



Reopening Guidance FAQs

General Guidance for Employers *(Updated 7-24-2020)*

Below are answers to frequently asked questions (FAQ) about the Oregon Health Authority's (OHA) [General Guidance for Employers on COVID-19 \(General Employer Guidance\)](#). OHA provides these FAQ to help the public understand the guidance, to respond to questions and to clarify how the guidance may apply in specific scenarios. These FAQs may be intermittently updated. The FAQ document is not intended to take the place of the guidance, but to interpret, supplement, and help fill in the details of the guidance.

General sector questions

Q1: What guidance should recovery centers, mental health organizations, counseling services or other therapy organizations follow for reopening?

A1: Recovery centers, mental health organizations, counseling services or other therapy organizations that do not perform medical procedures should follow the [General Employer Guidance](#).

Q2: Which guidance should residential treatment facilities or behavioral health providers use for reopening?

A2: Residential treatment facilities must follow the Behavioral Health Treatment Facility Guidance for [All Treatment Facilities](#) and for [Psychiatric Inpatient Care Programs](#), as applicable.

Q3: What is the guidance for an office share situation?

A3: Individuals sharing an office space must maintain six (6) feet of physical distance at all times. Maximum occupancy of the space is determined by allowing 35 square feet per person. Employers must follow all applicable [OHA guidance](#) for their sector.

Q4: Is there guidance for volunteers who enter homes to deliver goods?

A4: Volunteers are subject to guidance for the business/industry in which they operate. An employer may also wish to provide all volunteers with general information about how they can [best protect themselves](#) and others, and the risks that may be involved in providing volunteer services.

Q5: What guidance should peer recovery meetings (e.g. Alcoholics Anonymous) follow in Phase 1 and Phase 2?

A5: Peer recovery meetings must follow the [General Guidance for Employers and other OHA sector guidance, if applicable, based on the location of the meeting](#). Additionally, peer recovery meetings must follow the gathering size limit in the [Gatherings guidance](#) for the phase of the county where those meetings are located.

Q6: Hookah bars are closed at baseline under Governor's Executive Order 20-27. When are they allowed to reopen?

A6: At this time, hookah bars are not permitted to operate in the state, including counties at baseline, Phase 1 or Phase 2.

Employee workplace safety

Q1: What does the employer need to do if an employee shows signs of COVID-19?

A1: An employer should follow the General Guidance for Employers. An employer should instruct sick employees to stay home or to go home if they become sick while at work. Employees should not come to work if they have:

- Fever.
- Other symptoms like cough, vomiting, or diarrhea.

If an employee shows up to work exhibiting symptoms, or if they develop symptoms while at work, employers should separate the sick employee from other employees. A sick employee should be sent home immediately or should seek appropriate medical care if necessary.

Employers should regularly communicate to employees to cover their coughs and sneezes, wash their hands frequently, and stay home when sick. Employers should make sure workplace policies allow sick leave so that people can do the right thing by protecting their co-workers.

If an employee develops a COVID-19 infection, employers:

- Must work with public health to determine which co-workers had close, prolonged contact with the ill employee that might put them at risk of exposure to COVID-19.
- Should notify other employees who have been in close contact with the sick employee that possible exposure has occurred. It is required by law that employers protect the identity of the employee with COVID-19 when notifying other employees.

Q2: Are employers allowed to take employees' temperatures? If so, can the employer record a person's temperature in a log?

A2: Employers may take employees' temperatures, but should keep in mind that some individuals with COVID-19 will not have a fever, and a fever does not necessarily mean that a person has COVID-19. The temperature reading and any log must be kept confidential, as required by law. Employee temperatures should be taken as privately as possible so that the identity of any employees with fevers can be kept confidential. For a list of symptoms of COVID-19, review [CDC Guidance](#).

Q3: Is a business required to provide employee safety training before reopening?

A3: No, however, it is strongly recommended that businesses provide employee safety training to their employees before reopening. For resources on safety practices for exposures in the workplace please refer to the [General Employer Guidance](#).

Transportation

Q1: Is it three (3) or six (6) feet physical distancing when riding in an employer-provided vehicle with driver and passenger wearing masks?

A1: Following the [transit guidance](#), more than one person per vehicle is allowed if individuals are wearing masks or face coverings and can maintain three (3) feet distance.

Lodging, rentals and residential living

Q1: Are hotels, bed and breakfasts, and other overnight lodging allowed to operate? Are there different regulations for hosting local residents versus those from out of county or state? What precautions must be taken to operate?

A1: Yes, lodging facilities are allowed to operate and were not required to close under any of the Governor's orders. However, food service at bed and breakfast facilities was limited prior to Phase 1. Lodging facilities are required to follow [Statewide Mask, Face Shield and Face Covering Guidance](#) and [General Guidance for Employers](#). Bed and Breakfasts are licensed restaurants and must comply with [Phase 1](#) or [Phase 2](#) Restaurant Sector Guidance depending on the county where they have their business. There are no requirements to treat local residents or those from outside the state or country any differently. Lodging facilities should follow the recommendations in the [OHA's Cleaning Guidance for Hotels and Motels](#) to reduce the risk of spreading COVID-19.

Q2: Is there guidance for short-term rental homeowners, particularly if they have a guest that is diagnosed with COVID-19? Should a sick person stay in the rental during the isolation duration or go home to isolate?

A2: Rental owners should disinfect per the [CDC guidance](#). If an individual is diagnosed with COVID-19 while in a short-term rental, he/she should return to their home to isolate provided this can be done without exposure to other persons. Otherwise the individual should remain in the short-term rental for the duration of their isolation.

Q3: My homeowners' association (HOA) has shared recreational facilities (outdoor pool, hot tub, weight room, indoor sports court/basketball court, game room and clubhouse) available for residents and guests. Are these facilities considered private? Is compliance with the state guidance optional for our HOA facilities?

A3: HOA with pools and hot tubs must comply with [OHA Swimming Pool Guidance](#). OHA recommends compliance with [statewide mask, face shield and face covering guidance](#) and [fitness-related organization guidance](#), as applicable.

Q4: Can you confirm whether residential cleaning businesses are eligible to enter homes to clean and if so, what precautions are required?

A4: Yes, cleaning services can enter homes. Homeowners and tenants are responsible for deciding whether to allow cleaning services into their homes. Residential cleaning businesses can enter homes to clean and it is recommended they follow the [CDC Cleaning and Disinfecting guidance for employers](#).

Masks, Face Coverings and Face Shields

Q1: Are businesses required to have public-facing staff wear masks?

A1: Yes. Most businesses are required to have employees wear masks, face shields or face coverings following the [Statewide Masks, Face Shield, Face Covering Guidance](#).

Q2: What is the guidance on masks, face shields or face coverings indoors and outdoors where there is no exposure to the public, like a manufacturing plant or employees that work in the “back of house”?

A2: The requirement to wear a mask, face shield or face covering is not just about protecting the public, it is about protecting other employees as well. Masks, face coverings or face shields are not required when at or in a location where the employee, contractor or volunteer is not interacting with the public **and** six (6) or more feet of distance can be maintained between other people.

Q3: Are there any grant funds available for businesses to purchase PPE for employees returning to work?

A3: Business Oregon, alongside the Oregon Employment Department, the Oregon Secretary of State, and the Oregon Department of Consumer and Business Services have compiled information to assist Oregon small business owners, employees and others dealing with the impacts of COVID-19. Specifically, businesses can access critical equipment, such as PPE or face coverings through the [Small Business Navigator website](#).

Q4: Are face coverings required in an office setting that's not open to the public?

A4: Face coverings are not required in a private office setting that is closed to the public at all times, but employees are strongly recommended to wear face coverings in any setting when it is not possible to maintain six (6) feet of distance from others.

Q5: For businesses whose employees are required to wear a face mask, can employees wear a plastic face shield instead of the cloth mask?

A5: Yes, a face shield that covers the forehead, extends below the chin, and wraps around the sides of the face is perfectly acceptable.

Q6: Does the Statewide Mask, Face Covering, Face Shield guidance apply to outdoor construction work?

A6: Yes. If physical distancing of at least six (6) feet is not possible, outdoor construction workers should must wear a mask, face covering or face shield.

Q7: Are FedEx, UPS, Amazon, USPS delivery people required to wear masks, face shields or face coverings?

A7: Face coverings are not required while delivering packages or mail, but the use of a face mask is strongly recommended when it is not possible to maintain six (6) feet of distance from others.

Q8: Is there an official list of health conditions for which a business or location must offer an accommodation to the face mask, shield and covering requirement?

A8: If a person with a disability, as that is defined in the Americans with Disabilities Act (ADA) cannot wear a mask, face shield or face covering, a place of public accommodation will need to work with that person to seek a reasonable modification to access their services, A reasonable modification does not include simply allowing a customer inside without a mask, face covering or face shield. Businesses and locations should not ask individuals for proof of disability or other medical condition.

Q9: Which businesses are required to provide masks, face shields or face coverings to their employees per the [Statewide Mask, Face Shield, Face Covering guidance](#)?

A9: A business and an operator of indoor and outdoor spaces open to the public are required to provide masks, face shields, or face coverings for all employees.

For a list of businesses required please refer to the [Statewide Mask, Face Shield, Face Covering guidance](#).

Indoor spaces open to the public include indoor spaces, whether publicly owned or privately owned, where the public has access by right or invitation, express or implied, whether by payment of money or not. In addition to the public areas of the businesses defined above, such spaces may include, but are not limited to: building lobbies or common spaces, elevators, bathrooms and buildings or meeting rooms outside of private homes where people gather for social, civic, cultural or religious purposes.

Q10: If six (6) feet distance is available at a counter from our employee to the customer, and we have plexiglass separating them, is my employee still required to wear a mask while helping the customer?

A10: Yes. Employees, contractors and volunteers must wear a mask, face shield or face covering unless they are in a location where the employee, contractor or volunteer is not interacting with the public **and** six (6) or more feet of distance can be maintained between other people.

Employers and testing

Q1: If an employee gets COVID-19, can an employer require them to get tested again before allowing them to return to work? If so, who should we contact to receive the results — County Health Services, or does the employee need to forward the results from their health care provider?

A1: The [Equal Employment Opportunity Commission \(EEOC\) guidance](#) generally says that employers can require testing because individuals in the workplace with the virus will pose a direct threat to the health of others. However, each employer will still need to make an individualized determination based on the particular workplace at issue. The case will be stronger for jobs that involve close contact with others and weaker for jobs that don't (for example, working from home). Employers ideally need to consult with their legal counsel to uniformly apply and enforce their workforce testing requirements and if the employees are unionized, address any bargaining obligations.

The Oregon Health Authority recommends testing of all people with symptoms of COVID-19. Testing of people without symptoms is not generally recommended and should be not be used as a condition for employment. Such testing represents an unnecessary burden for the employee. OHA encourages all employers to screen all employees daily for symptoms of COVID-19.

Excluding ill employees from work, maintaining physical distancing, mandatory masking indoors as well as anywhere six (6) feet of distance cannot be maintained, and frequent handwashing are all important steps employers should take to keep workplaces safe.

Q2: Should an employer inform their employees of a worker testing positive for COVID-19?

A2: An employer is not required to inform their employees if a co-worker tests positive for COVID-19, but may wish to do so. The state or local public health authority will contact any employees who may have been exposed. If an employer decides to provide some notice to employees, the employer must ensure that the identity of the employee who has COVID-19, is kept confidential. It is required by law that employers protect the identity of the employee with COVID-19 when notifying other employees.

Q3: Should a business inform the public that one or more of their employees have tested positive for COVID-19?

A3: There is no legal requirement for a business to inform the public that an employee has tested positive for COVID-19.

Q4: Should a business report to OHA or OR-OSHA that one or more of their employees has tested positive for COVID-19?

A4: At this time health care providers and laboratories are required to report cases of COVID-19 to the Oregon Health Authority and the Local Public Health Authority. There may be certain licensed settings, like long term care facilities, that are required to report COVID-19 cases to their licensing authority. A business should consult with an attorney to understand their legal obligations.

Q5: If an employer requires an employee to get a COVID-19 test, does the employer have to pay for it?

A5: Yes, under Oregon law [[ORS 659A.306](#)], it is unlawful for an employer to require an employee, as a condition of continuation of employment, to pay the cost of a medical examination, like a COVID-19 test.

Enforcement

Q1: How is the statewide mask, face shield and face covering guidance enforced?

A1: The state will first seek to work with businesses and persons responsible for indoor and outdoor spaces open to the public, to educate them about the requirements, prior to taking any enforcement action.

Businesses and persons responsible for indoor and outdoor public spaces are expected to ensure that their employees, contractors, volunteers, customers and visitors comply with the mask, face shield, face covering requirement. If a business or person responsible for an indoor or outdoor space is making every effort to comply with the guidance, that will be taken into consideration in any potential enforcement action.

It is a Class C misdemeanor to violate the mask, face covering, face shield requirement. The Oregon Health Authority and Local Public Health Authorities can

issue civil penalties and take other enforcement actions for violations of the mask, face shield, face covering requirement. An individual or business that has a state issued license, may be subject to a licensing action for violating the mask, face shield, face covering guidance.

Q2: What is the process to report a business which is open and not following guidelines for masks and use of physical distancing?

A2: All complaints related to Reopening can be directed to the [Oregon Occupational Safety and Health \(OR-OSHA\)](#).

Document accessibility: For individuals with disabilities or individuals who speak a language other than English, OHA can provide information in alternate formats such as translations, large print, or braille. Contact Mavel Morales at 1-844-882-7889, 711 TTY or OHA.ADAModifications@dhsosha.state.or.us.