



Restoring Commerce While Protecting Lives

A Conscientious Proposal from a Diverse Monterey County
Business Coalition to Recommend COVID-19 Workplace
Safety Protocols for Employees and Customers

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Executive Summary

The appointed Monterey County Public Health Officer and the elected Monterey County Board of Supervisors are discussing mandatory workplace standards for reopening of businesses in the county. To receive and consider public input, the Board has established five ad hoc committees. Meanwhile, a coalition of business groups has developed this set of guidelines to contribute to the Board's discussion in a way that the public and their elected officials are able to understand and consider. In addition to providing advice on guidelines, this report shows the commitment of Monterey County business organizations to ensure employees and customers do not spread the virus while engaging in commerce. The report asks businesses to consider whether they are truly ready, capable, and willing to operate under costly and restrictive protocols to ensure employee and customer safety.

Introduction

Can the People of Monterey County establish workplace standards (through its Government) to allow commerce to resume without spreading COVID-19 among workers, customers, and the general public? We think so. Our elected representatives on the county Board of Supervisors are collaborating in a positive way with the county's appointed Public Health Officer to pursue this goal.

To help them achieve it, a coalition of business associations based in Monterey County has developed this consensus report listing proposed workplace safety protocols and standards. These protocols are based on best practices promoted by

the U.S. Centers for Disease Control and Prevention (CDC), industry and labor organizations, existing Monterey County public health orders, and input from Monterey County businesses.



Besides giving ideas and practical advice to our county leaders, this report is meant to emphasize to Monterey County elected and appointed officials that the local business community is committed to preventing spread of this virus.

This commitment is grounded in moral and practical concerns. We care about the health of our neighbors, our customers, and our employees.

We recognize that failure in the implementation of protocols means additional infections, sickness, deaths, and a return to business closures.

Establishing the protocols as a government requirement is just the first step. We are committed to educating Monterey County businesses about the protocols, assisting businesses who have financial or logistical difficulties in complying with the protocols, and ensuring that businesses are accountable for complying with the protocols.

We also understand that many employees who want to return to work will be faced with the dilemma of lack of child care options and ensuring their children engage in distance learning. And while the State of California is imposing mandates on businesses regarding paid sick leave and workers' compensation benefits, legitimate concerns remain about worker safety, especially when employees do not understand or choose to ignore protocols. A separate report will address these concerns.

We hope this report serves a valuable resource in your efforts to develop public policies that allow a greater degree of commerce and social interaction while protecting the public.

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Our Recommendations for Businesses:

Attitudes About Reopening

Operating a business at this time has implications for the entire community. It includes potential for unknowingly helping to spread a virus that can cause grave sickness and death. That sickness and death usually occurs in physical agony and social isolation, devoid of personal dignity. It is an awful fate.

There are prominent public figures on the national level who do not believe you should be allowed to operate your business at this time. They often frame the discussion about reopening businesses as a choice between profits and lives.

This is a logical fallacy - simplistic and wrong. Our businesses provide meaning and purpose to our lives as well as the lives of many other residents of Monterey County. Any

successful commercial transaction is a benefit to the customer as well as the business owner and the employees of the business.

We appreciate how Monterey County elected and appointed officials have not embraced the false choice of “profits versus lives.” Nevertheless, if businesses are irresponsible and there is a surge of infections, sickness, and death, the government may decide to close businesses again for many months, or even years.

If you are not prepared for, capable of, or willing to protect your employees (and customers) in the admittedly costly and burdensome manner explained in this guide, you may want to refrain from opening your business during this emergency.



Considerations for Reopening Your Business

Do your employee policies and benefit programs comply with federal, state, and local employment/labor laws, including the special COVID-19 emergency policies?

Even if your employee policies and benefit programs comply with the law, do you think they are generous toward your employees?

Do you intend to regularly inform your employees about your employee policies and benefit programs?

Will you regularly assure your employees that their employer is committed to supporting them if they get sick or someone in their household gets sick?

Are your employees comfortable about knowing they can comply with the requirements without other employees mocking them or pressuring them to ignore or discount them?

Are you aware of childcare needs for your employees and addressing them?
Be aware that most students of school

age are now engaged in distance learning, childcare facilities are limited or closed, and summer camps are limited or cancelled.

Are you prepared to provide personal protection equipment (PPE), soap, disinfectant/sanitizer, and other items for employees? Are you capable of paying for this equipment?

Are your employees aware that they have the right to complain (without retaliation) to enforcement agencies if you (as an owner or supervisor) fail to comply with required public health orders and protocols? Do you understand and accept that this is an accountability measure to ensure your compliance with the law?

Are you prepared to hire enough employees to comply with the required public health orders and protocols?

Are you prepared to regard your employees as human beings, with the same attributes, desires and emotional capacity as you?

Recommended Protocols for Commerce

These requirements for all workplaces seem like common sense, but Owners/Supervisors and Employees can forget or willfully neglect them over time.

For purposes of these requirements, each Employee and Customer is assumed to live in different families or different households.

Educational Notices

Owners/Supervisors shall immediately post the complete, unaltered, and current published Monterey County Public Health Orders relevant to the business(es) of the work site at two kinds of locations at the work site: (1) at each public entrance to the work site and (2) on the employee bulletin board (next to posters required by federal, state, and local agencies). Notices shall be in both English and Spanish.

Owners/Supervisors shall immediately post a notice in customary locations where Employees gather during meal and rest periods warning Employees not to share or exchange personal items such as clothing, personal ornamentation, food, beverages, dishes, cups, and utensils.

Owners/Supervisors shall provide the complete, unaltered, and current published Monterey County Public Health Orders relevant to the business(es) of the work site electronically or on paper to each Employee.

Owners/Supervisors shall provide the complete, unaltered, and current published Monterey County Public Health Orders relevant to the business(es) of the work site electronically or on paper to each Employee.

Owners/Supervisors shall post notices at each facility handwashing location in both English and Spanish that list mandated handwashing practices using soap and water.

Owners/Supervisors shall post notice at each location where disinfection/sanitation solutions are maintained that list mandated handwashing practices using such solutions.

Owners/Supervisors shall post a notice inside each elevator and outside of each elevator door or bank of elevator doors indicating the following: (1) the limit on number of elevator passengers necessary to maintain social distancing, and (2) directions to abide by markings indicated on the elevator floor.

Social Distancing Requirements

Owners/Supervisors shall limit the number of Customers in an establishment to allow at least six feet of distance between each Customer and Employees.

Owners/Supervisors shall designate a specific Employee whose responsibility is to enforce that limit of Customers by prohibiting Customers from exceeding the limit when entering the work site. Another specific Employee shall be designated to have this role when that specific Employee is on meal or rest periods.

Owners/Supervisors shall ensure that Customers do not congregate or are compelled to congregate closer than six feet in distance while waiting to receive deliveries or orders.

Owners/Supervisors shall require Employees to call orders at a volume loud enough to be heard at distances necessary for Customers to maintain at least six feet of distance from other Customers or Employees.

Owners/Supervisors shall assign stationary Employees to locations that allow at least six feet between each Employee.

Owners/Supervisors shall ensure Employees maintain a distance of at least six feet while on meal or rest periods.

To the extent possible, Owners/Supervisors shall place goods and provide services in a configuration to allow at least six feet of distance between each Employee and Customer. Owners/Supervisors are permitted to violate this requirement for cases in which Employee or Customer safety is put at risk, permanent building infrastructure makes such arrangements infeasible, or when such arrangement may encourage Customers to steal goods or obtain services and then leave the work site without paying.

Owners/Supervisors shall limit Employee in-person meetings, gatherings, and training sessions to those absolutely necessary for conducting business.

Owners/Supervisors shall ensure that necessary assemblies do not exceed ten participants in a room and participants maintain at least six feet of separation. Necessary meetings shall be convened outside rather than inside when convenient and appropriate.

Owners/Supervisors shall consider opportunities to have Employees and Customers conduct business outside rather than inside, to the extent permitted by law.

Owners/Supervisors shall use markers (such as tape or paint on the ground or floor) to indicate six feet of separation for Customers in a queue, waiting for an elevator or riding in an elevator, or in waiting areas for goods or services. Owners/Supervisors and and/or Employees have the right and the obligation to refuse service to Customers who willfully fail to abide by the markers.

Owners/Supervisors shall consider staggering work shifts or meal and rest periods to avoid congregations of Employees that preclude at least six feet of distance between each Employee

Owners/Supervisors shall direct Employees to sneeze and cough into a cloth or tissue or, if not available, into one's elbow and not shake hands or engage in any unnecessary physical

contact with other Employees or Customers.

To the extent possible, Owners/Supervisors shall ensure that Employees do not have physical contact with other Employees or Customers or their belongs. This includes consideration of the adoption of personal electronic equipment for Customer questionnaires, receipts for deliveries, and financial transactions.

Owners/Supervisors shall not permit Employees to provide valet services for Customers unless such services are part of reasonable accommodation for "disabilities" as required under federal, state, and local law.

Owners/Supervisors shall close Employee (or Customer) showers, locker rooms, and lockers.



Cleaning and Disinfection of Common Locations and Implements

Owners/Supervisors shall maintain a consistent location for handwashing or disinfection/sanitation hand solutions for use by Employees. Owners/Supervisors shall ensure disinfection/sanitation hand solutions contain at least 60% alcohol.

Owners/Supervisors shall maintain an uninterrupted supply of soap and water or disinfection/sanitation hand solutions at each location for Employees. Owners/Supervisors shall monitor supplies regularly to ensure consumption or theft does not make such products unavailable to Employees.

Owners/Supervisors shall require Employees to use soap and water or disinfection/sanitation solutions for at least 20 seconds regularly throughout the day to clean their hands, including at the start of the shift or workday, at the conclusion of the shift or workday, at the start and conclusion of meal and rest periods, when using toilet facilities, or after interactions with customers or other Employees that may allow for transmission of the virus. Owners/Supervisors have the right and obligation to dismiss Employees who willfully fail to abide by these requirements.

Employees have the right and the obligation to cease work if Owners/Supervisors do not provide reasonable opportunity for handwashing at the start of the shift or workday, at the conclusion of the shift or workday, at the start and conclusion of meal and rest periods, when using toilet facilities, or after interactions with customers or other Employees that may allow for transmission of the virus.

Employees have the right and the obligation to cease work if Owners/Supervisors do not provide an adequate supply of soap and water or disinfection/sanitation hand solutions.



Owners/Supervisors shall ensure cleaning and disinfecting of surfaces frequently touched by Employees and/or Customers. Such surfaces include, but are not limited to, door and furniture handles; elevator buttons; toilets, sinks, and product dispensers in bathrooms; lunchroom tables and chairs; kitchen utensils; counters and equipment; time clocks and work site clocks; shared computers and office equipment; tools; payment equipment (including pens and styluses) and counters; and manual switches and remote controls for any appliance, electronic equipment, or environmental controls.

Employees have the right and the obligation to cease work if Owners/Supervisors do not provide reasonable opportunity for cleaning and disinfecting of surfaces.

Owners/Supervisors shall discontinue Employee and Customer use of shared food and beverage equipment and remove such equipment from accessibility at the worksite.

Owners/Supervisors shall ensure immediate cleaning and disinfecting of any surfaces, tools, and implements touched by an Employee during the shift or workday if the Employee reports symptoms for dismissal from the workplace. Employees have the right and the obligation to cease work if Owners/Supervisors do not provide reasonable opportunity for cleaning and disinfecting of those surfaces, tools, and implements.

Owner/Supervisor shall direct Employees to regularly sanitize surfaces of ice, snack, and soda dispenser machines or restrict access to them.

Owners/Supervisors shall replace all heating/cooling/air condition (HVAC) filters if the filters have not been changed since March 1, 2020 and consider purchasing a higher efficiency option for those filters. Owners/Supervisors shall maintain a record of filter replacement and follow manufacturers' instructions for replacement.



Personal Protection Equipment (PPE) and Employee Health Screening

Owners/Supervisors shall require Employees to wear a face mask and gloves when interacting with other Employees or Customers. Employees may remove the face mask and gloves during meal and rest periods, provided they maintain at least six feet of distance from other Employees. Owners/Supervisors have the right and obligation to dismiss Employees who willfully fail to abide by these requirements.

Owners/Supervisors shall maintain an adequate supply of face masks and gloves for Employees to use. Owners/Supervisors shall monitor supplies regularly to ensure consumption or theft does not make such products unavailable for Employees. Employees have the right and the obligation to cease work if Owners/Supervisors do not provide an adequate supply

Owners/Supervisors shall consider installation of shields over counters used for food preparation or distribution, retail transactions, or other locations with substantial Employee or Customer manual manipulation of product, at standards that meet the minimum required under federal, state, and local laws.

Owners/Supervisors shall inform Employees when they arrive at the job site for each shift or workday that Employees are prohibited from working if they or someone in their household feel sick or are experiencing physical conditions typical of COVID-19.

Owners/Supervisors shall list symptoms, including a cough, fever, shortness of breath, and/or loss of taste or smell. At this time, Owners/Supervisors shall inform Employees of the sick leave policy for the Employee and ask if the Employee or someone in their household is experiencing these symptoms. Owners/Supervisors have the right and the obligation to ask Employees about their health when they arrive at the workplace.

After providing this information to the Employee and inquiring about the health of the Employee and the members of the Employee's household Owners/Supervisors shall also inform the Employee that if the Employee begins experiencing those symptoms, the Employee shall immediately inform the Owner/Supervisor and receive dismissal from the workplace.

Some Recommendations Specific to Hospitality and Personal Services

Owners/Supervisors shall require Customers to perform hotel check in and check out electronically when possible to minimize personal interaction.

Owners/Supervisors shall require Employees involved with personal hotel services to wear gloves and appropriate personal protection equipment and sanitize hotel equipment used for the service after each use.

To the extent possible, Owner/Supervisors shall eliminate unnecessary amenities and decorations in hotel rooms or common areas that would be touched by multiple guests.

Owners/Supervisors shall restrict outside food delivery to the hotel lobby.

Owners/Supervisors shall prohibit buffet-style self-service in restaurants.

Owners/Supervisors shall close clothing fitting rooms.

Owners/Supervisors shall close swimming pools, hot tubs, and saunas.

Owners/Supervisors shall direct Employees to frequently sanitize fitness equipment, require Customers to clean fitness equipment, or close fitness facilities.

Owners/Supervisors shall require Employees to disinfect/sanitize any parts of a vehicle that are customarily touched before service. These parts include door handles (inside and outside), armrests, steering wheel, seat belts, push-button areas on the dash and doors (radio, electric windows, thermostat, etc.), cruise control and windshield wiper controls, glove box and center console, shift levers and knobs, and hazard light buttons.



Sources and References

Sector	Source	Link to Protocol
Guidelines Coming Soon for State of California	California Governor Gavin Newsom	<p>Governor Newsom Provides Update on California's Progress Toward Stage 2 Reopening - Businesses that will be allowed to open soon with modifications include bookstores, clothing stores, florists and sporting goods stores.</p> <p>https://www.gov.ca.gov/2020/05/04/governor-newsom-provides-update-on-californias-progress-toward-stage-2-reopening/</p>
Business in General	Centers for Disease Control and Prevention (CDC)	<p>Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 (COVID-19) - Plan, Prepare and Respond to Coronavirus Disease 2019:</p> <p>https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html</p>
Business in General	U.S. Department of Labor, Occupational Safety and Health Administration (OSHA)	<p>Guidance on Preparing Workplaces for COVID-19:</p> <p>https://www.osha.gov/Publications/OSHA3990.pdf</p>
Business in General	City and County of San Francisco	<p>Operate your essential business - if your business is open during the coronavirus outbreak, you must follow best practices to keep your patrons and employees safe - what to do:</p> <p>https://sf.gov/coronavirus-safety-essential-businesses</p>
Business in General	Communications Workers of America union organizers	<p>Sample COVID-19 Health and Safety Measures to Demand from Management:</p> <p>https://labornotes.org/blogs/2020/03/sample-covid-19-health-and-safety-measures-demand-management</p>

Sector	Source	Link to Protocol
Grocery and Food Retail Workers	Centers for Disease Control and Prevention (CDC)	<p>What Grocery and Food Retail Workers Need to Know about COVID-19 - What steps should my employer take? Grocery and food retail establishment employers should have a COVID-19 health and safety plan to protect employees:</p> <p>https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/grocery-food-retail-workers.html</p>
Grocery and Food Retail Workers	California Grocers Association	<p>“The California Grocers Association (CGA), in collaboration with Governor Newsom and labor leaders, today announced statewide safety standards that will help ensure consistent practices in all essential retail stores, including grocery, to enhance protection for employees and shoppers and prevent the spread of COVID-19. Some of the standards were formalized through an Executive Order issued today by Governor Newsom.”</p> <p>https://www.cagrocers.com/covid-19/</p>
Hotels	California Hotel & Lodging Association	<p>COVID-19 Clean + Safe Guidance For the Hotel Industry https://calodging.com/sites/default/files/inline-documents/covid-19/CHLA-Hotel-Reopening-Guidance.pdf</p> <p>Checklist: https://calodging.com/sites/default/files/inline-documents/covid-19/CHLA-Hotel-Clean%2BSafe-Checklist.pdf</p> <p>Coronavirus Information and Resources: https://calodging.com/coronavirus-information-resources</p>
Warehouse and Distribution Jobs	Amazon	<p>How we’re taking care of employees during COVID-19:</p> <p>https://blog.aboutamazon.com/company-news/how-amazon-prioritizes-health-and-safety-while-fulfilling-customer-orders</p>

Sector	Source	Link to Protocol
Retail	National Retail Federation	<p>Operation Open Doors - Guidance for retailers on reopening stores:</p> <p>https://nrf.com/resources/operation-open-doors</p> <p>Checklist: https://cdn.nrf.com/sites/default/files/2020-04/NRF%20-%20Operation%20Open%20Doors%20-%20Checklist.pdf</p>
Retail	State of Arizona	<p>On Monday, businesses previously not listed under the order that involve the sale of goods could reopen in a limited capacity by offering services via drive-thru, pick-up or delivery.</p> <p>Starting Friday, these businesses can offer their goods in-store as long as social distancing is in effect.</p> <p>Governor Ducey, ADHS Release Guidelines For Retail Businesses And Customers As Openings Resume Next Week:</p> <p>https://azgovernor.gov/sites/default/files/guidance_for_retail.pdf</p>
Auto Repair	Auto Care Association	<p>Recommended by The Auto Care Association:</p> <p>https://hdrepairforum.com/how-heavy-duty-collision-repair-shops-are-doing-their-part/</p>
Art Performance	Association of Independent Commercial Producers	<p>Workplace Guidelines and Considerations:</p> <p>https://www.aicp.com/business-resources/business-affairs-information/aicp-guidelines/covid-19-workplace-guidelines/</p>
Exercise Facilities	State of Tennessee	<p>Access Guide for Exercise Facilities:</p> <p>https://www.tn.gov/content/dam/tn/governorsoffice-documents/covid-19-assets/Pledge_Exercise.pdf</p>

Sector	Source	Link to Protocol
Dentists	American Dental Association	<p>Return to Work Interim Guidance Toolkit:</p> <ul style="list-style-type: none"> • Sample letter to patients • Guidance on pre-appointment screening • In-office patient registration procedures • Reception area preparation strategies • Chairside checklist • Staff protection strategies • Supplies shopping list <p>(requires signing up):</p> <p>https://pages.ada.org/return-to-work-toolkit-american-dental-association?utm_campaign=covid-19-Return-to-Work-Toolkit&utm_source=cpsorg-alert-bar&utm_medium=cpsalertbar-virus&utm_content=covid-19-interim-return-to-work</p>