



Georgia Begins Reopening Businesses: What Employers Need To Know

Insights

4.20.20

Governor Brian Kemp just issued another executive order that reopens most businesses specifically closed under the statewide April 2 order. What do employers need to know about this order, and what should you do to prepare for the reopening of your business?

Details On Order

The order specifically permits the reopening of gyms, bowling alleys, barbershops, hair salons, and other previously enumerated businesses. As with the previous order, this order supersedes all state and local orders that are more or less restrictive, and it allows these businesses to reopen on Friday, April 24, 2020 — so long as they adhere to the Minimum Basic Operations requirements that all other businesses not deemed Critical Infrastructure in Georgia must follow.

When announcing the latest easing of restrictions, the governor also noted that restaurants could begin serving dine-in customers, and that theaters would be allowed to resume operations, on Monday, April 27, so long as restaurants and theaters followed the Minimum Basic Operations requirements listed above. The reopening provision for restaurants and theaters, however, did not make it into this latest executive order, so another executive order or FAQs from the governor's office on this point may be forthcoming.

Moreover, the governor specifically mentioned in the announcement that bars, nightclubs, amusement parks, and venues for large public gatherings will remain closed at least through April 30.

The order also encourages medical practitioners, including dentists, orthodontists, optometrists, physical therapist, etc., that have chosen to cease operations or ceased the performance of elective procedures to resume treating patients, and those healthcare providers are not subject to the mandatory requirements for businesses operating under Minimum Basic Operations.

Requirements For Reopening Businesses

Businesses that are conducting Minimum Basic Operations are required to implement the following:

1. Screening and evaluating workers who exhibit signs of illness, such as a fever over 100.4 degrees Fahrenheit, cough, or shortness of breath;
2. Requiring workers who exhibit signs of illness to not report to work or to seek medical attention;

3. Enhancing sanitation of the workplace as appropriate;
4. Requiring hand washing or sanitation by workers at appropriate places within the business location;
5. Providing personal protective equipment as available and appropriate to the function and location of the worker within the business location;
6. Prohibiting gatherings of workers during working hours;
7. Permitting workers to take breaks and lunch outside, in their office or personal workspace, or in such other areas where proper social distancing is attainable;
8. Implementing teleworking for all possible workers;
9. Implementing staggered shifts for all possible workers;
10. Holding all meetings and conferences virtually, wherever possible;
11. Delivering intangible services remotely wherever possible;
12. Discouraging workers from using other workers' phones, desks, offices, or other work tools and equipment;
13. Prohibiting handshaking and other unnecessary person-to-person contact in the workplace;
14. Placing notices that encourage hand hygiene at the entrance to the workplace and in other workplace areas where they are likely to be seen;
15. Suspending the use of Personal Identification Number (PIN) pads, PIN entry devices, electronic signature capture, and any other credit card receipt signature requirements to the extent such suspension is permitted by agreements with credit card companies and credit agencies;
16. Enforcing social distancing for non-cohabitating persons on their property;
17. For retailers and service providers, providing for alternative points of sale outside of buildings, including curbside pickup or delivery of products and/or services if an alternative point of sale is permitted under Georgia law;
18. Increasing physical space between workers and customers;
19. Providing disinfectant and sanitation products for workers to clean their workspace, equipment, and tools; and
20. Increasing physical space between workers' worksites to at least six feet.

The order keeps language from the prior order that all businesses, non-profits, and county and municipal governments (except those defined as "Critical Infrastructure") must restrict gatherings to 10 individuals or less if members of the public being served must be within six feet of other individuals.

Finally, the order again adopts the definition of what constitutes "Critical Infrastructure" as those sectors listed in the most current CISA guidance and incorporates businesses that supply essential

goods to those sectors as well as legal services, home hospice, and certain non-profit mental health and food services in that definition. As with the previous order, business that are Critical Infrastructure are exempt from the above requirements that are listed for Minimum Basic Operations and are only required to implement measures to decrease the spread of COVID-19, using the above methods or practical alternatives.

What Should Employers Do?

As you begin the process of reopening, you should familiarize yourself with our alert: [5 Steps To Reopen Your Workplace, According To CDC's Latest Guidance](#). You should also keep handy our [4-Step Plan For Handling Confirmed COVID-19 Cases When Your Business Reopens](#) in the event you learn of a positive case at your workplace. For a more thorough analysis of the many issues you may encounter from a labor and employment perspective, we recommend you review our [FP BEYOND THE CURVE: Post-Pandemic Back-To-Business FAQs For Employers](#) and our [FP Resource Center For Employers](#).

Conclusion

Fisher Phillips will continue to monitor the rapidly developing COVID-19 situation and provide updates as appropriate. Make sure you are subscribed to [Fisher Phillips' Alert System](#) to get the most up-to-date information. For further information, contact your Fisher Phillips attorney, any attorney in our [Atlanta](#) office, or any member of [our Post-Pandemic Strategy Group Roster](#).

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