



Memphis Extends Safer-At-Home Order And Issues New Guidelines For Essential Businesses

Insights

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Memphis Mayor Jim Strickland recently issued an update to the March 23 Safer at Home Executive Order. While most Tennessee counties plan for businesses to begin reopening on May 1, Memphis will remain under its Safer-at-Home Order until at least May 5. However, a few businesses will be allowed to reopen under certain conditions and some essential business currently operating within the city will be required to follow new safety guidelines.

Which Memphis Businesses Are Reopening?

Fully automated carwashes have been added to the list of essential businesses and were allowed to resume operation as of April 21. However, ancillary functions, such as vacuum stations, must remain closed.

Additionally, following a successful “trial” conducted last weekend, golf courses, including five of Memphis’ public courses, will be allowed to resume operation beginning this weekend. All reopening golf courses will be required to follow certain mandatory procedures, including maintaining social distancing requirements, scheduling tee times in advance, spacing tee times, prohibiting the use of personal carts, and only accepting credit card payments.

When Will Other Memphis Businesses Reopen?

Shelby County is one of six Tennessee counties excluded from the governor’s plan to reopen the state’s businesses upon expiration of the statewide Safer-at-Home Order. The Memphis economic recovery team is expected to develop a three-phase plan for reopening businesses within the city.

Specifically, the city will give particular attention to the rate of new COVID-19 cases, the rate of hospitalizations, and hospital capacity, and whether testing and tracing capabilities are sufficient to contain the spread of the virus.

Once the city meets the forthcoming requirements for phase one, some businesses will be allowed to reopen. However, if the criteria for phase one are not met by May 5, the Mayor will issue another extension and an assessment of the city’s progress toward reopening.

What New Requirements Will Be Placed On Essential Businesses?

Beginning April 24 at 6:00 p.m., all “big-box retailers” of groceries and hardware items will be required to implement new COVID-19 Compliant Protocols, including:

- Requiring all employees to wear face coverings while working in areas open to the public;
- Providing at least one hour of controlled access to customers who are 55 and older, have serious underlying medical conditions, or are pregnant, and posting these hours at the facility;
- Limiting the number of customers allowed to enter to premises as necessary to easily maintain a minimum of six-foot distance from one another at all times, and maintaining no more 50% building capacity at all times, including employees, vendors, and members of the public;
- Posting an employee at entrances to ensure the maximum capacity is not exceeded;
- Posting a sign at the entrance informing employees and customers on proper protocols and the limit on the number of people allowed inside;
- Indicating where lines may form and mark six-foot minimum increments indicating where customers must stand to maintain social distancing;
- Providing hand sanitizer, soap and water, or other effective disinfectant at or near entrances, in other appropriate areas for use by the public and employees, and in areas where there are high-frequency employee interactions with the public, such as cashier stations; and
- Frequently disinfecting all work and common areas, breakrooms, bathrooms, payment portals, pens, carts and baskets, and other frequently touched surfaces.

What's Next?

The Order will remain in effect until May 5. However, in a press conference yesterday, the Mayor stated he anticipates the Order to continue in some form past that date. Individuals and all non-essential businesses must continue to comply with the requirements of the [Safer-at-Home Executive Order](#) and are strongly encouraged to wear face covering while engaging with others and entering a place of business. The Memphis Police Department and other city and county officials are authorized to enforce the order and close business who violate the Order.

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 [Memphis](#) office, or any member of [our Post-Pandemic Strategy Group Roster](#).

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