

OREGON – Back to Business – COVID-19 – Executive Order 20-66 – Framework for Risk Level Metrics and Guidance – Issued 12/2/20

Executive Order 20-66

https://www.oregon.gov/gov/Documents/executive_orders/eo_20-66.pdf

All Executive Orders

<https://www.oregon.gov/gov/admin/Pages/executive-orders.aspx>

Building a Safe and Strong Oregon Web Site

<https://coronavirus.oregon.gov/Pages/default.aspx>

Risk Levels by County

[Summary Table by County](#)

OHA Guidance

<https://coronavirus.oregon.gov/Pages/guidance.aspx>

<https://govstatus.egov.com/OR-OHA-COVID-19>

GENERAL TOPIC	SUMMARY	SECTION #
Effective	December 3, 2020	
General	<p>Prior orders had established a three-phase process for reopening the economy, with counties being permitted to proceed through the phases at different paces.</p> <p>Effective 12/3/20, under EO 20-66, this phased approach was replaced with a county-by-county risk-based framework. The Oregon Health Authority (OHA) is authorized to develop metrics to assign different risk levels (Lower, Moderate, High, and Extreme). Each county will be assigned a risk level, which may change based on the metrics. The OHA is authorized to establish guidance and safety measures to apply to each risk level, by industry sector. County Risk Levels are updated every two weeks in response to the applicable metrics.</p>	
Shelter in Place - Modifications	There has not been a formal stay at home directive. See below for restrictions on gatherings.	
Workplace Requirements	<p>Telework is recommended where possible, but requirements around telework will vary based on the county Risk Level. Requirements range from requiring telework to the maximum extent possible (Extreme Risk Level), to encouraging making telework options available (Lower Risk Level)</p> <p>Also see General Workplace Guidance</p>	

Disclaimer: The information provided in this handout is general information and not designed to be and should not be relied on as your sole source of information when analyzing and resolving a specific legal issue. Each fact situation is different; the laws are constantly changing. If you have specific questions regarding a particular fact situation, we urge you to consult with legal counsel.

All product and company names are trademarks™ or registered® trademarks of their respective holders. Use of them does not imply any affiliation with or endorsement by them.

Holland & Knight

GENERAL TOPIC	SUMMARY	SECTION #
Restaurants/Bars	See Sector Guidance and Eating & Drinking Establishment Guidance for Eating & Drinking Establishments. Restrictions will depend on the assigned Risk Level. Restrictions include restrictions on capacity (25% to 50%), restrictions on indoor dining, seating capacity per table, different curfews, etc.	
Retail, Shopping Malls.	See General Sector Guidance , Shopping Center Guidance , Retail Stores . Restrictions will depend on the assigned Risk Level. Restrictions include restrictions on capacity (50% to 75% of stated capacity), provisions re curbside pickup.	
Public/Entertainment Venues	See General Sector Guidance , Outdoor Entertainment , Indoor Entertainment for Indoor Entertainment, Outdoor Entertainment. Restrictions will depend on the assigned Risk Level. Restrictions focus on capacity (25% to 50% of stated capacity), or maximum number of persons (from 50 to 300 people). Indoor entertainment prohibited at the Extreme Risk Level.	
Recreation/Fitness	See General Sector Guidance , Outdoor Recreation , for Indoor Recreation and Fitness and Outdoor Recreation. Restrictions will depend on the assigned Risk Level. Restrictions focus on capacity (from 25% to 50% capacity) or number of persons (from 50 to 300 persons). Indoor recreation and fitness prohibited at the Extreme Risk Level.	
Facemask Requirements	Per OHA Guidance, masks are required to be worn by all individuals at all times unless at one's own residence, in their own personal vehicle, under 5 years old, eating or drinking, engaged in an activity where mask is not feasible (such as taking a shower), sleeping, or in a private individual workspace. Certain exceptions apply. Requirements are placed on employers to provide masks and make accommodations. These are statewide requirements. See OHA Guidance re Face Masks If Oregon OSHA requirements are more stringent, those requirements will apply. See Oregon OSHA	
Gatherings	See General Sector Guidance , Detailed Guidance re Gatherings Restrictions will depend on the assigned Risk Level. Limits range from 6 persons to 12 persons (outdoors) and from 6 persons to 10 persons (indoors). Recommended limits are lower.	
Impact on other Orders	Executive Orders 20-27 and 20-65 are rescinded Hither education institutions continue to comply with EO 20-28. Childcare continue to comply with EO 20-19 (as modified) K-12 schools continue to comply with EO 20-29 (as modified)	

Disclaimer: The information provided in this handout is general information and not designed to be and should not be relied on as your sole source of information when analyzing and resolving a specific legal issue. Each fact situation is different; the laws are constantly changing. If you have specific questions regarding a particular fact situation, we urge you to consult with legal counsel.

All product and company names are trademarks™ or registered® trademarks of their respective holders. Use of them does not imply any affiliation with or endorsement by them.

Holland & Knight

GENERAL TOPIC	SUMMARY	SECTION #
DEFINITIONS/APPENDIX		
Risk Level by County	Summary Table by County	
OHA Guidance by Sector and Risk Level	Sector Guidance Detailed Sector Guidance	

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.

Disclaimer: The information provided in this handout is general information and not designed to be and should not be relied on as your sole source of information when analyzing and resolving a specific legal issue. Each fact situation is different; the laws are constantly changing. If you have specific questions regarding a particular fact situation, we urge you to consult with legal counsel.

All product and company names are trademarks™ or registered® trademarks of their respective holders. Use of them does not imply any affiliation with or endorsement by them.