

OREGON – Back to Business – COVID-19 – Executive Order 20-25 - A Safe and Strong Oregon: Maintaining Essential Health Directives in Response to COVID-19 and Implementing a Phased Approach for Reopening Oregon’s Economy – Issued 5/14/20

[BACK TO BUSINESS ORDER; PHASED REOPENINGS]

EO 20-25: https://www.oregon.gov/gov/Documents/executive_orders/eo_20-25.pdf

Guidance:

<https://govstatus.egov.com/OR-OHA-COVID-19>
<https://govstatus.egov.com/reopening-oregon#phasePlanBlocks>

GENERAL TOPIC	SUMMARY	SECTION #
Effective	May 14, 2020	¶27
General	The prior stay at home order is terminated. This order describes (a) certain baseline requirements that will apply state-wide (to be modified in the reopening phases), and (b) a three-phase process for reopening the economy. Counties will be permitted to proceed through the phases at different paces. Each phase lasts a minimum of 21 days.	¶1, 19
Shelter in Place - Modifications	There has not been a formal stay at home directive, and none is imposed by this order. See restrictions on gatherings below. Individuals are restricted from patronizing businesses that remain closed under this and other orders. When individuals leave home, they “should” practice social distancing and should adhere to OHA guidelines on social distancing and face masks. Outdoor recreation permitted, but must be non-contact and maintain social distancing.	¶2, 9
Businesses remaining Closed/Opening of Resumed Businesses	<u>Baseline:</u> <ul style="list-style-type: none"> ○ Certain businesses remain closed (e.g., indoor/outdoor malls, gyms, salons, amusement parks, spas, dance studios, museums, clubs, etc) ○ Restaurants/bars remain open for take-out/delivery only, subject to certain social distancing and other requirements. ○ Retail businesses, furniture stores, art galleries, ski resorts, boutiques not located in malls, are permitted to open, subject to compliance with OHA guidelines <u>Phase I:</u> Certain closed sectors permitted to open (e.g., personal care, food and drink), subject to compliance with specific standards to be set. See standards at OHA Guidance	¶4, 5, 6, 17

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	<p><u>Phases II</u>: Guidance available at https://govstatus.egov.com/OR-OHA-COVID-19</p> <p><u>Phase III</u>: See OHA Guidance</p> <p>Note that the business closure list may be modified from time to time, at direction of Governor. See OHA Guidance for updates</p>	
Workplace Requirements	<ul style="list-style-type: none"> <u>Businesses and non-profits</u> must continue to facilitate telework to the maximum extent possible. Where telework is not possible, employee or officer must establish, implement and enforce social distancing for employees and business-critical visitors. Non-compliant businesses will be closed. <u>Executive Branch Government buildings</u> remain closed to the maximum extent possible and public services provided by phone or online. Telework facilitated to the maximum extent possible. Where telework is not possible, employee or officer must establish, implement and enforce social distancing for employees and business-critical visitors. Non-compliant businesses will be closed. 	¶7, 8
Public/Entertainment Venues	Most remain closed until reopened during Phase I or a subsequent phase. However, note that ski resorts are opened.	¶4, 5, 6, 17
Restaurants, Bars	<ul style="list-style-type: none"> <u>Phase I</u>: Take-out and delivery permitted with 6 ft. social distancing with customers and staff. See ¶4(c) for exceptions (Phase I guidance here: https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2342B.pdf) <u>Phase II</u>: Onsite dining permitted with Phase-specific OHA guidance compliance (Phase II guidance here: https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2351B.pdf) 	¶4, 17
Permitting Elective Surgeries, Etc.	Yes	
Facemask Requirements	Effective July 1, 2020, face coverings required statewide in all public indoor spaces for individuals over the age of 12. Mask guidance, including exceptions, found here: https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2288K.pdf	
Gatherings	<ul style="list-style-type: none"> <u>Baseline</u>: <ul style="list-style-type: none"> <u>Cultural, civic and faith-based</u> gatherings >25 people prohibited 	¶3, 17

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	<ul style="list-style-type: none"> ○ <u>Social and recreational</u> gatherings outside of home/residence prohibited regardless of size if 6 ft distance cannot be maintained between individuals of different households. If distance can be maintained, groups are limited to 10. ○ Does not apply to certain workplaces (e.g., grocery, bank, hotel, has station) ● <u>Phase I</u>: up to 25 people with social distancing ● <u>Phase II</u>: A maximum of 50 people indoors and 100 people outdoors (more permitted in listed public accommodations. See, https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2351G.pdf) ● 	
Recreation and Travel	<p><u>Baseline</u>: Non-contact outdoor recreation with social distancing permitted. Minimize non-essential travel. Pools, skate parks, playground equipment and outdoor sport courts remain closed.</p> <p><u>Phase I and II</u>: travel to permitted gatherings allowed</p>	¶9, 17
Impact on other Orders	Executive Orders 20-07 and 20-12 are rescinded	¶12
Childcare/Youth Programs	<ul style="list-style-type: none"> ● Child care is open under certain restrictions, with priority placements for children of health care workers, first responders, and frontline workers. ● Overnight camps not permitted. Day camps open with restrictions, including maximum stable groups of 10 children. ● Phase II limited “Return to Play” for outdoor recreational sports. See, https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2351E.pdf 	
Education/Schools (private and public)	<ul style="list-style-type: none"> ● EO 20-29 applies to all private and public (including parochial) schools and to all in-person instruction and activities effective July 1, 2020. ● Instruction and activities are subject to guidance to be issued by the Oregon Health Authority (OHA) and Oregon Department of Education (ODE) on matters including but not limited to face coverings, physical distancing, sanitization. ● All schools must provide a written plan to their governing body and ODE setting forth how they will comply with EO 20-29 and guidance issued ● All use of school facilities including camps and athletics must comply with EO 20-29, other EOs and issued guidance. ● Schools must comply with certain requirements in order to continue to receive allocations from the State School Fund ● Enforcement: EO 20-29 is subject to Oregon public health laws and 	Executive Order 20-29

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	provides no private right of action	
Other	Counties may apply to move to the next phase, in accordance with the process set forth in the Order. A list of counties and their phases is published at https://govstatus.egov.com/reopening-oregon#baseline .	¶16
DEFINITIONS/APPENDIX		
Guidance for Resumed/Reopened Businesses	https://govstatus.egov.com/OR-OHA-COVID-19	¶18
Standards for Phased Opening with State and County Links	https://govstatus.egov.com/reopening-oregon#baseline	¶14

DISCLAIMER: This information is provided for convenience only, and should not be relied upon in making decisions for your business. As this is a rapidly changing area, reference should always be made to the official order and related interpretative guidance. If you have specific questions about how any particular jurisdiction's Order affects your business, or other COVID-19 topics, please contact a member of the Holland & Knight's COVID-19 Response Team – State and Local Orders and Regulations.

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