

New Rhode Island Regulations That Affect Businesses

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The Rhode Island governor has issued several new orders that affect Rhode Island businesses. Importantly, all Rhode Island businesses are now subject to regulations promulgated by the Rhode Island department of health pursuant to Executive Order 20-32. Specially, businesses must:

- (a) Keep a **cleaning log** documenting the date, time and location of cleaning activities. Businesses should institute daily cleaning for objects touched frequently and more frequent cleaning of objects often touched by the public (grocery carts; POS keypads; etc). The regulations point to CDC guidance as to how often to clean things, so these could change over time.
- (b) "Screen" those entering the building for symptoms. "Screening" can be satisfied by one of three ways: (a) assigning an employee to visually assess (observe) those who enter the building to see if those who enter look to have symptoms of the coronavirus; (b) give those who enter a questionnaire; **or** (c) require those who enter to "self-screen" (e.g., have a policy requiring individuals on their own run through a checklist and not come in/call if they fail their own self-assessment).
- (c) Have a written plan stored on-site stating what procedures the business has adopted, as well as setting out procedures for responding to a positive case and affirmatively stating the business will cooperate with the department of health. Businesses are encouraged to have legal counsel review such plans to ensure compliance with the new regulations.
- (d) Hang posters published by the RIDOH at each entrance; businesses should hang this poster now.

There are fines and enforcement mechanisms for not following the new regulations. In addition, the order reopened non-essential retail for pick up and limited browsing (no more than one customer per 300 feet). Also pursuant to the order, the work from home requirements are much less restrictive, now only requiring employers to **encourage** work from home and telling people they **should** work from home (versus the prior order's language requiring the same). Close contact businesses and recreational businesses are closed until May 23rd, although the DBR can re-open outdoor seating for restaurants prior to that date. The order that prevents COVID-19 unemployment claims from adversely affecting an employer's experience rating has also been extended to June 5th.

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