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COVID-19 Guidance for Restaurants

Insight — March 25, 2020

Restaurant Operational Checklist

1. You may ask employees if they are experiencing COVID-19 symptoms. These include (but are not definitive and some employees will be asymptomatic) fever, chills, cough, shortness of breath, or sore throat. All information obtained must be maintained as a confidential medical record in compliance with the ADA.
2. You may take the body temperature of your employee, even though this is a medical examination. However, employers should be aware that some people with COVID-19 do not have a fever.
3. Employees who appear to have symptoms upon arrival at work or who become sick during the day should immediately be separated from other employees, customers, and visitors and sent home.
4. You may request your employee to stay home if they have symptoms. Sick employees should follow CDC-recommended steps. Employees should not return to work until the criteria to discontinue home isolation are met, in consultation with healthcare providers and state and local health departments.
5. You may request your employee self-quarantine for 14-days and not return to work until they produce a doctor's note/fitness for duty documentation. As a practical matter, however, doctors and other health care professionals may be too busy to provide fitness-for-duty documentation. Reliance on forms, stamps, or emails may be necessary to certify that an individual does not have the pandemic virus.
6. Immediately clean all restaurant surfaces where the employee performed work or touched. Conduct a thorough cleaning, either overnight or forcing a shut-down of pick-up/delivery services if necessary.
7. Ask when the individual first experienced symptoms of COVID-19 (to identify if they were actively sick with the virus when they last worked at the restaurant).
8. Call the County Health Department to ensure (i) that officials are aware of this individual, and (ii) that County officials are involved.
9. Carefully and quickly investigate to identify who may have come in close contact with the confirmed patient. Consider watching security video to confirm everyone that came within 6-feet of confirmed patient.
10. For all employees identified as having contact with the confirmed employee, do the following:

- a. ask about any symptoms being experienced by the employee.
 - b. take the employee's temperature if necessary.
 - c. advise employee to self-quarantine for 14 days post-exposure and to immediately seek medical care and get tested.
 - d. if they have symptoms, advise the employee to follow the guidance of local health authorities, including calling ahead to emergency department rather than showing up and exposing others if they have symptoms.
 - e. inquire whether employee has elderly or immune-compromised persons living with them or that they have had close contact with since the possible exposure and advise the employee to notify such individuals.
11. Send out a notice to all employees about the potential exposure, do not use the employee's name, use instead time of work, shifts performed, and areas of the restaurant affected, letting employees know of a possible exposure, general precautions they should be taking, and what to do if they develop symptoms; but also reassuring employees that the actual threat remains limited (if that remains true).
12. Staff with only those individuals that there is little concern about having been exposed.
13. Confirm each step listed above with local health officials and get buy-in or change course if they have other recommendations.
14. Continue to follow CDC and local and state health department advice, including:
 - Wash your hands often with soap and water for at least 20 seconds. Use hand sanitizer with at least 60% alcohol if soap and water are not available.
 - Avoid touching your eyes, nose, and mouth with unwashed hands.
 - Cover your mouth and nose with a tissue when you cough or sneeze or use the inside of your elbow. Throw used tissues in the trash and immediately wash hands with soap and water for at least 20 seconds. If soap and water are not available, use hand sanitizer containing at least 60% alcohol. Learn more about coughing and sneezing etiquette on the CDC website.
 - Clean AND disinfect frequently touched objects and surfaces such as workstations, keyboards, telephones, handrails, and doorknobs. Dirty surfaces can be cleaned with soap and water prior to disinfection. To disinfect, use products that meet EPA's criteria for use against SARS-CoV-2^{external icon}, the cause of COVID-19, and are appropriate for the surface.
 - Avoid using other employees' phones, desks, offices, or other work tools and equipment, when possible. If

necessary, clean and disinfect them before and after use.

- Practice social distancing by avoiding large gatherings and maintaining distance (approximately 6 feet or 2 meters) from others when possible.

How to Handle Potentially Infected Customers

If the Restaurant is notified by someone other than state or local health officials, Restaurant should first follow these steps:

1. Immediately clean all restaurant surfaces that are customer accessible.
2. Ask for the name and contact information of the person with or suspected of having COVID-19.
3. Request details, to the extent customer recalls (exact date and time of visit; name of take-out/delivery employee). Do not disclose the name of the individual or any details publicly.
4. Ask when the individual first experienced symptoms of Coronavirus (to try and identify if they were actively sick with the virus when they had contact at the restaurant).
5. Call the County Health Department to ensure (i) that officials are aware of this individual and the report being made to the restaurant, and (ii) that County officials are involved.

If Restaurant is notified by local officials, OR after completing steps 1-5 above, Restaurant should follow these steps:

1. Carefully and quickly investigate to identify who was working on the date the customer visited and who may have come in close contact with the confirmed patient. Consider watching security video to confirm everyone that came within 6 feet of confirmed patient.
2. For all employees identified as having contact with the confirmed patient, do the following:
 - a. ask about any symptoms being experienced by the employee.
 - b. take the employee's temperature if necessary.
 - c. advise employee to self-quarantine for 14 days post-exposure and to immediately seek medical care and get tested.
 - d. if the employee has symptoms, advise the employee to follow the guidance of local health authorities, including calling ahead to emergency department rather than showing up and exposing others if they have symptoms.
 - e. inquire whether employee has elderly or immune-compromised persons living with them or that they have had close contact with since the possible exposure and advise the employee to notify such individuals to follow 2b and 2c above.
3. Send out a notice to all employees about the potential exposure, letting employees know of a possible exposure, general

precautions they should be taking, and what to do if they develop symptoms; but also reassuring employees that the actual threat remains limited (if that remains true). Do not identify the name of the employee.

4. Conduct a thorough cleaning of the premises, either overnight or forcing a shut-down if necessary.
5. Staff with only those individuals that were not on shift at the time of exposure, and if not possible, only with those who you are certain did not come into contact with the customer.
6. Confirm each step listed above with local health officials and get buy-in or change course if they have other recommendations.

We encourage you to visit Holland & Hart's Coronavirus Resource Site, a consolidated informational resource offering practical guidelines and proactive solutions to help companies protect their business interests and their workforce. The dynamic Resource Site is regularly refreshed with new topics and updates as the COVID-19 outbreak and the legal and regulatory responses continue to evolve. Sign up to receive updates and for upcoming webinars.

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