

LEGAL UPDATES

PUBLISHED: MAY 28, 2020

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ReOpen DC to Begin Phase 1

On Wednesday, May 27, 2020, Mayor Muriel Bowser issued Order 2020-067 initiating DC's phased reopening. ReOpen DC will begin Phase 1 on Friday May 29, 2020, at 12:01 a.m. Phase 1 was appropriate now that community spread has been decreasing for at least 14 days and DC has a low transmission rate, sufficient testing capacity and sufficient healthcare system and public health system capacities.

Under Phase 1, hotels and construction sites may open with safeguards. Office spaces are still strongly recommended to work from home. Restaurants may open outdoor seating with physical distancing and safeguards.

Personal services, such as barbershops and hair salons, may reopen by appointment with strong safeguards and physical distancing of 5 people per 1,000 square feet. Non-essential retailers can open for curbside and delivery.

Bars and nightclubs, outdoor large gatherings, indoor venues, gyms and pools will remain closed. Parks and recreation will reopen with safeguards, but playgrounds will remain closed.

DC's Reopen Guidance for restaurants and retailers recommends that businesses create an operations plan, an enforcement plan, and, in the event that the business needs to modify or close again, a closure plan.

Operations plan

Create a site map for business staff, proposed signage of requirements, queue spacing for customers, appropriate seating locations, access to bathrooms, entries and exits, and hand-sanitizer stations.

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Ensure proper sanitation protocol and supplies, such as: single-use utensils and tools, frequent sanitization between each customer, and masks and gloves for employees and, if possible, customers.

Use online reservations and ordering whenever possible to log and trace customers.

Speak with staff to assess if they are ready and willing to return, and communicate the operations plan.

Enforcement plan

Communication strategy to inform public and staff about safety requirements.

Communication strategy to educate customers about safety requirements.

Method of monitoring and ensuring compliance with safety requirements.

Measures to enforce safety measures, if an employee or employer fails to comply with safety requirements.

Appropriate staffing to comply with safety requirements.

Closure plan

Prepared steps for closure.

If closure or modification is based on an executive order, ensure compliance with the order.

Communications to employees and customers about the closure or modification.

Contact us

If you have any further questions or require more information regarding this update, please contact Kyle Gilster, Julia Banegas, Charles Fleischmann or your Husch Blackwell attorney.

COVID-19 Return-to-Work resource

For the many businesses that partially or completely shuttered their on-site operations due to government-mandated COVID-19 orders, transitioning employees back to the workplace is an unprecedented and complex endeavor. Husch Blackwell's Return-to-Work Resource Center provides best practices, answers to common questions and potential issues to consider.