

Insights, News & Events

DAVIDSON COUNTY (TN) EXTENDS SAFER-AT-HOME ORDER AND UNVEILS ROADMAP FOR REOPENING NASHVILLE (UPDATED)

Insights
May 1, 2020

[ED. NOTE: DAVIDSON COUNTY'S SAFER-AT-HOME ORDER WAS EXTENDED TO MAY 8. ADDITIONALLY, NASHVILLE PUBLIC HEALTH DEPARTMENT ISSUED ORDER NO. 4, IN WHICH CITIZENS AND VISITORS OF NASHVILLE AND DAVIDSON COUNTY ARE STRONGLY URGED TO WEAR CLOTH FACE COVERINGS AND MASKS IN PUBLIC SETTINGS, INCLUDING THE WORKPLACE. THE ORDER ALSO DIRECTS BUSINESSES TO REQUIRE CERTAIN EMPLOYEES TO WEAR CLOTH FACE COVERINGS OR MASKS AND TO POST SIGNAGE REGARDING FACE COVERINGS AND MASKS. ORDER NO. 4 REMAINS IN EFFECT UNTIL 11:59 P.M. ON MAY 31, 2020.]

Though the statewide [Safer at Home Order](#) is set to expire on April 30, some counties in Tennessee – including Davidson County – have extended their Safer-at-Home Orders while instituting reopening strategies. As one of the counties excluded from Governor Bill Lee's plan to reopen businesses upon expiration of Tennessee's order, Davidson County [extended](#) its [Safer-at-Home Order](#) to May 1 and released a four-phase [Roadmap for Reopening Nashville](#).

Each phase allows different businesses to open at varying capacity levels. The plan emphasizes that it is "data driven, not date driven." Accordingly, the

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progression of the plan to each phase is dependent on data. Phase 1 is not initiated until there is a sustained downward trend in new COVID-19 cases over the course of 14 days, and the data metrics will be evaluated before progressing to each phase. Conversely, a significant increase in active COVID-19 cases may halt movement towards the next phase, revert the plan to a prior phase or re-impose stricter social distancing guidelines.

PHASE 1

In Phase 1, restaurants, bars serving food, retail stores and commercial businesses are permitted to open at half-capacity and with certain requirements. For instance, restaurants and bars serving food are required to clean all surfaces after every use and close bar areas. Live music is not permitted at restaurants or bars serving food.

Additionally, healthcare and dental businesses may conduct routine and elective procedures for patients under the age of 70. Daily screening and face masks are required for employees of businesses allowed to operate in Phase 1.

PHASE 2

Phase 2 permits restaurants, bars serving food, retail stores and commercial businesses to open at 75% capacity, while maintaining the same cleanliness and screening requirements as outlined in Phase 1. Also, Phase 2 allows certain hair, nail and massage businesses to reopen with restrictions.

Specifically, such businesses may open by appointment only and may not service walk-in clients. Such businesses must also limit the number of staff and customers to 10 people.

Healthcare and dental businesses may conduct routine and elective procedures for all age groups. Further, playgrounds, tennis courts, and basketball courts are

permitted to open with social distancing in place. Daily screening and face masks are required for employees of businesses allowed to operate in Phase 2.

PHASE 3

In Phase 3, restaurants, bars serving food, retail stores and commercial businesses may open at full capacity. Bars and entertainment venues are permitted to open at half-capacity, though no standing at bars is allowed. Also, gyms and certain fitness businesses may reopen. Daily screening and face masks are required for employees of businesses allowed to operate in Phase 3.

PHASE 4

Phase 4 allows sports and large event venues to reopen. Also, bars and entertainment venues are permitted to reopen at full capacity. Employees of businesses allowed to operate in Phase 4 are screened daily. It is optional, but recommended, for most employees to wear face masks. However, healthcare and dental business employees are required to wear face masks.

CONCLUSION

There is not an exact date when Davidson County, Tennessee will initiate a full reopening of all businesses without restrictions. However, businesses now have a blueprint to follow once county officials begin to loosen restrictions.

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](#).

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

This Legal Alert provides an overview of a specific developing situation. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.