

Minimum Requirements for All Entities

All entities that are currently closed will remain closed until it is determined it is safe for their sector to begin reopening.

Closed Entities Reopening. Each entity must meet the following minimum requirements before they can reopen. If any entity in a sector being reopened cannot comply with the minimum requirements set out below, they must wait to reopen until they are able to do so or until some or all of these restrictions are lifted.

Entities That Have Remained Open. For those entities that have been deemed life-sustaining and remained operating, they will be expected to meet the following minimum requirements no later than May 11, 2020.

- 1. Continue telework where possible.** Entities should operate via phone or Internet to the greatest extent practicable. Employees who are able to perform their job duties via telework (phone or Internet) must continue to telework.
- 2. Phased return to work.** Entities are encouraged to implement a phased return to work, including generous telework, sick leave, and family leave policies for those employees who are not able to come into work due to illness, taking care of a family member(s), or lack of childcare options.
- 3. Enforce social distancing.** Entities must ensure, to the greatest extent practicable, that employees who are not able to telework and must be physically present at the office remain a minimum of six (6) feet away from all other employees and customers unless closer interaction is absolutely required to perform their job duties (e.g., health care examinations).
- 4. Limit face-to-face interaction.** Entities must ensure that employees minimize face-to-face contact with one another and with customers to the greatest extent practicable. Meetings should be conducted via telephone or Internet if possible.
- 5. Universal Face Covering and Other Necessary PPE.** As of July 10, 2020, people in Kentucky must cover their nose and mouth with a face covering when they are in situations that represent a high risk of COVID-19 transmission. See Executive Order 2020-586 and 902 KAR 2:010E, which are attached to this document.

Definitions Universal Face Covering and Other Necessary PPE.

Face covering: Facing covering means a material that covers the nose and mouth and is secured to the head with ties, straps, or loops over the ears, or is wrapped around the lower face. It can be made of a variety of materials, including cotton, silk, or linen, and ideally has two or more layers. Face coverings may be factory-made, homemade, or improvised from household items such as scarfs, bandanas, and t-shirts. Guidance on how to make a face covering at home is available at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-make-cloth-face-covering.html>.

Entities: Entity means any construction businesses; manufacturing and distribution facilities; retail establishment; grocery store; pharmacy; hair salon/barbershop; nail salon/spa; tattoo parlor; child care facility; restaurant or bar (when not seated); health care setting, fitness center, venue or event space, or; any other indoor, public-facing facility or space.

Universal Face Covering Requirements for Entities

All entities must do the following:

- Require their employees, volunteers, and contractors wear a face covering in any indoor space where it is difficult to maintain a physical distance of at least six (6) feet from all individuals who are not members of that person's household. Entities need not require an employee/volunteer/contractor to wear a face covering when doing so would create a serious health or safety hazard to the employee/volunteer/contractor, when the employee/volunteer/contractor is working alone in an enclosed space, or when the employee/volunteer/contractor is working alone in an area with more than six (6) feet of social distancing.
- Provide face coverings or other face coverings at no cost to employees and shall provide instruction on proper use.
- Require customers and all other members of the public on the premises to wear a face covering, except for the following:
 - (a) children five (5) years of age or younger;
 - (b) persons with a disability or physical or mental impairment that prevents them from safely wearing a face covering;

- (c) persons who are hearing impaired or communicating with someone who is hearing impaired;
 - (d) Any person engaged in work that a state or federal regulator has concluded would make wearing a face covering a risk to their health or safety;
 - (e) Any person who is seated and actively consuming food or drink at a restaurant, bar, or other establishment that offers food or beverage service;
 - (f) Any person who is obtaining a service that requires temporary removal of a face covering to perform;
 - (g) Any person who is required to temporarily remove their face covering to confirm their identity or for security/screening purposes;
 - (h) Any person giving a speech or broadcast to an audience and is able to maintain a safe distance of six feet from all individuals;
 - (i) Any person who is in a swimming pool, lake, or body of water;
 - (j) Any person who is actively engaged in exercise in a gym or indoor facility so long as six or more feet of separation between individuals exists, and where the gym or indoor facility engages in required cleaning;
 - (k) Any person who is actively participating in athletic practice, scrimmage, or competition that is permitted under separate Healthy at Work requirements or guidance available online; and
 - (l) Any person engaged in a lawful activity where federal and state law prohibits wearing a face covering.
- Refuse to serve any customer or other member of the public not specifically exempted above who refuses to wear a face covering or any person who removes their face covering once on the premises.
 - Deny entry to any person not specifically exempted above who refuses to wear a face covering, and require any person who removes their face covering once on the premises to leave..

Access To Gloves: Entities must make gloves available to employees whose duties include touching items or surfaces often touched by others. Entities should also follow the CDC, OSHA, or other applicable federal guidelines relating to gloves.

6. **Adequate Hand Sanitizer and Encouraging Hand Washing.** Entities must supply adequate hand sanitizer (60% alcohol content or higher) for both employees and customers and ensure that it is made available near high-traffic and high-touch areas (e.g., doors or door handles). Entities must also encourage routine and consistent hand washing for employees and customers.
7. **Restrict Common Areas.** Entities must, to the greatest extent practicable, restrict common areas such as lobbies, waiting rooms, break rooms, smoking areas, lunch rooms, and concession areas to maximize social distancing and reduce congregating.
8. **Proper sanitation.** Entities must sanitize frequently touched surfaces and areas (e.g., door knobs, credit card machines, shared computers) in accordance with CDC guidelines. When they have identified an employee who has COVID-19 or the associated symptoms, entities must further ensure that they immediately restrict access to contaminated areas and post signage and adequately clean impacted areas. Any contaminated area should be off-limits to all but essential personnel for a minimum of 24 hours if practicable.
9. **Conduct daily temperature/health checks.** Entities must require employees to undergo daily temperature and health checks; these checks may be either self-administered or administered by the entities prior to workplace entry. Self-administered temperature and health checks may be performed at home. Employees who have a fever and/or any symptoms of COVID-19 should be directed to their health care provider to be tested and then instructed to quarantine at home as soon as any illness is detected. This includes employees that passed a temperature and health check prior to reporting to work but became ill during the course of the day. Guidance on COVID-19 symptoms and how to [conduct temperature and health checks can be found in the Health Requirements and Temperature Checks section below.](#)
10. **Create a testing plan.** Entities must ensure that any employee with COVID-19 symptoms is tested by a health care provider for COVID-19 within 36 hours. Entities must ensure that employees are trained on how to isolate individuals with suspected or confirmed COVID-19 and how to report possible cases. If an employee tests positive, the entities must immediately notify the local public health department.
11. **Make special accommodations.** Entities must, to the greatest extent practicable, make special accommodations for employees and customers at higher risk for severe illness. Individuals in these high-risk categories have been identified by the Centers for Disease

Control and Prevention – further information is available at:
<https://www.cdc.gov/coronavirus/2019-ncov/faq.html#Higher-Risk>.

12. **Designate a “Healthy at Work” Officer.** Entities must ensure that an employee is designated as its Healthy at Work Officer. This individual will be responsible for the entity’s compliance with this guidance and any other guidance provided. Entities
13. should allow for employees to identify and communicate potential improvements and/or concerns to the Healthy at Work designated Officer or management.
14. **Educate and Train Employees.** Entities must educate and train all individuals, including employees, temporary employees, contractors, vendors, customers, etc., regarding the Healthy at Work protocols. This training must be offered during scheduled work times at no cost to the employee.
15. **Contact Notification Responsibilities.** Entities opened must be prepared to assist public health officials if an employee test positive or becomes exposed to COVID-19. This assistance includes, but is not limited to, providing the employee’s work schedule, workstation, hours or shifts worked, when the employee was potentially exposed, and the names and contact information of any other employee or other party exposed to the virus. Additional information about Contact Notification Responsibilities can be found in the [Contact Notification Responsibilities Section Below](#).

If any entities fails to comply with this guidance, they can be reported to KYSAFER at 833-KYSAFER or kysafer.ky.gov.

Requirements for Health and Temperature Screenings

- All businesses should instruct employees not to report to work if they are having fever and/or any symptoms of COVID-19.
- All businesses, once their sector has been reopened and they can comply with the requirements to reopen, must require employees to undergo a temperature and health check prior to beginning work each day to minimize the spread of COVID-19. This includes businesses that remained operating because they were deemed life-sustaining; those businesses must begin implementing health checks and the other minimum requirements starting May 11, 2020.
- These daily temperature and health checks may be administered by the employer at the business site or self-administered by the employee prior to arriving at work (at least once every 24-hour period).

Health Screenings

- All businesses must assess employees each day to ensure that they do not have any COVID-19 symptoms. Businesses may choose whether to require: 1) an in-person assessment at the beginning of each day, or; 2) a self-screening that the employee conducts at least once every 24 hours and then reports the results to the business.
- Any in-person assessment or self-screening must answer the following questions:
 - Have you had any of the CDC-recognized COVID-19 symptoms since your last day at work or the last time you were here? Please answer “Yes” or “No” to each question.
 - Employers should then list the CDC-recognized COVID-19 symptoms and have the employee respond to each symptom with a “Yes” or “No.”
 - The current CDC-recognized COVID-19 symptoms are available at [Centers for Disease Control \(CDC\) website: https://www.cdc.gov/coronavirus/2019-nCoV/index.html](https://www.cdc.gov/coronavirus/2019-nCoV/index.html)
 - These symptoms are sometimes updated or supplemented, so employers should be sure to check this website regularly and update their assessment in line with CDC guidance.
 - Is there anyone in your household who is showing COVID-19 symptoms or who has been diagnosed with COVID-19?
 - Have you been in close contact with anyone exhibiting sign or symptoms of fever, persistent cough or shortness of breath consistent with COVID-19 who has not been tested or is still awaiting testing?

Temperature Screenings

- All businesses must assess employees each day to ensure they do not have a fever. Businesses may choose whether to require: 1) on-site temperature screenings, or; 2) self-screenings conducted by the employees at home at least once every 24 hours, ideally just before going to work, and reported to the employer prior to beginning work. Employees with a fever above 100.4° should not report to work.
- If the business opts for on-site temperature screenings, businesses should ensure that proper social distancing can still be followed. This may be accomplished by using no-contact thermometers or thermal imaging cameras. If that equipment is unavailable, it may be accomplished by setting up temperature check stations for employees to self-administer standard oral/aural thermometer checks and then report the results to on-site screeners. If standard oral/aural thermometers are used, they should be thoroughly sanitized after each use.

Acting on Screening Results

- If the employee answers “NO” to all of the screening questions AND has a temperature of 100.4°F or below, then they may begin their work day. However, employees should be instructed to continue to self-monitor during the day; if they develop symptoms during the workday, they should report those symptoms to a supervisor and leave work to report to a health care provider for testing.
- If the employee answers “YES” to any of the screening questions OR has a temperature greater than 100.4°F, then the employee must not be allowed into the workplace that day, unless cleared by a medical professional. They should self-isolate at home and follow current Kentucky Department for Public Health and/or CDC guidelines available at: Centers for Disease Control (CDC) website: <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

Healthy At Work: Contact Notification

Contact notification is the process of identifying, contacting, and supporting people who have been exposed to a disease. It is a critical part of our effort to stop transmission of COVID-19.

Public health officials will interview patients who have tested positive for COVID-19, to learn about their recent contacts. Officials will then reach out to all of the close contacts of COVID-19 positive persons to inform them of their status and risks.

Responsibilities of Entities Under Healthy At Work

Entities opened under Healthy At Work must be prepared to assist public health officials if an employee tests positive or becomes exposed to COVID-19. They should keep documentation of work shifts, work locations, meetings, and in-person clients or visitor contacts. Entities should be prepared to answer the following questions about the employee who tested positive:

- **What was that employee's work schedule prior to testing positive?**
- **Where was that employee working in the days prior to testing positive?**
- **When was the last day that employee came into work?**
- **Who could have come in close contact (defined as being within six feet for more than thirty minutes) with that employee in the two days prior to that employee testing positive?**
 - **Consider employees who were working nearby, sitting in the same meetings, interacting during breaks, entering or exiting the building together, or riding in a car together.**
 - **Consider customers, clients, or visitors who may have interacted with that employee based on visitor logs, invoices, billing statements, or meeting records.**
- **Please provide contact information for the employee who tested positive and anyone who may have come into close contact with that employee.**