Below is a breakdown of the requirements of Executive Order 2020-91 which establishes safeguards for employees leaving their residence to work pursuant to Executive Order 2020-92 and Executive Directive 2020-6 which establishes the Office of Worker Safety.

EO 2020-91 REQUIRES BUSINESSES TO MINIMALLY DO THE FOLLOWING:

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

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

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

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

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

OFFICES MUST:

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

RESTAURANTS AND BARS MUST:

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

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

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