

Phase Two Guidance Coronavirus 2019 (COVID-19) Guidance for Non-Essential Retail Establishments

During Phase Two, the public and businesses must adopt behaviors and rigorous safeguards to reduce risk for all. Non-essential retail establishments must implement the following measures to help reduce the risk of COVID-19 transmission amongst employees, patrons, and the community. For additional information, visit coronavirus.dc.gov/phasetwo.

Please note that any individual experiencing symptoms of COVID-19, or who was recently exposed to someone diagnosed with COVID-19, must not work in or visit a business due to the risk of exposing others. Symptoms of COVID-19 may include: fever (subjective or 100.4 degrees Fahrenheit), chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, diarrhea, or otherwise feeling unwell.

UPDATE: Mayor's Order 2020-127

- [Mayor's Order 2020-127](#), issued December 18, 2020, establishes temporary pauses in various activities from 10:00 p.m. on Wednesday, December 23, 2020, until 5:00 a.m. on Friday, January 15, 2021, including immediately adjusting Mayor's Order 2020-126 so as to remove the percentage capacity and numeric caps on retail food sellers; and extends the Public Emergency and Public Health Emergency.
- The pauses imposed by Section III of Mayor's Order 2020-127 are time limited and all other regulations affecting those sectors remain in place and are not superseded. This Order supersedes any Mayor's Order issued during the COVID-19 Public Health Emergency only to the extent of any inconsistency.

General Information:

- Non-essential retail establishments are limited to 25% of capacity as specified on their Certificate of Occupancy, or 250 persons, whichever is fewer, inside the establishment at any one time, including staff.
- **UPDATE: "Big box" stores** (defined as: large scale retail establishments with >50,000 square foot retail space) that sell a range of essential and non-essential goods **are not subject to the 25%/250 person occupancy cap**. However, they must keep strong safeguards in place to mitigate the spread of COVID-19. Occupancy levels must be limited to **ensure that 6 feet of social distancing** is able to be maintained between all persons in the business.

Employees and Patrons Must Practice Everyday Prevention Measures

- **Stay at home if you feel unwell** or were recently exposed to someone with COVID-19.
- **Practice social distancing.** Stay at least 6 feet from other people who are not from your household.
- Employees and patrons must **wear a cloth face covering** or mask at all times.
 - Face coverings and masks protect the wearer and protect other people.
- Gloves must be worn only as indicated per routine job responsibilities.
- Perform frequent hand hygiene (with soap and water or alcohol-based hand sanitizer).
 - Key times to perform hand hygiene include:
 - Before eating food;
 - After using the toilet;
 - Before and after putting on, touching, or removing cloth face coverings;

- Before and after work shifts and work breaks;
- Before and after services to each client;
- After handling client belongings; and
- After blowing your nose, coughing, or sneezing.

Considerations for Employers

- Implement leave policies that are flexible and non-punitive, and actively encourage sick employees to stay home. Leave policies are recommended to account for the following:
 - Employees who report COVID-19 symptoms,
 - Employees who were tested for COVID-19 and test results are pending,
 - Employees who tested positive for COVID-19,
 - Employees who are a close contact of someone who tested positive for COVID-19
 - Employees who need to stay home with their children if there are school or childcare closures, or to care for sick family members.
- Keep abreast of current law, which has amended both the DC Family and Medical Leave Act and the DC Sick and Safe Leave Law and created whole new categories of leave, like Declared Emergency Leave.
- Learn about and inform your employees about COVID-related leave provided through new federal law, the Families First Coronavirus Response Act (FFCRA) and all applicable District law relating to sick leave.
- Employers must provide tissues, no touch trash cans, and supplies to allow for frequent hand hygiene (e.g. soap and water or alcohol-based hand sanitizers with at least 60% alcohol).
- Employers must educate employees about COVID-19. Refer to coronavirus.dc.gov for more information.
- **For additional information specific to businesses**, see the Centers for Disease Control and Prevention (CDC) website: cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html

Avoid Close Contact and Reduce Touchpoints for Patrons and Employees

- Continue to encourage online shopping, curbside pick-up and delivery options.
- Employers must arrange shopping areas, workstations, common areas, break rooms, and other areas of the business to ensure at least 6 feet between people in the store (both employees and customers).
- Employers must close off or limit access to areas where physical distancing cannot be practiced.
- Employers must install physical barriers, such as sneeze guards and partitions, in areas where it is difficult for employees to remain at least 6 feet from patrons.
- Employers must provide physical guides, such as tape on floors and sidewalks and signage, to ensure that individuals remain at least 6 feet apart in queuing areas.
- Mark one-way paths through the store to avoid crowding.
- Tell sick patrons to stay home; post signs telling them not to enter if they are sick.
- Implement payment via digital platforms, as much as possible.

Screening and Monitoring for Symptoms

- Employers must perform screening (e.g., symptom questionnaires) of employees daily, prior to entering the business, over the phone or in person.
 - For **Screening Tool Guidance**, visit coronavirus.dc.gov/healthguidance

- Employees who report symptoms or testing positive for COVID-19 must not enter the business.
- Employees who become sick at work must be separated from other employees and patrons and be sent home immediately.

Clean and Disinfect

- Business must have a comprehensive plan for cleaning and disinfecting high traffic and high touch surface areas (e.g., counters, payment kiosks, restroom, etc.) routinely throughout the day, and in between individual use.
- For more information about cleaning and disinfecting businesses and disinfectants that are effective against the virus that causes COVID-19, see the CDC website: [cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html](https://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html).

Building Considerations

- Consider making the following improvements to improve building ventilation ([cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html](https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html)):
 - Increase circulation of outdoor air as much as possible, for example by opening windows and doors.
 - Do not open windows and doors if doing so poses a safety or health risk (e.g., risk of falling, triggering asthma symptoms).
 - Ensure ventilation systems operate properly and provide acceptable indoor air quality for the current occupancy level for each space.
 - Improve central air filtration to the highest compatible with the filter rack, and seal edges of the filter to limit bypass.
 - Increase ventilation rates.
 - Check filters to ensure they are within service life and appropriately installed.
 - Keep systems running longer hours, 24/7 if possible, to enhance air exchanges in the building space.
- Consult with a specialist to see what works for your building if activities are indoors, increase circulation of outdoor air as much as possible by opening windows or exterior doors if possible.
- If the building was closed for an extended period of time, remember to check HVAC systems and ensure all water systems are safe to use. For more information, see CDC's Guidance for Reopening Buildings after Prolonged Shutdown or Reduced Operation: [cdc.gov/coronavirus/2019-ncov/php/building-water-system.html](https://www.cdc.gov/coronavirus/2019-ncov/php/building-water-system.html).

Establish a Plan for COVID-19 Exposure

- Establish a plan in the event an employee or patron is diagnosed with COVID-19.
- Identify a point of contact at the establishment that an employee can notify if they test positive for COVID-19 and choose to disclose this information.
- If an individual develops any of the symptoms above during the workday, there must be a plan in place for that individual to immediately isolate, notify their supervisor, and leave the facility.
- If an employee chooses to report to the establishment that they are positive for COVID-19, the establishment must have a notification process to share the following with staff:
 - Education about COVID-19, including the signs and symptoms of COVID-19
 - Referral to the Guidance for Contacts of a Person Confirmed to have COVID-19, available at [coronavirus.dc.gov](https://www.coronavirus.dc.gov)
 - Information on options for COVID-19 testing in the District of Columbia, available at [coronavirus.dc.gov/testing](https://www.coronavirus.dc.gov/testing)

- Refer to the guidance “*First Steps for Non-Healthcare Employers when Employees Test Positive for COVID-19*” at coronavirus.dc.gov/healthguidance.
 - A close contact is someone who was within 6 feet of a person who tested positive for COVID-19 for at least 15 minutes over a 24-hour period, during that person’s infectious period.
 - The infectious period starts two days before symptom onset and typically ends 10 days after symptom onset (or test date for people who do not have symptoms).
- Establishments must notify DC Health when:
 - An employee who frequently interacts with patrons notifies the establishment they **tested positive for COVID-19** (not before results come back)
AND
 - The person was in the establishment **during their infectious period**.
- Notify DC Health by submitting an online form on the DC Health COVID-19 Reporting Requirements website dchealth.dc.gov/page/covid-19-reporting-requirements:
 - Submit a **Non-Healthcare Facility COVID-19 Consult Form**.
- An investigator from DC Health will follow up within 48 hours to all appropriately submitted inquiries. Please note this time may increase as cases of COVID-19 increase in the District.

The guidelines above will continue to be updated as the outbreak evolves. Please visit coronavirus.dc.gov regularly for the most current information.