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Ohio to Reopen with its RestartOhio Program

On April 27, 2020, Governor Mike DeWine announced his plan to reopen businesses in the State of Ohio. As phase one of “Responsible RestartOhio,” Governor DeWine announced the following plan related to when certain businesses and operations can reopen:

May 1: Medical and Healthcare Professionals

- Previously approved procedures or surgeries required for serious health conditions or major quality of life issues will continue.
- Procedures where no overnight stay is required will be allowed, including regular physician visits.
- Dentists and veterinarians may open.

May 4: Manufacturing, Distribution, Construction, General Office

- Businesses can reopen provided the business conducts daily health assessments, specified hygiene practices are implemented, the business cleans and sanitizes workplaces throughout workday, and arrivals of employees and guests are staggered or limited. It is strongly suggested that employees, vendors, and others wear facial masks or coverings.
- Employers are required to either ensure minimum safe distance or install protective barriers.
- Employers in general office environments are strongly encouraged to allow employees to continue to work from home whenever possible.

May 12: Consumer, Retail, and Services

- Businesses in these sectors can reopen if they adopt similar health and safety practices including sanitizers and hand washing for employees and shoppers and adopt special hours for at-risk populations. It is strongly suggested employees, vendors, and others wear facial masks or coverings.

- Businesses are required to ask consumers not to enter if symptomatic.
- Businesses are required to limit capacity to meet social distancing requirements. It was suggested they establish maximum capacity at 50% of fire code and use appointments to limit congestion.
- This category **does not** currently include restaurants, bars, salons, or gyms as those continue to be evaluated for a future reopening date.

As part of the Responsible RestartOhio program, the administration has published both mandatory and recommended best practices for each sector being permitted to reopen. Employers should [consult the guidance](#).

The existing [Stay at Home order](#) will continue as amended by these new developments. Gatherings remain limited to no more than 10 people.

The Ohio Department of Health has also issued "Responsible RestartOhio" protocols for all businesses, which include:

- **Recommend face coverings** for employees and clients/customers.
- **Conduct daily health assessments** by employers and employees (self-evaluation) to determine if "fit for duty."
- **Maintain good hygiene** at all times – hand washing, sanitizing and social distancing.
- **Clean and sanitize** workplaces throughout workday and at the close of business or between shifts.
- **Limit capacity** to meet **social distancing** guidelines.
 - Establish maximum capacity at 50% of fire code.
 - Use appointment setting where possible to limit congestion.

The Ohio Department of Health also advises the following actions must be taken when a COVID-19 infection is identified:

- **Immediately report** employee or customer infections to the local health district.
- Work with local health department to identify potentially exposed individuals to help facilitate appropriate communication/**contact tracing**.
- **Shutdown** shop/floor for deep sanitation if possible.
- Professionally clean and sanitize site/location.
- Reopen in consultation with the local health department

Additional guidance for employers in maintaining a healthy and safe workplace in compliance with the Occupational Safety and Health Administration (OSHA) can be found on the Frost Brown Todd website:

- [OSHA and Coronavirus: Guidance for Employers](#)
- [OSHA Update: Recording Cases of COVID-19](#)

For more information concerning “Responsible RestartOhio,” Ohio’s Stay at Home order, or creating return to work plans for your workforce, please feel free to reach out to [Catherine Burgett](#), [Katie Collier](#), or any member of the [Labor & Employment](#) practice group. Also stay tuned for future webinars in Frost Brown Todd’s continuing *After COVID* series designed to help employers navigate returning to work in a post-pandemic environment.

To provide guidance and support to clients as this global public-health crisis unfolds, Frost Brown Todd has created a [Coronavirus Response Team](#). Our attorneys are on hand to answer your questions and provide guidance on how to proactively prepare for and manage any coronavirus-related threats to your business operations and workforce.

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