Statewide Freeze Guidance FAQs
Retail Stores, Shopping Centers and Malls

Below are answers to frequently asked questions about the Oregon Health Authority’s (OHA) Statewide Freeze Guidance for Retail Stores. The guidance and these FAQs apply statewide. OHA provides these FAQ to help the public understand the guidance, to respond to stakeholder questions, and to clarify how the guidance may apply in specific scenarios. These FAQ may be intermittently updated. The FAQ is not intended to take the place of the guidance, but rather to interpret, supplement and help fill in the details of the guidance.

Operations

Q1: May secondhand stores accept donations during the Statewide Freeze?
   A1: Yes. When processing returns or donations, employees should wash hands or use hand sanitizer before and after handling items. Retailer may set items aside for a day or longer if concerned about perceived risks of exposure.

Q2: Where do real estate offices fit?
   A2: Real estate offices must follow the OHA General Guidance for Employers. Real estate offices are not subject to, but may review the retail guidance for other recommendations that they may want to follow.

Q3: How do I determine the number of customers to allow in a store?
   A3: Businesses must limit capacity to 75% of the maximum occupancy permitted by law, or if the maximum occupancy is unknown, the capacity must be limited to the equivalent to 86 square feet of space per person.

Q4: May farmers markets or other open markets operate during the Statewide Freeze?
   A4: Yes, farmers markets or indoor and outdoor markets may operate under the Retail Stores guidance.

Q5: If a customer gets COVID-19 from being in my store, am I liable?
   A5: If you have liability concerns you should contact your legal counsel.
Q6: I've noticed many businesses have shorter hours. Is there any requirement that retailers are to be closed by a certain time?
   A6: There is not a requirement for retailers to be closed by a certain time or change their hours of operation.

Q7: Are museums required to follow the reopening guidance for retail stores? What is the guidance for museums?
   A7: Museums are closed during the Statewide Freeze as described in Executive Order 20-65.

Q8: How can a retail store ensure compliance, prevent congregation, and follow the OHA guidance for retail stores?
   A8: Indoor and outdoor markets are required to assign one physical distancing monitor for every 50 people to ensure compliance with OHA Guidance requirements. It is strongly recommended that other retail stores also designate a staff person as a physical distancing monitor to ensure compliance with the OHA guidance for retail stores and to prevent congregation.

Q9: Wineries are required to follow the Statewide Freeze Guidance for Restaurants and Bars and are prohibited from offering onsite consumption of food and drink. Are they allowed to sell wine as retail under the Retail Stores guidance?
   A9: Yes, wineries can sell bottles of wine or other wine products under the Retail guidance. Wineries may not offer onsite consumption of food or drink.

Q10: Are u-pick/u-cut operations, like tree farms, allowed during the Statewide Freeze?
   A10: Yes. These are allowed following the Statewide Freeze Guidance for Retail Stores. All interactive activities, however, are required to close. Prohibited activities include but are not limited to tractor or hayrides, holiday character pictures, petting zoos and corn mazes. For more information about U-Pick Farms, refer to the Oregon Department of Agriculture's guidance for U-Pick Farms.

Q11: Can holiday bazaars operate during the freeze?
   A11: Yes. Holiday bazaars may operate under the Retail Guidance. Holiday Bazaars are generally considered an outdoor or indoor market and are subject to the additional requirements in the Retail Guidance. No food or beverage may be consumed on-site at the bazaar, including samples and tastings, and seating areas must be removed or closed.

Q12: Are banks and credit unions allowed to operate during the freeze?
   A12: Yes, banks and credit unions may stay open and must comply with the retail guidance.
Employees

Q1: Are retail businesses required or recommended to conduct health care screening for employees? What about self-health monitoring for employees instead?

A1: It is recommended that retail businesses consider regular health checks (e.g., temperature and respiratory symptom screening) or symptom self-report of employees if job-related and consistent with business necessity and in accordance with human resources policies.

Q2: May I take the temperature of my employees?

A2: Following OHA guidance, retail businesses may consider regular health checks (e.g., temperature and respiratory symptom screening) or symptom self-report of employees if job-related and consistent with business necessity and in accordance with human resources policies.

Q3: If our retail business decides to check the temperature of our employees, is there a specific thermometer to use that is less invasive?

A3: Yes, it is recommended to use an infrared no-touch thermometer.

Q4: If a retail facility has employees who can maintain physical distancing, do we still have to require them to wear masks?

A4: Yes, a retail facility must require employees, contractors and volunteers to wear a mask, face shield, or face covering following the Statewide Mask, Face Covering, Face Shield Guidance. Employees must also maintain at least six (6) feet of physical distance from others.

Q5: Is the face covering requirement for customer-facing employees only, or also for employees who don't interact with the customers (e.g., warehouse employees)?

A5: It applies to both. The Statewide Mask, Face Covering, Face Shield Guidance requires all employees, contractors and volunteers to wear a mask, face shield or face covering.

Q6: For retail stores that have not closed or are not listed as required to close under the Statewide Freeze, are face coverings required for those employees?

A6: Yes. All retailers, including grocery and pharmacy stores, must comply with the Guidance for Retail Stores and the Statewide Mask, Face Covering, Face Shield Guidance.
Shopping Centers and Malls

Below are answers to frequently asked questions about the Oregon Health Authority’s (OHA) Statewide Freeze Guidance for Shopping Centers and Malls. The guidance and these FAQs apply statewide. OHA provides these FAQ to help the public understand the guidance, to respond to stakeholder questions, and to clarify how the guidance may apply in specific scenarios. These FAQ may be intermittently updated. The FAQ is not intended to take the place of the guidance, but rather to interpret, supplement, and help fill in the details of the guidance.

Q1: Can shopping centers and malls open during the Statewide Freeze?
   A1: Yes. Shopping centers and malls may operate under the Statewide Freeze Guidance for Retail Stores.

Q2: If a food establishment is located at a mall or shopping center, may it provide curbside, take out service for food?
   A2: Yes. Establishments may offer food or drink for off-premises consumption (e.g., take out) or for delivery in accordance with OHA guidance for restaurants and bars. All on-site consumption in restaurants and food courts located at a mall is prohibited.

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