



Governor DeWine outlines Responsible Restart Ohio plan

April 28, 2020

On April 27, 2020, Ohio Governor Mike DeWine outlined his administration's plan for a phased reopening of Ohio's economy. The plan provided protocols that apply to all businesses and industry-specific operating requirements.

(Note that at the time of publication, the authors do not have a copy of any formal Executive Orders or Ohio Department of Health Director's Orders or associated language formally modifying the April 2 Stay at Home Order.)

Currently, Ohio is under a Stay at Home Order that allows essential businesses and operations to continue operating. The order, initially signed by Dr. Amy Acton, Director of the Ohio Department of Health, expires May 1, 2020. Under the updated guidelines provided during the April 27 press conference, different sectors of the economy are scheduled to resume operations, provided they follow additional protocols and guidelines as applicable to the business.

May 1, 2020 – Additional health care procedures

All health procedures that do not require an overnight stay, including dentists and veterinarians, may resume. Elective health care procedures had been halted to allow health care facilities to stockpile enough personal protection equipment (PPE).



Christopher N.

Slagle

Partner
Columbus
614.227.8826
cslagle@bricker.com



Gregory J. Lestini

Partner
Columbus
614.227.4893
glestini@bricker.com



Brock A. Miskimen

Of Counsel
Columbus
614.227.2340
bmiskimen@bricker.com



Elective surgeries that require overnight stays will be authorized to resume at a later date.

May 4, 2020 – Additional manufacturing, distribution and construction

Previously considered nonessential, manufacturing, distribution and construction may resume operations. Most manufacturers and related distributors and members of the supply chain were considered essential businesses or operations under the previous order. This announcement specifies when manufacturers that did not meet the criteria for essential business or operation can resume operations. Beginning May 4, all manufacturers will be required to follow the announced protocols (also, see below).

May 4, 2020 – General office operations

Additional general office functions may also resume on May 4. Offices must observe social distancing protocols and require employees to utilize face coverings.

May 12, 2020 – Retail and consumer business

According to the announcement, consumer and retail-oriented businesses are authorized to reopen on May 12. Retail and consumer businesses that provide essential services or products were already operating. All retail and consumer businesses that are operating must now recommend all employees and customers to use face coverings, maintain social distancing of six feet and install barriers where appropriate.

Gov. DeWine also announced continued closures for K-12 schools, daycares, restaurants and bars (carry-out and delivery excluded), salons, barbers, physical fitness facilities and other businesses. The ban on gatherings of over 10 people will remain in effect throughout the month of May.

General protocols for all businesses

Governor DeWine provided five general protocols that will apply to all businesses regardless of industry or sector.

1. Required face coverings for employees and clients/customers.
2. Daily health assessments for employees to determine if fit for duty. Assessments should include taking temperature, monitoring for fever, and watching for cough or trouble breathing.
3. Maintain good hygiene, including hand washing and social distancing.
4. Clean and sanitize workplaces throughout the workday and at the close of business (or in between shifts).
5. Limit capacity to meet social distancing guidelines.
 - a. Maximum occupancy is 50 percent of the fire code.
 - b. Utilize appointment setting with clients/customers when possible.



Matthew R.

Koppitch

Senior Associate
Columbus
614.227.8824
mkoppitch@bricker.com



Rachael N. Mains

Associate
Columbus
614.227.4851
rmains@bricker.com

Enforcement

In response to questions from the press regarding enforcement, Governor DeWine stated these new protocols will be enforced by the local health departments and local police, similar to previous orders.

Conclusion

The administration developed the newly-announced protocols and guidelines in consultation with businesses that were operating under the previous orders restricting economic activity. The resulting protocols are intended to represent the best practices developed by currently operating businesses and should permit increased operational capacity, while protecting public health.

Please review these requirements closely, as some are newly-mandated requirements that may impact your operations.

Additional information can be found on the Ohio Department of Health's Responsible Restart Ohio webpage.