

WASHINGTON – Back to Business – COVID-19 – Proclamations 20-25.3 and 25.4 – Issued 5/4/2020 and 5/31/20

PROC 20-25.4 SAFE START – STAY HEALTHY ORDER

https://www.governor.wa.gov/sites/default/files/20-25.4%20-%20COVID-19%20Safe%20Start.pdf?utm_medium=email&utm_source=govdelivery

PROC. 20-25.3 - BACK TO BUSINESS ORDER

https://www.governor.wa.gov/sites/default/files/20-25.3%20-%20COVID-19%20Stay%20Home%20Stay%20Healthy%20-%20Reopening%20%28tmp%29.pdf?utm_medium=email&utm_source=govdelivery

SAFE START WASHINGTON—A PHASED APPROACH TO RECOVERY

https://www.governor.wa.gov/sites/default/files/SafeStartWA_4May20_1pm.pdf?utm_medium=email&utm_source=govdelivery

Safe Start Washington Website

<https://coronavirus.wa.gov/what-you-need-know/safe-start>

PROC. 20-25: STAY HOME—STAY HEALTHY PROCLAMATION

<http://mrsc.org/getmedia/e04ae29f-bd01-4394-803d-0232afa7d6d8/w3stayhome.pdf.aspx>

GENERAL TOPIC	SUMMARY	SECTION #
Effective	Proc 25.3 : May 4, 2020 (extended to July 1, 2020) Proc 25.4 June 1, 2020 through July 1, 2020	
General	These orders implement the phased county-by-county reopening plan (see above link to Safe Start Washington plan). All counties began at Phase 1 on May 4, 2020, and some counties have moved to other phases. Counties may apply to Secretary of Health to move to the next phase. See County Variance Page for county status (King county remains in Phase 1).	County Variance Page
Shelter in Place - Modifications	<ul style="list-style-type: none">Stay Home-Stay Healthy Order (now renamed “Safe Start Stay Healthy”) remains in place as amended and subject to lifting of restrictions through PhasesAll Phases: Individuals should continue to:<ul style="list-style-type: none">Engage in physical distancing, staying at least six feet away from other peopleWear cloth face coverings in public places when not eating or drinking (cloth face coverings should not be placed on children younger than 2 years of age, anyone who has	See above Safe Start Washington: https://www.governor.wa.gov/sites/default/files/SafeStartWA_4May20_1pm.pdf?utm_medium=email&utm_source=govdelivery at page 3

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	<p>trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance)[Note: this is now mandatory for employees – see below]</p> <ul style="list-style-type: none"> ○ Stay home if sick ○ Avoid others who are sick ○ Wash hands frequently with soap and water (use hand sanitizer if soap and water are not available) ○ Cover coughs and sneezes ○ Avoid touching eyes, nose and mouth w/ unwashed hands ○ Disinfect surfaces and objects regularly 	
Opening of Resumed Businesses including public/entertainment Venues	<ul style="list-style-type: none"> • <u>Phase 1 (May 5 for all counties):</u> Activities Permitted Assuming Compliance with Guidance: <ul style="list-style-type: none"> ○ Landscaping and lawn care ○ Vehicle and vessel sales ○ Pet walking ○ Retail (curb-side pick-up orders only) ○ Auto/RV/boat/ORV sales ○ Car washes ○ Essential businesses • <u>Phase 2 (timing depends on county):</u> <ul style="list-style-type: none"> ○ Remaining manufacturing ○ Additional construction phases ○ In-home/domestic services (nannies, housecleaning, etc.) ○ Retail (in-store purchases allowed with restrictions) ○ Real estate ○ Professional services/office-based businesses (telework remains strongly encouraged) ○ Hair and nail salons/barbers ○ Pet grooming ○ Restaurants/taverns <50% capacity table size no larger than 5 (no bar-area seating) • <u>Phase 3 (timing depends on county):</u> <ul style="list-style-type: none"> ○ Restaurants/taverns <75% capacity/table size no larger than 10. Bar areas in restaurant/taverns at <25% capacity ○ Movie theaters at <50% capacity 	<p>Guidance available at: https://coronavirus.wa.gov/what-you-need-know/safe-start https://www.governor.wa.gov/issues/issues/covid-19-resources/covid-19-reopening-guidance-businesses-and-workers</p>

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	<ul style="list-style-type: none"> Customer-facing government services (telework remains strongly encouraged) Libraries and museums All other business activities not yet listed except for nightclubs and events with greater than 50 people Phase 4 (timing depends on county): <ul style="list-style-type: none"> Nightclubs and concert venues Large sporting events Resume unrestricted staffing of worksites, but continue to practice physical distancing and good hygiene <p>Counties may request variances.</p>	
Essential Businesses	Definitions and rules for essential businesses remain in place. See Stay Home, Stay Healthy Proclamations (now renamed Safe Start, Stay Healthy) and separate H&K Summary.	https://coronavirus.wa.gov/what-you-need-know/whats-open-and-closed/essential-business
Workplace Requirements	<p>Under the Safe Start Washington plan, all employers required to comply with workplace guidance in all Phases including but not limited to:</p> <ul style="list-style-type: none"> 6 ft physical distancing for employees and patrons Adopt physical barriers to block sneezes and coughs when physical distancing is not possible Provide sanitation and hygiene access PPE in accordance with WA Labor & Industries requirements Develop a plan for addressing COVID positive employees and exposure Follow Proc 20-46 High-Risk Employees – Workers’ Rights (see link) 	<p>Safe Start Washington Plan at page 4</p> <p>Proc 20-46</p>
Religious Services	Considered essential activity but encourages distance. Permits drive-in service, with one household per vehicle, so long as participants fully comply with requirements, social distancing and coronavirus-related hygiene recommended by the Washington State Department of Health.	Proc 20-25.3
Restaurants, Bars	<ul style="list-style-type: none"> Phase 1: Take-out and delivery permitted with 6 ft. social distancing with customers and staff. Phase 2: Restaurants/taverns <50% capacity table size no larger than 5 (no bar-area seating) Phase 3: Restaurants/taverns <75% capacity/table size no larger than 10. Bar areas in restaurant/taverns at <25% capacity Phase 4: Appears to be unrestricted 	<p>Safe Start Washington Plan at page 6</p>

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Permitting Elective Surgeries, Etc.	Yes	
Facemask Requirements	<ul style="list-style-type: none"> Recommended for all individuals statewide (see below re employees) Required (but not legally enforced) of individuals in any indoor or outdoor space, in Seattle and King County starting May 18, 2020 Beginning 6/8/20, when on the job, it is <u>required</u> that all employees must wear a facial covering except when working alone or when the job has no in-person interaction. Employers must provide cloth facial coverings to employees, unless exposure dictates a higher level of protection 	www.kingcounty.gov/masks Proc 20-25.4
Gatherings	<ul style="list-style-type: none"> <u>Phase 1</u>: none permitted <u>Phase 2</u>: Gather with no more than 5 people outside household per week. <u>Phase 3</u>: Allow gatherings with no more than 50 people <u>Phase 4</u>: Permit gatherings greater than 50 people 	Safe Start Washington Plan at page 6
Recreation	<u>Phase 1</u> : permitting resumption of hunting, skiing, golf, boating, hiking <u>Phase 2</u> : permitting outdoor recreation involving 5 or fewer people outside of household (camping, beaches, etc.) <u>Phase 3</u> : Outdoor group rec. sports activities (50 or fewer people), recreational facilities at <50% capacity (gyms, public pools, etc.), professional sports without audience participation (horseracing, baseball, etc.) <u>Phase 4</u> : Resume all recreational activity	Safe Start Washington Plan at page 6
Travel	<u>Phase 1</u> : Essential travel and limited non-essential travel for Phase I permissible activities <u>Phase 2</u> : Essential travel and limited non-essential travel for Phase I & II permissible activities <u>Phase 3 and 4</u> : Resume/continue non-essential travel	Safe Start Washington Plan at page 6
Impact on other Orders	Extending to July 1, 2020, and leaving in place and amending Proc 20-05, 20-25, 20-25.1 and 20-25.2 (Stay Home – Stay Healthy, now renamed Safe Start – Stay Healthy).	
DEFINITIONS/APPENDIX		
Guidance for Resumed/Reopened Businesses	Safe Start Washington: https://www.governor.wa.gov/sites/default/files/SafeStartWA_4May20_1pm.pdf?utm_medium=email&utm_source=govdelivery	

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Standards for Phased Opening with State and County Links	Safe Start Washington: https://www.governor.wa.gov/sites/default/files/SafeStartWA_4May20_1pm.pdf?utm_medium=email&utm_source=govdelivery	
Essential Businesses	https://coronavirus.wa.gov/what-you-need-know/whats-open-and-closed/essential-business	

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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