have symptoms, or who are high-risk to stay home.
- Provide handwashing stations or hand sanitizer.
- Facilitate social distancing, especially keeping employees six feet apart.
- Follow State and CDC guidelines for environmental cleaning.

**Reopening Plan.** [Phase 1](#) of Delaware's reopening plan commenced on June 1, 2020. Phase 2 began on June 15, 2020 and includes increasing the operating capacity limit of most businesses to 60% (except personal care services and exercise facilities). Child care and summer camps also reopened in Phase 2. Phase 3 of reopening was scheduled to begin June 29 but has been delayed indefinitely. Certain businesses were permitted to reopen as follows:

- [May 8, 2020](#): Certain retail businesses [may open with restrictions](#) (e.g. clothing stores, tobacco shops, other consumer goods).
- [May 15, 2020](#): Ice cream shops and trucks [may open with restrictions](#).
- [May 20, 2020](#): Retail may open [by appointment and with restrictions](#).
- [May 22, 2020](#): Beaches and community pools [may open with restrictions](#).
- [June 1, 2020](#): Retail and restaurants may open at 30% capacity.
- [June 8, 2020](#): Tattoo parlors, nail care, massage therapy and similar services may open at 30% capacity by appointment.
- [June 20, 2020](#): Youth and adult recreational sports may resume.
- [June 22, 2020](#): Personal care businesses may expand to 60% capacity.
- [June 25, 2020](#): Phase 3 reopening delayed.

During Phase 1, the following guidance applied to reopening businesses:

- Cloth face coverings must be worn.
- Individuals must regularly wash their hands and stay home if sick.
- At all times, individuals who are not part of a household should remain six feet apart.
- All individuals when in public should maximize physical distance from others.
- Limit occupancy to 30% of the fire code occupancy.
- Follow 14 day self-quarantine requirements and interstate travel restrictions.
- All non-essential travel should be avoided.
- All vulnerable individuals should continue to shelter in place.
- Close common areas where personnel are likely to congregate.
- Employees and customers who are ill or may have come into contact with COVID-19 should self-quarantine.

- Employers should encourage staff to work from home whenever possible.
- All surfaces touched by customers should be disinfected every 15 minutes to 2 hours.
- All employees required to go to work should perform a daily health check.
- All employees should wash hands regularly with soap and water throughout the work day.
- Businesses must make hand sanitizer or handwashing stations available for all employees and customers.
- Schedule downtime between shifts or after closing to thoroughly clean establishments.
- Post signs on how to stop the spread of COVID-19, hand hygiene, and properly wear a cloth face covering.

*COVID-19 Resurgence: Additional Restrictions.* On November 17, 2020, Governor Carney [announced](#) further COVID-19 restrictions, which took effect at 8:00am on Monday, November 23:

- Indoor gatherings in homes may not exceed 10 people.
- Indoor gatherings outside of homes must be limited to 30% of venue's fire capacity, and may not exceed 50 people.
- Outdoor public gatherings are limited to 50 people, unless a plan has been approved by the Delaware Division of Public Health.
- Restaurants must operate at no more than 30% of fire capacity indoors, with allowances for additional outdoor seating.
- Delaware youth sports organizations, teams and venues may not host or participate in tournaments with out-of-state teams.

In the [Fourth Revision to the Twenty-Seventh Modification](#) of the Declaration of a State of Emergency, Governor Carney encouraged all Delaware residents to stay home as often as possible and only leave home to go to work or school or for necessary services and items between December 14, 2020 and January 11, 2021.

*Industry-Specific Guidelines.* The [reopening announcement](#) and subsequent guidance also includes requirements specific to:

- Jewelry stores (appointment only).
- Cosmetology (e.g., only hair care and all personnel must wear cloth face masks).
- Golf (only allow one rider at a time in a golf cart with proper cleaning between customers).
- Drive-in movies (patrons must remain inside vehicles and social distancing maintained).
- [Farmer's markets](#) (e.g. vendors must pre-package produce to limit handling and increase efficiency).
- [Swimming pools](#) (e.g. reduce occupancy to reduce crowding and maintain six feet separation).
- [Museums, galleries and historical attractions](#) (e.g. timed tickets are recommended).
- [Food and drink establishments](#) (e.g. space tables so that customers at each table are six feet from those at other tables).
- [Retail](#) (e.g. establish specific hours for high-risk populations).
- [Consumer services & exercise facilities](#) (e.g. salons should operate with six feet between stations).
- [Realty](#) (e.g. no more than 10 people inside a house at once).
- [Casinos](#) (e.g. create a facility-specific plan, to be approved by the State Lottery).
- [Racetracks](#) (e.g. no fans may attend races).
- [Parks & Recreation](#) (e.g. cancel or postpone events and gatherings).
- [Childcare](#) (e.g. may only open if parents certify that they work in-person at an essential or open business).

- [Youth Sports](#) (e.g. no competitions may be held).



## District of Columbia

**Closure Order.** The Washington D.C. [Order](#) requiring non-essential businesses to cease most in-person operations [expires on June 8, 2020](#). Both essential and non-essential businesses are required to take all reasonable steps to permit employees to work remotely. To the greatest extent feasible, essential businesses are additionally required to comply with social distancing requirements, including:

- Stagger shift times or workdays to separate staff.
- Maintain six feet of distance between individuals, including in lines or waiting rooms.
- Wash hands with soap and water for at least 20 seconds or use hand sanitizer frequently.
- Cover coughs or sneezes, preferably with a tissue or into the sleeve or elbow.
- Regularly clean high-touch surfaces.
- Avoid shaking hands.

**Reopening Plan.** On May 15, 2020 [a pilot program](#) began granting waivers to educational and academic retail shops to open using curbside and front door pickup. On May 29, 2020 [Phase One](#) of ReOpen DC began, and businesses reopened as follows:

- Retail may open for outdoor pick-up.
- Barbershops and hair salons may open with restrictions.
- Restaurants may open for outdoor dining.

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

***COVID-19 Resurgence: Additional Restrictions.*** [Effective November 25, 2020](#), Mayor Bowser adjusted the requirements of Phase Two, which now include:

- Requiring businesses to have employees and contractors telework to the extent consistent with current business operations.
- Developing plans to safely return employees and contractors who are currently telecommuting to their offices, following guidance from the Department of Health, addressing matters like social distancing, staggering schedules, and sanitization protocols.
- Limiting outdoor gatherings to 25 people.
- Limiting indoor gatherings to 10 people.
- Ending alcohol sales and service at 10:00pm.

[Effective December 11, 2020](#), additional restrictions were imposed on high contact and high school sports. [Effective December 23](#), District museums were closed.

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

- [Childcare](#) (e.g. perform a daily health screen for all children).

- [Cosmetology & Barber Professionals](#) (e.g. employees and customers should wear a cloth face covering).
- [Dental Care](#) (e.g. telephone screen all patients for COVID-19 symptoms).
- [Elective Surgery](#) (e.g. minimize time in waiting rooms and maintain low patient volumes).
- [For-Hires Vehicles, Taxi, and Rideshare Vehicles](#) (e.g. prohibit passengers from sitting in the front seat).
- [Parks & Open Spaces](#) (e.g. post signs reminding visitors to socially distance).
- [Restaurants](#) (e.g. only outdoor seating or takeout).

## Florida

**Closure Order.** The Florida [Executive Order Number 20-91](#) instructing all Florida residents to limit their movement outside their homes to only those necessary to obtain or provide Essential Services or conduct Essential Activities expired on April 30, 2020.

**Reopening Plan.** Following the expiration of the Order, Governor Ron DeSantis announced his [plan for Florida's reopening](#) entitled [Safe. Smart. Step-by-Step](#). In Phase One, businesses began to open as follows:

- [May 4, 2020: Retail and restaurants may open](#) in most counties with restrictions.
- [May 11, 2020: Barbershops and cosmetology salons may open](#) in most counties with restrictions.
- [May 18, 2020: All retail, restaurants, museums and gyms](#) may open with restrictions.

Phase One. Phase One will involve the following:

- Avoid socializing in groups of more than 10 people in circumstances that do not readily allow for physical distancing.
- Employers should encourage teleworking where practicable.
- Employers should screen employees for symptoms before they enter premises.
- Avoid non-essential travel.
- Visits to senior living facilities are prohibited.
- Elective surgeries can resume.
- Restaurants may offer outdoor seating with six feet of space between tables and indoor seating at 50% of indoor capacity.
- Retail can operate at 50% of indoor capacity.
- Bars and nightclubs remain closed.
- Gyms and fitness centers may re-open at no more than 50% capacity, with strict sanitation protocols.
- Cosmetology salons, barber shops and nail salons should limit occupancy to 50% capacity.
- Vulnerable individuals should avoid close contact with people outside the home.
- All individuals, when in public, should maximize physical distance from others.
- Face masks are recommended for face-to-face interactions where you can't social distance.

Phase Two. Most counties began moving into [Phase Two](#) on June 5, 2020. Phase Two involves the following:

- Avoid socializing in groups of more than 50 people in circumstances that do not readily allow for physical distancing.
- Individuals may resume non-essential travel.
- Employers should encourage teleworking where practical.
- Employers should begin implementing plans for employees to return to work in phases.
- Employers should screen employees for symptoms before they enter premises.
- Employers should minimize non-essential travel and adhere to CDC guidelines on isolation following travel.
- Local government meetings should return to in-person quorum with no more than 50 people and allow video conferencing.
- Bars and nightclubs may operate at 50% capacity with physical distancing.

- Restaurants may operate at no more than 75% capacity with physical distancing.
- Gyms and fitness centers may operate at no more than 75% capacity with strict sanitation protocols.
- Cosmetology salons, barber shops and nail salons should limit occupancy to 75% capacity.
- Retail can operate at 75% of indoor capacity.

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. Phase Three, which began on September 25, 2020, involves the following:

- Individuals should consider minimizing time spent in crowded environments.
- Individuals may resume non-essential travel.
- Employers should consider teleworking for vulnerable populations.
- Employers should resume unrestricted staffing of worksites.
- Employers should take practical measures to ensure employees with COVID-19 symptoms or exposure do not enter premises.
- Employers should resume non-essential travel and adhere to CDC guidelines on isolation following travel.
- Local government meetings should return to in-person quorum and public participation.
- Bars and nightclubs may operate at full capacity with limited social distancing protocols.
- Restaurants may operate at full capacity with limited social distancing protocols.
- Gyms and fitness centers may operate at full capacity but should maintain adequate sanitation practices.
- Cosmetology salons and barber shops may operate at full capacity but should maintain adequate sanitation practices.
- Retail may operate full capacity but should maintain adequate sanitation practices.

Reopening Requirements. Florida [recommends](#) that all employers adhere to the following measures:

- Practice social distancing by maintaining six feet of separation.
- Avoid hugs, handshakes, large gatherings and close quarters.
- Clean and disinfect high-touch, high traffic surface areas.
- Train employees on personal hygiene expectations, including frequent handwashing.
- Require employees that interact with the public to wear cloth facemasks.
- Provide hand sanitizer, disinfecting wipes, and/or soap and water to employees and customers.
- Monitor employees for symptoms and encourage sick employees to stay home.
- Develop procedures for contact tracing if an employee is exposed to COVID-19.

COVID-19 Resurgence: Additional Restrictions. Florida has not modified its Phase Three guidance in response to resurgence as of yet.

Industry-Specific Guidelines. The Reopening Plan includes the following industry-specific guidelines:

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

## Georgia

**Closure Order.** The Georgia [Executive Order](#) (04.02.20.01) implementing a statewide shelter-in-place requirement and permitting only critical infrastructure businesses to continue in-person operations expired on April 30, 2020. The Executive Order required critical infrastructure businesses to implement measures that would mitigate the exposure and spread of COVID-19 among the workforce, including implementing teleworking for all possible workers, screening workers who exhibit signs of illness, and enhancing sanitation of the workplace as appropriate.

**Reopening Plan.** The state began easing restrictions through a series of [Executive Orders](#), dated April 20, April 23, May 12, May 28, June 11, June 29 and July 15 as follows:

- [April 24, 2020](#): Gyms, fitness centers, bowling alleys, body art studios, estheticians, hair designers, and persons licensed to practice massage therapy allowed to begin in-person operations with certain restrictions.
- [April 27, 2020](#): Restaurants, dining rooms, and movie theaters allowed to begin in-person operations with certain restrictions.
- [May 14, 2020](#): Restaurants and childcare facilities allowed to increase number of people permitted in the business.
- [June 1, 2020](#): Bars and nightclubs allowed to reopen with restrictions.
- [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 not to exceed 50 people where six feet of social distancing cannot be maintained.
- [Indefinite](#): Swimming pools.

***Reopening Requirements.*** The Executive Order of June 29 provides guidelines to employers reopening their businesses, with certain specifications based on the industry. Generally, employers must:

- Screen and evaluate workers who exhibit signs of illness, such as a fever over 100.4 degree Fahrenheit, cough, or shortness of breath.
- Post signage at the front of the facility stating that individuals who have symptoms of COVID-19 shall not enter the store.
- Require workers with signs of illness to not report to work or to seek medical attention.
- Enhance sanitation of the workplace as appropriate.
- Require hand washing or sanitation by workers at appropriate places within the workplace.
- Provide personal protective equipment as available and appropriate.
- Prohibit gatherings during working hours.
- Permit workers to take breaks and meals in places where social distancing is attainable.
- Implement teleworking and staggered shifts as practicable.
- Hold all meetings and conferences virtually, wherever possible.
- Deliver intangible services remotely wherever possible.
- Discourage workers from using other workers' tools and equipment.
- Prohibit unnecessary person-to-person contact in the workplace.

- Place notices that encourage hand hygiene at the entrance to the workplace.
- Suspend the use of PIN pads, PIN entry devices, and other credit card receipt signature requirements to the extent permitted by agreements with credit card companies and credit agencies.
- Enforce social distancing of non-cohabitating persons while present on such entity's leased or owned property;
- For retailers and service providers, provide for alternative points of sale outside of buildings.
- Increase physical space between workers and customers.
- Provide disinfectant and sanitation products for workers to clean their workspace equipment and tools.
- Increase physical space between workers and patrons.

*COVID-19 Resurgence: Additional Restrictions.* In response to rising COVID infection rates, Governor Kemp [issued an executive order](#) (11.30.20.02) extending the state's public health state of emergency until January 8, 2021 and extending the current COVID-19 restrictions. Another [executive order](#) (12.08.20.01) provides that no business, establishment, corporation, non-profit corporation, organization, county, or municipal government may allow gatherings of more than 50 persons, effective December 16, 2020 through December 31, 2020. Yet another [executive order](#) (12.30.20.02) extends the restriction on gatherings to January 15, 2021.

Businesses that reopen and observe the requirements set forth by the executive orders could be protected from state liability. The April 20 executive order states, "any individual, partnership, association, or corporation who acts in accordance with an order . . . entered by the Governor . . . will not be held liable to any other individual, partnership, association, or corporation by reason thereof in any action seeking legal or equitable relief."

*Industry-Specific Guidelines.* The [Executive Order](#) issued on June 29, 2020 includes guidelines specific to:

- Restaurants (e.g., redesigning seating arrangements to ensure at least six feet of separation from seating to seating or utilizing physical barriers to separate groups of seating within six feet).
- Retail businesses (e.g., providing for alternate alternative points of sale outside of buildings, including curbside pick-up or delivery of products).
- Gyms and fitness centers (e.g., enforcing equipment wipe-down policies).
- Personal services (e.g., allowing one patron per service provider in the business at any one time).
- Movie theaters (e.g., at least one usher must be used in each theater room before and, at some point, during each showing to ensure that proper social distancing protocol is enforced).
- Bowling alleys (e.g., bowling balls and shoes must be sanitized before and after each use).
- Bars (e.g., limit the number of total persons inside the bar to the greater of 50 people or 35% of total listed fire capacity occupancy of the entire bar).
- Amusement parks, fairs, and circuses (e.g., cleaning or sanitizing the contact surfaces on any ride or attraction frequently throughout the day).
- Ambulatory surgical centers (e.g., requiring staff to self-monitor for viral symptoms daily).
- Childcare facilities (e.g., toys used by a group of children must be washed and sanitized before they may be used by children in a different group).

- Summer camps (e.g., keeping the same workers and campers in the same group for the duration of the camp, if possible).
- [Film and television](#) (advisory guidelines) (e.g., avoid handshakes, kisses, hugs and actions that encourage physical contact between people).
- Live Performance Venues (e.g., using contactless parking systems, ticket-taking, ticket purchase, will-call, check-in, check-out, security checks, and sales).
- Conventions (e.g., providing an isolation area for individuals experiencing symptoms of COVID-19 who are unable to immediately leave the convention area).
- Food establishments (e.g., schedule specific hours of operation for vulnerable populations to shop).

## Hawaii

**Closure Order.** Hawaii enacted the [Third Supplementary COVID-19 Proclamation](#), instructing Hawaiians to stay home except as necessary to maintain critical infrastructure sectors and essential businesses or operations. Hawaii enacted the [Sixth Supplementary COVID-19 Proclamation](#) on April 25, 2020, extending the stay-at-home order and expanding the list of essential businesses permitted to operate. The Order expired on May 31, 2020 at 11:59 pm.

**Reopening Plan.** On May 5, 2020, a [Seventh Supplementary COVID-19 Proclamation](#) was issued, which signaled a transition from a “stay-at-home” phase to a “safer-at-home” phase. Effective May 7, 2020, certain non-essential businesses, including non-food agriculture, auto dealerships, car washes, pet grooming services, retail and repair services, astronomical observatories, and certain areas of shopping malls were permitted to reopen. On May 18, 2020 Hawaii announced its reopening plan, [Beyond Recovery: Reopening Hawai‘i](#). The plan includes four phases, with reopening beginning in Phase Two. Certain businesses have been permitted to reopen on a county-by-county basis. On June 10, the state transitioned to Phase Three.

**Reopening Requirements.** Nearly all businesses, except for large venues and clubs, may reopen. Under [Ninth Supplementary COVID-19 Proclamation](#), reopening businesses must exercise certain social distancing requirements to the fullest extent possible, including:

- Encouraging high risk populations and persons who are sick with typical COVID-19 symptoms to stay in their residences.
- Maintaining a minimum of six feet of separation from all other persons by designating proper spacing with signage, monitoring and enforcing distancing, and modifying checkout operations to the extent reasonably feasible.
- Determining the maximum number of customers that may be accommodated while maintaining the specified separation distance and limiting the number of customers in the facility to that maximum number at all times.
- Ensuring that customers and customer-facing employees wear a cloth face covering while at the facility.
- Making hand sanitizer and sanitizing products readily available for employees and customers.
- Regularly disinfecting all high-touch surfaces.
- Implementing processes to safeguard elderly and high risk customers.
- Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.
- Providing for online ordering and purchase of goods and customer pickup of orders at a location outside the facility or providing delivery to customers.
- Posting a sign at the entrance of the facility informing employees and customers that they should wear face coverings, avoid entering the business or operation if they have a cough or fever, maintain a six-foot distance, and not engage in unnecessary physical contact.

**COVID-19 Resurgence: Additional Restrictions.** Governor Ige issued the [Fifteenth Proclamation Related to the COVID-19 Emergency](#) that again extended the public health emergency in Hawaii and reiterated the statewide mask mandate first mandated by the state on April 25, 2020. Because Hawaii is piloting a pre-travel COVID-19 testing program, the Fifteenth Proclamation requires that all hotel operators adopt a COVID-19 Health and Safety Plan, which should:

- Identify the measures the operator has enacted in response to the COVID-19 pandemic.



- Identify what guests, customers, invitees, employees, contractors, vendors and other persons who enter the premises may expect in terms of service, accommodations and required safety protocols.
- Address the applicable guidance form the CDC.
- Reiterate the responsibility of the hotel operator to accommodate guests who become positive for COVID-19 or are identified as a close contact of a case.

Additionally, Governor Ige's [Sixteenth](#) and [Seventeenth Proclamations](#) reduced the mandatory self-quarantine period from 14 to 10 days for inter-state and inter-county travelers, effective December 17, 2020.

*Industry-Specific Guidelines.* Several of the Supplementary COVID-19 Proclamations and the Department of Education encouraged businesses and operations in certain industries to follow additional guidelines:

- [Auto dealerships](#) (e.g., limiting test drives to 10 minutes, with cars disinfected before and after each employee or customer use).
- [Car washes](#) (e.g., customers should remain inside their vehicles at all time).
- [Pet grooming services](#) (e.g., wash hands before and after every customer appointment).
- [Observatories and support facilities](#) (e.g., clean and disinfect telescopes or computers after each visitor or employee use).
- [Shopping malls](#) (e.g., closing food court areas off from the rest of the mall).
- [Barbers and beauty operators](#) (e.g., no shop shall be used as a living, cooking, or sleeping facility).

## Idaho

**Closure Order.** The [Order to Self-Isolate for the State of Idaho](#) permitted only essential businesses to conduct in-person operations. The Order required essential businesses to comply with social distancing requirements to the greatest extent feasible, including by maintaining at least a six-foot distance between individuals, washing hands with soap and water as frequently as possible, and regularly cleaning high-touch surfaces. The Order expired on April 30, 2020.

**Reopening Plan.** Idaho has initiated a [reopening plan](#) with four stages. Idaho currently had progressed to Stage Four, which allowed nightclubs and large entertainment venues to resume operations if able to meet business protocols. Visits to senior living facilities, jails, and corrections facilities were also allowed to resume.

***Reopening Requirements.*** The reopening plan provides best practices to employers reopening their businesses. Throughout all stages, employers should:

- Maintain the six-foot distancing requirements for employees and patrons.
- Provide adequate sanitation and personal hygiene for employees, vendors, and patrons.
- Identify how PPE items may be required by employees, vendors, and patrons.
- Restrict non-essential business travel.
- Require COVID-19 positive employees to stay at home while infectious and consider keeping employees who were directly exposed to the COVID-19 positive employee out of the workplace and closing the business for disinfection.
- Screen employees for illness or exposure upon entry to work, as appropriate.
- Consider requiring non-cash transactions.

***Stage Four.*** Businesses reopening in [Stage Four](#) were encouraged to make their operational plans available to the public to boost consumer confidence and used the following protocols as they prepared to open their doors:

- Develop and implement measures to ensure employees and customers maintain at least six-foot physical distancing from other individuals whenever possible.
- Provide adequate sanitation and personal hygiene for employees, vendors, and patrons.
- Frequently disinfect commonly touched and high-traffic areas and regularly clean those areas.
- Identify how personal use items such as masks, face coverings, and gloves may be required by employees, vendors, and/or patrons.
- Provide services while limiting close interactions with patrons.
- Identify strategies for addressing ill employees, which should include requiring COVID-19 positive employees to stay at home while infectious, and may include keeping employees who were directly exposed to the COVID-19 positive employee away from the workplace, and the closure of the business until the location can be properly disinfected.

- On a case-by-case basis, include other practices appropriate for specific types of businesses such as screening of employees for illness and exposures upon work entry, requiring non-cash transactions, etc.
- Implement additional protocols established in the Governor's Guidelines for Opening up Idaho and the business-specific protocols published on the state website.

Although Stage Four was originally expected to end on June 26, 2020, Governor Little extended it after the state failed to meet gating criteria.

*COVID-19 Resurgence: Additional Restrictions.* On November 14, 2020, pursuant to [an order from the Idaho Department of Health and Welfare](#), the state returned to Stage 2 of Idaho Rebounds. The director of the Department and the governor allowed business and governmental agencies to continue operations at physical locations in the state, with the following new restrictions:

- Individuals, business and governmental agencies must adhere to certain mandatory physical distancing requirements (six-foot distancing between employees and customers, adequate sanitation and personal hygiene, and frequent disinfection of commonly touched areas).
- Gatherings of more than ten people, both public and private, are prohibited, including attendance at extracurricular activities such as sporting events.
- Patrons of bars, nightclubs, and restaurants must remain seated.
- Face coverings are required at long-term care facilities.
- People identified as high-risk are strongly encouraged to stay home and limit movement outside of their residences.

Another [Stay Healthy Order](#) dated December 30, 2020 largely reiterated these restrictions.

*Industry-Specific Guidelines.* The reopening plan also includes protocols which certain types of businesses should follow in Stage One, Stage Two, Stage Three, and Stage Four:

- [Youth organizations](#) (e.g., limit carpooling to practices and camps).
- [Daycare](#) (e.g., have a daycare provider greet children outside of the facility to administer health screening questions).
- [Restaurants](#) (e.g., reduce use of waiting areas and lobbies as feasible).
- [Close contact services](#) (e.g., provide services by appointment only, with no walk-in customers).
- [Indoor gyms and recreational activities](#) (e.g., ensure there is optimal ventilation for inside activities).
- [Outdoor pools, splash parks, and waterparks](#) (e.g., cancel swimming lessons that require an instructor to have physical contact with a patron).
- [Bars, breweries, wineries and distilleries](#) (e.g., space seating at counters and bars six feet apart).
- [Indoor movie theaters](#) (e.g., schedule longer than usual time between screenings to allow disinfecting of seats).
- [Campgrounds](#) (e.g., encourage campers to be self-sufficient and bring all food, beverages, and other needed supplies to minimize contact with surrounding communities).
- [Outfitting services](#) (e.g., establish procedures for routine cleaning and disinfection of commonly touched surfaces and objects like water containers, boats and other trip gear, kitchen implements and surfaces, and shared tools).

- [Long-term Care Facilities](#) (e.g., limit visitation to a minimal number of visitors per resident).

## Illinois

**Closure Order.** Illinois issued [Executive Order in Response to COVID-19 2020-10](#), which requires non-essential businesses to cease most in-person operations. On May 1, 2020, [Executive Order 2020-32](#) added greenhouses, garden centers, nurseries, and pet grooming services to the list of essential businesses permitted to operate. The Closure Order expired on May 30, 2020. On July 2, 2020, an Illinois circuit judge, Michael D. McHaney ruled that Governor Pritzker's executive orders requiring certain business closures beyond the first 30 days of the coronavirus outbreak violated the state constitution. The Governor's office has appealed the decision.

**Reopening Requirements.** All businesses and operations must take proactive measures to ensure compliance with social distance requirements, including:

- Designating by some means six-foot spacing for employees and customers when in line to maintain an appropriate distance.
- Having hand sanitizer and hand sanitizing products readily available for employees and customers.
- Implementing separate operating hours for vulnerable populations.
- Providing employees with appropriate PPE where six-foot distancing is not possible at all times.
- Evaluating which employees are able to work from home.
- Posting guidance from the Illinois Department of Public Health and Office of the Illinois Attorney General regarding workplace safety during the COVID-19 emergency.

**Reopening Plan.** On May 5, 2020, Illinois published its five-phase reopening plan, [Restore Illinois](#), which divides the state into four "health regions" that can move independently of each other through the phases. The plan outline warned that failure to meet certain health metrics could cause a health region to move back to a previous phase with increased restrictions. On June 26, all of Illinois, including Chicago, entered into Phase 4 ("Revitalization"). In this phase, [operating businesses](#) must:

- Continue to evaluate which employees are able to work from home, and are encouraged to facilitate remote work from home when possible.
- Ensure that employees practice social distancing and wear face coverings when social distancing is not always possible.
- Ensure that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing.
- Ensure that all visitors (customers, vendors, etc.) to the workplace can practice social distancing, but if maintaining a six-foot social distance will not be possible at all times, encourage visitors to wear face coverings.
- Prominently post the guidance from the Illinois Department of Public Health and Office of the Illinois Attorney General regarding workplace safety during the COVID-19 emergency.

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.

**COVID-19 Resurgence: Additional Restrictions.** Governor Pritzker announced that the state would move into [Tier 3](#) of the Mitigation Plan on November 20, 2020, in acknowledgment of the COVID-19 Resurgence in October and November. Phase 4 guidance of Restore Illinois remains in effect, but where it conflicts, the following Tier 3 Mitigation requirements take precedence:

- Bars and Restaurants: No indoor service, required closing at 11:00pm, and no ordering, seating, or congregating at a bar.
- Health and Fitness Centers: Must operate at 25% or less, face coverings worn at all times, and reservations required.
- Hotels: Event and meeting spaces closed, with occupancy limited to registered guests only.
- Recreation, Theaters, and Cultural Institutions: Gaming and casinos, theaters, performing arts centers, indoor museum and amusement centers, close, outdoor activities permitted at 25% capacity or less, and outdoor group activities limited to ten people or less.
- Manufacturing: Additional COVID training (even if previous COVID training occurred), and suspension of COVID-related incentive pay and promote staying home when showing symptoms.
- Social gatherings: In home gatherings are limited to household members, and funerals are limited to ten family members of the decedents.
- Personal Care Service and Retail: Operate at no more than 25% capacity (except grocery stores and pharmacies) and suspend any services where a face covering cannot be worn.

*Industry-Specific Guidelines.* The Illinois Department of Health has issued guidance for:

- [Food establishments](#) (e.g., consider providing disposable utensils or have employees handle equipment for customers).
- [Long term care facilities](#) (e.g., isolation of a resident should be implemented by the healthcare provider who discovers the symptoms).
- [Daycares](#) (e.g., stagger drop-off and pick-up times to reduce overcrowding in confined spaces).
- [Funeral homes](#) (e.g., try to provide ways for attendees to join a service remotely).

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

- [Manufacturing](#) (e.g., modify traffic flow to minimize contact).
- [Health & Fitness](#) (e.g., gyms may open at 50% capacity).
- [Offices](#) (e.g., if practical, use tele- and video-conferencing while at desk).
- [Personal Care Services](#) (e.g., remove shared items, like magazines, from waiting areas).
- [Retail](#) (e.g., clean and disinfect common areas and surfaces which are touched by multiple people frequently, every 2 hours recommended for high-traffic areas).
- [Indoor and Outdoor Recreation](#) (e.g., amusement parks, trampoline parks, and indoor playgrounds should remain closed).
- [Service Counters](#) (e.g., incoming items should be kept separate from finished, outgoing items).
- [Day Camps](#) (e.g., water-based activities permitted in accordance with state department of health guidelines).
- [Youth Sports](#) (e.g., sport organizers should designate an area for spectators with existing seating capped at 20% of capacity and ensure at least six feet of social distance).
- [Golf](#) (e.g., tee times must be spaced in intervals to limit congregation before, during and after the round).
- [Restaurants & Bars](#) (e.g., indoor dining may resume with groups of 10 or less).
- [Tennis](#) (e.g., avoid playing simultaneously on adjacent courts).
- [Boating / Fishing](#) (e.g., marinas and boat rentals should operate with the minimum number of workers necessary).

- [Child Care](#) (e.g., perform daily health checks for all children, caregivers, staff, and visitors).
- [Museums](#) (e.g., limit to 25% occupancy).
- [Zoos](#) (e.g., interactive exhibits, indoor exhibits, and rides closed).
- [Cinema & Theatre](#) (e.g., indoor theatres limited to the lesser of 50 guests or 50% of overall theatre capacity).
- [Outdoor Seated Spectator Events](#) (e.g., no more than 20% of seating capacity).
- [Film Production](#) (e.g., crowd scenes should be limited to 50 people or fewer).
- [Meetings and Social Events](#) (e.g., venue operators should display signage at entry with face covering requirements, social distancing guidelines, cleaning protocols, and any reduced capacity limit, in multiple languages as needed).
- [Private RV Parks and Campgrounds](#) (e.g., clubhouses, playgrounds, pools, and any other communal gathering places should be closed).
- [Casinos](#) (e.g., dice, chips, cards, roulette equipment, and other gaming devices are to be cleaned, disinfected, and sanitized).

## Indiana

**Closure Order.** Indiana enacted [Executive Order 20-08](#), instructing non-essential businesses and establishments to cease in-person operations, although a subsequent [Order](#) permitted non-essential retail businesses to remain open for delivery or curbside pickup. The Executive Orders required essential businesses to take proactive measures to ensure compliance with social distancing requirements, including designating six-foot distances, having hand sanitizer and sanitizing products available to employees and customers, and implementing separate operating hours for vulnerable customers. The Executive Order 20-08 expired on May 1, 2020 at 11:59 pm.

**Reopening Plan.** Indiana initiated a [reopening plan](#) with five stages. The governor announced a modified plan on July 1, 2020, and counties entered Stage 4.5, which entails substantially similar restrictions as were observed in Stage 4, on July 4. [Executive Order 20-43](#), issued on September 24, 2020, permitted all individuals, businesses, entities and counties to transition to Stage 5. It allowed businesses and other entities to be fully open and operate, with requirements (see below).

On November 13, 2020, Indiana issued [Executive Order 20-48](#) rescinding Executive Order 20-46 (Stage 5). Executive Order 20-48 implemented a “County-by-County” model. There is a color-coded system about the status of COVID-19 in each county and across Indiana, to be updated weekly. It creates four levels based on community spread.

- “Blue” counties have the following restriction:
  - Social gatherings of up to 250 people are permitted provided social distancing can be achieved, face coverings are worn, and other sanitation measures are implemented at the site.
  - Social gatherings or events where more than 250 individuals are invited or expected to be in attendance must submit a safety plan at least seven (7) days in advance to the local health department and must have the plan approved before proceeding.
- “Yellow” counties have the following restriction:
  - Social gatherings of up to 100 people are permitted provided social distancing can be achieved, face coverings are worn, and other sanitation measures are implemented at the site.
  - Social gatherings or events where more than 100 individuals are invited or expected to be in attendance must submit a safety plan at least seven (7) days in advance to the local health department and must have the plan approved before proceeding.
- “Orange” counties have the following restrictions:
  - Social gatherings of up to 50 people are permitted provided social distancing can be achieved, face coverings are worn and other sanitation measures are implemented at the site.
  - Businesses should reduce the number of employees and personnel permitted to congregate in common areas or break rooms.
- “Red” counties have the following restrictions:
  - While it is strongly encouraged that social gatherings be postponed, social gatherings may have up to a total of 25 individuals provided social distancing requirements can be achieved and maintained and face coverings are worn.
  - Businesses should reduce the number of employees and personnel permitted to congregate in common areas or break rooms.



- Restaurants and retail businesses are strongly encouraged to promote phone/online ordering with curbside pick-up.

A county must meet the metrics/score of a less restrictive category for two consecutive weeks before being allowed to move to that category. A county will be moved to a more restrictive category whenever the county's metric/score rises to a higher category.

The color-code system was continued by [Executive Order 20-50](#), which took effect on December 13, 2020 and will last through January 3, 2021.

Reopening Requirements. All businesses that wish to open must meet the following requirements:

- COVID-Response Plans: All businesses and entities continuing operations or resuming full operations were required to develop a response plan.
- Social Distancing and Other Requirements: All businesses and entities in Indiana were required to take proactive measures to ensure compliance with social distancing and sanitation requirements.
- Compliance with Indiana Occupational Safety and Health Administration Standards.
- Additional Guidance for all Businesses/Employers, including: Utilizing policies regarding telework and remote work when reasonable, actively encourage sick employees to stay home until they are free of fever and symptoms for the requisite time periods recommended by the CDC, and reinforce key messages to all employees regularly.

Industry-Specific Guidelines. The reopening plan also includes suggested guidelines for:

- [Manufacturing and Industrial Operations](#) (e.g., group employees by shift to reduce chances of transmission).
- [Retail](#) (e.g., maintain 75% capacity at all times).
- [Office settings](#) (e.g., enable natural ventilation in the workplace where possible).
- [Restaurants](#) (e.g., consider using reservation only process to ensure capacity is not exceeded).
- [Gyms](#) (e.g., facilitate verbal health check with customers at entry).
- [Personal services](#) (e.g., expand operational hours to avoid crowding in the workplace).
- [Sport Facilities](#) (e.g., spectators are discouraged unless necessary for transportation).
- [Raceways](#) (e.g., grand stands closed).
- [Pools](#) (e.g., maintain minimum disinfectant levels).
- [Childcare](#) (e.g., arrival and pick-up procedures should include staggering times).
- [Youth Summer Day Camps](#) (e.g., camp operators should check the temperature of each child as campers are dropped off, before the parent or guardian leaves).
- [Day Services for Adults with Developmental Disabilities](#) (e.g., reopening should be influenced by a consideration of the specific needs, health considerations, and risk factors of the individuals using day services).
- [Campgrounds](#) (e.g., hot tubs and spas should remain closed, and contact sport activities may not resume).
- [Golf](#) (e.g., tee times must be spaced a minimum of 10 minutes apart).

## Iowa

**Closure Order.** Iowa expanded its [Proclamation of Disaster Emergency](#) to order that certain non-essential businesses close beginning March 26, 2020 at 10:00 pm. On April 6, 2020, Iowa [further expanded](#) the list of non-essential businesses required to close. The Proclamations requiring closures expired on April 30, 2020 at 11:59 pm for all but 22 listed counties.

**Reopening Plan.** Iowa's reopening will be a process progressively announced by continuous proclamations, the first of which was [issued April 27, 2020](#). 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 22 counties to begin reopening effective May 8, 2020 at 5:00 am, and yet another proclamation [issued on May 13, 2020](#) allowed salons, barbershops, and massage therapy businesses to resume on May 15, 2020.

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, subject to additional restrictions. On June 1, 2020, recreational businesses reopened, including outdoor performance venues, race tracks, casinos, bowling alleys, arcades, amusement parks, skating rinks, and skate parks. Starting June 12, 2020, occupancy limits for reopening businesses lapsed.

**Reopening Requirements.** The Iowa Department of Public Health published its [Public Health COVID-19 Reopening Guidance](#) on May 13, 2020. The guidance includes the following rules to which reopening businesses must adhere:

- 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 handwashing and hand sanitizing for employees and the public.
- Provide reminders to individuals to maintain a distance of six feet, including marking appropriate distancing intervals when feasible.
- Post signage at the facility entrance indicating no individual should enter if they currently have [symptoms](#) or have been in proximity to another person 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 healthcare provider.

Additionally, employers are encouraged to:

- Consider the use of [cloth face coverings](#) where maintaining six-foot distances between individuals in the facility is impracticable.
- Recommend that [high risk](#) individuals continue to stay home.
- Follow the [state department of health business guidance](#) related to preventing, detecting, and reporting outbreaks.
- Use [messaging](#) to remind employees of processes they should use to protect their health while at work.

**COVID-19 Resurgence: Additional Restrictions.** Iowa issued Proclamations of Disaster Emergency on [November 16, 2020](#), [November 18, 2020](#) and [December 9, 2020](#). The Proclamations:

- Required all employers to evaluate whether any more of their employees can feasibly work remotely and to the extent reasonable, to take steps to enable such employees to work from home.
- Required all businesses or other employers remaining open with in-person operations to take reasonable precautions to ensure the health of their employees and members of the public, including appropriate employee screening, social distancing practices, and increased cleaning and hygiene practices.
- Required the use of face coverings while indoors.
- Prohibited indoor gatherings of more than 15 people and outdoor gatherings of more than 30 people. It prohibited all sporting and recreational gatherings, except for high school, collegiate, professional or recreational gatherings, unless they comply with certain requirements, such as social distancing and spectator limitations.
- Delineated requirements for, health clubs, health spas, gyms, restaurants, bars, to reopen or remain open.

*Industry-Specific Guidelines.* [The Proclamation of Disaster Emergency](#), issued on December 9, 2020, provides updated requirements specific for the following industries:

- Restaurants and bars (e.g., hours limited to 4:00 AM to 10:00 PM).
- Fitness centers (e.g., all exercise equipment must be spaced at least six feet apart).
- Senior citizen centers and adult daycare facilities (follow Iowa Department of Public Health guidance).
- Malls (e.g., any play area must remain closed).
- Race tracks (e.g., ensure at least six feet of physical distance between each group or individual attending alone when seated).
- Retail establishments (e.g., take reasonable measures to ensure social distancing of employees and patrons).
- Salons and barbershops (e.g., ensure that all customers are at least six feet apart when performing cosmetology practices or barbering services).
- Bowling alleys, pool halls, bingo halls, arcades, indoor playgrounds, children's play centers (e.g., limited group size).
- Social and fraternal clubs (e.g., take reasonable measures to ensure social distancing of employees and patrons).
- Theaters and performance venues (e.g., ensure at least six feet of physical distance between each group or individual attending alone when seated in the theater).
- Casinos and gaming facilities (e.g., ensure that all wagering and gaming positions are spaced at least six feet apart).
- Race tracks (e.g., social distancing measures)

## Kansas

**Closure Order.** Kansas enacted [Executive Order No. 20-16](#) requiring all individuals living in Kansas to stay home unless performing an essential activity, which included working at a business identified in the Kansas Essential Function Framework. The Order required that workers performing essential functions use telework capabilities to the extent possible and that work performed in-person followed safety protocols relating to maintaining a six-foot social distance, among others. The Order expired on May 3, 2020 at 11:59 pm.

**Reopening Plan.** Kansas revealed [Ad Astra: A Plan to Reopen Kansas](#) on April 30, 2020, which includes four phases. Phase One of the plan commenced on May 4, 2020. This phase allows many businesses to reopen subject to restrictions, although bars, nightclubs, non-tribal casinos, indoor leisure spaces, fitness centers and gyms, and many personal services businesses remained closed. On May 14, 2020, Governor Laura Kelly [announced](#) that the state would slow down its reopening plan through the addition of an extra phase. Governor Kelly then [announced](#) that Kansas would move to Phase Two on May 22, 2020. On May 26, 2020, Governor Kelly [announced](#) the revocation of the statewide order instituting Phase 2 of the reopening plan. The reopening requirements described herein are now advisory but may be adopted at the county level as a mandatory order.

*Reopening Requirements.* The reopening plan allowed businesses to move to Phase 4 (“Phase Out”), originally slated to begin on June 22, with the following general provisions:

- Local governments were to retain the authority to impose equal or more stringent restrictions during this phase, except as to essential functions in the state.
- All businesses and activities were to follow mass gatherings guidelines and institute appropriate public health measures.
- Individuals were to continue hygiene protocols and practice social distancing when applicable, with high-risk individuals encouraged to exercise additional caution.
- Any federal restrictions imposed and still in effect were to be followed.

However, Governor Kelly [recommended on June 22, 2020](#), that all counties remain in Phase 3 of the Ad Astra plan.

*COVID-19 Resurgence: Additional Restrictions.* On November 18, 2020, Governor Kelly issued [Executive Order No. 20-68](#), effective November 25, 2020, which required all persons in Kansas to wear a face covering while inside, or in line to enter, any indoor public space; while obtaining services from the healthcare sector, including a hospital, pharmacy, medical clinic, laboratory, physician or dental office; and waiting for or riding on public transportation or while in a taxi, private car service, or ride-sharing vehicle. The Order also required all businesses or organizations to require all employees, customers, visitors, members or members of the public to wear a face covering when:

- Employees are working in any space visited by customers or members of the public, regardless of whether anyone from the public is present at the time;
- Employees are working in any space where food is prepared or packaged for sale or distribution to others;
- Customers, members, visitors, or members of the public are in a facility managed by the business or organization; or
- Employees are in any room or enclosed area where other people (except for individuals who reside together) are present and are unable to maintain a 6-foot distance except for infrequent or incidental moments of closer proximity.

The Order allowed local governments to retain the authority to issue and enforce equally or more restrictive orders or provisions.

*Industry-Specific Guidelines.* Kansas has published industry-specific guidance in the following areas:

- [Self-service food](#) (e.g., prohibiting the use of self-serve fountain drink stations).
- [Food service establishments](#) (e.g., erecting physical barriers between groups of seated customers).
- [Transit](#) (e.g., force distance greater than six feet between bus transit operators and passengers).
- [General businesses](#) (e.g., share best practices with other businesses in the community).
- [Personal services](#) (e.g., practitioners and customers should wear face coverings when providing or receiving services).
- [Outdoor Sports](#) (e.g., certain organized sports disallowed).

## Kentucky

**Closure Order.** Kentucky enacted [Executive Order 2020-257](#), instructing all businesses that are not life-sustaining to cease operations, except as needed to maintain minimum basic operations. This Order expanded upon a previously issued Order, [Executive Order 2020-246](#), which only instructed all in-person retail businesses that were not life-sustaining or limited to local delivery and curbside service to close.

**Reopening Plan.** On April 21, 2020, Governor Andy Beshear announced the broad strokes of Kentucky's phased reopening plan, [Healthy at Work](#). Reopening commenced on May 11, with certain industries permitted to gradually reopen as follows:

- [May 11, 2020](#): Manufacturing and distribution, construction, vehicle or vessel dealerships, office-based businesses, horse racing, pet grooming and boarding, and photography businesses were allowed to resume operations.
- [May 20, 2020](#): Retail businesses and places of worship allowed to reopen.
- [May 22, 2020](#): Restaurant dining rooms allowed to reopen.
- [May 25, 2020](#): Barbers, salons, cosmetology businesses, and similar services resumed operations.
- [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, aquariums, distilleries, libraries, some outdoor attractions, museums, horse shows, and some in-home childcare programs could resume.
- [June 11, 2020](#): The Kentucky Horse Park and Kentucky state park campgrounds reopen.
- [June 15, 2020](#): Center-based childcare programs, day camps, and low touch youth sports permitted to resume.
- [June 20, 2020](#): Retail allowed to operate at 50% capacity.
- [June 25, 2020](#): Personal services allowed to resume at 50% capacity.
- [June 29, 2020](#): Bars permitted to reopen, groups of 50 people or fewer allowed to gather, venues and events spaces allowed to reopen, and youth sports with expanded activities allowed to resume.
- [July 1, 2020](#): Auctions, aquatic centers, bowling alleys, fitness centers, and movie theaters were allowed to increase business capacity to 50% of normal operations.

**Reopening Requirements.** Kentucky published a [list of minimum requirements](#) that all businesses must implement before they are allowed to reopen:

- Continue telework to the greatest extent practicable.
- Implement a phased return to work, including generous sick and family leave policies for employees are not able to come in to work due to their own illnesses, the illness of a family member, or lack of childcare.
- Ensure that employees physically present on the premises remain separated by a minimum of six feet unless closer interaction is absolutely required by their job duties.
- Ensure that employees minimize face-to-face contact with one another and with customers to the greatest extent practicable.
- To the greatest extent practicable, ensure that employees wear a cloth mask, unless masking would create a serious health or safety hazard.

- Ensure that employees wear regularly replaced gloves if their job duties include touching items often touched by others, like credit cards, cash, or computers.
- Supply adequate hand sanitizer for both employees and customers near high-touch areas and encourage routine and consistent hand washing for employees and customers.
- Restrict common areas to maximize social distancing and reduce congregating.
- Sanitize frequently touched areas a minimum of twice daily and adequately clean areas that were recently frequented by an employee with COVID-19 or associated symptoms.
- Require employees to undergo daily temperature and health checks, which may be self-administered.
- Ensure that any employee with COVID-19 symptoms is tested by a health care provider immediately and train employees on how to isolate individuals with suspected or confirmed COVID-19.
- Make special accommodations for employees and customers identified as high risk for severe illnesses, to the greatest extent practicable.
- Designate a “Healthy at Work” officer, who will be responsible for compliance with state guidance.
- Educate and train employees, vendors, and customers regarding the reopening plan’s protocols during scheduled work times, at no cost to the employee.
- Ensure that managers and employees participate in contact tracing if an employee tests positive.

Governor Beshear [announced](#) on June 9, 2020 that occupancy limits at businesses could increase to 50% if the business had been observing 33% occupancy for one month.

Phase Three began June 29, 2020. Many restrictions from Phase Two remain in place, but Phase Three allows gatherings of no more than 50 people.

On July 9, 2020, Governor Beshear issued Executive Order [2020-586](#), which required the use of face coverings when people are in situations that represent a high risk of COVID-19 transmission, such as while inside or waiting in line to enter any retail establishment, grocery store, pharmacy, hair salon/barbershop, nail salon/spa, tattoo parlor, child care facility, restaurant or bar (when not seated and consuming food or beverage), health care setting, or any other indoor public space in which it is difficult to maintain a physical distance of at least six feet from all individuals who are not members of that person’s household. It also required masks while waiting for or riding on public transportation, taxi or ride share, and in outdoor public spaces in which the person cannot maintain a physical distance of six feet from all individuals who are not members of that person’s household.

On July 20, 2020, Governor Beshear issued an [Executive Order](#) banning all gatherings of more than 10 people and requiring all persons attending a gathering to practice social distancing.

*COVID-19 Resurgence: Additional Restrictions.* Governor Beshear issued [Executive Order 2020-968](#) on November 18, 2020. The order required all restaurants and bars to cease all indoor food and beverage consumption. It permitted establishments to provide delivery and to-go



service. Restaurants and bars were permitted to provide outdoor service, provided that all customers are seated at tables, table size is limited to a maximum of eight people from a maximum two households, and tables are spaced a minimum of six feet apart. The Order also:

- Limited indoor social gatherings to a maximum of two households and a maximum of eight people.
- Required gyms, fitness centers, swimming and bathing facilities, bowling alleys and other indoor recreation facilities to limit the number of customers present inside any given establishment to 33% of maximum occupancy.
- Limited indoor venues, event spaces and theaters to a capacity of 25 people per room.
- Required all professional services and other office-based businesses to mandate that all employees who are able to work from home do so, and close their businesses to the public when possible. Any office that remains open must ensure that no more than 33% of employees are physically present in the office any given day.

*Industry-Specific Guidelines.* Kentucky has published industry-specific guidance for a variety of business sectors, including:

- [Meatpacking Facilities](#) (e.g., conduct a temperature screening upon each employee's arrival to the facility).
- [Manufacturing, Distribution, and Supply Chain Businesses](#) (e.g., ensure minimal interaction between drivers at loading docks, doorsteps, or other locations).
- [Construction Businesses](#) (e.g., discourage employees from sharing tools or equipment).
- [Vehicle and Boat Dealerships](#) (e.g., ensure that vehicles/vessels and corresponding keys are thoroughly sanitized before delivery).
- [Office-Based Businesses](#) (e.g., ensure that no more than 50% of employees are in the office on any given day).
- [Horse Racing Tracks](#) (e.g., prohibit fans and outside media).
- [Pet Care, Grooming, and Boarding Businesses](#) (e.g., ensure employees wash their hands for at least 20 seconds before and after contact with pets).
- [Photography](#) (e.g., sessions should be held outside unless an in-studio session is absolutely necessary).
- [Funeral and Memorial Services](#) (e.g., limit attendance to no more than 33% of building occupancy capacity).
- [Retail](#) (e.g., once 50% capacity has been reached, allow a new customer inside only after a previous customer has left).
- [Restaurants and Bars](#) (e.g., limit the number of customers to 50% of the maximum permitted occupancy or the greatest number that permits individuals not from the same household to maintain six feet of space between each other with that level of occupancy).
- [Nail Salons](#) (e.g., do not allow additional persons to accompany any customer into the business).
- [Massage Therapy](#) (e.g., consider screening potential clients over the phone to ensure they are not experiencing symptoms of COVID-19).
- [Tanning Salons](#) (e.g., communicate by phone or by text when a client may enter a salon).
- [Tattoo Parlors](#) (e.g., limit the number of clients present to 50% of the occupational capacity of the facility).
- [Aquatic Centers](#) (e.g., one swimmer per lane and separated by at least one lap lane from other swimmers).
- [Barbers and Hair Salons](#) (e.g., limit the number of clients present to 50% of occupational capacity).
- [Auto / Dirt Track Racing](#) (e.g., drivers and crews may not bring family members to tracks).
- [Bowling Alleys](#) (e.g., establish controls to keep one lane between parties/groups).
- [Fitness Centers](#) (e.g., ensure all stationary fitness equipment is spaced at a minimum six feet apart).



- [Movie Theaters](#) (e.g., assign theater seats to arrange appropriate social distancing).
- [Childcare](#) (e.g., children must remain in the same group of ten children all day without combining with other groups).
- [Youth Sports](#) (e.g., stage intra-squad scrimmages instead of playing games with other teams to minimize exposure).
- [Auctions](#) (e.g., do not serve food or drink).
- [Fishing Tournaments](#) (e.g., no crowds may gather to observe weigh-ins).
- [Horse Shows](#) (e.g., stagger horse arrival, check-in, entry, exit, and horse departure times to avoid participants and staff congregating).
- [Educational and Cultural Activities](#) (e.g., limit people in a tourism-oriented facility to 33% of the capacity).
- [Public Swimming and Bathing Facilities](#) (e.g., divide the water surface area by 36 square feet to calculate maximum in-pool capacity).
- [Venues and Event Spaces](#) (e.g., conduct events via drive-in whenever possible).

## Louisiana

**Closure Order.** The Louisiana [Proclamation](#) implementing stay-at-home measures and permitting only essential businesses to continue in-person operations expired May 15, 2020. In addition to requiring non-essential businesses to cease most in-person operations, the Proclamation required essential businesses to ensure employees working with the public wear masks. The [Louisiana Department of Health](#) further urged operating businesses to take certain additional precautions.

**Reopening Plan.** Governor Edwards [announced](#) that Phase One of the Roadmap to a Resilient Louisiana would begin on May 15, 2020. Governor Edwards issued an updated [Proclamation](#) with the details regarding which businesses were allowed to reopen during Phase One. The Phase One proclamation allowed restaurants, cafes, coffee shops, beauty shops, salons, barbershops, shopping malls, churches and other faith-based organizations, casinos, racetracks, video poker establishments, gyms, fitness centers, and many other businesses to reopen. Places of public amusement, massage establishments, tattoo parlors, and other similar businesses remained closed.

[Phase Two](#) began on June 5, 2020, and allowed restaurants, cafes, coffee shops, shopping malls, gyms and fitness centers, barber and beauty shops, nail salons, movie theaters, racetracks (without spectators), museums, zoos, aquariums, bars and breweries, massage establishment, spas, tattoo establishments, pool halls, bowling alleys, skating rinks, event centers, wedding venues, and outdoor playgrounds and play centers, provided that:

- No establishment exceeds 50% of the total occupancy as determined by the State Fire Marshal.
- All employees and owners of reopening businesses maintain social distancing to the extent possible between themselves and members of the public and wear face coverings at all times if interacting with the public.
- Waiting rooms, lobbies, or other areas where members of the public may congregate are closed to the public.
- Reopening businesses follow the applicable guidance from the State Fire Marshal and the Louisiana Department of Health with regard to sanitization and disinfection.

On July 11, 2020, [Governor Edwards signed](#) a proclamation providing that all bars would be closed to on-premises consumption and that indoor social gatherings would be limited to fifty people.

On July 21, 2020, Governor Edwards [announced](#) that Phase Two will remain in place until at least August 7, 2020. However, it did not move into Phase Three until [September 11, 2020](#). The order allowed restaurants, churches, salons, spas, gyms and other businesses to be able to open at a maximum of 75% of their occupancy, with social distancing in place. It also allowed parishes with a positivity rate of 5% or lower for two consecutive weeks to opt-in to open bars for on premises consumption, with certain restrictions. Phase Three was renewed on [October 8, 2020](#) and then again on [November 5, 2020](#).

*COVID-19 Resurgence: Additional Restrictions.* On November 24, 2020, Governor Edwards ordered that Louisiana return to a modified Phase Two due to rising COVID-19 cases. This order continued to allow bars to open in certain parishes, but decreased the capacity limitations for restaurants, cafes, coffee shops, beauty salons barbershops, shopping malls and casinos, and gyms and fitness centers to 50%.

Governor Edwards signed into law [Act No. 362, Senate Bill No. 435](#), which states that no businesses will be liable for damages or personal injury related to actual or alleged exposure to COVID-19 in the course of business operations unless the business failed to substantially comply with the applicable COVID-19 procedures established by federal, state or local agencies governing the business operations *and* the injury or death was caused by the business's gross negligence or wanton or reckless misconduct.

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

- [Bars](#) (e.g., must be located in a parish with less than 5% positivity rate for two weeks).
- [Restaurants, Cafes and Coffee Shops](#) (e.g., 50% capacity limit).
- [Beauty Shops, Salons, and Barber Shops](#) (e.g., waiting areas must be closed).
- [Shopping Malls](#) (e.g., mall food courts may reopen if following restaurant guidance).
- [Casinos, Racetracks, and Video Poker Establishments](#) (e.g., no more than 75% of gaming positions may be in use at any one time and all used gaming positions must be six feet apart from one another).
- [Gym and Fitness Centers](#) (e.g., waiting rooms and lobbies must be closed to the public to avoid congregation).
- [Event Centers and Reception Halls](#) (e.g., 50% capacity or 250 person limit, whichever is lower).

## Maine

**Closure Order.** The Maine [Order](#) implementing stay-at-home measures and requiring non-essential businesses to cease most in-person operations expired on April 30, 2020. A subsequent [Order](#) required essential retail businesses to take precautions, including enforcing six feet of physical distancing, posting signage instructing customers on appropriate distancing, disinfecting items frequently touched by customers, designating separate hours for vulnerable customers, and imposing occupancy limitations based on the size of the business's premises.

**Reopening Plan.** Effective May 1, 2020, Maine initiated a phased reopening plan entitled [Together, We are Maine: Restarting Maine's Economy](#). Maine is currently in Stage One. 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. Effective May 14, 2020, lodging providers can accept future reservations for stays with an arrival date of June 1, 2020 and beyond. No later than [June 5, 2020](#), each place of business open to the public shall post readily visible signs notifying customers that they must wear face coverings.

The stages of the reopening plan are divided as follows:

- **Stage One.** Stage One began May 1, 2020 and included 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. Additionally:
  - Telework is strongly encouraged.
  - Professional services, such as legal services, should continue to be done remotely.
  - Construction firms should deploy additional PPE and other safety measures.
  - The businesses that were permitted to reopen include:
    - Drive-in theaters.
    - Previously closed health care facilities.
    - Outdoor recreation (e.g., golf courses, hunting, fishing).
    - Close personal services (e.g., barber shops and hair salons; dog grooming).
    - Limited drive-in religious services.
    - Car dealerships and washes.
    - Private campgrounds (effective [May 22, 2020](#))
- **Stage Two.** Maine entered Stage Two under [Executive Order 55](#) on May 31, 2020. Stage Two increases the limit on gathering sizes to 50 people or more but continues to require quarantining for people entering Maine. Additionally, at-risk individuals 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:
  - Offices of legal and professional fields.
  - Restaurants and lodging.
  - Campgrounds/RV parks.
  - Day camps.
  - All retail businesses.

- Personal services (nail technicians, tanning salons).
- Gyms and fitness centers.
- Stage Three. Maine entered into Stage Three on July 1, 2020 which maintains prohibitions on gatherings of more than 50 people. The following businesses may reopen during Stage Three:
  - Bars.
  - Charter boats and excursions.
  - Summer camps.
  - Spas.
  - Tattoo and piercing parlors.
  - Massage facilities.
  - Cosmetologists and estheticians.
  - Electrolysis services.
  - Laser hair removal 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 4. Stage 4 began on [October 13, 2020](#). It increased the limits on indoor seating to 50 percent capacity of permitted occupancy, or 100 people – whichever is less. For non-seated indoor activities such as physical activity in gyms, the limit remained at 50, and retailers remained subject to an occupancy limit of 5 people per 1,000 square feet of shopping space.

Reopening Requirements. All reopening businesses must implement safety protocols that incorporate items from industry-specific COVID-19 Prevention Checklists. Maine has released [general guidance](#) that encourages all reopening businesses to implement the following:

- Physical distancing and good hygiene measures to prevent the spread of the disease, including:
  - Accommodating telework requests from employees with a high risk of complications from COVID-19.
  - Staggering work shifts and expanding hours of operation.
  - Implementing six feet of distance.
  - Encouraging electronic workplace communications.
  - Staggering breaks and meal times.
  - Ventilating work spaces.
  - Regularly providing hand soap/sanitizer, cloth face coverings, gloves, and designated trash bins, as well as hand washing areas.
  - Providing workplace resources that promote hygiene and reduce contact like no-touch trash cans and disposable towels for cleaning surfaces.
  - Limiting business travel (including between multiple business locations) as much as possible.
  - Creating safe processes and protocols for receiving supplies and deliveries.

- Discouraging shared use of office supplies.
- Disinfecting any shared or frequently touched items.
- In the case of an illness, companies should be prepared to:
  - Identify signs and symptoms of COVID-19.
  - Encourage employees to stay home and notify workplace administrators when sick.
  - Review, update, or develop workplace plans to include leave policies for people with COVID-19 symptoms.
  - Plan for isolated spaces where employees can be kept until transferred and provide them with a facemask.
  - Notify personnel who have come into close contact with someone diagnosed with COVID-19, but maintain confidentiality (as required by the Americans with Disabilities Act).
- Clean
  - Clean surfaces using soap and water.
  - Routinely sanitize frequently touched surfaces, including tables, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, sinks, etc.
- Disinfect
  - Clean dirty areas and items with soap and water or detergent.
  - Use EPA-registered household disinfectants.
  - Use diluted household bleach solutions or alcohol solutions with at least 70% alcohol.
  - Clean soft surfaces using soap and water or with surface-specific cleaners.
  - Launder items (if possible) according to manufacturer's instructions.
  - Provide covers on electronics that can be wiped clean.

*COVID-19 Resurgence: Additional Restrictions.* On November 5, 2020, Governor Mills [announced](#) an Executive Order requiring individuals in Maine to wear face coverings in public settings, regardless of the ability to maintain physical distance.

On November 20, 2020 Governor Mills [announced](#) an Executive Order requiring all outdoor and indoor amusement venues, movie theaters, performing arts venues, casinos, and businesses that provide seated food and drink service to close for the night by 9:00 PM. Bars, breweries and tasting rooms must remain outdoor-only until further notice.

*Industry-Specific Guidelines.* The reopening plan contains the following industry specific guidance:

- [Auto Dealership](#) (e.g., wear gloves, especially when handling customer keys, maintain physical distancing in customer lounges or waiting areas, and discontinue shuttle services).
- [Car washes](#) (e.g., restrict access to shared or publicly accessible areas, enforce physical distancing of at least six feet between employees, and disinfect pay stations).
- [Entertainment](#) (e.g., at drive-in theaters, patrons must listen through car speakers and should sit inside a vehicle or directly in front of a vehicle).
- [Golf courses and disc golf courses](#) (e.g., require face coverings, restrict out-of-state clients, and increase tee time intervals).
- [Guided hunting, fishing, boating, and outdoor activities](#) (e.g., sanitize fishing equipment, provide hand sanitizers, face coverings, and cleaning products to guides, and arrange online or phone payment).

- [Marinas](#) (e.g., cleaning and disinfecting of boats every time a boat is brought in for service and returned to a customer, taken for a trial run, or used for trade or auction).
- [Barbershops and hair salons](#) (e.g., consider station barriers between workstations, consider asking clients to wash their own hair before arriving to the establishment, and ask clients to wait outside in their car or at least six feet apart outside the entrance door until their appointment).
- [Dog grooming](#) (e.g., schedule drop-off appointments, provide curbside service to receive and return pets, and discontinue grooming services inside a client's home).
- [Lodging](#) (e.g., guest visitation restricted to Maine residents and out of state visitors who have met 14-day quarantine requirements as well as out of state essential workers until [June 12, 2020](#), at which point Vermont and New Hampshire Residents are exempted).
- [Campgrounds and RV Parks](#) (e.g., guest visitation restricted to Maine residents and out of state visitors who have met 14-day quarantine requirement).
- [Nail Technicians](#) (e.g., recommend scheduling appointments with adequate time between appointment to reduce number of clients in the establishment at one time).
- [Overnight Summer Camps](#) (e.g., keep campers in consistent groups with limited mixing between groups).
- [Restaurants](#) (e.g., maintain records of customers, including one customer name and contact information per party and the server of the table, for at least 21 days).
- [Museums](#) (e.g., consider offering hours for visitors at higher risk for severe illness).
- [Transportation](#) (e.g., regularly clean and disinfect facilities, stations and vehicles).
- [Construction](#) (e.g., reduce the number of people in each work crew to the minimum number of people possible to perform the task safely).
- [Real Estate Businesses](#) (e.g., in-person open houses are strongly discouraged).
- [Gyms and Fitness Centers](#) (e.g., use of locker rooms should be closed except for restrooms).
- [Retail](#) (e.g., regulate customer occupancy based on number of square footage).
- [Tattoo and Body Piercing Services](#) (e.g., consider additional spacing between work stations, divider shields, or implementing alternate work schedules)

## Maryland

**Closure Order.** Maryland issued an [Order](#) implementing stay-at-home measures and requiring non-essential businesses to cease in-person operations until the termination of the State of Emergency. A subsequent [Order](#) was issued instructing all businesses to follow social distancing guidelines provided by the [Maryland Department of Health](#), and a further [Order](#) amended the stay-at-home measures to permit safe outdoor activities (e.g., golf, tennis) to resume on May 7, 2020 at 7:00 am.

**Reopening Plan.** Maryland has released a draft phased reopening entitled [Maryland Strong Roadmap to Recovery](#) that divides the recovery process into three stages. The Maryland reopening plan also announced a partnership with the Maryland Department of Commerce in forming 13 Industry Recovery Advisory Groups for the following industries:

- Retail
- Accommodations
- Sports
- Restaurants and Bars
- Destinations
- Tourism
- Transportation
- Manufacturing
- Professional and Financial Services
- Professional Services and Small Business
- Construction and Development
- Arts

The plan's stages are divided as follows:

- Low Risk. During this phase, certain small businesses, recreational fitness activities, car washes, and some personal services will be permitted to reopen.
- Medium Risk. During this phase, examples of changes that could be implemented include raising the cap on social gatherings, returning transit schedules to normal, permitting indoor religious gatherings and elective and outpatient procedures, reopening indoor gyms and fitness centers, childcare centers, restaurants, and bars with restrictions.
- High Risk. During this phase, examples of changes that could be implemented include larger social gatherings, reopening high-capacity bars and restaurants, lessened restrictions on visits to nursing homes and hospitals, and reopening entertainment venues and larger religious gatherings.

On May 13, 2020, Governor Hogan [announced](#) that the Stay at Home order would be lifted at 5:00 pm on May 15, 2020 and would be replaced by a Safer at Home public health advisory, beginning Stage One of the reopening. The state issued a new [Executive Order](#) allowing the reopening of certain businesses. Retail stores would be able to open at up to 50% capacity, with curbside pickup and delivery strongly encouraged, and with all public health precautions in place. Manufacturing, houses of worship, and personal services such as barber shops and hair salons were also permitted to open under certain restrictions.



Via [Executive Order](#), effective at 5:00 pm on May 29, 2020, outdoor public spaces, religious facilities (at 50% capacity), retail establishments (at 50% capacity), beauty salons, barbershops, and restaurants and bars (outdoor seating only) are permitted to reopen. On June 3, 2020, Governor Hogan [announced](#) at a press conference that Maryland would begin Phase Two on June 5, 2020 at 5:00 pm. He issued an [Executive Order](#) lifting the closure order. Businesses permitted to open include manufacturing, construction, retail, specialty vendors, wholesalers, warehouses, and offices including information technology firms, legal offices, accounting, banking and financial institutions, insurance agencies, design studios, advertising and architectural firms, and media production companies.

On June 10, 2020, Governor Hogan [announced](#) that indoor dining could resume at 50% capacity with distancing and following public health requirements at 5:00 pm on June 12, 2020. Additionally, gyms, casinos, arcades, and malls resumed operations at 5:00 pm on June 19, 2020. This included the city of Baltimore, which had been behind the rest of the state in its reopening.

Via [Executive Order](#), 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.

Governor Hogan on September 1, 2020 [announced](#) that Stage Three of the reopening would begin on September 4, 2020. It allowed indoor theaters to open at 50% capacity, up to 100 people per auditorium, and allowed outdoor venues to open at 50% capacity, up to 250 people. Additionally, capacity for retail establishments and religious facilities increased from 50% to 75%.

*Reopening Requirements.* The reopening plan provides guidelines to employers reopening their businesses, including:

- For the foreseeable future, continue teleworking as much as possible.
- Continue wearing masks or face coverings, and practice social distancing.
- Institute social distancing policies.
- Adopt flexible sick leave policies that encourage workers to stay home when sick or when known exposure COVID-19 has occurred.

*COVID-19 Resurgence: Additional Restrictions.* On November 10, 2020, Governor Hogan [announced](#) restrictions as a result of the increased spread of COVID-19. The [Executive Order](#) reduced indoor operations for bars and restaurants from 75% to 50% and limited indoor gatherings to 25 or fewer people.

On November 17, 2020, further restrictions were implemented – Governor Hogan [announced](#) that bars and restaurants must close at 10:00 PM, and that capacity for retail establishments and religious facilities would be reduced to 50%.

On November 25, 2020, Maryland renewed its State of Emergency [Order](#) from March 5, 2020, which also set out rules for casting votes in elections and conferred immunity upon health care providers operating in good faith.

*Industry-Specific Guidelines.* Maryland has issued the following industry specific best practices:

- [Retail stores](#) (e.g., evaluate floor plan to mitigate congestion points).
- [Manufacturing](#) (e.g., place partitions such as Plexiglas to separate people that work together in the production process).
- [Churches and houses of worship](#) (e.g., reduce attendance to allow 7 feet between individuals and same-household groups).
- [Personal services](#) (e.g., prevent congregating in waiting areas or checkout spaces).
- [Restaurants and bars](#) (e.g., outdoor service only).

## Massachusetts

**Closure Order.** The Massachusetts [Order](#) requiring non-essential businesses to cease most in-person operations expired on [May 18, 2020](#). The Order required essential businesses to ensure social distancing consistent with the [Massachusetts Department of Health](#). Grocery stores were bound by specific [guidance](#), including:

- Limit occupancy to 40% of permitted level, including customers and employees (exception for stores with maximum occupancy of 25 persons or less).
- Store staff shall monitor customers to demonstrate compliance with the occupancy cap.
- Ensure social distancing for lines.
- Encourage curbside pickup.
- Provide alternative hours for senior shoppers.

**Reopening Plan.** Massachusetts convened a Reopening Advisory Board. On May 11, 2020, the Reopening Advisory Board announced a four-phase [reopening plan](#). Phase 1 was the “Start” phase, in which limited industries resumed operations with severe restrictions. Phase 2 was the “Cautious” phase, in which additional industries resumed operations with restrictions and capacity limits. In Phase 3, the “Vigilant” phase, additional industries resumed operations with guidance. Phase 4 will occur once a vaccine or effective treatment therapy has been developed.

On May 18, 2020, Massachusetts announced its detailed [reopening plan](#), with Phase One beginning on May 18, 2020. Each phase was scheduled to last a minimum of three weeks. Essential businesses, manufacturing, and construction were to continue operating or reopen on May 18, 2020. Laboratories, office spaces (apart from those located in Boston), certain personal services (e.g., barbershops and hair salons), and retail (curbside pick-up only) resumed on May 25, 2020. Office spaces in Boston were to open on June 1, 2020. During Phase Two, retail, restaurants, lodging, and additional personal services (e.g., nail salons) were scheduled to open with restrictions and some capacity limitations. During Phase Three, arts and entertainment businesses (e.g., casinos, gyms, and museums), and all other business activities except for nightclubs and large venues were scheduled to resume. Finally, Phase Four is scheduled to permit the full resumption of normal business activity.

On June 1, 2020, Governor Baker signed an [Executive Order](#) regarding Phase Two of the reopening. The Order permitted Phase Two businesses to reopen their physical workplaces for the limited purpose of allowing workers to conduct necessary preparations prior to the start of Phase Two. The Order also authorized restaurants to provide outdoor table service upon the commencement of Phase Two. On June 6, 2020, Governor Baker announced that Phase Two would begin on June 8, 2020. [“Phase Two, Part Two”](#) began on June 22, 2020, when the state permitted indoor dining at restaurants, close-contact personal services to open, and offices to open at 50% capacity.

On July 2, 2020, Governor Baker [announced](#) that Phase Three would begin on July 6, 2020. Movie theaters, outdoor performance venues, museums and gyms will be able to reopen, and professional sports teams may hold games without spectators. Phase Three in Boston began on July 13, 2020.

*Reopening Requirements.* The Reopening Advisory Board provides [guidelines](#) to employers reopening their businesses, including:

- Social Distancing
  - All persons, including employees, customers, and vendors should remain at least six feet apart to the greatest extent possible, both inside and outside workplaces.
  - 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 sanitation of high touch areas (e.g., workstations, equipment, screens, doorknobs, and restrooms).
- 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 appropriate intervals.

*COVID-19 Resurgence: Additional Restrictions.* On November 2, 2020, Governor Baker signed an Executive Order implementing limitations for indoor and outdoor gatherings, including required social distancing, limitations of indoor gatherings to 10 people and outdoor gatherings to 25 people, with a limit of 50 people in high-risk communities when congregating in a public setting. All gatherings must disperse by 9:30 pm, face coverings are required and hosts are required to maintain contact tracing procedures in the event that an individual tests positive for COVID-19. These procedures include contacting the Local Board of Health or Department of Public Health. On December 8, 2020, Governor Baker signed an Executive [Order](#) requiring all individuals over the age of 5 to wear face coverings when in public. The Order exempts gatherings for political expression and religious activities.

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

- [Construction](#) (e.g., designate a site-specific COVID-19 officer).
- [Manufacturing](#) (e.g., ensure separation of six feet or more between individuals).
- [Office spaces](#) (e.g., limit occupancy to no more than 25%).
- [Laboratories](#) (e.g., improve ventilation for enclosed spaces where possible).
- [Salons and barbershops](#) (e.g., install physical partitions between workstations where feasible).
- [Car washes](#) (stagger lunch and break times).
- [Pet grooming](#) (e.g., do not allow visitors or customers on site).
- [Restaurants](#) (e.g., face coverings required at all times, except when eating).

## Michigan

**Closure Order.** Michigan [Executive Order 2020-21](#), which went into effect on March 24, 2020, instructed all Michigan residents to stay home and all non-essential businesses to cease in-person operations. These provisions were extended by [Executive Order 2020-77](#) until May 28, 2020 at 11:59 pm. On May 23, 2020, Governor Whitmer signed [Executive Order 2020-100](#), which extended the stay-at-home order until June 12, 2020. However, the stay-at-home order was lifted on June 1, 2020 by [Executive Order 2020-110](#). On July 14, 2020, Governor Whitmer signed [Executive Order 2020-151](#), which extended Michigan's state of emergency through August 11, 2020 and later rescinded. The state of emergency did not in itself place any restrictions on Michigan residents, but allows Governor Whitmer to issue executive orders that place such restrictions.

**Reopening Requirements.** Businesses that reopened [were required to](#), at minimum:

- Develop a COVID-19 preparedness and response plan, consistent with recommendations found in the guidance prepared by the Occupational Health and Safety Administration;
- Designate one or more worksite supervisors to implement, monitor and report on the strategies in their COVID-19 preparedness and response plan;
- Provide COVID-19 training to employees that covers workplace infection-control practices, the proper use of personal protective equipment, steps that the employee must take to notify the business or operation of any symptoms of COVID-19 or a suspected or confirmed diagnosis of COVID-19, and how to report unsafe working conditions;
- Conduct a daily entry self-screening protocol for all employees or contractors entering the workplace;
- Provide face coverings to their employees and requiring them to be worn when employees cannot consistently maintain six feet of separation from other individuals in the workplace;
- Make cleaning supplies available to employees upon entry and at the worksite and provide time for employees to wash hands frequently or to use hand sanitizer;
- Immediately notifying the local public health department when an employee is identified with a confirmed case of COVID-19, and notifying any co-workers, contractors or suppliers who may have come in contact with that person, within 24 hours;
- Allow employees with a confirmed or suspected case of COVID-19 to return to the workplace only after they are no longer infectious and are released from quarantine or isolation by the local public health department;
- Follow executive orders that prohibit discharging, disciplining, or otherwise retaliating against employees who stay home or who leave work when they are at particular risk of infecting others with COVID-19;
- Restrict business-related travel for employees to essential travel only;
- Encourage employees to use personal protective equipment and hand sanitizer on public transportation;
- Restrict the number of workers present on the premises to no more than is strictly necessary;
- Promote remote work to the fullest extent possible;
- Keep workers and patrons who are on premises at least six feet from one another to the maximum extent possible;

- Increase standards of facility cleaning and disinfection to limit worker and patron exposure to COVID-19, as well as adopt protocols to clean and disinfect in the event of a positive COVID-19 case in the workplace; and
- Adopt any additional infection-control measures that are reasonable in light of the work performed at the worksite and the rate of infection in the surrounding community.

**Reopening Plan.** On May 7, 2020, Governor Whitmer announced that Michigan’s restrictions and reopening would occur in [six phases](#). Phases 1 and 2 consisted of COVID-19 spreading throughout the state. Michigan is currently in Phase 4, which it entered in early June.

- *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.
- *Phase 4 – Improving.* During this phase, lower-risk businesses will be permitted to open with strict safety measures. These include other retail businesses, with limits on capacity, and offices, though telework will be required of possible.
- *Phase 5 – Containing.* During this phase, gatherings of increased size will be permitted, and most businesses will be allowed to reopen, including restaurants and bars.
- *Phase 6 – Post-Pandemic.* Once effective therapy or a vaccine has been established, all businesses will be permitted to reopen.

On May 18, 2020, Governor Whitmer issued [Executive Order 2020-92](#), which allowed retail businesses, offices, bars and restaurants to open in Northern Michigan and the Upper Peninsula beginning on May 22, 2020. On May 21, 2020, the Governor issued [Executive Order 2020-96](#), which allowed social gatherings of no more than ten people and permitted retail businesses and auto dealerships to see customers by appointment.

On June 1, 2020, Governor Whitmer signed an [Executive Order](#) lifting the state’s stay-at-home order and permitting all bars and restaurants to reopen at 50% capacity on June 8. The order continued to require social distancing measures, prohibited indoor gatherings of more than 10 people, and maintained closure orders for theaters, gyms, and casinos. On June 5, 2020, Governor Whitmer issued [Executive Order 2020-115](#), which permitted the reopening of hair, nail, tanning, massage, traditional spa, tattoo, body art, piercing services, and similar personal care services statewide on June 15, 2020. Seeing the rise in cases across the country, on July 1, 2020, Governor Whitmer ordered all bars in south and central Michigan to cease indoor service. 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.

*COVID-19 Resurgence: Additional Restrictions.* As of [October 9, 2020](#), the State of Michigan is in Phase 4 of reopening. On December 7, 2020, the Michigan Department of Health and Human Services issued an [Order](#) that takes effect December 9, 2020 until December 20, 2020. The Order institutes general capacity limitations of 25 individuals, mandates masks at all gatherings and implements contact tracing requirements, including date and time of entry, names, and contact information for all patrons for businesses that provide personal care services or in-home services.

*Industry-Specific Guidelines.* Certain sectors are subject to additional [requirements](#):

- In-person retail (e.g., require patrons to stand six feet apart in line).
- Construction (e.g., encourage or require use of gloves).
- Manufacturing facilities (e.g., create dedicated entry points for daily screening).
- Maintenance workers, groundskeepers, garden stores, lawn care, pest control, moving, and storage (e.g., provide appropriate personal protective equipment).
- Offices (e.g., assign dedicated entry point(s) for all employees to reduce congestion at the main entrance).
- Laboratories (e.g., limit the number of people per square feet of floor space permitted in a particular laboratory at one time).
- Restaurants and bars (e.g., limit capacity to 50% of normal seating).
- In-home services (e.g., encourage use of gloves).
- Personal services (e.g., require workstations to be separated by at least six feet).
- Sports and entertainment facilities (e.g., establish crowd-limiting measures to meter the flow of patrons).
- Gymnasiums and fitness centers (e.g., provide equipment cleaning products throughout the facility).
- Meat and poultry processing plants (e.g., create at least one dedicated entry point for daily screenings).
- Casinos (e.g., limit patron occupancy to 15% of total occupancy).

## Minnesota

**Closure Order.** Minnesota enacted [Emergency Executive Order 20-20](#) instructing all persons to stay home and businesses apart from those in so-called Critical Sectors to cease in-person operations. The Order expired May 18, 2020. Critical sector work is required to be conducted in adherence with [Minnesota's OSHA standards](#) and the [Minnesota Department of Health](#) and [CDC](#) guidelines related to COVID-19, including social distancing and hygiene.

**Reopening Plan.** 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 defined 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 were required to do so. Retail stores opened for [curbside pickup](#) on May 4, 2020.

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 were allowed to open at 50% capacity and must have safety plans in place. The order maintains a prohibition on gatherings of more than 10 people. On May 20, 2020, the Governor [announced](#) that bars and restaurants may open for outdoor seating on June 1, 2020, with a cap of 50 patrons able to be served at one time.

On June 5, 2020, Governor Walz [announced](#) that on June 10, 2020, gyms, studios, fitness centers, seated and recreational entertainment and meeting venues, personal care services, and indoor service at restaurants and bars were allowed to reopen.

On July 22, 2020, Governor Walz issued [Executive Order 20-81](#), mandating the use of masks in indoor businesses and indoor public spaces for workers, customers, and visitors. Pursuant to this Executive Order, all businesses were required to 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.

**Reopening Requirements.** The Order allowed 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:
  - Requiring work from home whenever possible.
  - Ensuring that sick workers stay home.
  - Social distancing.
  - Employee hygiene and source control.
  - Cleaning and disinfection protocols.
  - Implementing of Minnesota OSHA Standards and MDH and CDC Guidelines.
- Having senior management certify and sign the Preparedness Plan.
- 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.

*COVID-19 Resurgence: Additional Restrictions.* Effective November 20, 2020, Minnesota implemented the [Dial Back, Minnesota](#) plan pursuant to Governor Tim Walz's [Executive Order 20-99](#) that is scheduled to last until December 18, 2020, which required several businesses to limit operations. Non-critical businesses are required to maintain a COVID-19 preparedness plan, masks are [required](#) and several businesses have been ordered closed, including fitness centers, indoor and outdoor events and entertainment, pools and swim parks and recreation spaces. Campgrounds are open to use for single-household units only and dining establishments are limited to curbside delivery or take-out. On December 16, 2020, Governor Walz issued [Executive Order 20-103](#), which extended Executive Order 20-99 and imposed additional restrictions limiting indoor social gatherings to a maximum of 10 people and outdoor gatherings to a maximum of 15 people. The Order also implemented a social distancing requirement, added restrictions for outdoor dining and curbside delivery, including a 10:00 pm curfew and permitted fitness centers and outdoor entertainment venues to operate indoor activities at 25% capacity with enhanced social distancing (e.g., 12 feet).

*Industry-Specific Guidelines.* Certain sectors were subject to additional [requirements](#):

- Restaurants and bars that open for indoor service (e.g., ensure a minimum of six feet of distance between tables).
- Gyms, studios, and fitness centers (may offer group classes if distancing requirements can be maintained with no person-to-person physical contact).
- Seated and recreational entertainment and meeting venues (strongly encourage masks for workers and customers).
- Personal care services (see clients by appointment only).

## Mississippi

**Closure Order.** Mississippi enacted [Executive Order No. 1466](#), instructing residents to remain home and requiring non-essential businesses to cease most in-person operations. The Order expired April 27, 2020.

**Reopening.** [Executive Order No. 1477](#) replaced the shelter-in-place order with a Safer at Home Order, effective April 27, 2020 and extended until May 25, 2020 by [Executive Order No. 1480](#). Under the Order, most businesses were permitted to reopen, although businesses are encouraged to continue working from home. On May 4, 2020, Governor Reeves issued [Executive Order No. 1478](#), which permitted restaurants and bars to resume in-house dining, subject to certain limitations. Executive Order No. 1480, signed May 8, 2020, permitted gyms, spas, salons, barber shops, and all other personal care and personal grooming facilities, subject to certain limitations. [Executive Order 1486](#) permitted tattoo parlors to reopen with certain restrictions. On May 27, 2020, Governor Reeves [announced](#) that Mississippi was ready to enter the final stages of the reopening and signed [Executive Order No. 1492](#), which took effect June 1, 2020 and lasted until June 15, 2020. [Executive Order No. 1491](#) allowed the outdoor sports complexes, theaters, libraries, and museums to open with certain limitations, beginning June 1, 2020. 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.

Most counties in Mississippi have restrictions in place that limit indoor gatherings to 10 individuals and outdoor gatherings to 50 people and require masks be worn indoors pursuant to Executive Orders [1527](#), [1530](#), [1532](#), [1533](#) and [1534](#).

**Reopening Requirements.** Businesses shall take all reasonable measures to ensure compliance with guidelines from the Mississippi State Department of Health and the CDC, including:

- Social distancing.
- Sending sick employees home and actively encouraging sick employees to stay home.
- Separating and sending home employees who appear to have respiratory illness symptoms, adopting and enforcing regular and proper hand-washing and personal hygiene protocols.
- Daily screening of employees and volunteers for COVID-19 related symptoms before beginning shift.
- Closing or implementing strict social distancing protocols in common areas.
- Minimizing nonessential business travel.
- Making special accommodations for employees that are members of a vulnerable population.

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

- [Retail](#) (e.g., limit capacity to 50%).
- [Restaurants](#) (e.g., ensuring at least six feet of separation between parties).
- [Gyms](#) (e.g., limit capacity to 30%, ).
- [Salons and barbershops](#) (e.g., face coverings required).
- [Tattoo parlors](#) (e.g., daily screening of all employees at beginning of their shift).
- [Theaters](#) (e.g., ensure the ventilation system is operating properly).
- [Libraries and museums](#) (e.g., encouraged use of technology solutions to minimize person-to-person contact).

## Missouri

**Closure Order.** Missouri enacted the [Stay Home Missouri Order](#) instructing all individuals residing in Missouri to stay home and limiting the operation of non-essential businesses. The Stay Home Missouri Order expired as of May 3, 2020 at 11:59 pm.

**Reopening Plan.** 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](#). The Order was in effect until May 31, 2020. Phase One, which was set to expire on June 1, 2020, was extended until June 15, 2020 by a [public health order](#). On June 11, 2020, Governor Parson [announced](#) that Missouri would fully reopen and enter Phase Two on June 16, 2020. During Phase Two, there are no statewide health order or restrictions, but local officials still have authority to put rules, regulations, or ordinances in place. Phase Two began on June 16, 2020.

*Reopening Requirements.* The health order requires every person and business in the State of Missouri to abide by social distancing requirements, including maintaining six feet of space between individuals and, where job duties require contact with other people closer than six feet, taking enhanced precautionary measures. Additionally, the Recovery Plan instructs businesses to implement [prevention measures](#) regarding:

- Protective Equipment.
- Temperature Checks.
- Testing, Isolating, and Contact Tracing.
- Sanitation, including disinfection of common and high-traffic areas.
- Modify physical workspaces to maximize social distancing.
- Minimize business travel.
- Develop an infectious disease preparedness and response plan.
- Monitor workforce for symptoms.
- Develop, implement, and communicate about workplace flexibilities and protections, including:
  - Encouraging telework whenever possible and feasible with business operations.
  - Returning to work in phases and/or split shifts, if possible.
  - Limiting access to common areas where personnel are likely to congregate and interact.
  - Ensuring that sick leave policies are flexible and consistent with public health guidance.

*COVID-19 Resurgence: Additional Restrictions.* On November 19, 2020, Governor Michael L. Parson issued [Executive Order 20-19](#), which reinstated the Executive Order initially put in place to respond to COVID-19 on [May 15, 2020](#). The Order itself does not impose any restrictions on businesses or individuals, but empowers State agencies and the Governor to do so.

*Industry-Specific Guidelines.* The Reopening Plan also provides specific requirements for:

- [Retail](#) (e.g., 25% occupancy limit for retail businesses with location sizes less than 10,000 square feet).
- [Restaurants](#) (e.g., six feet between tables).

## Montana

**Closure Order.** The Montana [Directive](#) implementing stay-at-home measures and designating certain businesses as essential and, therefore, allowed to continue in-person operations expired on April 24, 2020. In addition to requiring non-essential businesses to cease most in-person operations, the Directive required essential businesses to ensure social distancing, provide sanitizing products, separate operating hours for vulnerable populations, and post online hours and remote access.

**Reopening Plan.** Following the expiration of the Directive, Montana initiated a [phased reopening plan](#). In Phase One, businesses were allowed to reopen on April 27, 2020, 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 may reopen with restrictions (subject to 50% occupancy limit in each case).

On June 1, 2020, Montana entered Phase Two, during which any remaining businesses may reopen.

**Reopening Requirements.** The reopening plan provides guidelines to employers reopening their businesses. Throughout all phases, employers should:

- Develop and implement appropriate policies, in accordance with federal, state, and local regulations and guidance, and informed by industry best practices, regarding:
  - Social distancing and protective equipment.
  - Temperature checks and/or symptom screening.
  - Testing, isolating, and contact tracing, in collaboration with public health authorities.
  - Sanitation.
  - Use and disinfection of common and high-traffic areas.
- Monitor their workforce for indicative symptoms and not permit people with symptoms of COVID-19 to work.
- Collaborate with public health officials when implementing policies and procedures for workforce contact tracing following an employee's COVID-19 positive test result.

**Phase One.** 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.

Additionally, during Phase One, employers should:

- Continue to encourage telework whenever possible and feasible with business operations.
  - When telework is not feasible, employers are encouraged to accommodate alternative work schedules such as shift work and staggered scheduling in order to adhere to social distancing guidelines.
- Close common areas where personnel are likely to congregate and interact, or enforce strict social distancing protocols.
- Minimize nonessential business travel.
- Make special accommodations for members of a vulnerable population or those with vulnerable household members.

Phase Two. This Phase began on June 1, 2020 and remaining businesses were allowed to reopen. Concert halls, bowling alleys, bingo halls, music halls, and other places of assembly may reopen with restrictions (subject to 75% occupancy limit). Businesses that were subject to a 50% occupancy limit may now operate as 75% capacity. Groups of up to 50 will be permitted. Apart from these changes, the same guidelines for Phase One will apply when the state enters Phase Two.

On July 15, 2020, Governor Steve Bullock issued a [Directive](#) mandating that 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 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. Businesses will be able to resume normal operations, without the capacity and other restrictions included above.

COVID-19 Resurgence: Additional Restrictions. Effective November 20, 2020, Governor Bullock issued an [order](#) that limited all public gatherings and events to 25 individuals where social distancing cannot be maintained. In addition, restaurants, bars, breweries, distilleries, and casinos must operate at 50% capacity and close no later than 10:00 pm. Face coverings are now required in all counties regardless of the number of COVID-19 cases in the county.

Industry-Specific Requirements. The reopening plan also includes requirements specific to:

- [Restaurants, bars, breweries, distilleries, and casinos](#) (e.g., 11:30 pm required closure).
  - [Updates](#) as of November 20, 2020 (e.g., 10:00 pm required closure).
- [Outdoor recreation](#) (e.g., implementation of strict social distancing guidelines).
- [Personal care and services](#) (e.g., using face masks for staff and customers when practical).
- [Child care facilities](#) (e.g., limit children in any one facility to 24).
- [Pools](#) (e.g., 75% occupancy limit).
- [Gyms & Fitness Centers](#) (e.g., post signs reminding patrons to wipe equipment after each use).

- [Places of Assembly](#) (e.g., 75% occupancy limit).
  - [Updates](#) as of November 20, 2020 (e.g., 25 person limit on gatherings).

## Nebraska

**Closure Order.** Although Nebraska [encouraged](#) residents to refrain from non-essential activities and work from home as much as possible, it did not issue a broad order closing all non-essential businesses across the state. Instead, Nebraska issued a [Directed Health Measure](#), requiring the closure of a limited number of non-essential businesses until May 3, 2020 (including beauty and nail salons, barber shops, massage therapy services, indoor theaters, tattoo parlors, gentlemen's clubs, and bottle clubs). Additional restrictions, including limits on gatherings of over 10 individuals and social distancing requirements for fitness centers and health spas remain in select counties.

**Reopening Plan.** Following the expiration of the Directed Health Measures' business closures, beauty and nail salons, barber shops, massage therapy services, tattoo parlors and studios, and on-premises consumption at restaurants and bars were permitted to resume with [restrictions](#). For restaurants, those restrictions include:

- A 50% occupancy cap.
- Six feet of distancing required between dining parties.
- A maximum of six individuals per dining party.
- A prohibition on customer self-service (e.g., buffets).
- That dining parties be seated at individual tables (e.g., no bar or counter seating).
- That alcohol be consumed on-premises only if accompanying a meal.

Salons, barber shops, massage therapy services, and tattoo studios are subject to a 10-person occupancy cap, and all employees and customers must wear masks. In addition, Governor Pete Ricketts [announced](#) that indoor theaters, gentlemen's clubs, and bottle clubs were closed through May 31, 2020, as well as some businesses in a few counties. Governor Ricketts has [announced](#) that those continued closures end for three counties on May 18, 2020.

On June 1, 2020, bars may open for outdoor services, subject to a 50% occupancy cap and a limit of six individuals per table. The occupancy cap for personal services is increased to 25 individuals or 50% capacity, whichever is greater. Gyms and wedding/funeral reception venues may also operate at the greater of 50% occupancy or 25 individuals. Team sports may reopen and may schedule games as of June 18, 2020. The counties of Dakota, Hall, Hamilton, and Merrick remain subject to the prior restrictions. On June 22, 2020, Nebraska raised capacity restrictions on bars (100%), restaurants (100%), gyms (75%), personal care businesses (75%), indoor arenas and gatherings (50%), theaters (50%), and outdoor venues like stadiums (75%). The remaining counties entered Phase Three on July 6, 2020.

*COVID-19 Resurgence: Additional Restrictions.* Effective November 11, 2020, Nebraska instituted [additional restrictions](#). Six feet of separation had to be maintained between parties across industries. Indoor gatherings were limited to 25% capacity, and reopening plans or plans to expand capacity limits had to be submitted to the local health department. Beginning December 24, 2020, the state [relaxed](#) those additional restrictions. Currently, the capacity limit for indoor gatherings is 75%, and restrictions on restaurants, bars, gyms, personal care businesses, and other public-facing businesses have been removed. In addition, the state has created a [county-level system](#) of additional restrictions. Depending on the percent of COVID-19 inpatients at hospitals, counties will enter different restriction levels. The capacity limits of various types of businesses are tied to the restriction level.

*Industry-Specific Guidelines.* Governor Ricketts' announcement includes requirements specific to:

- [Salons & Barber Shops](#) (75% occupancy cap; workers and patrons required to wear face masks; [advisory guidelines](#) also available).
  - [Advisory updates](#) as of November 11, 2020.
  - [Further advisory updates](#) as of December 14, 2020.
- [Childcare](#) (e.g., child per room/space cap based on the age of the children).
- [Bars & Restaurants](#) (e.g., maximum of eight people at a table; additional May 21, 2020 [Guidance](#)).
  - [Updates](#) as of November 11, 2020 (e.g., masks where staff and patrons are within six feet of each other for 15 consecutive minutes).
  - [Further updates](#) as of December 14, 2020 (e.g., avoid staff fulfilling multiple roles where possible).
- [Massage Therapy](#) (advisory; e.g., remove items like magazines that cannot be disinfected from the lobby).
  - [Advisory updates](#) as of November 11, 2020.
  - [Further advisory updates](#) as of December 14, 2020.
- [Body Art](#) (advisory; e.g., provide intake forms and aftercare instructions electronically).
  - [Advisory updates](#) as of November 11, 2020.
  - [Further advisory updates](#) as of December 14, 2020.
- [Dentistry](#) (advisory; e.g., clean and disinfect reusable facial equipment between patients).
- [Sports](#) (e.g., contact sports like basketball, tackle football, soccer, and wrestling may begin on July 1, 2020).
- [Wedding & Funeral Receptions](#) (e.g., no self-serve buffets).
- [Agriculture, Farmers Markets, Fairs & Auctions, & Nurseries](#) (e.g. increase footprint of farmers markets to allow social distancing of at least six feet).
- [Gyms](#) (e.g., 75% occupancy limit).



## Nevada

**Closure Order.** Nevada enacted [Declaration of Emergency Directive 003](#), closing non-essential businesses, effective March 20, 2020 at 11:59 pm, and provided a list of businesses that may remain open in [Section 1\(b\) of the March 20, 2020 Emergency Regulations](#). [Declaration of Emergency Directive 016](#) required that non-essential businesses remain closed for in-person operations through May 15, 2020.

[Declaration of Emergency Directive 003](#) also required essential businesses to adopt COVID-19 risk mitigation measures including:

- Providing curbside, pickup, or delivery of goods whenever possible.
- Ensuring that customers picking up or accepting goods maintain social distancing.
- Disallowing the formation of queues whereby persons congregate.
- Adopting contactless payment systems whenever possible.
- Limiting access to its premises to ensure social distancing among customers as practicable and implementing CDC sanitation guidelines in the case the business is unable to provide take-out, drive-through services, curbside pickup, or delivery of goods.
- For essential businesses in construction, mining, manufacturing, and infrastructure, maintaining social distancing between workers and adopting policies to ensure minimum contact between the workforce and general public.

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.

**Reopening Plan.** On April 30, 2020, the Governor [announced](#) Nevada's four-phased reopening plan, entitled [Nevada United: Roadmap to Recovery](#). Nevada entered Phase One on May 9, 2020. The presence of the following criteria will be relied on in determining when to move to subsequent phases:

- Downward trending data.
  - Decline in percentage of people testing positive.
  - Decrease in the trend of COVID-19 hospitalizations.
- Strengthened healthcare infrastructure.
- Expanded testing capacity.
- Case contact tracing.
- Protection of vulnerable populations.

In lieu of moving into Phase Three, Nevada [began](#) a county-level approach in August 2020.

**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.
- Entertain 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.

Phase Two: Silver State Stabilization. Phase Two began May 29, 2020. Under this phase, Nevada permits a broader opening of commerce/retail, services, and public life under extremely strict social distancing measures, hygiene, and occupancy controls. Gatherings of up to 50 individuals will be permitted, and the target date for reopening the gaming industry is June 4, 2020. On June 29, 2020, Phase Two was extended to July 31, 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).

Phase Three: On the Road to Home Means Nevada. Phase Three will follow after an estimated minimum of two to three weeks and ease measures on some public and mass gatherings and non-essential travel.

Phase Four: Home Means Nevada – Our New Normal. The reopening does not provide an expected timeframe before entering Phase Four, although will require robust monitoring, point-of-care testing, and ability to implement tracing, isolation, and quarantines. Most or all businesses will be allowed to operate in Phase Four, with enhanced hygiene and vigilance.

Reopening Requirements. The Initial Guidance imposes a number of requirements for 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.
- Require employees to wear a face covering (as of [June 24, 2020](#)).
- 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.

The Initial Guidance also recommends that businesses:

- Encourage customers to wear face coverings.
- Encourage telework, whenever possible and feasible with business operations.
- Have employees return to work in phases if possible.
- Close common areas where personnel are likely to congregate and interact, or enforce strict social distancing protocols.
- Follow Nevada Labor Commissioner guidance regarding sick leave policies.
- Strongly consider special accommodations for employees who are members of a vulnerable population.
- Consider encouraging employees to do a self-assessment each day in order to check if they have any COVID-19 symptoms.
- Remind employees to stay home when sick, use cough and sneeze etiquette, and practice hand hygiene.
- Frequently perform enhanced environmental cleaning of commonly touched surfaces.
- Consider proactive social distancing and sanitation measures to help protect staff and customers.

*COVID-19 Resurgence: Additional Restrictions.* As of November 24, 2020, the state entered a three week “[statewide pause](#).” Private gatherings are limited to ten people and public gatherings are limited to the lesser of 50 individuals or 25% capacity. Indoor and outdoor dining are capped at 25% capacity with social distancing requirements. Gaming establishments, libraries, museums, art galleries, aquariums, zoos, racetracks, theme parks, and indoor entertainment venues are limited to 25% capacity. Face masks must be worn when around people outside of one’s household and at every business, venue, and public or private gathering space. Governor Sisolak has [announced](#) that those restrictions will remain in effect through at least January 15, 2020.

*Industry-Specific Guidelines.* 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](#) (e.g., face coverings required inside facilities and interactions within six feet of other persons).
- [Appliance and furniture showrooms](#) (e.g., 50% occupancy limit).
- [Auto dealerships](#) (e.g., limit test drives to customer and customer's household; see also Initial Guidance).
- [Banking and financial services](#) (e.g., personnel should work from home whenever possible and feasible).
- [Barber shops and barber schools](#) (e.g., use every other chair/station or arrange seating six feet apart; see also Initial Guidance).
- [Drive-in operations](#) (e.g., limit accessibility to only patrons in vehicles).
- [Food establishments](#) (e.g., employees must wear face coverings; see also Initial Guidance).
  - [Updates](#) for food establishments as of September 17, 2020 (e.g., customer face coverings except when eating).
  - [Updates](#) for bars as of September 17, 2020 (e.g., 50% occupancy limit).
- [General office environments](#) (e.g., no self-serve food in cafeteria; see also Initial Guidance).
- [Hair care salons](#) (e.g., launder in washer/dryer capes and towels; see also Initial Guidance).
- [Nail care salons](#) (e.g., require regular handwashing upon arrival; see also Initial Guidance).
- [Real estate / leasing](#) (e.g., require frequent and thorough hand washing).
- [Retail & consumer services](#) (e.g., stagger entry of customers and guests).
- [Transportation, couriers, & warehousing](#) (e.g., maintain a 1:1 ratio during shifts).
- [Taxis](#) (e.g., drivers must wear masks).

An updated set of [industry-specific guidance](#), with both mandatory and recommended provisions, was released on August 11, 2020, that included guidance for the following industries:

- Aquatics (e.g., employees must wear face coverings).
- Bars (e.g., daily deep disinfection of high contact surfaces).
- Bowling alleys (e.g., two empty alleys between guests).
- Camps (e.g., designate one qualified person as contact for campers, parents, and staff).
- Closed events (e.g., temperature screenings of personnel entering the space).
- Farmer's markets (e.g., all produce must be pre-bagged).
- Fitness (e.g., close locker rooms and employee break rooms).
- Guest rooms (e.g., limit number of employees on employee elevators).

- Indoor malls (e.g., seating areas, benches, and areas of congregation must be closed).
- Indoor venues (e.g., stagger or limit arrivals of employees, athletes, and visitors).
- Movie theaters (e.g., alternate rows between customers).
- Outdoor equine and livestock competitions (e.g., limit or block out seating to comply with social distancing requirements).
- Outdoor venues (e.g., require regular handwashing).
- Personal services (e.g., persons with appointments should be the only ones on premises).
- Trade schools and technical schools (e.g., use distance learning, if possible, for all classes).
- Youth sports (e.g., limited to practices only).

## New Hampshire

**Closure Order.** New Hampshire's [Emergency Order #17](#), which had implemented stay-at-home measures and required businesses that do not provide essential services to close their physical workplaces to employees and the public, expired on May 4, 2020 at 12:01 am. In addition to requiring non-essential businesses to cease most in-person operations, the Order required essential businesses to develop protocols consistent with guidance provided by the CDC and the New Hampshire Division of Public Health.

**Reopening Plan.** In place of the stay-at-home order, New Hampshire announced on April 28, 2020 the formation of the [Governor's Economic Re-Opening Task Force](#) to create a phased reopening plan in line with the Federal guidelines. New Hampshire has also [instituted](#) travel quarantines for those who travel out of state. Under the reopening 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.

**Reopening Requirements.** 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 workplace. 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 is 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 Requirements.* In addition to the requirements above, New Hampshire has issued advisory guidelines for businesses in the following industries (although some mandatory measures are also noted in certain industry guidelines):

- [Drive-In Movie Theaters](#) (e.g., 10-foot spacing between cars, food available by pickup only).
- [Golf](#) (e.g., clean and disinfect rider cars between each use, group play capped at four).
- [Restaurants](#) (e.g., train all employees on the importance of frequent hand washing).
- [Campgrounds](#) (e.g., only open campground to members of residents of New Hampshire).
- [Manufacturing](#) (e.g., adjust manufacturing process to build in social distancing of six feet).
- [Hospitals](#) (mandatory; e.g., have a defined process for screening all employees and patients).
- [Cosmetology](#) (mandatory; e.g., no blow drying hair).
- [Dental](#) (e.g., screen staff for symptoms before each shift).
- [Retail](#) (e.g., all staff must wear cloth face coverings, 50% occupancy cap).
- [Child Care](#) (e.g., limit group sizes to 10 wherever possible).
- [Lodging](#) (e.g., common areas are closed, no congregating in the lobby).
- [Day Camps](#) (e.g., staff must be recruited from and be residents of New Hampshire).
- [Overnight Camps](#) (e.g., require out-of-state campers quarantine for at least 14 days).
- [Acupuncture](#) (e.g., staff must wear a cloth face coverings at all times when in the facility).
- [Amateur & Youth Sports](#) (e.g., staff and athletes must maintain six feet of distancing at all times).
- [Attractions](#) (e.g., have a communication plan to education guests prior to their visit).
- [Body Art](#) (e.g., may not provide piercing in or around the mouth and nose).



- [Equestrian Facilities](#) (e.g., no horse shows or specialized clinics).
- [Health & Fitness](#) (e.g., members must be informed of new policies).
- [Massage](#) (e.g., appointment only services).
- [Streaming Media](#) (e.g., staff must be provided with education and training about safe practices like hand hygiene).
- [Weddings](#) (e.g., 50% occupancy limit).
- [Amusement Parks](#) (e.g. 25% capacity limit).
- [Movie Theaters](#) (e.g., 50% occupancy limit).
- [Arts & Music Education](#) (e.g., cloth face coverings must be used during classes when possible if social distancing cannot be maintained).
- [Performing Arts Venues](#) (e.g., customers not from the same household must be seated at least six feet apart).

## New Jersey

**Closure Order.** [Executive Order 107](#), which required all New Jersey residents to stay home unless undertaking an essential activity and closed the brick-and-mortar premises of non-essential retail businesses, was [rescinded](#) on June 9, 2020. The order also closed all recreational and entertainment businesses, as well as non-essential construction projects, and prohibited the on-premises consumption of food and alcohol. All remaining non-essential businesses were instructed to accommodate teleworking or working from home where practicable.

**Reopening Plan.** On April 27, 2020, Governor Phil Murphy [announced](#) the state's reopening plan, "The Road Back: Restoring Economic Health Through Public Health." On May 18, 2020, Governor Murphy [announced](#) additional details for the four stages of the state's reopening plan. In determining when to lift restrictions and how to proceed with the reopening plan, the state is considering its 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.
  - At least double current diagnostic testing capacity.
  - Prioritize testing for health care workers, essential personnel, and vulnerable populations.
  - Create a flexible testing plan accessible to all residents.
  - Expand partnerships with institutions of higher education, private-sector labs, and the federal government.
  - Ensure that those who test positive are linked to a health care provider.
- Implement robust contact tracing.
  - Recruit and deploy an army of personnel who will identify and follow-up with contacts.
  - Leverage technological data and innovative solutions to increase efficiency.
  - Coordinate the approach of local and state health officials, which will have a coordinated county/regional component.
- Secure safe places and resources for isolation and quarantine.
  - To the greatest extent possible, provide individuals who do test positive in the future with a safe and free place to isolate and protect others from COVID-19.
  - Ensure that quarantined contacts are provided supportive services, if needed.
- Execute a responsible economic restart.
  - Create the Governor's Restart and Recovery Commission to advise on the process and recommend responsible and equitable decisions.
  - Plan for a methodical and strategic return to work based on level of disease transmission risk and essential classification.
  - Continuation of social distancing measures, requirements for face coverings, and work-from-home directions where feasible and appropriate.
  - Leverage any available federal funds and programs to support health care, individual, and small business recoveries.
- Ensure New Jersey's resiliency.
  - Learn from the lessons of COVID-19 and prepare for the possibility of a resurgence.

- Ensure hospitals, health care systems, and other health delivery facilities have inventories of personal protective equipment and ventilators.
- Build our own state personal protective equipment and ventilator stockpile.
- Create a playbook for future administrations for the next pandemic.

Stage One. New Jersey is currently in Stage One. As a part of that phase, Governor Murphy issued [Executive Order No. 142](#) on May 13, 2020, loosening several restrictions on businesses and permitting construction projects to resume. The order also permits gatherings and recreational businesses in which attendees remain in their vehicles. Non-essential retail may reopen for curbside pickup so long as the business adopts policies that meet the Order's enumerated requirements, including ensuring that transactions are handled in advance by remote means wherever feasible.

On May 20, 2020, automobile dealers and bike shops were allowed to reopen, and Governor Murphy [announced](#) that outdoor recreational businesses were allowed to 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 to resume 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 capacity 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.

Reopening Requirements. In order to reopen, businesses in each stage must comply with the following requirements:

- Wash hands.
- Wear masks in public.
- Respect social distancing.
- Disinfect workplace and businesses.
- Minimize gatherings.
- No mass gatherings.
- Conduct health checks prior to shifts.
- Separate and send home employees with COVID-19 symptoms, followed by notifying all employees and additional cleaning procedures.

COVID-19 Resurgence: Additional Restrictions. By [executive order](#), Governor Murphy has decreased the indoor gathering limit to 10 people (with limited exceptions) beginning November 17, 2020 and the outdoor gathering limit to 150 people beginning November 23, 2020. The cap on outdoor gatherings has been [lowered](#) further to 25 people. A 25% capacity limit also exists for restaurants, bars, gyms, dance studios, casinos, zoos, museums, racetracks, and indoor recreational businesses. These restrictions will remain in place through at least January 15, 2020. The state has also [imposed](#) quarantine requirements in connection with certain out-of-state travel. As of December 5, 2020, indoor movie theaters, performance venues, and concert venues may [host outdoor gatherings](#), subject to certain capacity and social distancing requirements.

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

- [Retail](#) (e.g., 50% occupancy cap, require workers to wear gloves).
- [Restaurants](#) (e.g., 10% occupancy cap, provide hand sanitizer and wipes to staff and customers; [Order](#) re outdoor dining).
  - [Updates](#) as of November 12, 2020 (e.g., cannot operate between 10:00 PM and 5:00 AM).
- [Construction](#) (e.g., prohibit non-essential visitors from entering the worksite).
- [Non-Essential Retail](#) (e.g., customers may not enter the premises).
  - [Updates](#) for malls as of October 31, 2020 (e.g., valet parking and communal play areas must close).
- [Manufacturing & Retail](#) (e.g., prohibit non-essential visitors from the worksite).

- [Child Care Facilities](#) (e.g., screen staff and children prior to entry each day).
- [Drive-In Theaters](#) (e.g., customers must remain in vehicles).
- [Recreational and Entertainment Businesses](#) (e.g., clean and disinfect rental equipment in accordance with CDC guidelines).
- [Cosmetology, Massage, & Bodywork Therapy Services](#) (e.g., use floor markers to designate six-foot distance).
- [Tanning & Body Art Establishments](#) (e.g., maintain daily logs of all employees/clients/visitors entering the facility).
- [Outdoor Pools](#) (e.g., 50% occupancy limit).
- [Summer Camps](#) (e.g., staff and campers shall wear cloth face coverings when social distancing of six feet cannot be maintained).
- [Outdoor Recreation](#) (e.g., require reservations and payments be made via electronic or telephone reservation systems).
- [Organized Sports](#) (e.g., screen athletes, coaches, staff, and other participants before each practice).
  - [Updates](#) as of October 31, 2020 (e.g., 10-person capacity limit, excluding athletes and others necessary for sporting event).

## New Mexico

**Closure Order.** From March 24, 2020 through May 15, 2020, all non-essential businesses are required to cease in-person operations, per the [Public Health Emergency Order Closing All Businesses and Non-Profit Entities Except for those Deemed Essential and Providing Additional Restrictions on Mass Gatherings Due to COVID-19](#), as further amended on April 30, 2020. The Order also caps the occupancy at hotels and other places of lodging at 25%, excluding healthcare workers, those quarantining or isolating at the property, and extended stay guests. Retail businesses may provide curbside pickup and delivery services. Essential businesses are allowed to remain open but are required, to the greatest extent possible, to:

- Minimize operations and staff.
- Adhere to social distancing protocol.
- Maintain at least six-foot social distancing from other individuals.
- Avoid person-to-person contact.
- Direct employees to wash their hands frequently.
- Ensure that all surfaces are cleaned routinely.
- Implement a 20% occupancy cap for and ensure social distancing among customers waiting outside of any open retail space.

Beginning May 6, 2020, Governor Lujan Grisham has [announced](#) that all large grocery and retail spaces, as well as restaurants, will need to ensure employees have face coverings. Beginning May 11, 2020, all businesses must ensure employees wear face coverings in the workplace when in the presence of others.

**Reopening Plan.** 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. There were [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.
  - 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.
- Hospital capacity.
  - Hospital operating between baseline and surge capacity (not above surge capacity) for general beds, ICU beds, and 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.
- 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 has [announced](#) that a new public health order will be issued allowing the reopening of several additional types of businesses beginning on June 1, 2020. The following will be permitted to reopen:

- 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).
- Beginning June 15, 2020, breweries (at 50% outdoor 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.

Reopening Requirements. 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.

In addition, the guidance provides a number of advisory measures applicable to all businesses. Businesses operating in New Mexico are advised to:

- Develop a COVID-19 communication plan and provide a forum for answering employee questions and addressing concerns.
- Appoint a COVID-Safe Practice leader or team to enact safe practices in the workplace. Review employee leave policies and modify as needed to ensure compliance with the Families First Coronavirus Response Act.
- Consider assigning vulnerable workers duties that minimize their contact with customers and other employees (e.g., managing inventory).
- To support contact tracing, retain a daily log for at least four weeks including the date, name, and phone number of all customers and employees who enter the workplace.
- Follow all heating, ventilation, and air condition prevention maintenance as required by the manufacturer on prescribed schedules. When possible, consult with an HVAC engineer to improve ventilation and minimize the potential for worker exposure.

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 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 [public health order](#) and [streamlined](#) categories of business operations.

*COVID-19 Resurgence: Additional Restrictions.* Effective November 16, 2020, New Mexico reinstated a [shelter-in-place order](#) requiring all residents to leave home only for essential activities and requiring all non-essential business to close in-person operations, except for certain essential in-person operations. Essential businesses included businesses such as grocery stores, pharmacies, child care facilities, and infrastructure operations. The Order remained in effect through November 30, 2020. At that point, the state began loosening restrictions on a [county-by-county](#) basis. Counties move between a red, yellow, and green phase. Most counties currently remain in the red phase, in which restaurants with outdoor dining, nonessential retail, gyms, outdoor recreational facilities, and close-contact businesses may reopen at 25% capacity. Hotels are also limited to 25% capacity, unless they complete a state certification training. Most other businesses may also reopen at



the lesser of 25% of maximum capacity or 75 customers, although indoor recreational businesses must remain closed. Moving to less restrictive phases is based on the incidence of cases among the inhabitants of a county or its average positive COVID-19 test results.

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

- [Retail](#) (p. 11; e.g., clean and disinfect high-touch surfaces every two hours).
- [Restaurants](#) (p. 12; e.g., discontinue service stations requiring customers to use common utensils/dispensers).
- [Office & Call Centers](#) (p. 16; e.g., post signs, stanchions and/or floor decals to support social distancing).
- [Grocery Stores & Farmers' Markets](#) (p. 17; e.g., require customers who bring reusable bags to bag their own purchases).
- [Youth Programs](#) (p. 19; e.g., limit activities to only those that maintain six feet distancing).
- [Professional Sports](#) (p. 27; e.g., regularly test athletes, coaches, trainers, and staff members).
- [Manufacturing, Warehouse & Food Production](#) (p. 31; e.g., arrange for contactless signatures for deliveries).
- [Hotels, Resorts, & Lodging](#) (p. 32; e.g., remove unnecessary items from guest rooms such as extra towels and pens).
- [Golf Courses](#) (p. 35; e.g., limit tee times to 15-minute intervals).
- [Tour Operators](#) (p. 37; e.g., arrange for electronic ticketing and contactless scanning of tickets).
- [Farms, Ranches, & Dairy Producers & Processors](#) (p.41; e.g., place hygiene supplies in equipment, shops, and other shares areas).
- [Veterinarians & Animal Care Facilities](#) (p. 43; e.g., accept customers on an appointment-only basis except for emergencies).
- [Construction & Field Operations](#) (p. 46; e.g., prohibit non-essential visitors, vendors or contractors from entering the site).
- [Automobile Dealerships & Services](#) (p. 48; e.g., do not offer refreshments other than factory-sealed food and beverages).
- [Salons, Spas, Tattoo Parlors, & Related Services](#) (p. 50; e.g., private hot tubs and saunas must be cleaned and disinfected after each client use).
- [Gyms](#) (p. 52; e.g., require clients to clean communal equipment after each use).
- [Ski areas](#) (p. 62; e.g., maximize the use of open-air chairlifts to the greatest extent possible).
- [Childcare Centers](#) (e.g., ban visitors and volunteers).

## **New York**

**Closure Order.** Governor Andrew Cuomo has instituted [Executive Order 202.8](#), instructing all those not working in essential businesses or entities to stay home beginning March 22, 2020 through the [extended](#) expiration date of the Order, August 20, 2020. Businesses that are essential and can remain open are listed in the [New York Guidance on Executive Order 202.6](#), as clarified by the Empire State Development guidance. Although essential businesses can remain open, they must still use, to the maximum extent possible, any telecommuting or work from home procedures that they can safely utilize. Although the state's closure Order remains in place, each region of the state has also begun reopening.

**Reopening Plan.** On April 26, 2020, Governor Cuomo [announced](#) a phased reopening plan. The [Regional Guidelines for Re-Opening](#) will be implemented over four phases, with regional variations across the state. 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 begun reopening. New York City entered Phase Two on June 22, 2020. As of June 24, 2020, all other regions in the state have entered Phase Three. 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 July 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.

Based on CDC recommendations, a region may begin a phased reopening upon the following requirements:

- 14-day decline in the hospitalization rate.
- A region must have fewer than two new COVID patients admitted per 100,000 residents per day.
- For regions with few COVID-19 cases, fewer than 15 new total cases or five new deaths on a three-day rolling average.

In addition, in order to maintain a region's status in a reopening phase, the following conditions must be met:

- 30% total hospital beds and ICU beds available after elective surgeries resume.
- 90 days of PPE stockpiled at hospitals.
- Capacity to conduct 30 diagnostic tests for every 1,000 residents per month.
- Appropriate number of testing sites to accommodate the region's population and must fully advertise where and how people can get tested.
- Ongoing testing regimen, frequent tests of frontline and essential workers, and the collection of data to track and trace the spread of the virus.
- 30 contact tracers for every 100,000 residents, additional tracers based on the projected number of cases in the region, and monitoring of the regional infection rate.
- Plans with rooms available for people who test positive for COVID-19 and who cannot self-isolate.

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.

Phase One. Low risk construction and manufacturing functions may resume. Select retail businesses may reopen for curbside pickup. As of May 27, 2020, apart from New York City, the state entered Phase One. Upon moving to Phase One, the following types of businesses, subject to industry-specific requirements, may reopen in-person operations:

- 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 service.

Phase Three. Restaurants may resume serving customers indoors on premises and remaining personal care businesses may reopen. Gatherings of up to 25 individuals will be permitted.

Phase Four. Low-risk arts, entertainment, and recreation businesses will be allowed to reopen, including media production. Higher education institutions and businesses may also reopen. Phase Four does not include malls, movie theaters, and gyms; however, malls may reopen as of June 10, 2020 in regions that have entered Phase Four. Malls must install enhanced HVAC filtration systems in order to reopen.

Reopening Requirements. In order to reopen, each business must implement the following requirements:

- 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.
- Review the reopening requirements for its industry, as listed below, and prepare a [health and safety plan](#).

On July 31, 2020, Governor Cuomo [continued](#) the suspensions, modifications, and directives made by Executive Order 202.36 and 202.37, as extended, and Executive Orders 202.46 and 202.47, through August 29, 2020.

*COVID-19 Resurgence: Additional Restrictions.* New York has not instituted a new statewide closure order. Instead, New York has developed a plan to increase COVID-related restrictions based on “[micro-cluster zones](#).” At a neighborhood-level, capacity limits, business closures, and limits on the size of gatherings will be put in place if the neighborhood is designed as a yellow, orange or red zone. The zones can cover small geographic areas. For example, Washington Heights has been designated as a yellow zone, while the remainder of Manhattan has not. Governor Cuomo has [announced](#) his intentions to continue this strategy through the winter of 2020-21. In addition, Governor Cuomo has [announced](#) that bars and restaurants statewide must close for in-person dining from 10pm to 5am, and that those restrictions may expand if hospitalization usage continues to increase. The state also has an [out-of-state travel quarantine](#), which may be shortened if an individual gets tested for COVID-19. Governor Cuomo has [ordered](#) the temporary closure of indoor dining in New York City.

*Industry-Specific Requirements.* New York has published guidance for the following industries:

- [Construction](#) (e.g., no more than one worker per 250 square feet is allowed on site without additional PPE measures).
- [Agriculture, Forestry, Fishing, and Hunting](#) (e.g., must provide employees with an acceptable face covering at no cost).
- [Manufacturing](#) (e.g., must ensure equipment and tools are regularly disinfected using registered disinfectants, or if not possible put in place hand hygiene stations, supply disposable gloves, or limit the number of employees using machinery).
- [Retail: Phase One](#) (e.g., 50% occupancy limit and limited to only workforce necessary for curbside and in-store pickup activities).
- [Retail: Phase Two](#) (e.g., 50% occupancy limit; ensure six feet of social distancing is maintained).
- [Wholesale Trade](#) (e.g., establish designated areas for pickups and deliveries).
- [Offices](#) (e.g., create policies encouraging employees to work from home when feasible).
- [Real Estate](#) (e.g., must advise tenants and visitors to wear face coverings in common areas and when traveling around the building).
- [Vehicle Sales, Leases & Rentals](#) (e.g., ensure that waiting areas allow customers to adhere to social distancing rules).
- [Retail Rental, Repair, & Cleaning](#) (e.g., must post distance markers denoting spaces of six feet in all commonly used areas and any areas in which lines are commonly formed or people may congregate).
- [Commercial Building Management](#) (e.g., must include pre-return checks of mechanical systems, water systems, elevators, and HVAC systems).
- [Racing Activities](#) (e.g., prohibit non-essential visitors on-site).
- [Dentistry](#) (e.g., must wait fifteen minutes after patient leaves areas before beginning to clean and disinfect).
- [Dining](#) (e.g., ensure six feet between tables and no more than ten people at a table).
- [Restaurants and Bars](#) (e.g., only serve alcohol with [food](#)).
- [Child Care & Day Camps](#) (e.g., must limit groups to 10 or fewer children/campers in a specific area at any given time).
- [Auto Racing](#) (e.g., all personnel shall receive training on COVID-19 safety and sanitation protocols).

- [Professional Sports Training Facilities](#) (e.g., 50% occupancy limit indoors).
- [Restaurants & Food Services](#) (e.g., indoor capacity limited to 50%).
- [Personal Care Services](#) (e.g., employees must wear face covering that completely covers the nose and mouth, and a face shield or safety goggles when providing service directly to/on customers).
- [Pools](#) (e.g., ensure face coverings are not worn by individuals while in the water).
- [Sports & Recreation](#) (e.g., indoor sports and recreational activities are capped at 50% capacity).
- [Higher Education](#) (e.g., provide face masks or coverings to employees who interact with students or members of the public at no cost to the employee).
- [Low-Risk Outdoor Arts & Entertainment](#) (e.g., 33% maximum occupancy limit).
- [Low-Risk Indoor Arts & Entertainment](#) (e.g., 25% maximum occupancy limit).
- [Media Production](#) (e.g., all employees, cast, and crew must wear face coverings at all times within the media production facility or location, but may temporarily remove their face coverings for performances or rehearsals or where it would interfere with core activity such as hair, makeup, or wardrobe).
- [Professional Sports](#) (e.g., no spectators are permitted).
- [Driving Schools](#) (e.g., courses may take place remotely if they are delivered in real-time and provide for interaction between students and teachers).
- [Malls](#) (e.g., close common seating areas and self-serve bars).
- [Gyms & fitness centers](#) (e.g., limit capacity to 33% of maximum occupancy).
- [Gaming facilities](#) (e.g., close all food and beverage on the gaming floor).
- [Movie theaters](#) (e.g., limit the capacity for any individual movie theater to the lesser of 25% of maximum occupancy and 50 people).
- [Ski facilities](#) (e.g., ensure individuals are not sharing ski equipment).

## North Carolina

**Closure Order.** North Carolina has instituted [Executive Order No. 121](#), requiring all individuals living in North Carolina to stay home and all non-essential business and operations to cease their on-premises work beginning at 5:00 pm on March 30, 2020. Per [Executive Order No. 135](#), non-essential businesses must remain closed until 5:00 pm on May 8, 2020. Essential businesses include those designated as such under the federal CISA guidelines, additional businesses identified in the North Carolina Order, and businesses that are able to conduct operations while maintaining social distancing requirements among their employees and customers. Retail businesses were allowed to reopen under the amended state Order, subject to a 20% occupancy cap. Essential businesses that operated in North Carolina while the state of emergency was in effect receive [statutory immunity](#) from state civil liability, although that protection does not extend to gross negligence, intentional tort, or workers' compensation claims.

**Reopening Plan.** 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. 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 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.** [Executive Order No. 138](#) began Phase One of the reopening plan at 5:00 pm on May 8, 2020. In Phase One, personal care and entertainment businesses (e.g., bowling alleys, gyms, movie theaters) must remain closed. Restaurants and bars must continue to remain closed for consumption on premises.

**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). 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.** North Carolina will tentatively enter Phase Three on September 11, 2020. This phase will allow increased capacity at businesses, as well as larger gatherings.

Governor Cooper has signed [House Bill 118](#) into law, which grants qualified immunity related to claims arising from the spread of COVID-19. From July 2, 2020 until 180 days after the state of emergency order is lifted, the new law will shield businesses from negligence claims, but not gross negligence, willful and wanton conduct, and intentional wrongdoing claims. House Bill 118 does not alter the three-year statute of limitations that applies to negligence claims.

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

- Impose a 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, and 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.

As of June 24, 2020 (revised August 3, 2020), the [following businesses](#) must require employees and customers to wear face coverings during the course of Phase Two where six feet of social distancing is not possible, unless an exception applies (e.g., medical conditions, under 11 years of age, if actively eating, if strenuously exercising):

- Retail businesses.
- Restaurants (customers need not wear face masks when at their tables).
- Personal care, grooming, and tattoo businesses.
- Child care facilities.
- Transportation (unless traveling alone in personal vehicles).
- High Density-Occupational Settings (including manufacturing, construction sites, and agricultural settings).
- Meat and poultry processing plants.
- Long term care facilities.
- Other Health Care Settings.

North Carolina has provided [Interim Guidance](#) with recommendations for all businesses. The Order reopening businesses also provides additional strong recommendations specific to retail businesses, as well as the following strong recommendations for all businesses:

- Continue to promote telework and limit non-essential travel whenever possible.
- Promote social distancing by reducing the number of people coming to the office, by providing six feet of distance between desks, and/or by staggering shifts.
- Limit face-to-face meetings to no more than 10 workers.
- Promote hygiene, including frequent hand-washing and use of hand sanitizer.



- Recommend workers wear cloth face coverings, as defined in the Order, provide workers with face coverings, and provide information on proper use, removal, and washing of clothing face coverings.
- Make accommodations for workers who are at high risk of severe illness from COVID-19, for example, by having high-risk workers work in positions that are not public-facing or by allowing teleworking where possible.
- Encourage sick workers to stay home and provide support to do so with a sick leave policy.
- Follow the CDC guidance if a workers has been diagnosed with COVID-19.
- Provide workers with education about COVID-19 prevention strategies, using methods like videos, webinars, or FAQs.
- Promote information on helplines for workers such as 211 and the Hope4NC Helpline.

*COVID-19 Resurgence: Additional Restrictions.* As of November 25, 2020, Governor Cooper has [ordered](#) that individuals must wear face coverings when indoors with others from outside of their household and outdoors where social distancing cannot be maintained. Most businesses must also ensure that employees and guests wear face masks when inside their establishment. The Order remains in effect until December 11, 2020. In addition, North Carolina [capped](#) in-person gatherings at ten people from November 13, 2020 through December 4, 2020. On December 8, Governor Cooper issued [Executive Order No. 181](#) encouraging high-risk employees to stay home, encouraging social distancing, requiring face coverings in public places and placing certain restrictions on businesses including amusement parks, bars, entertainment facilities, and restaurants. The Order is in effect until January 29, 2021. On December 21, Governor Cooper issued a new [order](#) extending temporary restrictions on indoor gatherings, requirements for face masks and the closure of businesses from 10:00p.m. to 5:00a.m. until January 31, 2021.

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

- [Retail](#) (e.g., mark six feet of spacing in lines at point of sale and other high-traffic areas).
- [Restaurants](#) (e.g., limit customers at tables so that no more than 10 people are seated together and [cease](#) sales of alcohol after 11:00 pm).
- [Restaurants Within Other Facilities](#) (e.g., limit to 50% of stated fire capacity or 12 people per 1000 square feet if there is not a fire code number available).
- [Personal Care Businesses](#) (e.g., wear face coverings when within six feet of other people).
- [Tattoo Businesses](#) (e.g., 50% occupancy limit).
- [Pools & Spas](#) (e.g., limit user capacity to 50% of pool capacity or, if capacity is unknown, 10 people in the water per 1000 square feet of pool).
- [Child Care](#) (e.g., conduct daily health screening on all individuals who enter the building).
- [Malls and Shopping Centers](#) (advisory; e.g., update emergency plans if necessary).
- [Farms, Packhouses, and Related Facilities](#) (advisory; e.g., ensure fans blow clean air in workers' breathing zones if fans are installed in warehouses).
- [Day Camps & Overnight Camps](#) (e.g., conduct daily symptom screening of workers).
- [Day Camps](#) (advisory; e.g., restrict cross-over of counselors across different groups of participants).
- [Overnight Camps](#) (advisory; e.g., limit participation to campers from North Carolina and neighboring states).
- [Meat and Poultry Processing Plants](#) (advisory; procedures for testing individuals).



- [Large Venues](#) (e.g., post signage reminding attendees and staff about social distancing).
- [General Business](#) (e.g., advisory; e.g., limit in-person meetings to no more than 10 people).
- [Outdoor Fitness](#) (e.g., outdoor operations capped at 25 individuals).
- [Gyms & Fitness Centers](#) (e.g., space equipment six feet apart).
- [Youth, College, & Amateur Sports](#) (e.g., recommending that individuals refrain from unnecessary physical contact with others).
- [Higher Education](#) (e.g. post signs in highly visible locations that promote everyday protective measures).

## North Dakota

**Closure Order.** The North Dakota [Executive Order](#) providing for the closure of on-premises dining at restaurants and bars, recreational facilities (e.g., gyms and theaters), cosmetology businesses (e.g., tanning studios and barbers), and elective personal care services (e.g., tattoo parlors) expired on May 1, 2020. The Executive Order did not require a broad closure of all non-essential businesses.

**Reopening Plan.** Following the expiration of the Executive Order, North Dakota initiated a [phased reopening plan](#). North Dakota allowed most businesses to reopen on May 1, 2020, although recreational and sport areas, as well as music and entertainment venues remain closed until further notice.

***Reopening Requirements.*** The reopening plan provides guidelines to employers reopening their businesses. All employers should:

- 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 10 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.

*COVID-19 Resurgence: Additional Restrictions.* Governor Bergum has [ordered](#) event spaces to limit occupancy to 25% and bars and restaurants to limit occupancy to 50% from November 16, 2020 through December 13, 2020. In addition, face coverings are [required](#) in indoor businesses and indoor public settings from November 14, 2020 through December 13, 2020. Businesses must ensure that workers and customers comply with the Order. On December 10, 2020, a [new order](#) was issued extending these restrictions to January 8, 2021. Effective December 21, 2020, restaurants and bars may [resume](#) normal hours of operation. On January 8, 2021, Governor Bergum [decreased](#) capacity limits for bars and restaurants to 65% and event spaces to 50% effective until January 29, 2021.

*Industry-Specific Requirements.* The reopening plan also includes requirements specific to:

- [Restaurants and Bars](#) (e.g., limit capacity to 50% of normal operating capacity, and allow for six feet of spacing between groups).
- [Fitness Centers](#) (e.g., limit group fitness classes to one participant per 144 square feet).
- [Personal Services](#) (e.g., develop a check-in process and waiting area setup that can accommodate physical distancing).
- [Movie Theaters](#) (e.g., limit capacity to 20% of normal operating capacity).
- [Senior Meal Sites](#) (e.g., dining areas must be limited to 50% capacity).
- [Large Gatherings](#) (e.g., any business located within the exterior boundaries of a reservation is subject to additional requirements under tribal law).
- [Manufacturing, Agribusiness and Agriculture](#) (e.g., provide an area for staff to change footwear, provide shoe covers, or disinfecting boot mats to sanitize footwear in and out of the building).

## Ohio

**Closure Order.** The Ohio [Order](#) implementing stay-at-home measures and permitting only certain essential businesses to continue in-person operations expired on May 1, 2020. The Order required essential businesses to ensure social distancing, provide sanitizing products, separate operating hours for vulnerable populations, and post online hours and remote access. Non-essential businesses were required to cease most in-person operations.

**Reopening Plan.** Following the expiration of the Order, Ohio put forth a four-stage [reopening plan](#). Ohio issued a new [Stay Safe Order](#) which allows businesses to reopen, subject to restrictions, 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](#): Restaurants and bars for on-premises consumption, personal appearance and beauty businesses, certain child care services, entertainment and recreation businesses, and gyms.
- [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 (per subsequent [press release](#)).
- [June 19, 2020](#): Casinos and races; amusement parks and water parks (per subsequent [press release](#)).

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.

***Reopening Requirements.*** The reopening plan provides guidelines to employers reopening their businesses. All employers are required 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.

On July 22, 2020, Governor DeWine issued a [statewide mask order](#) for individuals who are indoors or outdoors when they cannot maintain a distance of six feet from people who are not household members. The order took effect on Thursday, July 23, 2020 at 6:00 pm. 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.

*COVID-19 Resurgence: Additional Restrictions.* On November 13, 2020, the Ohio Department of Health's Director Lance Himes, pursuant to the authority granted to him by the Governor, [ordered](#) businesses to require facial coverings or masks at all times. On November 15, 2020, Himes entered [another order](#) restricting all public and private gatherings of greater than 10 people (with exceptions for religious observances). On November 19, 2020, the newly elected Director of Health, Stephanie McCloud, entered a 21-day [stay-at-home](#) order requiring individuals to stay at a place of residence during the hours of 10:00 PM until 5:00 AM. On December 10, 2020, Director McCloud entered a new 21-day [stay-at-home order](#) requiring individuals to stay at a place residence during the hours of 10:00 pm to 5:00 am. On December 31, 2020, a new [order](#) extended the stay-at-home requirement until 12:01 PM on January 23, 2021.

*Industry-Specific Requirements.* The reopening plan also includes requirements specific to:

- [Manufacturing, Distribution, and Construction](#) (e.g., ensure minimum of six feet between people, if not possible, install barriers).
- [Consumer, Retail, and Services](#) (e.g., specify hours for at-risk populations).
- [General Office Environments](#) (e.g., frequent disinfection of desks, workstations, and high-contact surfaces).
- [Restaurants and Bars](#) (e.g., either six feet between employees or physical barriers and [cease alcohol sales](#) by 10:00pm).
- [Child Care](#) (e.g., child care providers must operate under reduced staff to child ratios and maximum group size limitations [until](#) August 9, 2020).
- [Day Camps](#) (e.g., employees must perform daily symptom assessment).
- [Massage Therapy, Acupuncture, and Cosmetic Therapy](#) (e.g., ensure six feet of distancing or install barriers).
- [Hair Salons, Day Spas, Nail Salons, Tanning Facilities, Tattoo Services, and Body Piercings](#) (e.g., businesses must require all employees to wear facial coverings, with limited exceptions).
- [Gyms, Dance Studios, and Other Personal Fitness Venues](#) (e.g., reduce class sizes, if necessary, to accommodate the required six feet of social distancing).

- [Pools](#) (e.g., maintain public restrooms and shower facilities to lower risk of spread of virus).
- [Campgrounds](#) (e.g., provide hand sanitizer where water is not available).
- [Casinos and races](#) (e.g., continue work at home for those employees able to fully perform their job duties remotely).
- [Fairs](#) (e.g., the number of spectators shall be limited to one-half the seated capacity of the grandstand).
- [Assisted Living Facilities](#) (e.g., visitors permitted of outdoor visitation only).
- [Driver Examination Services](#) (e.g., daily symptom assessments).
- [Residential Camps](#) (e.g., one staffer per nine children).
- [Contact Sport Practices](#) (e.g., trainers must wear face coverings when attending to athletes).
- [Non-Contact Sports](#) (e.g., individuals must avoid physical contact).
- [Higher Education](#) (e.g., course scheduling and academic programming alternatives should be considered).
- [Healthcare](#) (e.g., permitting the use of video and text messaging to allow access to critical health care services).

## Oklahoma

**Closure Order.** The Oklahoma [Order](#) prohibiting social gatherings of more than 10 people and designating certain businesses as critical and, therefore, allowed to continue in-person operations expired on April 30, 2020. The Order required all businesses not within a critical infrastructure sector to close to the public.

- **Reopening Plan.** Following the expiration of the Order, Oklahoma initiated a [phased reopening plan](#). Oklahoma is currently in Phase Three, which permits overnight summer camps, hair salons, barbershops, spas, nail salons, tattoo parlors, body piercing shops, pet groomers, and similar businesses may now accept walk-in and businesses may resume unrestricted staffing at worksites.
- Phase One: Personal care businesses and outdoor recreation to reopen on April 24, 2020, subject restrictions. On May 1, 2020, dining, entertainment, sporting venues, gyms, and tattoo parlors were also permitted to reopen with restrictions.
- [May 15, 2020 \(Phase Two\)](#): Bars; Funerals and weddings.
- [June 1, 2020 \(Phase Three\)](#): Employers can resume unrestricted staffing of worksites.

***Reopening Requirements.*** The reopening plan provides guidelines to employers reopening their businesses. Throughout all phases, employers should:

- Develop policies for temperature checks, sanitation, use, and disinfection of common areas, and business travel.
- Monitor workforce for indicative symptoms; disallow symptomatic people to physically return to work and consider implementing flexible sick leave and supportive policies and practices.
- Develop and implement policies and procedures for workforce contact tracing following COVID-19 testing.
- Implement appropriate policies regarding social distancing and PPE.

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

- 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.*** Reopening businesses must adhere to the following reopening guidelines during Phase Two:

- Staggered return to work phases for employees.
- Minimize non-essential travel and adhere to CDC guidelines and Executive Orders.

***COVID-19 Resurgence: Additional Restrictions.*** On November 16, 2020, Governor Stitt [amended his Executive Order](#) requiring “all persons on property, including buildings and office space, owned or leased by the State of Oklahoma” to wear a facial covering or mask where physical distancing measures may be difficult to observe. Restaurants and bars are required to ensure a minimum of six feet of separation between parties or groups and food and beverages of any kind shall be sold, dispensed or served for on-premises consumption after 11:00 PM CST. On December 10, 2020, Governor Stitt [extended](#) this order.

*Industry-Specific Requirements.* The reopening plan also includes requirements specific to:

- [Administrative Offices](#) (e.g., consider sanitizing and disinfecting conference rooms after each use)
- [Museums](#) (e.g., arrange outings, such as tours, to have staggered, spaced out timing, and ensure physical distancing of six feet is implemented).
- [Bars](#) (e.g., prior to reopening, deep clean all surfaces and touch points).
- [Entertainment](#) (e.g., offer seating in a staggered manner such that there is six feet between customer groups).
- [Festivals and Fairs](#) (e.g., set up booths and tables with six feet of distancing between each other).
- [Full Service and Quick Service Restaurants](#) (e.g., encourage use of carry out, curbside or delivery dining options).
- [Non-Profit Organizations](#) (e.g., offices should be cleaned daily).
- [Outdoor Concerts](#) (e.g., groups are limited to 50 people).
- [Places of Worship](#) (e.g., clean visibly dirty surfaces with soap and water).
- [Personal Care](#) (e.g., consider the use of a touchless infrared thermometer to check the temperature of employees each day).
- [Gyms](#) (e.g., minimize face-to-face employee and customer interaction).
- [Outdoor Recreational Facilities](#) (e.g. consider delaying opening or restricting access to petting zoos).
- [Pet Grooming](#) (e.g., maintain at least six feet between each grooming workstation).
- [Spas](#) (e.g., PPE, such as gloves, gowns, drapes, linens, and eye coverings should be changed between each client).
- [Tattoos](#) (e.g., encourage clients to wear masks when entering shop).
- [Summer Camps](#) (advisory; e.g., stagger arrival and drop-off times).
- [Swimming Pools](#) (e.g., ensure access to handwashing/hand sanitizing facilities and supplies are available).



## Oregon

**Closure Order.** The Oregon [Executive Order](#) closing specified retail businesses, requiring social distancing measures for other public and private facilities, and imposing requirements for outdoor areas and licensed childcare facilities is still in effect. The Governor of Oregon has announced that certain businesses may begin to reopen on May 15, 2020 on a county-by-county basis. Oregon's Executive Order does not identify essential businesses, but rather denotes the closure of specific businesses including:

- Entertainment Businesses (e.g., amusement parks, skating rinks, theaters).
- Close Personal Services (e.g., barber shops, estheticians).
- Certain Retail (e.g., cosmetic, furniture, malls).
- Fitness (e.g., gyms, yoga, tennis clubs).

**Reopening Plan.** Following the termination of the Executive Order on May 15, 2020, Oregon initiated its [phased reopening plan](#). On May 15, 2020, rural counties with very few cases who meet the [prerequisites](#) will enter Phase One.

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.

**Reopening Requirements.** The reopening plan provides [guidance](#) to employers reopening their businesses. The plan provides the following considerations:

- Comply with any of the Governor's Executive Orders in effect.
- Know the signs and symptoms of COVID-19 and understand how its transmitted.
- Implement safeguards to protect employees and the public.
- Consider modifying employee schedules and travel to reduce unnecessary close physical contact.
- Be aware of protected leave requirements and plan ahead for any anticipated workforce adjustments.
- Implement workplace safeguards (e.g., implement physical distancing measures and restrict use of any shared items).

**Phase One.** In Phase One the following will be permitted to reopen, subject to certain restrictions:

- Restaurants and bars.
- Personal care services.
- Gyms/fitness (subject to maximum occupancy limits).
- Local gatherings (limited to 25 people).

**Phase Two.** Select counties will proceed to Phase Two on June 5, 2020. Phase Two will include the following measures:

- Optional increased work in offices.
- In-person local gatherings up to 100 with physical distancing.
- Extended open hours for bars and restaurants.

- Reopening of pools.
- Resumption of some recreational sports.

Phase Three. Phase Three will not occur until a reliable treatment or prevention method is available. During this stage, the following will be permitted to resume:

- Concerts
- Conventions
- Live audience sports

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.

COVID-19 Resurgence: Additional Restrictions. On November 18, 2020, Governor Brown instituted a “[temporary freeze period](#)” through December 2, 2020, which limited home and social gatherings to a maximum of 6 people, and religious and funeral services to a maximum of 25 people indoors and 50 outdoors. Restaurants and bars were not permitted to allow on-premises consumption of food or drink and gyms, museums, zoos, venues, sports facilities and indoor pools were prohibited. The freeze period also limited capacity for all other businesses with few exceptions.

On December 2, 2020, Governor Brown implemented a “[Risk and Safety Framework](#)” which takes a [county-by-county metrics-based](#) approach to controlling COVID-19. The order directs the Oregon Health Authority (“OHA”) to issue [guidance for the public, employers, and sectors](#). Businesses, non-profits, and other sectors must at all times be aware of the Risk Level in the counties where they operate and comply with requirements applicable to those Risk Levels established in OHA Guidance. OHA also provided [general guidance](#) for employers and organizations.

- When a county is at Extreme Risk: All businesses and non-profit entities with offices in that county shall facilitate telework and work-at-home by employees, to the maximum extent possible. Work in offices is prohibited whenever telework and work-at-home options are available, in light of position duties, availability of teleworking equipment, and network adequacy.
- When a county is at High or Moderate Risk: All businesses and non-profit entities with offices in that county are strongly recommended to facilitate telework and work-at-home by employees, to the maximum extent possible. It is strongly recommended that work in offices be avoided whenever telework and work-at-home options are available, in light of position duties, availability of teleworking equipment, and network adequacy.
- When a county is at Lower Risk: Businesses and non-profit entities with offices in that county may make limited return to work available. Businesses and non-profits are encouraged to consider continuing to make telework and work-at-home options available.

- For all Risk Levels: Businesses and non-profit entities with offices in Oregon must comply with any applicable OHA guidance, including but not limited to applicable sector-specific guidance, the guidance for employers, and the face coverings guidance.

*Industry-Specific Requirements under OHA Guidance.*

- [Outdoor Recreation](#) (e.g., prohibit contact sports).
- [Retail Stores](#) (e.g., use signs to encourage physical distancing and require all employees to wear cloth or disposable face coverings).
- [Personal Services Providers](#) (e.g., record client contact information, date and time of appointment and provider for each client).
- [Restaurants and Bars](#) (e.g., determine maximum occupancy to maintain physical distancing requirements and limit parties to 10 people or fewer).
- [Faith Institutions](#) (e.g., limit maximum capacity based on designated risk level).
- [Malls](#) (e.g., designate specific entrances and exits to the shopping center or mall to constrain traffic flow).
- [Employers](#) (e.g., be aware of protected leave requirements and plan ahead for any anticipated workforce adjustments).
- [Gyms and Fitness](#) (e.g., limit the number of individuals in the facility and focus on maintaining at least six feet of physical distance between people).
- [Indoor Entertainment Establishments](#) (e.g., consider live-streaming performance, and prohibit the operations and sales of concessions)
- [Outdoor Entertainment Establishments](#) (e.g., use touchless or cashless payment options).
- [Outdoor Recreation & Fitness Establishments](#) (e.g., keep sandboxes, saunas and steam rooms closed).
- [Self-Service Operations](#) (e.g., providing disposable utensils for customers, individually wrap utensils).
- [Youth Programs](#) (e.g., keep accurate daily logs for each stable group).

## Pennsylvania

**Closure Order.** The Pennsylvania [Executive Order](#) ordering all individuals to stay home and permitting only life-sustaining businesses to remain open expired on May 8, 2020 at 12:01 am. The Order delineated a list of life-sustaining business activities. The Secretary of Health issued [protocols](#) for life-sustaining businesses which required them to adopt social distancing and sanitation requirements (e.g., provide masks for employees to wear during their time at the business, stagger work start and stop times for employees and conduct meetings and training virtually).

**Reopening Plan.** Following the expiration of the Executive Order, Pennsylvania initiated a [phased reopening plan](#). Pennsylvania's approach involves moving through three color coded phases, gradually lessening restrictions. The stay-at-home order was considered to be part of Phase Red. Following the expiration of that Order, Pennsylvania entered Phase Yellow, which consists of the following steps:

- Telework must continue where feasible.
- Businesses with in-person operations must adhere to the orders on business and building safety.
- In-person retail is allowed though curbside and delivery services are preferred.
- Outdoor recreation, including golf and sports-related activities, may resume.

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. As of July 3, 2020, all Pennsylvania counties have been moved to Phase Green.

***Reopening Requirements.*** The reopening plan provides [guidelines](#) to employers reopening their businesses. 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.
- 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.

Building owners/operators of commercial, industrial or business-related buildings of at least 50,000 square feet 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.

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.
- 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 two 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.

*COVID-19 Resurgence: Additional Restrictions.* On November 24, 2020, Governor Wolf [amended](#) the Proclamation of Disaster Emergency and renewed prior measures of the March 6, 2020, June 3, 2020 and August 31, 2020 orders to be reinstated. Governor Wolf also issued an [Order](#) “for the mitigation, enforcement, and immunity protections” effective November 27, 2020, which requires teleworking where possible, screening before employees enter businesses, staggering work start and stop times, and mask requirements. Additional [temporary mitigation measures](#) went into effect on December 12, 2020 and remained in place until January 4, 2021. These mitigation measures included prohibitions on in-person dining and alcohol sales, prohibitions on indoor gatherings of more than 10 persons and outdoor gatherings of more than 50 persons and 50% capacity limits for all in-person businesses.

*Industry-Specific Guidance.* Pennsylvania provides [guidance](#) for the following sectors:

- [General Businesses](#) (e.g., clean and disinfect high-touch surfaces frequently).
- [Construction](#) (e.g., require social distancing unless the safety of the public or workers require deviation).
- [Grocery Stores](#) (e.g., ensure social distancing).
- [Restaurants](#) (e.g., may not use self-service food or drink options).
- [Gyms and Fitness Facilities](#) (e.g., must provide for social distancing requirements of persons being at least six feet apart).
- [Salons](#) (e.g., employees cannot perform services that require removal of face covering (e.g. facials)).
- [Barber Shops](#) (e.g., employees cannot perform services that require removal of face covering (e.g. shaving)).

## Rhode Island

**Closure Order.** The Rhode Island [Executive Order](#) instructing all non-critical retail businesses to cease in-person operations and requiring residents to stay home expired on May 8, 2020 at 11:59 pm. Rhode Island issued social distancing and sanitations [guidelines](#) for retail and grocers (e.g., discontinue self-serve foods and product sampling, and allow no more than 20% of state fire capacity in the store at a time).

**Reopening Plan.** Rhode Island's [phased reopening plan](#) went into effect on May 9, 2020. Rhode Island also issued an [Executive Order](#) lifting the stay at home order and confirming that the state entered into Phase One. Governor Raimondo has [announced](#) an intent to move Rhode Island to Phase Two on June 1, 2020. Rhode Island [moved into](#) Phase Three on June 30, 2020.

- [Phase One](#): Parks, primary care and community health providers, restaurants, retail locations, hair salons, and barbers may reopen with certain restrictions.
- [Phase Two](#): Expanded childcare options, and close-contact businesses may reopen.
- [Phase Three](#): Schools may reopen.

*Reopening Requirements.* The reopening plan provides [guidelines](#) to employers reopening their businesses and operating during Phase One. 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 One: Testing the Water. In [Phase One](#), Rhode Island lifts the stay-at-home order and allows most 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. Reopening businesses must adhere to the following reopening guidelines during Phase One:

- Masks, vigilant hand-washing, and increased cleaning must remain in place. And everyone who can work from home should still work from home.
- All activities must account for strong social distancing guidelines of remaining six feet apart.
- Offices should emphasize remote work but can allow limited numbers of employees on site in accordance with new guidelines.

Phase Two: Navigating Our Way. Governor Raimondo has [announced](#) an intent to move Rhode Island to Phase Two on June 1, 2020. [Phase Two](#) will allow restaurants (at 50% capacity), retail, malls, and close-contact businesses like hair and nail salons to reopen. Gyms and fitness studios will also be allowed to reopen, as well as some outdoor recreational activities like zoos. In addition, additional childcare options will be permitted, subject to strict public health guidelines. Reopening businesses must adhere to the following reopening guidelines during Phase Two:

- Masks must be worn.
- Vigilant hand-washing and increased cleaning protocols 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 social or business activities must account for strong social distancing guidelines of remaining six feet apart.

Phase Three: Picking Up Speed. In Phase Three, offices, restaurants, retail and other businesses will lift some of the tightest restrictions to allow more people in at one time but will need to operate under long-term safety guidelines. Social gatherings are limited to 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. Reopening businesses must adhere to the following reopening guidelines during Phase Three:

- Masks, vigilant hand-washing, and increased cleaning must remain in place. Working from home is still encouraged where possible, but more people will return to the workplace.
- All activities must account for strong social distancing guidelines of remaining six feet apart.

COVID-19 Resurgence: Additional Restrictions.

On November 30, 2020, Governor Raimondo [issued a new order](#) "Rhode Island on Pause" which advised all Rhode Island residents to stay home from 10:00 PM to 5:00 AM Sunday through Thursday unless traveling to or from work or school, traveling for medical treatment or obtaining necessities. Friday and Saturday all Rhode Island residents are advised to stay home from 10:30 PM to 5:00 AM unless traveling to or from work or school, traveling for medical treatment or obtaining necessities (food, medicine, gas, etc.). This order placed further limitations on indoor and outdoor social gatherings and businesses including encouraging teleworking and capacity limits. On December 11, 2020, Governor Raimondo issued an [extension](#) of "Rhode Island on Pause" through December 20, 2020.

On December 18, 2020, Governor Raimondo [issued an order](#) "Protecting your Household" effective December 21, 2020 through January 19, 2021, which continues to advise all Rhode Island residents to stay home from 10:00 PM to 5:00 AM Sunday through Thursday and 10:30 PM to 5:00 AM Friday and Saturday unless traveling to or from work or school, traveling for medical treatment or obtaining necessities (food, medicine, gas, etc.). Rhode Island residents must wear a mask or face cloth covering when outside the home. The order imposes a self-quarantine upon return to Rhode Island after traveling, restrictions on indoor and outdoor social gatherings and venues of assembly (e.g., indoor venues limited to 25% occupancy and maximum of 125 people). Employees who are able to work remotely are required to do so. Restaurants may have indoor and outdoor service, and personal service businesses, gyms and sport facilities may operate with certain occupancy limitations.

Industry-Specific Guidance. Rhode Island provides guidance for the following sectors:

- [Garden Center](#) (e.g., enforce the CDC-recommended and state required social distancing of at least six feet and with no more than 5 people gathered together).
- [General Businesses](#) (e.g., all persons must wear a cloth face covering mask in accordance with RIDOH regulations).
- [Restaurants](#) (e.g., dining must be restricted to outdoor dining areas only) (Phase Two guidance also [available](#)).
- [Non-Critical Retail](#) (e.g., if a store permits in-person shopping, capacity is limited to 1 customer per 300 square feet of floor area; Phase Three guidance also [available](#)).
- [Critical Retail](#) (e.g., allow no more than 20% of stated fire capacity in the store at a time).

- [Childcare](#) (e.g., childcare must be carried in stable groups of ten children or fewer, with no more than a maximum group of twelve individuals in the home at the same time, including children, providers, assistants, and household members)
- [Gyms](#) (e.g., close communal areas, showers, and lockers rooms) (Phase Two guidance also available).
- [Golf Courses](#). (e.g., groups of five or more must not congregate anywhere on the property before or after playing).
- [Campgrounds & Drive-In Movie Theaters](#) (e.g., only units that are completely independent or self-contained are permitted to stay or be occupied at this time).
- [Salons & Barber Shops](#) (e.g., physical distancing indicators should be clearly marked on the floor, six feet apart).
- [Airports](#) (e.g., screening signage should be posted at the entrances and high traffic areas).
- [Bus Services](#) (e.g., arriving passengers on intercity buses should be informed of any quarantine restrictions in accordance with any relevant executive orders or RIDOH regulations through visual messaging).
- [Car & Van Transportation](#) (e.g., to maintain proper distance, passengers should refrain from sitting in the front of the vehicle).
- [Ferries](#) (e.g., capacity should be limited to 30% to 60% of the operating vessel's capacity (based on ridership demand, weather elements, and sea conditions).
- [Passenger Railroad Services](#) (e.g., all ticket sales should be done online whenever possible to eliminate the need for paper tickets and encourage cashless transactions).
- [Residential Realtors](#) (e.g., open house events may operate subject to the capacity limitation of no more than one person per 150 square feet of floor area).
- [Offices](#) (e.g., separate desks and workstations to ensure six feet of physical distancing).
- [Pools](#) (e.g., occupancy limits of any aquatic venue will be 15 people at maximum, including lifeguards and attendants).
- [Youth Sports](#) (e.g., participants are required to be organized in "stable groups" of a maximum of 15 people).
- [Outdoor Recreational Businesses](#) (e.g., recreational and historical/cultural operations are limited to outdoor activities with exceptions for ancillary indoor operations, bathroom access, general indoor business operations, and historical/cultural sites as described below).
- [Personal Services](#) (e.g., minimizing interactions when professionals are facing clients) (Phase Three guidance also [available](#)).

## South Carolina

**Closure Order.** South Carolina's [Executive Order](#) instructing all non-essential businesses to cease in-person operations and implementing stay-at-home and social distancing measures, was lifted on May 4, 2020.

**Reopening Plan.** Prior to fully lifting the Order, and as part of its [reopening plan](#), South Carolina began relaxing business closures. Beginning April 20, 2020, South Carolina [lifted](#) restrictions for any previously closed retail stores subject to certain limitations:

- [Emergency Maximum Occupancy Rate](#): The business shall limit the number of customers so as not to exceed five customers per 1,000 square feet of retail space, or 20% of occupancy limit as determined by the fire marshal, whichever is less.
- [Social Distancing Practices](#): The business shall not knowingly allow customers, patrons, or other guests to congregate within six feet one another, exclusive of family units.
- [Sanitation](#): The business shall implement all reasonable steps to comply with any applicable sanitation guidelines promulgated by the CDC, DHEC, or any other state or federal public health officials.

On April 21, 2020, public beach access points, piers, docks and wharfs reopened. Additionally, on May 4, 2020, South Carolina [lifted](#) the ban on on-premises dining to permit outdoor dining services. 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). As of May 22, 2020, close contact service providers, fitness and exercise centers and gyms, and recreational activities were all reopened, with certain industry guidelines. Youth and adult sports leagues were permitted to begin practicing on 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.

*Reopening Requirements.* The reopening plan provides guidelines to employers reopening their businesses. All employers should:

- Not knowingly allow customers to congregate within six feet of one another, excluding families.
- Follow relevant CDC and DHEC guidelines.
- Encourage employees to wear masks or cloth face coverings.
- Continue to encourage telework when feasible with business operations.
- Require those experiencing symptoms to stay home until they cease.

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.

*COVID-19 Resurgence: Additional Restrictions.* On November 25, 2020, Governor McMaster issued [Executive Order No. 2020-73](#) which modified previous emergency measures. This order requires counties and municipalities of South Carolina to implement appropriate and narrowly tailored emergency ordinances requiring individuals to wear facial coverings and to maintain social distancing. The order also restricts on-premises consumption of food and beverages by requiring social distancing between tables and touchless payments as well as

placing restrictions on gatherings. The Order was extended by [Executive Order No. 2020-75](#) on December 8, 2020 and again by [Executive Order No. 2020-77](#) on December 23, 2020.

*Industry-Specific Guidelines.* The reopening plan also includes requirements specific to:

- [Restaurants](#) (e.g., post signage on receiving door that no suppliers or vendors should enter if they have a fever or persistent cough).
- [Close-Contact Business](#) (e.g., install physical barriers to prevent spread, including workstation-barriers and sneeze guards).
- [Attractions](#) (e.g., adjust sales systems to account for modified attraction capacity).
- [Cosmetology Industry](#) (e.g., create and implement digital check-in process if possible).
- [Gyms](#) (e.g., staff and members will utilize one way entrance and exit).
- [Pools](#) (e.g., 20% occupancy limit).

## South Dakota

**Closure Order.** South Dakota's [Executive Order](#) regarding COVID-19 expired on May 2, 2020. The Order did not contain a stay-at-home requirement, nor a broad base closure of non-essential businesses. Instead, it recommended the suspension or modification of service of enclosed retail businesses that promote public gatherings (e.g., any enclosed facility, operating as a bar, restaurant, brewery, café, casino, coffee shop, recreational or athletic facility, health club, or entertainment venue). These enclosed retail businesses were encouraged to:

- Alter operations if their business required that 10 or more people be in an enclosed space with less than six feet of distance between them.
- Continue offering or consider offering business models that do not involve public gatherings including takeout, delivery, curbside and drive-through practices.
- Consider business arrangements and innovate ideas intended to support the critical infrastructure sectors.

**Reopening Plan.** South Dakota's [reopening plan](#) asking employers to begin transitioning employees back to the workplace went into effect on April 28, 2020.

*Reopening Requirements.* South Dakota's plan provides guidance for all employers operating during the pandemic, 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.

*Industry-Specific Requirements.* The [reopening plan](#) also provides specific guidance with respect to:

- 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 and continue innovating in this uncertain environment.
- Health Care Providers
  - Hospitals treating COVID-19 patients should reserve 30% of their hospital beds and maintain appropriate stores of PPE to meet surge demand.
  - Other hospitals and surgery centers must have updated transfer protocols and adequate stores of independently-sourced PPE.
  - Non-hospital healthcare can resume with adequate stores of independently sourced PPE.
  - Continue to restrict visits to senior care facilities and hospitals.
- Local Governments
  - Consider current and future actions in light of these guidelines.

### Tennessee

**Closure Order.** On March 30, 2020, Tennessee instituted [Executive Order No. 22](#) urging all persons in Tennessee to stay home and closing non-essential businesses beginning March 31, 2020 at 11:59 pm. On April 2, 2020, Tennessee instituted [Executive Order No. 23](#), amending its prior order to instead require Tennesseans to remain home outside of essential activities. The two orders were [repealed](#) effective April 29, 2020 at 12:01 am.

**Reopening Plan.** On April 28, 2020, Governor Bill Lee issued [Executive Order 30](#), effective April 29, 2020 at 12:01 am, permitting certain businesses to reopen. [Executive Order No. 33](#) permits businesses that perform close contact personal services to open as of May 6, 2020. Entertainment, recreational, and gathering venues were required to remain closed. Restaurants may operate with restrictions. [Executive Order No. 55](#) allows for the resumption of all sports (contact and non-contact) provided certain safety guidelines are followed.

**Reopening Requirements.** The [Tennessee Pledge: Reopening Tennessee Responsibly](#) plan recommends that the following health and safety measures be followed by all Tennessee businesses:

- General Employer Guidelines (based on CDC and OSHA guidelines)
  - Allow employees to work from home as much as possible.
  - Screen all employees reporting to work for COVID-19 symptoms.
  - Temperature screen employees.
  - Direct any employee who exhibits COVID-19 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
- General Employee Guidelines (based on CDC and OSHA guidelines)
  - 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.

**COVID-19 Resurgence: Additional Restrictions.** On September 29, 2020, Governor Lee instituted Executive Order No. 63 in order to “facilitate the continued response to COVID-19 and extend certain, targeted provisions.” In relevant part, this order urges persons of the State of Tennessee to maintain social distancing and to wear face coverings in public places. On December 20, 2020, Governor Lee instituted [Executive Order No. 70](#) which limits social and recreational gatherings in indoor public spaces (excluding places of worship, weddings and funerals) to less than 10 people and requires social distancing of at least 6 feet of separation at such gatherings.

*Industry-Specific Guidelines.* Tennessee's reopening plan provides advisory recommendations for the following industries:

- [Restaurants](#) (e.g., temperature screen employees, practice recommended social distancing).
- [Exercise Facility](#) (e.g., employees should wear face coverings).
- [Retail](#) (e.g., limit number of customer inside store if appropriate spacing between persons cannot be maintained).
- [Close Contact Personal Services](#) (e.g., prohibit use of customer waiting areas).
- [Lodging](#) (e.g., employers encouraged to take employee temperatures each day upon arrival at work).
- [Manufacturing](#) (e.g., employers recommended to use physical markers to reinforce distancing measures).
- [Construction](#) (e.g., encourage employees to bring individual water bottles instead of using common water cooler).
- [Office Building](#) (e.g., consider technology to facilitate working remotely as appropriate).
- [Non-Contact Recreation](#) (e.g., sanitize shared resources after each use).
- [Media Production](#) (e.g., employers should conduct casting virtually whenever possible).

## Texas

**Closure Order.** Beginning April 2, 2020 at 12:01 am, Texas's [Executive Order Implementing Essential Services and Activities Protocols](#) directed residents to minimize in-person contact except where necessary and closing non-essential businesses unable to operate remotely. The Order expired April 30, 2020.

**Reopening Plan.** On April 27, 2020, the Governor released his [Report to Open Texas](#).

**Phase One.** Texas allows businesses previously designated as non-essential to reopen on the following staggered schedule pursuant to [Executive Order No. GA-18](#):

- Beginning May 1, 2020 at 12:01 pm, pursuant to [Executive Order No. GA-18](#), retail stores, restaurants, movie theaters, malls, museums, and libraries were permitted to reopen with certain restrictions (e.g., 25% capacity limit until [May 19](#) in most counties).
- On May 8, close personal service providers (e.g., barbershops, nail salons) may reopen with restrictions, and on May 18, offices, gyms, and manufacturers may resume operation with restrictions.
- On May 8, [rural counties](#) with few COVID-19 laboratory confirmed cases may increase the capacity limit of retail stores, movie theaters, museums and libraries from 25% to 50%.

**Phase Two:** Texas allows additional businesses to open according to the following schedule for [Phase Two](#) pursuant to [Executive Order GA 23](#):

- [Effective May 18, 2020](#) at 12:01 am, services provided by office workers, manufacturing services and gyms may resume operation at 25% of their listed occupancy, and massage establishments, tattoo studios, any other personal care and beauty services that have not already reopened, and child-care services may reopen (except for in 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 open.
- [May 29, 2020](#): Services, as noted above, that must remain closed in certain counties may resume. Those counties include Deaf Smith, El Paso, Moore, Potter, and Randall counties. Zoos may also reopen statewide at 25% occupancy.
- [May 31, 2020](#): Professional sports, 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. Amusements parks and carnivals will also be permitted to operate at 50% capacity, but had to wait until June 19, 2020 to reopen.



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.

*Reopening Requirements.* As part of the reopening plan, Texas has issued a series of [Checklists](#) detailing the minimum recommended precautionary measures businesses should follow. For all employers, Texas recommends the following health protocols for employees and contractors:

- Train all employees on appropriate cleaning and disinfection, hand hygiene, and respiratory etiquette.
- Screen employees and contractors before coming into the business.
  - Send home any employee or contractor with COVID-19 symptoms
  - Do not allow employees or contractors with new or worsening COVID-19 signs or symptoms until certain criteria has been met.
  - Do not allow an employee or contractor with known close contact to a person who is lab-confirmed to have COVID-19 to return to work until the end of the 14 day self-quarantine period from the last date of exposure.
- Have employees and contractors wash or sanitize their hands upon entering the business.
- Have employees and contractors maintain at least six feet separation from other individuals. If such distancing is not feasible, other measures such as face covering, hand hygiene, cough etiquette, cleanliness, and sanitation should be rigorously practiced.
- If an employer provides a meal for employees and/or contractors, employers are recommended to have the meal individually packed for each individual.

- Consistent with the actions taken by many employers across the state, consider having all employees and contractors wear cloth face coverings (over the nose and mouth). If available, employees and contractors should consider wearing non-medical grade face masks.

The Report encourages the following health protocols for business facilities:

- If six feet of separation is not available between employees, contractors, and/or customers inside the facility, consider the use of engineering controls, such as dividers between individuals, to minimize the chances of transmission of COVID-19.
- Regularly and frequently clean and disinfect any regularly touched 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, contractors, and customers.
- Place readily visible signage at the business to remind everyone of best hygiene practices.
- For employers with more than 10 employees and/or contractors present at one time, consider having an individual wholly or partially dedicated to ensuring the health protocols adopted by the employer are being successfully implemented and followed.

*COVID-19 Resurgence: Additional Restrictions.* On September 17, 2020, Governor Abbott issued [Executive Order GA 30](#) which restricted occupancy to 50% of the total listed occupancy of the establishment (with exceptions for religious services, child-care, and youth camps). This order also restricted gathering in excess of 10 people and provided guidelines for restaurants. This order was superseded by [Executive Order GA 32](#), which lowered the occupancy limit to 75%.

*Industry-Specific Guidelines.* In addition to the above listed measures, Texas provides the following industry-specific checklists detailing required and suggested health measures:

- [Employers and Event Organizers](#) (e.g., conduct temperature checks on all employees and contractors at the beginning of their shift, where feasible).
- [Movie Theaters and Movie Theater Customers](#) (e.g., mandatory limit of up to 75% capacity per individual theater).
- [Restaurants](#) (e.g., mandatory limit of up to 75% capacity inside restaurants, no valet services except for disabled parking) and [Restaurant Patrons](#) (e.g., suggested six-foot separation from other individuals not within the same party).
- [Retailers](#) (e.g., mandatory limit of up to 75% capacity) and [retail customers](#) (e.g., suggested self-screening for symptoms prior to entering retail establishment).
- [Museums and Libraries](#) (e.g., mandatory limit of up to 75% capacity, mandatory closure components with interactive functions or exhibits).
- [Outdoor Sports Participants](#) (e.g., suggested self-screening for symptoms prior to engaging in outdoor sport).
- [Single-Person Offices](#) (e.g., suggested to regularly and frequently clean and disinfect regularly touched surfaces).
- [Nail Salons](#) (e.g., must ensure at least six feet between operating work stations).
- [Tanning Salons](#) (e.g., must ensure at least six feet between operating work stations).
- [Barber Shops](#) (e.g., must ensure at least six feet between operating work stations).
- [Cosmetology and Hair Salons](#) (e.g., must ensure at least six feet between operating work stations).

- [Manufacturers](#) (e.g., required occupancy limit of 75% of facility's total listed occupancy).
- [Office-Based Employers](#) (e.g., may only operate with greater of five individuals or 75% of the total office workforce).
- [Gyms](#) (e.g., required occupancy limit of 75% of facility's total listed occupancy).
- [Bars](#) (e.g., customers should not be permitted to loiter the bar or in commonly trafficked areas).
- [Bowling Alleys, Bingo Halls, Simulcasting and Skating Rinks](#) (e.g., individuals should avoid being in a group larger than 10 individuals).
- [Rodeo and Equestrian Events](#) (e.g., remote ticketing options encouraged).
- [Zoos, Aquariums and Natural Caverns](#) (e.g., train all staff on appropriate cleaning and disinfection, hand hygiene and respiratory etiquette).
- [Day Youth Camps Operators](#) (e.g., provide notice to parent or guardian that parent or guardian may choose to pick up camper or let camper remain at the camp when child at camp has tested positive for COVID-19).
- [Overnight Youth Camp Operators](#) (e.g., provide notice to parent or guardian that parent or guardian may choose to pick up camper or let camper remain at the camp when child at camp has tested positive for COVID-19).
- [Professional Sports Without In-Person Spectators](#) (e.g., each league must submit for approval by the Department of State Health Services a plan for incorporating minimum standard health protocols).
- [Youth Sports Operators](#) (e.g., provide notice to all parents and guardians of the enhanced risks of participants being in direct contact with anyone age 65 or older for 14 days after participating in a sport event or practice).
- [Amusement Park Operators](#) (e.g., may operate up to 75% of the normal operating limits).
- [Fine Arts Performance Halls](#) (e.g., may operate indoors up to 75% of total listed occupancy).
- [Media Productions](#) (e.g., limit the number of individuals indoors at any time to 75% of building's occupancy).
- [Outdoor Events](#) (e.g., individuals should avoid being in a group larger than 10 individuals).
- [Valet Parking](#) (e.g., vehicle door handles, ignition switch, steering wheel, and shift knob should be wiped with disinfectant at the start and end of every shift, as well as every hour during the shift).
- [Video Game Facilities](#) (e.g., disinfect any items that come into contact with customers after each use).

## Utah

**Closure Order.** While Utah never instituted a broad stay-at-home order closing all non-essential businesses, the Utah Directive, [Stay Safe, Stay Home](#), instructed individuals to stay home, including for work, as much as possible. This Directive expired on April 30, 2020. Additionally, the state created comprehensive reopening plan titled [Utah Leads Together](#), first announced on March 24, 2020. The plan and its accompanying [addendum](#) creates a four-phased system of restrictions on individuals and businesses. Until April 30, 2020, Utah was at Red (High Risk), which provided for closures of fitness facilities and dine-in restaurants, as well as operational restrictions on close personal service businesses (e.g., barbers, nail technicians). All employers were recommended to exercise extreme caution, such as implementing social distancing protocols, allowing remote work, and following strict hygiene standards. Businesses operating in Utah receive [statutory immunity](#) from state civil liability damages or injury resulting from exposure of an individual to COVID-19, except in the case of willful misconduct or reckless or intentional infliction of harm.

**Reopening Plan.** [Effective](#) May 1, 2020 at 12:01 am, Utah moved from Red (High Risk) to Orange (Moderate Risk). [Effective May 16](#), 2020 at 12:01am, certain counties moved to Yellow (Low Risk). [Effective May 27](#), 2020, most counties moved to Yellow (low risk). Subsequent executive orders are moving the state to Yellow (Low Risk) and Green (New Normal) on a county by county basis.

**Reopening Requirements.** Under the Orange (Moderate Risk) Phase, restaurants may open for dine-in services, pursuant to certain requirements. Additionally, employers [must comply](#) with following recommendations:

- Wear face coverings 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 20 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.
- Evaluate workforce strategy, concerns, and enact strategies to minimize economic impact.
- High contact businesses may operate under strict protocols.
- Provide accommodations to high-risk employees.
- Symptom checking in public and business interactions (checklist or verbal symptom checking).
- Design spaces to maintain six-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 out-of-state 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.

Yellow (Low Risk) Phase. Under the Yellow Phase, employers should continue to comply with the guidelines 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. Under the Green Phase, businesses should generally resume normal operations, although they should continue to take reasonable precautions, such as regularly disinfecting 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.

COVID-19 Resurgence: Additional Restrictions. On November 20, 2020, Governor Hebert issued [Executive Order 2020-25](#), which requires all employees to wear face covering, requires all businesses to place signage at the front of their establishments instructing employees or visitors experiencing COVID-19 symptoms to stay home, and requires businesses in “high transmission” areas to mandate six feet of social distance among patrons. This order was [extended](#) on December 8, 2020. Effective [October 30, 2020](#), Utah moved from a Phased Reopening plan to a Transmission Index, pursuant to which certain thresholds of disease transmission result in certain increased restrictions:

- Low Transmission Areas: No social gatherings of more than 50 people without face coverings
- Moderate Transmission Areas: No social gatherings of more than 25 people without face coverings; bar capacity limited to 75%
- High Transmission Areas: No social gatherings of more than 10 people without face coverings

On December 18, 2020, Utah issued [State Public Health Order 2020-27](#) which continued the application of certain restrictions to Low, Moderate and High Transmission Areas while implementing new state-wide restrictions regardless of transmission index designation. The new statewide restrictions require businesses to mandate that employees wear face masks and to post conspicuous signage listing symptoms of COVID-19, asking patrons with symptoms to stay home and providing face mask and physical distancing requirements. Additionally, all businesses in High Transmission Areas must require patrons to maintain six feet of distance.

*Industry Specific Guidelines.* In addition to publishing general employer [guidelines](#) and [best practices](#), Utah has published Yellow Phase guidelines for each of the following industries:

- [Restaurants](#) (e.g., symptom checking of employees, staff wear face coverings).
- [Retail](#) (e.g., maintain signage to remind and help individuals to stand at least six feet apart).
- [Hospitality, tourism, and accommodation](#) (e.g., social distancing maintained in all common areas or meeting rooms).
- [Events, cultural arts and entertainment](#) (e.g., six feet of distance between household groups while seated).
- [Personal services](#) (e.g., schedule appointments with sufficient time to clean and disinfect surfaces between services).
- [Home repair](#) (e.g., disinfect tools after each site).
- [Gyms and fitness centers](#) (e.g., patrons of different households to maintain 10 feet of distance at all times).
- [Construction, general contractors, and manufacturing](#) (e.g., share estimates, invoices, and other documentation electronically).
- [Childcare](#) (e.g., do not use toys that cannot be washed and disinfected).
- Healthcare (e.g., permit no more than one individual to accompany each patient).

## Vermont

**Closure Order.** Vermont has issued an [Executive Order](#), directing Vermonters to stay home and leave only for essential reasons beginning March 25, 2020 at 5:00 pm. The Order was in effect until midnight on May 15, 2020. Pursuant to the Order, only essential businesses are permitted to continue to operate. The Order requires that essential businesses develop procedures and practices, in strict adherence with the CDC and Vermont Department of Health guidance, to ensure social distancing, appropriate hygiene, regular cleaning and disinfecting, and keeping sick employees out of the workplace.

**Reopening Plan.** Effective April 20, 2020, [Phase One](#) of Vermont's reopening plan went into effect. Businesses primarily working outdoors (e.g., construction) and services operating with a single worker (e.g., attorneys) were permitted to operate with no more than two persons present at the same time. Additionally, retail was permitted to operate for curbside pickup or delivery. 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. Retail stores will be permitted to operate at 25% capacity beginning [May 18, 2020](#). Under [Addendum 15 to Executive Order 01-20](#), restaurants opened for outdoor dining on May 22, 2020. Salons and barbershops were permitted to open on May 29, 2020 subject to certain restrictions. Under [Addendum 16 to Executive order 01-20](#), 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. On July 24, 2020 Governor Scott issued [Executive Order 01-20](#) establishing a statewide facial covering requirement. [Executive Order 01-20](#) also directs businesses to implement measures notifying customers of the facial covering requirement, including posting signage and denying service to customers without a facial covering.

**Reopening Requirements.** Both essential and reopening businesses must abide by the following [requirements](#):

- Employees shall remain home if sick or symptomatic.
- Employees must observe strict social distancing of six feet while on the job. Businesses and non-profit or government entities shall ensure customers observe strict social distancing of six feet while on location, to the extent possible.
- Limit the occupancy of designated common areas so that occupants maintain strict social distancing of no less than six feet per individual. The employer shall enforce the occupancy limit and require employees to wipe down their area after use or shall ensure cleaning of the common areas at regular intervals throughout the day.
- Employees must wear face coverings over their nose and mouth when in the presence of others. In the case of retail cashiers, a translucent shield or "sneeze guard" is acceptable in lieu of a mask. Businesses and non-profit and government entities may require customers or clients to wear masks.
- Employees must have easy and frequent access to soap and water or hand sanitizer during duration of work, and handwashing or hand sanitization is required frequently including before entering, and leaving, job sites.
- All common spaces (when open) and equipment, including bathrooms, frequently touched surfaces and doors, tools and equipment, and vehicles must be cleaned regularly and, when possible, prior to transfer from one person to another, in accordance with CDC guidance.



- Prior to the commencement of each work shift, require pre-screening and health survey 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 two 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. This person shall have the authority to stop or modify activities to ensure work conforms with the mandatory health and safety requirements.
- All business, non-profit and government operations must use remote work whenever possible.
- All employees, including those already working (except healthcare workers, first responders, and others already trained in infection control, personal protection/universal precautions), must complete, and employers must document, 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. Employers who need translations of the training materials have until May 11, 2020.
- All lodging and accommodation businesses, as well as any other businesses that have been closed for 7 or more days during the state of emergency, must complete and keep on file a [reopening and training plan](#) (businesses with fewer than 10 employees at any physical location are not required to create such a plan).
- All businesses with 10 or more employees that closed for 7 or more days during the pandemic must complete and keep on file a reopening and training plan.
- Employees who travel outside of the state must quarantine upon their return.

Additionally, while not required, Vermont recommends the following additional health and safety considerations:

- Use of shared workspaces, desks, offices, etc., is discouraged to the maximum extent practicable.
- Face-to-face staff meetings should be limited, and physical distancing must be observed.
- Consider staggered work shifts, break times, etc., and expanding hours to reduce number of individuals working together and reduce contact with members of the public.
- To the extent possible, provide access to hand washing and/or hand sanitizer for vendors, and customers.
- Limit staff travel between multiple sites.
- Ensure a safe process to receive supplies and deliveries.
- Consider accommodations for employees at higher risk from COVID-19 infection (as currently defined by the CDC) to work remotely or have job tasks that minimize public interaction.



*COVID-19 Resurgence: Additional Restrictions.* Effective [November 14, 2020](#), Governor Phillip Scott issued Addendum 8 to Amended and Restated Executive Order 01-20, pursuant to which all businesses, non-profit and government entities should reinstate, to the maximum extent possible, telecommunicating or work from home procedures. Additionally, the Order requires restaurants to close at 10:00p.m. for in-person dining, limits bars to the provision of only curbside service, and requires all restaurants and other public accommodations hosting non-essential activities to maintain a contact log of employees, customers, members and guests. Effective [December 15, 2020](#), Governor Phillip Scott issued Addendum 9 to Amended and Restated Executive Order 01-20, which requires the size of in-person gatherings to be limited, the closure of schools and the institution of remote learning through the end of the 2019-2020 school year, the postponement of non-essential medical and surgical procedures, and the suspension of close-contact businesses.

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

- [Low or No-Contact Professional Services](#) (e.g., remote work is required whenever possible; operators must maintain a log of customers and their contact information for 30 days)
- [Manufacturing, Construction and Distribution Operations](#) (e.g., operations that ceased for more than seven days may restart with as few employees as necessary to permit full operations while maintaining compliance with mandatory health and safety requirements).
- [Outdoor Recreation Businesses, Facilities, Operations](#) (e.g., limit gatherings to 10 people or less).
- [Retail Operations](#) (e.g., occupancy limited to the greater of 50% of approved fire safety occupancy, one customer per 200 square feet or 10 total customers and staff combined).
- [Drive-In Operations](#) (e.g., vehicles must be spaced a minimum of six feet apart).
- [Lodging, Campgrounds and Other Accommodations](#) (e.g., occupancy limit of 50% of rooms or sites or have a total of 25 guest and staff on property – whichever is greater).
- [Restaurants](#) (e.g., indoor operations are limited to 25% of approved fire safety occupancy; reservations or call ahead seating is required; bars and clubs closed for in-person service).
- [Close Contact Business](#) (e.g., operations limited to 25% of approved fire safety occupancy or 1 customer per 200 square feet; must maintain log of all persons and their contact information for 30 days).
- [Overnight Summer Camps](#) (e.g., operations limited to 75% of bed capacity).
- [Indoor Arts, Culture, & Entertainment](#) (e.g., limit staff travel between multiple sites; physical distancing by household).
- [Dental Procedures](#) (e.g., adopt a written plan for the periodic PCR testing of dental health care professionals and staff).
- [Sports](#) (e.g., effective at 10 p.m., November 14, 2020, all indoor and outdoor organized sports are suspended until further notice ).
- [Large Outdoor Event Venues](#) (e.g., large outdoor venues can exceed the 150-person limit in a single venue by physically separating patrons in group sizes that fall below the person limit).

## Virginia

**Closure Order.** Virginia instituted [Executive Order Number Fifth-Three](#), prohibiting all public and private in-person gatherings of 10 or more individuals and ordering the closure of recreational and entertainment businesses (e.g., beauty salons and barbershops, gyms, theaters). The Order expired May 14, 2020.

Non-essential retail businesses are permitted to operate with no more than 10 patrons per establishment beginning 11:59 pm on March 24, 2020. Additionally, to the extent possible, businesses shall adhere to social distancing recommendations, enhanced sanitizing practices on common surfaces, and other appropriate workplace guidance from state and federal authorities while in operation. Businesses should also use telework as much as possible.

**Reopening Plan.** Governor Ralph Northam has announced a [multi-phased reopening plan](#). Governor Northam issued [Executive Order Number Sixty-One](#), which permitted Phase One of the reopening plan to begin in most of the state at 12:00 am on May 15, 2020. The remaining localities in Northern Virginia reopened May 29, 2020. With the exception of Richmond and Northern Virginia, the state entered Phase Two on [June 5, 2020](#). Northern Virginia and Richmond entered Phase Two on [June 12, 2020](#). Phase Three began on July 1, 2020.

During Phase One, most businesses are allowed to reopen in some capacity, although the following 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.

### Reopening Requirements.

Phase One: In-persons gatherings of ten or more individuals remain banned during Phase One, and the state has issued advisory guidelines applicable to all businesses during [Phase One](#), including the below.

- Establish policies and practices for physical distancing between co-workers and members of the public.
- Encourage teleworking whenever possible.
- Where possible, employees and customers should utilize face coverings.
- Practice routine cleaning and disinfection of high contact areas and hard surfaces (e.g., check out stations, payment pads, door knobs)

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 is expected to enter Phase Two on [June 12, 2020](#). In this phase, gatherings of up to 50 people will be permitted and following businesses may reopen subject to certain restrictions:

- Restaurants for indoor service at 50% capacity.
- Gyms & 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 Two: The state has issued guidelines applicable to all businesses during [Phase Two](#), including the below:

- Establish policies and practices for physical distancing between co-workers and between members of the public
- Encourage teleworking whenever possible.
- Practice routine cleaning and disinfecting of high contact areas and hard surfaces.
- Provide best hygiene practices to employees on a regular basis.

Governor Northam entered [Phase Three](#) on July 1, 2020. Teleworking, social distancing, and face mask guidelines remain unchanged in Phase Three, but capacity limits lifted for restaurants, bars, and retail. The capacity limit for gyms and swimming pools increased to 75%. Entertainment businesses may reopen at 50% capacity, including businesses like museums, outdoor venues, and zoos. Horses and other livestock shows may resume subject to certain social distancing restrictions. Groups of up to 250 are permitted. However, on June 30, 2020, Governor Northam announced that bar seating and congregating areas will 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.

COVID-19 Resurgence: Additional Restrictions. Effective [November 16, 2020](#), Governor Ralph Northam adopted Executive Order Sixth Amended Number Sixty-Seven, which provides that no alcoholic beverages may be sold, consumed or possessed on premises after 10:00pm in any restaurant and requires all restaurants to close between 12am and 5am. All parties at restaurants must maintain six feet of separation, and restaurant employees working in customer-facing areas must wear face coverings. Brick and mortar retail stores and personal grooming services may continue to operate so long as patrons maintain six feet of distance. Fitness facilities are limited to 75% capacity and employees must wear face coverings. Effective [December 14, 2020](#), Governor Ralph Northam adopted Executive Order Number Seventy-Two, which provides that facilities must provide hand sanitizer at food lines and require the use of barriers (e.g., gloves or deli paper) when employees or patrons touch common utensils and patrons must wear face coverings, except while eating or drinking.

Industry-Specific Requirements. Appended to the [guidelines](#) applicable to all businesses during Phase One are industry-specific guidelines, many of which are mandatory, for the following types of businesses:

- Restaurants (p. 5; e.g., 50% occupancy limit).
- Farmers markets (p. 10; e.g., employees must wear face coverings).
- Non-essential retail (p. 13; e.g., 50% occupancy limit).
- Fitness (p. 16; e.g., ten feet of distance between patrons using equipment).

- Personal care and grooming (p. 18; e.g., staggered appointments).
- Campgrounds and overnight camps (p. 21; e.g., closure of pavilions and picnic areas).

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

- Restaurants (p. 9 ; e.g., 50% occupancy limit).
- Farmers markets (p. 14; e.g., post signage to provide public health reminders).
- Non-essential retail (p. 17; e.g., 50% occupancy limit).
- Fitness (p. 20; e.g., 30% occupancy limit).
- Swimming pools (p. 23; e.g., hot tubs, spas, saunas, splash pads, spray pools and interactive play features must remain closed).
- Recreational sports (p. 25; e.g., 50% occupancy limit for outdoor sports events).
- Personal care and grooming (p. 27; e.g., staggered appointments).
- Campgrounds and overnight camps (p. 30; e.g., no gatherings of more than 50 people).
- Entertainment and Public Amusement (p. 32; e.g., create a guest flow plan of modified queue lines to and within the facility).

## Washington

**Closure Order.** Washington adopted [Proclamation 20-25, Stay Home – Stay Healthy](#), requiring non-essential businesses to cease on-premises operations. On April 24, 2020, Governor Inslee [announced](#) that certain construction projects could resume subject to several restrictions. All operating businesses must implement social distancing and sanitations guidelines from OSHA and the [Washington State Department of Health](#). The Order was extended through May 31, 2020.

**Reopening Plan.** A [four phase reopening plan](#) began May 5, 2020 pursuant to [Executive Order 20-25.3](#), which each phase expected to last approximately three weeks. Counties are currently interspersed across a modified Phase One, Phase Two, and Phase Three.

*Reopening Requirements.* Employers of reopening businesses must comply with industry-specific guidance 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). Effective [June 8, 2020](#), all workers are required to wear facial coverings unless they have no in-person interactions. On June 24, 2020, Governor Inslee [announced](#) a statewide mask mandate requiring cloth coverings in most public areas.

Phase One. During Phase One, most of the restrictions under [the Stay Home – Stay Healthy Order](#) will remain. During this phase, the following businesses and activities are permitted to resume:

- Solitary outdoor recreation (hunting, fishing, golf, boating, hiking).
- Landscaping.
- Automobile sales.
- Car washes.
- Pet walkers.
- Retail (for curbside pick-up orders only).
- Existing construction projects (subject to [industry-specific limitations](#)).
- Essential businesses under the Stay Home – Stay Healthy Order.

Modified Phase One. Counties that have not fully met the requirements to enter Phase Two may enter into a [Modified Phase One](#), which includes the following Phase Two activities with the specific modifications to the health and safety requirements listed below:

- Recreation and fitness: Only allowed outdoor with 5 (not including the instructor) or fewer people outside of household.
- Manufacturing operations: As outlined in Phase 2 guidance.
- Real estate: 25% of building occupancy; Indoor services limited to 30 minutes.
- In-store Retail: 15% of building occupancy; Indoor services limited to 30 minutes.
- Personal Services: 25% of building occupancy.
- Professional services: 25% of building occupancy; Indoor services limited to 30 minutes for customers.
- Photography: As outlined in Phase 2 guidance.

- Pet grooming: 25% of building occupancy.
- Restaurants: No indoor dining allowing; outdoor dining is permitted but seating at 50% of existing outdoor capacity.

Phase Two. Several counties have received [approval](#) to enter Phase Two. The following additional businesses and businesses may operate during Phase Two:

- All outdoor recreation involving fewer than five people.
- All remaining manufacturing (subject to certain [restrictions](#)).
- New construction projects.
- In-home / domestic services (e.g., nannies, housecleaning, etc.).
- Retail (for in-store purchased subject to certain [restrictions](#)).
- Real estate (subject to certain [restrictions](#)).
- Professional services / office-based business (telework remains strongly encouraged and further [limitations](#)).
- Hair and nail salons / barbers (subject to [industry-specific limitations](#)).
- Housecleaning.
- Restaurants (subject to a 50% occupancy limit and with table sizes no larger than five and further [limitations](#)).
- Indoor fitness studios providing private instruction (subject to certain [restrictions](#)).

Phase Three. Several counties have entered Phase Three, and all counties may apply to enter Phase Three after being in Phase Two 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 10).
- 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 made an announcement that 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. Under Phase Four, most of the remaining business restrictions end and the following may resume:

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

COVID-19 Resurgence: Additional Restrictions. On [December 10, 2020](#), Governor Inslee issued modifications to existing phased prohibitions, with respect to indoor social gatherings, outdoor social gatherings, restaurants and bars, bowling centers, movie theaters, in-store retail, real estate and religious services.

Industry-Specific Requirements. Washington provides additional requirements for businesses in the following industries:

- [Restaurants](#) (e.g., no bar seating permitted).
- [Existing Construction Projects](#) (e.g., post safety requirements visibly at each job site).
- [Personal Service Providers](#) (e.g., screen employee-service providers for signs/symptoms of COVID-19).
- [Manufacturing](#) (e.g., educate workers in a language they can understand about coronavirus).
- [In-Store Retail](#) (e.g., arrange contactless pay options wherever possible).
- [Professional Services](#) (e.g., ensure frequent and adequate handwashing).
- [Construction](#) (e.g., all contractors required to develop for each job site a comprehensive exposure control, mitigation and recovery plan).
- [Professional Photography](#) (e.g., appointments required for all clients).
- [Pet Grooming](#) (e.g., ensure frequent and adequate hand washing).
- [Real Estate](#) (e.g., establish a housekeeping schedule that includes frequent cleaning and sanitizing).
- [Fitness & Training](#) (e.g., cloth facial coverings must be worn by every employee not working alone).
- [Higher Education and Critical Workforce Training](#) (e.g., must develop and post a comprehensive COVID-19 exposure control, mitigation, and recovery plan).
- [Agricultural Guidance](#) (e.g., employers are required to ensure that employees have clean face coverings on a daily basis).
- [Domestic Services](#) (e.g., employers must adopt a written procedure for worker safety and customer interaction).
- [Outdoor Recreation](#) and [Golf](#) (e.g. designate a site-specific COVID-19 Supervisor)
- [Card Rooms](#) (e.g., indoor card rooms are prohibited until Phase 4).

## West Virginia

**Closure Order.** West Virginia enacted [Executive Order No. 9-20](#), directing all residents to stay home and closing non-essential businesses and operations. The Order was repealed on May 4, 2020, at 12:01 am by [Executive Order No. 32-20](#).

**Reopening Plan.** On April 27, 2020, Governor Jim Justice unveiled his comprehensive plan to reopen various aspects and its economy entitled [West Virginia Strong – The Comeback](#). Week One of the plan began on April 30, 2020.

Week One. As part of Week One, the following reopening measures occurred:

- 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. Week Two began May 4, 2020, and the following reopening measures occurred, provided that re-opening businesses implement physical distancing, sanitation measures, and use of 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. Week Three began May 11, 2020, and the following reopening measures occurred:

- Wellness centers operated by or with West Virginia Licensed Health Care providers can open.
- Drive in movie theaters can open.
- Outdoor guided fishing can resume (effective May 15, 2020).
- Fitness Centers, Gymnasiums and Recreations Centers (effective May 18, 2020).

Week Four. Week Four is expected to begin May 21, 2020, which will include the following reopening measures:

- Indoor dining at restaurants can resume at 50% capacity.
- Large/specialty retail stores can open.



- State park campgrounds open to in-state residents.
- Hatfield McCoy Trail System can open.
- Outdoor recreation rentals (e.g., kayaks, bicycles, boats) may resume.
- Outdoor motorsport and power sport racing may resume with no spectators.
- Indoor shopping malls and similar facilities.

Week Five. During Week Five, additional businesses were gradually able to resume, including the following:

- Spas and massage parlors (effective May 30, 2020).
- Bars at 50% capacity (effective May 26, 2020).
- Museums, zoos and visitor centers (effective May 26, 2020).

Weeks Six and Seven. During Weeks Six and Seven, the following businesses were able to resume:

- Movie theaters and casinos reopened (effective June 5, 2020).
- Low-contact outdoor youth sports and adult sport facilities may reopen (effective June 8, 2020).
- Private campgrounds, cabins, and lodges may open to out of state guests (effective 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, the following businesses were able to resume:

- Motorsport and powersport racing.
- 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](#).

COVID-19 Resurgence: Additional Restrictions. West Virginia has not instituted renewed closures or capacity limits, but the Governor has issued [Executive Order 77-20](#) increasing face covering requirements. Under the Order, face coverings must be worn in confined, indoor spaces where individuals from outside one's household are present, even if social distancing can be maintained. Businesses must post signage about the rule and enforce it on their premises. The Order took effect November 14, 2020.

Industry-Specific Requirements. West Virginia provides additional suggested guidance for the following industries:

- [Small Businesses with fewer than 10 employees](#) (e.g., screen employees daily for COVID-19 symptoms).
- [Restaurants](#) (e.g., do not allow patrons to congregate in waiting areas).

- [Religious entities and funeral homes](#) (e.g., adding additional service time to facilitate proper distancing).
- [Drive in movie theaters](#) (e.g., at least six feet of separation between vehicles).
- [Large retail stores](#) (e.g., temperature check all employees).
- [Outdoor recreation rentals](#) (e.g., encouraged to provide all guests with masks upon arrival).
- [Fitness Centers](#) (e.g., limit facility occupancy to 40% of capacity as dictated by the fire code).
- [Casinos](#) (e.g., limit facility occupancy to 50% of capacity as dictated by fire code).
- [Movie Theaters](#) (e.g., limit facility occupancy to 50% of capacity as dictated by seating capacity or limit facility capacity to maximum capacity that would allow for appropriate social distancing).
- [Low-Contact Sports](#) (e.g., manage the number of players, participants and spectators to ensure proper social distancing).
- [Bingo Halls](#) (e.g., limit facility occupancy to a maximum capacity that will allow for proper social distancing).
- [Festivals and Fairs](#) (e.g., consider traffic flow and occupancy limitations).
- [Motorsports & Powersports](#) (e.g., discourage shared equipment among participants).
- [Summer Camps](#) (e.g., limit or cancel fieldtrips to the greatest extent possible).
- [Fairs, Festivals, & Amusement Parks](#) (e.g., fairs, concerts and similar businesses must remain closed).

## Wisconsin

**Closure Order.** Wisconsin enacted [Emergency Order #12](#), instructing all individuals to stay home beginning 8:00 am on March 25, 2020 and closing non-essential businesses. The Order was set to [expire](#) at May 26, 2020 at 8:00 am. Essential businesses and non-essential businesses undertaking minimum basic operations must comply with social distancing requirements, which include:

- Keeping six feet of distance between individuals.
- Washing hands with soap and water or hand sanitizer as frequently as possible.
- Covering coughs or sneezes.
- Regularly cleaning high-touch surfaces.
- Not shaking hands.
- Following all other public health recommendations issued by [Wisconsin Department of Health Services](#) and the CDC.
- Using remote working as much as possible.

**Reopening Plan.** On April 20, 2020, Wisconsin issued [Emergency Order 31](#) which announced [Badger Bounce Back](#), a phased reopening plan gradually lifting restrictions. 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](#), all standalone or strip-mall based retail stores may offer in-person shopping for up to customers at a time while maintaining required social distancing practices. [Effective May 13, 2020](#), the Supreme Court of Wisconsin struck down [Emergency Order #12](#); all businesses may reopen unless otherwise [provided](#) by local law. The Court specifically stated that its ruling did not impact [Emergency Order 31](#), though it is unclear what effect, if any, the re-opening order will have moving forward. Local restrictions on the reopening of businesses remain in effect.

**Reopening Requirements.** During all phases, employers are encouraged to follow the state's [general guidance](#) for reopening businesses:

- Inform and educate workers and customers about best practices
- Put social distancing policies in place (e.g., consider marking floors to guide spacing of six feet apart)
- Train workers who need to use PPE on how to use it
- Temperature check and/or symptom screen
- Sanitize and disinfect high-traffic areas
- Encourage frequent handwashing
- Assess leave policies for quarantined/isolated workers and workers caring for sick family members
- Identify and isolate newly ill people

**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 permitted all business activity and gatherings to resume with only minimal protective and preventative measures in place for the general public and more protective measures in place for vulnerable populations. From October 8, 2020 through November 6, 2020, [Emergency Order #3](#) limited public gatherings to 25% of maximum occupancy, or 10 individual where no legal maximum occupancy applies.

COVID-19 Resurgence: Additional Restrictions. On November 10, 2020, Governor Tony Evers issued [Executive Order #94](#), which recommends that individuals stay home as much as possible and take precautions when leaving their home. It also recommends that businesses limit staff, require masks, avoid staff congregating, increase airflow, adopt policies to avoid individuals with COVID-19 symptoms from coming to the workplace, post signage about COVID-19, enhance cleaning policies, and avoid in-person customer contact where possible. The order does not include any requirements. Wisconsin has also adopted an [individual face covering requirement](#) that applies whenever individuals are indoors in a public setting with individuals from outside of their household. Face masks are strongly recommended when outdoors and social distancing cannot be maintained.

Industry-Specific Requirements. Reopening businesses are encouraged to follow the best practices listed below.

- [Agriculture](#) (e.g., employees to maintain six feet of distance whenever possible).
- [Construction](#) (e.g., consider staggering workdays and start times).
- [Entertainment and Amusement](#) (e.g., maintain adequate supply of paper goods, soap and hand sanitizer for employees and customers).
- [Gyms and Fitness Centers](#) (e.g., regularly disinfect frequently touched equipment).
- [Hair and Nail Salons](#) (e.g., employees wash hands between each client).
- [Hospitality and Lodging](#) (e.g., provide training for housekeeping employees for proper handling of linens and cleaning and disinfecting supplies).
- [Manufacturing](#) (e.g., increase ventilation rates).
- [Professional Services](#) (e.g., allow employees to work from home if possible).
- [Restaurants](#) (e.g., adjust menu offerings and kitchen workflows to allow employees to maintain six feet of distance).
- [Retail](#) (e.g., post signage at checkouts reminding customers of social distancing recommendations).

## Wyoming

**Closure Order.** While Wyoming did not issue a stay-at-home order or an order broadly closing businesses, on March 19, 2020, it did issue a [Statewide Public Health Order](#) closing select businesses, such as dine-in restaurants, bars, gymnasiums, and theaters. The Order expired on April 30, 2020. Additionally, pursuant to [a separate Statewide Public Health Order](#), no public gatherings of 10 or more people are permitted until at least May 15, 2020, with certain exceptions.

**Reopening Plan.** On April 28, 2020, the Wyoming Department of Health issued an order that [gyms and child care facilities](#) would be authorized to reopen on May 1, 2020 under certain conditions. They also issued an order allowing [nail salons, barber shops, and other personal care services](#) to open, which was replaced with a new [order](#) on May 13, 2020. On May 13, 2020, the Wyoming Department of Health also issued orders [allowing gatherings of up to 25 people](#) and [the opening of bars, restaurants and other places of public accommodation that serve food or beverages](#). On June 10, 2020, the Department of Health issued orders [allowing indoor gatherings of up to 50 people \(250 people for indoor public events such as rodeos or sporting events\)](#) and [no longer requiring personal care services to operate by appointment only](#). On July 28, the Wyoming Department of Health issued an order [prohibiting most indoor gatherings of more than 50 people](#).

*Requirements for Businesses to Reopen.* The Wyoming Department of Health encourages following CDC advice and taking precautions such as the use of [facemasks](#); however, there are no widespread requirement on all operating businesses.

*COVID-19 Resurgence: Additional Restrictions.* Wyoming has issued several [statewide public health orders](#) with new restrictions related to COVID-19 as of January 2, 2021. The state has further limited indoor gatherings to no more than 10 people. Individuals must wear face masks when inside businesses and government buildings, healthcare centers, and transportation. Businesses must post signage noting the face mask requirement.

*Industry-Specific Guidelines.* Wyoming has issued orders containing requirements certain industries must follow:

- [Personal Care Services](#) (e.g., keep six feet of difference between patron stations ).
- [Gyms](#) (e.g., facility must maintain customer use records for the purpose of contact tracing).
- [Child care facilities](#) (e.g., all must wash hands with soap and water upon arrival to the facility).
- [Restaurants and Bars](#) (e.g., physical distancing guidelines must be maintained while customers enter and remain on premises).

\* \* \*

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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