

To: Vermont Businesses and Employers
From: Secretary Lindsay Kurrle
Date: April 24, 2020
Re: Update 2 - New *Work Safe* Additions to the Stay Home, Stay Safe Order
Modifications and new sections are in red.

INTRODUCTION

In the days and weeks to come we will work to restart Vermont's economy in the wake of COVID-19. Understanding the need to restart the economy as soon as possible and improve our overall social wellbeing, we cannot allow for a resurgence of COVID-19 that would undermine or lose the important public health outcomes achieved to date. Our work to transition Vermont out from under the Stay Home order swiftly and responsibly will take just as much effort and goodwill as we have all expended in recent weeks. Working closely with the Health Department, the State Emergency Operations Center, and dedicated professionals across State government, we have developed, and will continue to refine, critical steps to ensure the health and safety of Vermonters and the continuity of our healthcare system.

As we move forward, **businesses and employees must understand that *how they work is essential to resuming and maintaining business operations.*** Preventing outbreaks and limiting the spread of COVID-19 is the only way to avoid future business and social disruption. The success of this phased restart will depend in large part on the ability of employers and employees to adhere to the public health, safety, and social distancing measures essential to limiting the spread of illness.

To that end, the following is required of all businesses currently operating and those re-started:

MANDATORY HEALTH & SAFETY REQUIREMENTS FOR ALL BUSINESS, NON-PROFIT & GOVERNMENT OPERATIONS

All businesses must follow Vermont Department of Health and CDC guidelines:

- Employees shall not report to, or be allowed to remain at, work or job site if sick or symptomatic (with fever, cough, and/or shortness of breath).
- All employees and must observe strict social distancing of 6 feet while on the job, **unless noted, and should refrain from touching their faces.**
- **No congregation of employees is allowed. All common areas, such as break rooms and cafeterias, but excluding restrooms, are closed.**
- 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.
- 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 and equipment, including bathrooms, frequently touched surfaces and doors, tools and equipment, and vehicles must be cleaned and disinfected at the beginning, middle and end of each shift *and*, when possible, prior to transfer from one person to another.

- To the extent feasible, prior to the commencement of each work shift, pre-screening or survey shall be required to verify each employee has no symptoms of respiratory illness (fever, cough, and/or shortness of breath), including 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 2 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 business operations must have a designated health and safety officer on-site who monitors and has the authority to stop or modify activities to ensure compliance with these 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.

BUSINESS CUSTOMER & GENERAL PUBLIC MASK USE

Customers, and the public in general, are encouraged to wear face coverings any time they are interacting with others from outside their household.

PHASED RESTART

Operations deemed “essential” may continue to operate under pre-existing guidance with the addition of the mandatory health and safety requirements above.

To safely reopen certain operations impacted by the COVID-19 outbreak and not defined as essential, Governor Scott has directed the Agency of Commerce - in consultation with the Department of Health and the Department of Public Safety – to authorize, **subject to mandatory health and safety requirements listed above and additional guidance below**, the following:

Phase 1: Effective April 20, 2020 (updated April 27, 2020)

1.1 Outdoor Businesses, Construction Operations, Manufacturing and Distribution

- Those who exclusively or largely work outdoors (such as civil engineering, site work, exterior construction, skilled trades, public works, energy and utility work, mining, forestry, environmental monitoring, landscaping, painting, tree work, parks maintenance, **recreation maintenance**, delivery work, etc.) may resume operations with a maximum of **5 (five)** total workers per location/job.

- Manufacturing and distribution operations may resume operations with a maximum of 5 (five) employees in any location if they are low-density and ensure employees are six feet apart at all times.
- Interior construction may occur in uninhabited structures, adhering to social distancing standards, with no more than 5 (five) workers maintaining social distance between them whenever possible.
- Supporting services that were not previously deemed essential may resume operations with the minimum number of employees necessary to support curbside pick-up and delivery services; adherence to the mandatory health and safety requirements and compliance with 1.2 below required.
- At this stage workers from out-of-state must quarantine for 14 days upon arrival. Lodging is not available for non-essential out-of-state workers.

1.2 Retail Operations (clarifying existing guidance)

- Retailers, including those that operate in an outdoor setting, may conduct limited operations such as curbside pick-up, delivery services, and warehouse or distribution operations in support of curbside, or delivery.
- All orders must occur over the phone or online; no in-store transactions are allowed at this time.
- Only the minimum number of employees necessary to support curbside pick-up and delivery services are allowed at any one store, site, or location.

1.3 Low or no contact professional services

- Services operating with a single worker (such as appraisers, realtors, municipal clerks, attorneys, property managers, pet care operators, and others) may operate if they can comply with the mandatory health and safety requirements listed above, with no more than 2 persons (service provider and client) present at one time.

Phase 2: Effective April 27, 2020 (unless otherwise noted)

2.1 Outdoor retail space

- Outdoor retail operations, such as garden centers and greenhouses offering mulch, stone, plant, tree, seed sales, etc., may allow in-person shopping, but no more than one customer per 200 square feet and a maximum of 10 total people including customers and staff.
- Retailers shall take steps to schedule or stage customer visits, such as waiting in cars until ready, to ensure no congregation.
- Social distancing and facial coverings are required at all times.

2.2 Libraries (clarifying guidance)

- Libraries may operate subject to section 1.2 above, allowing for curbside pickup for lending in accordance with guidance issued by the Department of Libraries.

2.3 Farmers Markets (effective May 1)

- Farmers markets may open using limited in-person operations to ensure consumer access to quality, healthy food if:

- They adhere to all municipal ordinances and rules and their local municipality agrees to allow opening.
- Markets must significantly alter their business practices to eliminate crowds and reduce contact between vendors and customers including a temporary transition away from shopping and social events to primarily a food distribution using the methods prescribed in section 1.2 above.
- Markets are directed to use a “pre-order, local food pick-up” model and to follow any additional guidance by the Agency of Agriculture and Food Markets.