



**Phase 2 Restaurant/Tavern Reopening
COVID-19 Requirements
Phase 2 Reopening Webinar Q&A
May 26, 2020**

Updated June 4, 2020

Disclaimer: This document is intended to be a resource for developing your own operational rules and procedures. It is not intended to provide or replace legal, financial, or operational advice. Additional local laws, regulations and guidelines may apply that are not addressed here. It is strongly recommended that you consult with your advisors and regularly check for updates from the sources relied on herein and other appropriate sources to remain current regarding this ongoing matter.

CLEANING/SANITIZING

1. Is there any guidance on what types of hand sanitizer are best?

☞ *The Center for Disease Control and Prevention (CDC) recommends an alcohol-based hand sanitizer that contains at least 60% alcohol. Note that hand sanitizers are over-the-counter drugs regulated by the Food and Drug Administration (FDA). FDA has issued temporary guidelines for manufacturing hand sanitizer, and requires manufacturers to follow the World Health Organization's recommendations for its composition.*

- a. Where can we find it?

☞ *If hand sanitizer is not available in the store, FDA has issued temporary guidance allowing some businesses to manufacture hand sanitizer. In Washington, these companies include multiple distilleries (www.distilledspirits.org) and Walla Walla Environmental and Evergreen Labs. The Association of Washington Business created a new resource to help any business looking for PPE equipment. The website is www.reboundandrecovery.org.*

2. Is liquid hand sanitizer acceptable? or only gel?

☞ *FDA requires only that hand sanitizer be produced under its temporary guidelines as a liquid, not as a gel.*

3. Will there be any consideration given to allowing laminated menus, given that the CDC recently updated its website to reflect that the transmission on surfaces is low risk?

☞ *CDC has clarified that it is possible to contract COVID 19 from a contaminated surface and continues to recommend disposable or digital menus. Creative ideas such as chalk boards/or white boards that require minimal touching are also possible. A change to allow reusable menus is not expected until, at least, Phase 3.*

4. Must tables be completely clear? Can decorative items like candles and flowers that customers do not handle be placed on tables?

☞ *CDC recommends that only single serving condiments be used, and discourages using any items that may be handled that are difficult to clean, sanitize or disinfect. All items left on the table MUST be disinfected between each dining group.*

5. What's the recommended cleaning schedule for bathrooms, tables and chairs, and other high traffic areas?

☞ *It is recommended that all surfaces that come into contact with customers seated at tables, including seats, tables, condiment containers, and all other touch points, be disinfected between each customer/party seating. Frequent disinfection of all common areas and touch points, including door handles and payment devices is recommended. Bathrooms should be cleaned and disinfected at least daily, or as often as possible.*

6. I understand that the virus is most effectively dealt with by spraying disinfectant and letting the surface air dry rather than spraying and wiping. Do you have information on this?

☞ *CDC recommends using products that meet the Environmental Protection Agency's (EPA) disinfection criteria (www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2) and recommends that disinfectant remain on the surface for the contact time recommended by its manufacturer. Follow the label directions.*

CONTACT TRACING

7. How much responsibility do we have to let customers know about the voluntary customer log?

☞ *The purpose of the voluntary customer log is to notify customers if they have been exposed to COVID-19. Businesses are required to maintain a log of customers who voluntarily provide their information. Employees should be informed about the voluntary log, and you may want to have a sign posted noting that it is available for customers.*

8. If a guest tests positive and we learn about it, who on staff needs to quarantine?

☞ *CDC recommends that staff who have had close contact (within 6 feet) to a person with COVID-19 for more than 15 minutes, including those who took their order at the counter or visited their table, should self-quarantine. If exposure time was shorter, but the infected person coughed in the staff member's face, that staff member should self-quarantine.*

9. Can you talk a little more about how contact tracing will work? As a business, do I assume any liability if a guest tests positive and has come into contact with other guests/employees?

☞ *Contact tracing provides a way to identify people who have been exposed to COVID-19 to help prevent them from spreading the disease. A trained interviewer will ask the exposed person for contact information of all people with whom they have been in close contact (ie., within 6 feet for more than 15 minutes). This information is voluntary. The interviewer will then contact the exposed people and advise that they self-quarantine for 14 days. All information collected during contact tracing will be stored in secure databases and will only be used for this public health effort.*

Your business may be liable under a tort action if a guest or employee contracts COVID-19 as a result of exposure at your establishment. Your liability will likely depend on your due diligence-- what you knew about the risk of exposure (such as an infected employee or customer) and what actions to prevent disease transmission you took and when you took them. You may want to review your procedures with your legal counsel.

10. Are there any data retention requirements around the contact tracing log and does maintaining it "on site" negate keeping one electronically on-line?

➡ *All businesses, including wineries, are required to keep the log of voluntarily provided contact tracing data for 30 days. The list should be kept in a secure manner, but there is no requirement to keep it on-line. It is not required to keep a log of customers who do not voluntarily provide contact information.*

11. Are there specific guidelines for what the exact steps are to notify guests and staff if there has been a guest/staff member in the winery with positive symptoms or positive test?

➡ *The US Department of Labor's Occupational Safety and Health Administration (OSHA) considers COVID-19 to be a recordable illness. Employers are responsible for recording cases of COVID-19 if the case is confirmed and is likely work-related. Staff who were potentially infected through close contact (see definition below) with the infected employee or guest should be sent home to self-isolate and monitor for symptoms. Any guests who may have been exposed through close contact with the infected person should also be notified. However, to maintain the infected person's confidentiality, the employee's name must not be disclosed.*

12. Is there anything that says what the business should do if they discover that a known customer or employee has come down with COVID -19?

➡ *Contact your local health authority: <https://www.doh.wa.gov/Emergencies/NovelCoronavirusOutbreak2020COVID19/CaseInvestigationsandContactTracing> . In addition to the notification steps listed in the response above, CDC recommends that a business close the affected areas and wait 24 hours or as long as possible before cleaning and disinfecting to minimize the chance that other employees will be exposed to respiratory droplets. During the waiting period, outside doors and window should be opened to increase air circulation. After 24 hours, the area should be cleaned and disinfected using products that meet EPA criteria for use against SARS-Cov-2. Dirty surfaces should be cleaned with soap and water before disinfection.*

EMPLOYEE SCREENING/ILLNESS

13. What's the best practice for screening employees?

➡ *Employees should be screened for signs or symptoms of COVID-19 at the start of each shift. This screening can include confirming that the employee's temperature is below 100.4° F (an employee may check their own temperature at home), asking how the employee is feeling or filling out a questionnaire, and observing if the individual is coughing, suffering from shortness of breath, or appears to look ill with flushed cheeks or fatigue.*

14. If someone working in my business tests positive, who needs to quarantine?

☞ *Anyone who has been in close contact with the infected person needs to quarantine.*

a. What constitutes “close contact”?

☞ *Close contact is defined as contact with an infected person within 6 feet of distance for more than 15 minutes, or if the infected person coughs in the worker’s face.*

15. Is it an individual choice by my employees to self-quarantine if they have had contact with someone with the virus or is that something we need to enforce?

☞ *Employers are required to protect workers from biological hazards and implement programs to address known hazards in the workplace. To protect workers from the hazards created by COVID-19, an employer must send home any employee who has been in close contact with an individual infected with COVID-19.*

16. If anyone on our staff gets notified that they have had contact with the virus, but tests negative, can they come back to work? When can they come back?

☞ *CDC recommends that if a person who has been exposed by close contact with an infected person, remain at home, practice safe distancing and self-monitor for symptoms for 14 days. A person who has tested negative from at least 2 consecutive tests that were more than 24 hours apart, may discontinue quarantine.*

17. What is procedure to handle ill staff members in general?

☞ *A business is required to protect workers from known hazards. The business’s safety plan should specify the employee’s responsibility for notifying the employer of suspected exposure or symptoms of COVID-19. Employees should receive training about COVID-19 transmission and symptoms, and signs should be posted throughout the establishment to remind employees of requirements for safe distancing and hygiene.*

ENTERTAINMENT/SPECIAL EVENTS

18. Can we offer live entertainment—musicians singing/performing-- during Phase 2 if musicians and performers adhere to social distancing and other health and safety requirements of staff and patrons?

☞ *Nightclubs and other entertainment venues are not allowed to open until Phase 4. Live entertainers pose an increased risk involving social distancing, and by creating extended virus transmission through singing or loud talking. Live music may also make it more difficult to manage capacity. However, this issue remains TBD as Governor and WSDOH are still determining guidance.*

19. What about events? Are we able to host private events (weddings, etc) during Phase 2, so long as all Phase 2 social distancing, safety and health requirements are met? Are there any additional restrictions?

☞ *Follow the governor's phase plan limits for number of people per gathering, Phase 2 (5 people or less outside your household), likely this will be a better option with Phase 3 (less than 50) and Phase 4 (greater than 50). (<https://www.governor.wa.gov/news-media/chart-washingtons-phased-approach>)*

20. Are private event space rentals permitted for groups larger than 5?

☞ *No. Occupancy requirements are restricted to 50% and groups of 5 or less.*

GLASSWARE AND DUMP BUCKETS

21. Glassware: are there any additional Phase 2 requirements for glassware sanitation?

☞ *Glassware should be washed in a routine sanitization mode in a dishwasher or washed, rinsed and sanitized manually.*

a. Must customers be provided a new, clean glass for each pour/drink?

☞ *LCB does not require a new clean glass for each drink.*

22. Advise for handling spit/ dump buckets?

☞ *For Phase 2, the use of spit/dump buckets is not recommended. Questions 23-24 offer some creative suggestions on ways to handle this situation.*

23. Winetasting? We usually use our own glasses except for events. What is our industry going to do? Disposable, bring your own glass?

☞ *A winery or brewery is allowed to use their own glasses, but any used glassware must be thoroughly sanitized prior to reuse. Disposable glasses are encouraged.*

What about disposable spit cups, like solo cups? The black ones that the alliance uses for events? If we give guests an individual disposable cup as a spit bucket that they can throw away is that ok?

☞ *Work with your local health department on creative ideas like disposable spit cups to see what might be acceptable.*

24. We are having guests put their glass in a dishwasher rack on their way out so our employees don't touch their glass before it is washed

☞ *Work with your local health department on creative ideas like allowing guests to place their used glassware in a dishwasher rack to see what might be acceptable.*

MASKS/PPES

25. Masks present a problem when drinking/eating at tables: do we encourage customers to wear masks anytime they are not seated at their table?

☞ *Yes, masks are strongly encouraged for customers at all times not seated at the table. You are required to post signage, such as at your entry and throughout your tasting or tap room, advising customers that masks are strongly encouraged while not seated at a table.*

26. Do we need to provide masks for customers?

☞ *No. You are not required to provide masks for customers.*

27. How do we handle a guest who refuses to wear a mask?

☞ *Develop clear policies for your establishment and ensure that your staff has been trained to deal with this interaction. Provide support for employees from supervisors/managers. Empathize with guests while explaining the requirements are intended to keep your employees and other patrons safe and are critical to your ability to keep your establishment safe and healthy and open.*

☞ *If a customer refuses to wear a mask and is coughing or showing signs of illness, offer to-go options as an alternative to dining in.*

28. How do we ensure we are properly checking IDs when masks are required?

☞ *When ordering at the counter, have the customer leave their ID on the counter, step back, and quickly pull mask down. If seated at a table, have the customer place their ID on the table, have your server look at the ID, then step back while customer pulls down mask momentarily.*

29. Can we provide employees with face shields instead of cloth masks?

☞ *Face shields may be used but are not considered a replacement for cloth masks. Any employees using a face shield must also wear a mask with it.*

30. Are we responsible for providing all required PPE for employees?

☞ *Yes. While you may make allowances for employees to use their own PPE, if they choose, you are still required to provide all required PPE for your employees.*

31. Is the requirement 6 feet distance AND a mask, or 6 feet distance OR a mask.

☞ *6 feet is not a substitute for a mask. Employees must wear masks at all times they are not working alone at the job site.*

a. Does that guidance apply to customer/employee as well as employee/employee?

☞ *All employees are required to wear masks. Customers are strongly encouraged to wear masks anytime they are not seated at a table.*

32. Are we required to deny entry for those customers who aren't wearing face masks or who don't have a mask?

☞ *You are not required to deny entry for customers who are not wearing face masks. However, you should develop clear policies for your winery/brewery with regards to customer face mask use. If you choose to require face masks of all customers while not seated at tables as a condition of service, ensure your staff has been trained to enforce this policy and that the policy is clearly outlined and visible for patrons.*

33. How does the Department of Health view the use of disposable masks?

☞ *Guidance for facial coverings can be found here:*
<https://www.doh.wa.gov/Portals/1/Documents/1600/coronavirus/ClothFacemasks.pdf>

34. If I am working in my tasting room alone, do I need to wear a mask?

☞ *Cloth facial coverings must be worn by every employee not working alone on the jobsite unless their exposure dictates a higher level of protection under Department of Labor & Industries safety and health rules and guidance. Refer to [Coronavirus Facial Covering and Mask Requirements](#) for additional details.*

35. When are employees supposed to wear gloves?

☞ *Gloves should be used as appropriate or required to employees for the activity being performed, such as when handing shared utensils.*

36. Eye protection (i.e. goggles) was mentioned for employees who may be clearing (covered non-reusable spittoons). This is the first I have heard re eye protection for wineries. If you could provide further guidance regarding eye protection it would be appreciated.

☞ *Eye protection was used by some operators, but not required if the activities don't cause splash in the eyes.*

37. Is the employee responsible for cleaning their face mask? Or does the employer have to provide clean face masks every shift?

☞ *Cloth facial coverings should be cleaned at least daily. The employer should arrange for cleaning or replace the face covering as needed.*

OCCUPANCY

38. How can I determine 50% occupancy for outdoor areas that do not have a limit established per the fire code?

☞ *50% occupancy in areas without an occupancy established per fire code should be determined by the 6 feet social distancing requirement if information from a municipal official is not available.*

39. Our tasting room is very tiny and only has bar seating. No outside seating, no tables that can be distanced. Are we basically going to be forced to wait until Phase 3 for inside service? Or will there be any sort of variance possibilities?

☞ *During Phase 2, there is no variance for allowing any bar seating and 6 feet is the rule. You may consider areas where you might extend your premise, including production areas or outside areas (including your parking lot) to accommodate extra seating. If you are extending your premise into new outdoor areas or into your production areas, speak with your local health department and submit your alterations request to the LCB for approval by emailing liquoralterations@liq.wa.gov.*

PHASES AND ENFORCEMENT

40. Can you talk a little about the process for determination of when certain areas of the state can move to the next Phase? Is it possible that we would move backward through phases?

☞ *Yes. A county can move backward if the illnesses increase or other parameters change. You can find information about “Safe Start”, Phases, and metrics for the state and counties, here: <https://coronavirus.wa.gov/what-you-need-know/safe-start>*

- a. Which agency is responsible for determining compliance?

☞ *Breweries and wineries Phase 2 operations will be regulated by the Liquor & Cannabis Board, WA Dept of Health, local health jurisdictions, and L&I.*

- b. What are the penalties for not meeting Phase 2 requirements?

☞ *A heavy emphasis will be given to education so that businesses have a path forward to Phase 2 compliance. If an agency receives a complaint that your business is not complying with Phase 2 requirements, you can expect to get a call or visit from one of these three agencies. You will be provided with the information to make necessary corrections. If you continue to be in violation and are not taking steps to come into compliance, you risk having your license suspended or revoked. Your work will help reduce the spread of COVID-19 to your workers and customers.*

41. How is the following going to be enforced and what are the repercussions if it doesn't meet the requirements?

☞ *No beverage service or restaurant may operate until they can meet and maintain all the requirements in this document, including providing materials, schedules and equipment required to comply. No reopening inspections are required prior to a restaurant reopening provided they meet and maintain all requirements in this document.*

➡ *Washington State Labor and Industries adopted a new rule on May 26th 2020 effective immediately giving them the authority to fine businesses open illegally during Phase 2. The fine can nearly \$10,000 or more. You can learn more about how this enforcement will work here: www.content.govdelivery.com/accounts/WADLI/bulletins/28d7e64*

RESTROOMS

42. Do we have to have bathrooms open and available for patrons during Phase 2?

➡ *Yes. Washington State has a requirement in our state food code requiring any food or beverage business providing customer seating to provide a working and clean restroom for patrons.*

43. How do you handle restrooms that have up to 6 stalls and no way to adhere to social distancing? One way in and one way out?

➡ *You will have to create a plan that adheres to the 6 feet social distancing rules. Ideas like closing off a few stalls to allow for proper distancing and placing a lock on the door so only one customer may use the restroom at a time may be a helpful part of that plan.*

44. Can we use Honey Buckets for bathrooms? Are they allowed to be used at this point?

➡ *As long as the portable toilet is regularly cleaned and use of the toilet by customers adheres to all social distancing requirements, this option is allowed. Employees must use restrooms with access to plumbed handwashing sinks.*

SEATING/BAR USE

45. How far away does seating need to be from the bar?

➡ *At a minimum, 6 feet back from the bar and each table or grouping must be 6 feet chair-to-chair away from each other.*

46. Can staff still utilize the bar area (is the bar closed to patrons- not closed for staff use, ie- pouring drinks, etc)?

➡ *Employees may use the bar area as long as they remain 6 feet away from each other and everything is done to minimize customer interaction with the bar area.*

47. Does the maximum of 5 per group at any one table include groups that are part of the same family?

➡ *Washington State Department of Health is seeking clarification with the Governor's office on how groupings will work with families that shelter together as well as children and babies. Outside of these possible exceptions, yes, all groups must be 5 ppl/table.*

48. For socially distanced seating, if we were to use a barrier, how tall should it be between seats and what types of material are appropriate?

➡ *Use non-porous surfaces easy to disinfect. Heights and sizes may vary based on individual layouts and should be high and wide enough to prevent the spread of coughs and sneezes from seated customers. You should also consider fire suppression/ life safety or HVAC equipment is not blocked by barriers*

49. Is the requirement 6 feet distance AND a mask, or 6 feet distance OR a mask?

➡ *The face covering is required for all employees that work with others regardless of physical distancing. Masks are strongly recommended for customers to use as well, but not required. The 6 feet requirement is for both employee and customer and at all times possible.*

SIGNS

50. Are there signs available from the State/DOH with Phase 2 Health and Safety Requirements to display for customers?

➡ *WWI, WWA, and WBG have provided appropriate signage to wineries and breweries, so please ask your association for signs if you need them.*

51. Where can I get a PDF of the two documents "Do you have these symptoms" and "Clean hands save lives"

➡ https://wswc-1290.kxcdn.com/assets/499bdbc2f71ece9553377dd75d8231f7/Washington%20Winery%20COVID-19%20Supplement%20Response%20Posters%2005.22.2020_Final.pdf

TRANSACTIONS

52. Do you recommend any best practices for transactions? Credit cards vs cash, signing receipts, etc.?

➡ *Create a plan that minimize touch points and interaction between the employee and the customer. Cash is allowed, but if possible going credit/debit cards only is a good idea. If your point of sale system can be modified to not require a customer to sign, this is also helpful. The plan should be created with a foundation of "how do I minimize requiring an employee and/or customer to touch something?" Employees should wash hands thoroughly or use hand sanitizer (60-95% alcohol content) after each transaction.*

53. Can you provide best practices for how to handle customers waiting to be seated, served, or while providing payment?

➡ *Assign a designated greeter or host to manage customer flow and monitor distancing while waiting in line, ordering, and during the entering and exiting process. Do not block egress for fire exits.*

➡ Encourage reservations or advise people to call in advance to confirm seating/serving capacity. Consider a phone reservation system that allows people to queue or wait in cars and enter only a phone call or text, or a restaurant-provided “buzzer” device that indicates a table is ready. Limit the number of staff who serve individual parties. Consider assigning the same employee to each party for entire experience (service, bussing of tables, payment). An employee may be assigned to multiple parties but must wash hands thoroughly or use hand sanitizer (60-95% alcohol content) when moving between parties.

➡ Regarding payment, consider using No Touch Payment options and modifying your system so signing receipts is not required. Have employees use a dedicated POS (e.g. iPad) that they immediately sanitize if a customer touches it. If a receipt is used, consider offering to sign “X” on behalf of the customer to avoid contact.

OTHER QUESTIONS

54. What are the best practices for congested and high-traffic areas?

➡ Have a plan to mitigate “bottlenecks” e.g. bathrooms, reception areas, and wine bar. Have employees help manage customer flow and ensure social distancing is taking place between groups of customers. Demarcations on the floor for where customers should stand and move through a line may help encourage proper social distancing, especially in confined spaces.

55. What is the best practice for flight pours?

➡ Consider pouring tastings of a “flight” at one time rather than repeated visits for each selection. Small groups could be offered a carafe of each selection.

a. Have customers come to counter to pick up each taste?

➡ Have a plan to minimize customer movement while in your establishment. You are allowed to have a customer come to the counter to pick up an order or taste, but keeping them at a table or defined space is encouraged and also assigning one employee to serve a set of tables/spaces.

56. Is there a limit to how many ounces can be in a "tasting"? For example, instead of offering 5 x 1-2 ounce pours, we are considering pre-pouring 3 x 2-3 ounce pours.

➡ There are no set sample limits for wineries selling alcohol under the domestic winery license. Other licenses do have specific tasting limits, so if using a different license contact your local LCB enforcement officer and find out if a limit applies to your license.

57. Can you clarify on the written policy? We are supposed to have a written policy on site describing EVERYTHING we are doing to ensure a safe and sanitary environment? Is there an example?

☞ A written Phase 2 reopening social distancing plan for your establishment IS required. If the plan is written down and understood by all employees, it is significantly easier to implement and speak to if a health or L&I officer shows up and asks questions about your plan.

58. If we notice a customer is showing signs of being sick, can we refuse them service?

☞ No business is required to serve a customer if they enter the premise, but the reason for refusing service should be clear. Consider posting signs similar to “no shirt, no shoes, no service” that indicate your establishment will not serve someone showing COVID-like symptoms. Prepare your employees on how to address this ahead of time.

59. Site specific supervisor does not have to be physically present, correct?

☞ One employee that is onsite while your establishment is open must be designated to monitor the health of employees and enforce the COVID-19 job site safety plan. This does not have to be the same person every day, each day, just someone who is working onsite during any given day/shift and is in charge of this requirement. However, this person MUST be trained on and understand COVID-19 requirements.

60. What are the 4 Es?

☞ See “4E External Experience Audit Service Design Project” document here:
[Winegrowers COVID Resources for Members](#)
[WWI 4E Document](#)
WBG

61. Is there a requirement to close our tasting rooms at specific time (like 5pm in California).

☞ No. The laws around time of alcohol service are the only requirements. Alcohol may not be sold and served between the hours of 2 AM – 6 AM.

62. Can brochures and magazines be placed on tables for people to take with them?

☞ During Phase 2, not placing brochures, magazines, or anything else besides glasses and/or plates brought to the customer is strongly recommended. Consider posting notices of online options for the customer to read that includes the information presented in a brochure or magazine.

Resources

- Employers can request COVID-19 [prevention advice and help](#) from L&I's Division of Occupational Safety and Health (DOSH).
- Employee Workplace safety and health complaints may be submitted to the L&I DOSH Safety Call Center: (1-800-423-7233) or via e-mail to adag235@lni.wa.gov.
- General questions about how to comply with agreement practices can be submitted to the state's Business Response Center at <https://app.smartsheet.com/b/form/2562f1caf5814c46a6bf163762263aa5>.
- All other violations related to Proclamation 20-25 can be submitted at <https://bit.ly/covidcompliance>.
- www.reboundandrecovery.org AWB new website aimed at helping Washington businesses safely welcome back employees and customers. Features:
 - The PPE Marketplace connects you with manufacturers who supply PPE providing you the opportunity to purchase equipment for you and your employees so you can re-open your business safely.
 - A toolkit of customizable materials to support your reopening – to help you communicate new COVID-19 requirements with your employees and customers.