

## U.S. COVID-19: CALIFORNIA GOVERNOR NEWSOM ANNOUNCES GUIDELINES FOR SOME NON-ESSENTIAL RETAILERS TO REOPEN

May 08, 2020

One day before allowing "low-risk" retailers to reopen on a limited basis, California Governor Gavin Newsom on Thursday announced [guidelines](#) for certain retailers, manufacturers and other businesses to reopen fully during Stage 2 of the state's reopening plan.

Even prior to full implementation of these guidelines, retailers perceived as presenting a lower risk of spreading COVID-19 can reopen on a limited basis, such as by offering curbside pickup, as early as today. As we [previously reported](#), Newsom has stated that such retailers include shops that sell items such as clothing, books, music, toys, sporting goods, and flowers.

At the press conference on Thursday, it was recommended that retailers offering curbside pickup take precautions such as having employees wear masks and gloves, bringing merchandise to a designated pickup location at the entrance or curbside, and encouraging use of payment methods and devices that reduce contact between employees and customers.

Whether non-essential retailers can reopen will also depend on the county and city where they are located. Seven Bay Area shelter-in-place orders have been extended through May 31. Los Angeles County's order is set to expire May 15. Governor Newsom has stated that local governments have a right to issue and enforce stricter orders than the state, where warranted.

Under the state's [reopening roadmap](#), prior to reopening, all businesses are expected to:

- Perform a detailed risk assessment and implement a site-specific protection plan
- Train employees on how to limit the spread of COVID-19, including how to [screen themselves for symptoms](#) and stay home if they have them
- Implement individual control measures and screenings
- Implement disinfecting protocols

The guidance for retailers and retail checklist include additional recommendations (some of which are listed here) in the following five categories. Newsom said that individual businesses have flexibility in how to implement these guidelines.

**Worksite specific plan:** Establish a written facility-specific COVID-19 prevention plan with a comprehensive risk assessment of all work areas, an implementation person, contact information for communicating outbreaks among employees to local health officials, and procedures for identification of close contacts of any infected employees.

**Topics for employee training:** Preventing spread of COVID-19; self-screening at home, including temperature and/or symptom checks using CDC guidelines; importance of not coming to work if you have symptoms or someone you live with has been diagnosed as having COVID-19; importance of frequent and proper handwashing and physical distancing; proper use of face coverings.

**Individual control measures and screening:** Provide temperature and/or symptom screenings for all workers at start of their shift; encourage workers who exhibit symptoms to stay home; ensure workers use masks and disposable gloves when interacting with customers as well as when offloading, storing and shelving goods.

**Physical distancing:** Require use of masks; encourage at least 6 feet of space between individuals, through use of partitions, floor markings, and signs; stagger employee breaks, and encourage physical distance in break rooms; close in-store bars, bulk-bin options, public seating areas, and public sampling; dedicate shopping hours for vulnerable populations; increase pickup and delivery service options; provide a single entrance and separate exit; limit number of people in store at one time to no more than 50 percent maximum occupancy; and be prepared to queue customers outside while maintaining 6 feet of distance between them.

**Cleaning and disinfecting protocols:** Frequently disinfect commonly used surfaces, including shopping carts and baskets, conveyor belts, registers, scanners, and payment devices; modify store hours to provide adequate time for cleaning; consider installing portable high efficiency air cleaners, upgrading the building's air filters, and making other changes to increase ventilation; require customers who bring their own bags to bag their own merchandise; consider installing hands-free devices, such as motion sensor lights, contactless payment systems, automatic soap and paper towel dispenser, and timecard systems.

Later phases of Stage 2 are expected to include the reopening of shopping malls and sit-down restaurants. Stage 3 includes the reopening of businesses such as movie theaters and events with live audiences.

Newsom stated Thursday that counties will be able to move through the stages on an individual basis, by "self certifying" to state health officials that they meet specified requirements, including the stability of COVID-19 hospitalizations and the ability to conduct more testing and contact tracing.

## RELATED PRACTICE AREAS

- Retail & Consumer Products

## MEET THE TEAM



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