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[Trey Grayson](#)

Reopening Kentucky: Phase 1

In April, Kentucky Governor Andy Beshear set forth seven benchmarks for reopening the state's economy, including 14 days of decreasing cases, sufficient PPE, increased testing, and the ability to comply with CDC guidelines.

The Governor encouraged businesses and trade associations to [submit](#) reopening plans to help the administration develop sector-specific guidance. Since then, the administration has reviewed those plans and held numerous conversations with chambers of commerce, local elected officials, business leaders, and trade associations.

In late April, the Governor announced that Phase 1 of his [Healthy at Work](#) reopening plan would begin in May, with the first sectors reopening on May 11.

(To read more on Phase 2 plans, visit our article "[Reopening Kentucky: Phase 2.](#)")

All businesses operating after May 11 – either because they are reopening as part of Phase 1 or they were deemed life-sustaining and remained operating – must meet certain minimum requirements.

In general, those rules call for:

- Continued telework where possible
- Phased return to work
- Enforced social distancing
- Limit face-to-face interactions
- Universal masks and other necessary PPE
- Adequate hand sanitizer/hand washing
- Restrict common areas
- Proper sanitation
- Daily temperature/health checks (self-administered at home or upon workplace entry)
- Create a testing plan

- Make special accommodations
- Designate a “Healthy at Work” officer
- Educate and Train Employees
- Contact Tracing

In addition, each sector will need to follow sector-specific guidelines that will be based upon the input provided by businesses and trade associations, using the process discussed above.

On May 11, the following sectors can reopen:

- Manufacturing & Distribution
- Construction
- Vehicle or Vessel Dealerships
- Office-Based Businesses
- Horse Racing
- Pet Grooming / Boarding, and
- Photography.

Three examples of some of the sector-specific guidelines include no fans in the stands for horse racing, test drives of cars without the salesperson, and only 50% of personnel in office settings. All guidance may be found at the [Healthy at Work](#) website, but you can also go straight to that sector’s specific guidance by clicking on the above links.

Phase 1 will continue on May 18th with government offices and agencies reopening.

On May 20th two additional sectors may reopen a reduced capacity of 33% and proper social distancing:

- [Funeral and Memorial Services](#)
- [Retail](#)

In addition, in the wake of recent federal court decisions, [Houses of Worship](#), originally scheduled for a May 20 reopening, were allowed to reopen on May 9.

On May 22, restaurants will be able to reopen for in-person dining at 33% capacity inside but fewer limits outside. Detailed [guidance](#) has

now been released. The Governor moved up restaurant reopening after consulting with Ohio Governor DeWine to better align Kentucky restaurants with those across the river from two of the state's large population centers in Northern Kentucky and Louisville.

In addition, the Governor also moved up 10-person social gatherings to May 22. This will allow a full-weekend of small Memorial Day gatherings, so long as the [guidance](#) is followed. Also on May 22, the Governor's travel [ban](#), which in the wake of adverse court rulings, had been modified to become a fourteen-day self-quarantine ask, as opposed to a mandate, will expire.

The final step of Phase 1 will take place on May 25:

- [Barbershops/Cosmetology/Hair Salons](#)
- [Massage Therapy](#)
- [Nail Salons](#)
- [Tanning Salons](#)
- [Tattoo Parlors](#)

The Governor has identified several other sectors that won't reopen in Phase 1, but are targeted to open in future phases in June or July, including (with targeted reopening date noted):

- June 1:
 - Auto/Dirt Track Racing
 - Aquatic Centers
 - Bowling Alleys
 - Fishing Tournaments
 - Fitness Centers
 - Kentucky State Park Lodges
 - Movie Theaters
 - Salato Wildlife Education Center
- June 11
 - Kentucky Horse Park
 - Kentucky State Park Campgrounds
 - Otter Creek

- June 15
 - Some childcare
 - Youth Sports (low touch and outdoors)
- July
 - Bars
 - Gatherings of 50 People (just in time for 4th of July cookouts!)

This calendar is subject to adjustment – with scheduled reopenings moving forward or backward – depending upon what’s going on with virus and how reopening has gone with other sectors. The Governor’s stated goal with this advance guidance is to give businesses time to plan.

We expect guidance to remain fluid with many changes, so please follow Frost Brown Todd for the latest updates to Governor Beshear’s Healthy at Work initiative.

For more information, please contact [Trey Grayson](#), or any member of [CivicPoint](#), Frost Brown Todd’s public affairs affiliate.

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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