



COVID-19 Update

May 4, 2020 (updated)

Ohio Launches Responsible RestartOhio Plan; UPDATED: Stay Safe Ohio Order Issued

Key Notes:

- Governor and Department of Health announce phased reopening of Ohio businesses from May 1 through May 12.
- Several categories of businesses remain closed, including salons, gyms and bars; in-restaurant dining still prohibited.
- After some back-and-forth, face coverings are required for employees, with some exceptions, and optional, but highly recommended, for guests.

On April 27, Ohio Governor Mike DeWine announced details of the [Responsible RestartOhio plan](#) to phase in a relaxing of the Amended Stay-at-Home Order issued on April 2 by Ohio Department of Health Director Dr. Amy Acton and set to expire at 11:59 p.m. on May 1.

That plan was codified on April 30 with the Director's [Stay Safe Ohio Order](#), which remains in effect until 11:59 p.m. on May 29.

Under Stay Safe Ohio, there are three key dates: May 1 (allowing certain elective health care procedures to resume), May 4 (reopening construction, distribution and manufacturing facilities as well as general business offices) and May 12 (reopening retail and service businesses). However, several categories of business must remain closed for in-person services, including bars, restaurants, gyms and salons.

There are five "safe business practices" for all businesses to follow as they reopen:

- Requiring face coverings for all employees (with certain exceptions) and recommending them for customers and guests.
- Conducting daily health assessments, either by the employer or employee self-evaluation (take temperature and monitor for fever, coughing or trouble breathing).
- Maintaining good hygiene by washing hands, sanitizing and practicing social distancing.
- Cleaning and sanitizing workspaces thoroughly.
- Limiting capacity to 50% of fire code and require appointments where possible.

Facial coverings are required for all employees in businesses that are permitted to open, unless:

- Wearing one is prohibited by law or regulation.
- Wearing one violates documented industry standards.
- Wearing one violates the business's safety policies.
- Wearing one is not advisable for health reasons.
- The employee works alone in an assigned work area.
- There is a functional reason for the employee not to wear the facial covering.

A business must provide a written justification upon request explaining why an employee is not required to wear a facial covering.

Following are some of the additional, sector-specific details of Stay Safe Ohio.

May 1: Health Care Procedures

The first restriction lifted pertains to elective health care and dental procedures. Those not requiring an overnight hospital stay may resume on May 1.

May 4: Construction, Distribution and Manufacturing Businesses

Construction, distribution and manufacturing businesses that were required to suspend operations when the Stay-at-Home Order was announced on March 22 may resume operations on May 4. However, due to the ongoing threat of COVID-19, businesses opening on May 4 and those that have remained open throughout the crisis will be subject to strict mandatory guidelines, which include:

- Ensuring a minimum of 6 feet between people (including spacing factory floors to allow for distancing) and installing barriers if that is not possible.
- Establishing maximum capacity and regulating the number of people allowed to be in common areas.
- Staggering or limiting arrivals of employees and guests.
- Allowing personnel to work from home if possible.
- Changing or limiting shift patterns.
- Staggering meal and break times.
- Having employees perform daily symptom checks (take temperature, monitor for coughing and/or trouble breathing) and stay home if symptomatic.
- Requiring regular handwashing.
- Disinfecting desks and workstations daily and deep disinfecting high-contact surfaces.
- Regulating the maximum occupancy for common areas.

Recommended best practices include:

- Recommending that guests wear face coverings.
- Giving employees stipends for private transportation.
- Reducing pace to allow fewer full-time employees per line.
- Splitting into sub-teams and limiting contact across sub-teams.
- Closing common areas such as cafeterias.
- Performing a daily deep disinfection of the entire facility.

May 4: General Office Environments

Governor DeWine set forth similar mandatory practices for offices to implement, including:

- Ensuring a minimum of 6 feet between people (including spacing workstations to allow for distancing) and installing barriers if that is not possible.

- Having employees perform daily symptom assessments and requiring them to stay home if symptomatic.
- Establishing maximum capacity.
- Placing hand sanitizer in high-contact areas.
- Allowing personnel to work from home if possible.
- Staggering arrivals of employees and guests.
- Limiting travel.
- Reducing sharing of work materials.
- Requiring regular handwashing.
- Disinfecting desks and workstations frequently and disinfecting common areas daily.
- Using disposable tableware.
- Prohibiting buffets in cafeteria spaces.
- Canceling or postponing in-person events where social distancing cannot be achieved.
- Posting health safety guidelines signage in common areas.

Additional recommended best practices include:

- Ensuring seating distance of 6 feet or more with guests.
- Recommending that guests wear face coverings.
- Enabling natural workplace ventilation.
- Providing a health questionnaire regarding symptoms at entry.
- Setting a protocol for taking temperatures.
- Redesigning workspaces to provide 6 feet or more of distance.
- Limiting gatherings in the office space.
- Closing common areas and cafeterias or cleaning them regularly.
- Rotating shifts of essential staff.
- Maintaining three weeks' worth of cleaning supplies.

May 12: Consumer, Retail and Service Businesses

The third phase allows many consumer, retail and service businesses to reopen on May 12. The mandatory practices for these businesses include:

- Ensuring a minimum of 6 feet between people and installing barriers to protect employees and guests if that is not possible.
- Having employees perform daily symptom assessments and requiring them to stay home if symptomatic.
- Placing hand sanitizer in high-contact areas.
- Cleaning high-touch items after each use.
- Establishing maximum capacity.
- Posting social distancing signage.

- Disinfecting high-contact surfaces hourly.
- Cleaning merchandise before stocking if possible.
- Closing food courts and discontinuing product samples and self-service food stations.

There are restrictions on customers and guests, including:

- Specifying hours for at-risk populations.
- Asking symptomatic customers to stay home.
- Staggering entry of customers and guests.

Other recommended best practices include:

- Recommending that customers wear face coverings.
- Grouping employees by shift.
- Providing face coverings to customers and guests upon entry.
- Providing a health questionnaire regarding symptoms at the entry point.
- Suspending return policies.
- Accepting customers by appointment only.
- Using contactless payment methods.
- Using floor markers to space customers.
- Closing weekly for deep cleaning.
- Increasing capacity for delivery and curbside pickup.

General Checklist for All Businesses

The Stay Safe Ohio Order provides additional actions all businesses should take to maintain safe workplaces, including:

- Encouraging employees to work from home.
- Encouraging sick employees to remain home until they are fever free, their symptoms improve for 72 hours and it has been seven days since their symptoms began.
- Updating sick leave policies.
- Separating employees who show signs of respiratory illness and sending them home, restricting their access until they are well.
- Reinforcing key messages, including stay home when sick and practice good hand hygiene, and placing posters in areas where they are likely to be seen.
- Providing supplies such as soap, water and hand sanitizer.
- Performing enhanced cleaning of commonly touched surfaces.

- Being prepared to change business practices to maintain critical operations.
- Complying with social distancing guidance from the CDC and Ohio Department of Health.

Confirmed Case Protocols

Stay Safe Ohio mandates businesses to immediately isolate any individual who develops COVID-19 symptoms while at work and have him/her seek medical care; contact the local health department regarding potential exposures; and shut down the shop or floor for deep sanitation if possible.

Businesses are encouraged to work with local health departments to identify potentially infected or exposed individuals to facilitate contact tracing. When testing is readily available, they should test anyone suspected of being infected or exposed and contact the local health department to initiate appropriate care and tracing once testing is completed.

Businesses Required to Remain Closed

The following businesses are *excluded* and must remain closed to the public until a not yet announced later date:

- Schools and daycares
- Dine-in restaurants and bars
- Personal appearance/beauty services (i.e., hair and nail salons, tattoo parlors, massage therapy locations)
- Entertainment, amusement, recreation, fitness centers and gymnasium sites (i.e., zoos, parades, fairs, festivals and carnivals, country and social clubs, movie theaters, pools, day camps)
- Older adult daycare services and senior centers
- Adult day support or vocational rehabilitation services in group settings
- Rooming and boarding houses and workers' camps

Keep Abreast of What's Next

Thompson Hine is hosting a series of webinars focused on what to expect as businesses are allowed to reopen. Please visit our [COVID-19 Task Force page](#) for details on these webinars and other information and resources.

FOR MORE INFORMATION

For more information, please contact:

Jeffrey R. Appelbaum

216.566.5548

Jeff.Appelbaum@ThompsonHine.com

Stephanie M. Chmiel

614.469.3247

Stephanie.Chmiel@ThompsonHine.com

William J. Hubbard

216.566.5644

Bill.Hubbard@ThompsonHine.com

Matthew E. King

216.566.5562

Matthew.King@ThompsonHine.com

Stephanie Schmalz

216.566.5943

Stephanie.Schmalz@ThompsonHine.com

Laura Watson Schultz

216.566.5824

Laura.Schultz@ThompsonHine.com

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