



Ohio to Reopen with its Responsible RestartOhio Program

May 05, 2020

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Authors:

[Catherine F. Burgett](#)

[Katie M. Collier](#)

On April 27, Ohio Governor Mike DeWine announced his plan to reopen businesses in the State of Ohio. As phase one of “Responsible RestartOhio,” Governor DeWine has announced the following guidelines 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, outpatient surgeries, and diagnostic tests.
- Dentists and veterinarians may open.

May 4: Manufacturing, Distribution, Construction; General Office

- Businesses in these sectors can reopen provided the business requires face coverings for all employees (unless an exception applies), conducts daily symptom assessments, requires employees to stay home if symptomatic, requires regular handwashing, disinfects the workplace daily, staggers lunch and break times, and establishes maximum capacity.
- Businesses are required to either ensure minimum safe distance or install protective barriers. It also is mandatory for personnel to work from home if possible.
- Businesses in manufacturing, distribution, and construction must stagger or limit the arrival of employees and guests, deeply disinfect high-contact surfaces daily, apportion space on the factory floor to allow for disinfecting, and regulate the maximum number of people in cafeterias and common spaces.
- Businesses in general office environments must place hand sanitizers in high-contact locations, clean high-touch items

after each use, frequently disinfect desks, workstations, and high-contact surfaces, disinfect common areas daily, cancel or postpone in-person events when social distancing guidelines cannot be met, and utilize disposable tableware and other materials. Businesses also cannot have buffets in their cafeterias.

May 12: Consumer, Retail, and Services

- Businesses in these sectors can reopen if they adopt health and safety practices similar to those outlined above, including ensuring a minimum safe distance, requiring face coverings for employees (unless an exception applies), conducting daily symptom assessments, requiring employees to stay home if symptomatic, requiring regular handwashing, placing hand-sanitizers in high-contact locations, and cleaning high-touch items after each use.
- Businesses are required to specify hours for at-risk populations, ask customers and guests not to enter if symptomatic, stagger the entry of customers and guests, post social distancing signage, disinfect high-contact surfaces **hourly**, clean merchandise before stocking if possible, establish maximum capacity, and discontinue self-service food stations and product samples. Food courts must remain closed.
- Customers and guests should wear face coverings, but they are not required to do so.
- This category does **not** currently include restaurants, bars, salons, or gyms, as those businesses 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. Businesses should consult the new guidance ([available here](#)).

Ohio Department of Health Director Amy Action, MD, MPH, issued an Order on April 30 that reopens businesses, with exceptions, and that continues a [Stay Healthy and Safe at Home Order](#). 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:

- **Require face coverings** for employees and recommend them for clients/customers at all times.
- **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 the 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.

In addition, the Ohio Department of Health advises that 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 is possible.
- Professionally clean and sanitize site/location.
- Reopen in consultation with the local health department

Further guidance for businesses with respect to maintaining a healthy and safe workplace in compliance with the Occupational Safety and Health Administration (OSHA) can be found [here](#) and [here](#).

For more information concerning Responsible RestartOhio, Ohio’s Stay at Home order, or best practices when creating return-to-work plans for your workforce, please feel free to reach out to [Catherine Burgett](#), [Katie Collier](#), or any member of our [Labor and Employment](#)

practice group. Also stay tuned for future webinars in Frost Brown Todd's continuing *After COVID* series, which is 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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