

## **Governor Kemp April 23, 2020 Executive Order *Summary for Restaurants and Dining Services***

### [April 23, 2020 Executive Order](#)

**Q:** When does this order take effect and when does it end?

**A:** For restaurants, this order takes effect midnight Monday, April 27, 2020. There is not an end date at this time. We will post any updates on our website: [www.garestaurants.org](http://www.garestaurants.org)

***No more than ten (10) patrons should be allowed in the facility per 500 square feet of public space. In calculating the total number of public space square feet, such calculation shall include waiting and bar areas, if any, but shall not include hallways, restrooms, and spaces closed to patrons. This formula shall only apply to patrons.***

**Q:** Is the kitchen included in the square footage?

**A:** The square footage does not include the kitchen, hallways, restrooms, and areas closed to patrons. The square footage calculation should only include areas of the restaurant that would normally be open to guests.

**Q:** Should outdoor seating areas be included in the square foot calculation?

**A:** If you include the square footage of outdoor seating areas in your overall calculation, you must seat people in these areas. If you are not going to seat people outside, do not include these areas in your overall calculation.

***All restaurants and dining rooms shall implement measures which mitigate the exposure and spread of COVID-19 among its patrons and workforce. Such measures shall include the following:***

***1. Screen and evaluate workers who exhibit signs of illness, such as a fever over 100.4 degrees Fahrenheit, cough, or shortness of breath;***

**Q:** Do I have to take employees' temperature?

**A:** It is your choice to take employees' temperatures or not. If you do decide to implement temperature-taking, be sure to do so in a fair, non-invasive manor. To avoid HIPPA violations, it is generally suggested that employers use employee numbers instead of recording names to protect their privacy. Documentation is important and the screening procedures should be consistent for all employees. Please be sure to consult with your trusted advisor for guidance on how best to meet these requirements for your business.

**Q:** Where can I buy thermometers?

**A:** As of April 29, iHealth Labs has no-touch thermometers in stock for \$43.99 each:  
<https://ihealthlabs.com/thermometer-pt3/>

***2. Require workers who exhibit signs of illness to not report to work or to seek medical attention. Per existing U.S. Food and Drug Administration Food Code requirements, employees who are sick should remain home. If an employee becomes ill or presents signs of illness at work, the operator should identify the employee's condition during a pre-work screening and send the employee home. Restaurants shall create, maintain, and follow established policies regarding when employees who have become ill are permitted to return to work. An employee with known or suspected COVID-19 must follow Centers for Disease Control and Prevention guidelines to self-isolate for at least seven (7) days after symptom onset and end isolation only after symptoms have improved and the employee has been fever-free and/or symptom-free for three (3) consecutive days without medication before returning to work:***

Q: What guidance should I be following for the reopening process?

A: [The FDA has published guidance for employers.](#)

***3. Implement teleworking for all possible workers;***

***4. Implement staggered shifts for all possible workers;***

***5. Hold all meetings and conferences virtually, whenever possible;***

***6. Train all employees on the importance and expectation of increased frequency of handwashing, the use of hand sanitizers with at least 60% alcohol, and provide clear instruction to avoid touching hands to face;***

***7. Require all employees to wear face coverings at all times. Such coverings shall be cleaned or replaced daily;***

Q: What counts as a face covering?

A: Face coverings must cover the nose and mouth when being worn. [CDC: Use of Cloth Face Coverings to Help Slow the Spread of COVID-19](#)

Q: Are face coverings required even if we don't open our dining room?

A: Yes. The Executive Order specifies wearing face coverings "at all times". Face coverings protect everyone — staff, delivery drivers, customers picking up orders, etc.

Q: Are plastic face shields considered an appropriate face covering, or do we need a mask as well?

A: No, face shields are not appropriate face coverings on their own. If you wear a plastic shield, you must also wear a face covering that covers your nose and mouth.

Q: What if we cannot obtain a sufficient supply of face covers by the time we open?

A: While companies like Sysco have face masks in stock, the Executive Order's usage of the term face covering means cloth coverings like bandanas would be sufficient. It is just important that the face covering is cleaned or replaced every day. [CDC: Use of Cloth Face Coverings to Help Slow the Spread of COVID-19](#)

**Q:** Are guests required to wear face coverings to dine in?

**A:** No, they are not, however [the CDC now recommends that everyone wear a face covering when out in public](#).

**8. Discourage workers from using other workers' phones, desks, offices, or other work tools and equipment;**

**9. Where possible, stagger workstations to avoid employees standing adjacent to one another or next to each other. Where six (6) feet of separation is not possible, consider spacing options that include other mitigation efforts with increased frequency of cleaning and sanitizing surfaces;**

**Q:** Are there any guidelines on social distancing or number of people in the kitchen?

**A:** There are no specific guidelines for the kitchen. Enforce six-foot social distancing as much as possible. Be sure your menu reflects the fact that you will likely have less people in the kitchen than before.

**10. Establish limit numbers to reduce contact in employee breakrooms;**

**11. Prohibit handshaking and other un necessary person-to-person contact in the workplace;**

**12. Enforce Social Distancing of non-cohabitating persons while present on such entity's leased or owned property;**

**13. Increase physical space between workers and patrons;**

**14. Limit contact between wait staff and patrons;**

**Q:** How are we able to serve our customers if we are practicing social distancing?

**A:** The server can bring food and beverages to the table and step away; no lingering.

**15. Discard all food items that are out of date;**

**16. Discontinue use of salad bars and buffets;**

**Q:** Is cafeteria-style restaurant service allowed? Is cafeteria delivery service included in the executive order?

**A:** Buffets and salad bars must close, but cafeteria-style restaurants may operate. Customers cannot make their own plates. Social distancing between patrons and employees must be practiced. Cafeteria delivery, curbside pick-up, and to-go orders may continue.

**17. If providing a "grab and go" service, stock coolers to no more than minimum levels;**

**18. Ensure the Food Safety Manager certification of the person in charge is up-to-date and provide food handler training to refresh employees;**

**Q:** Where can I find these classes?

**A:** Classes may be found [HERE](#). ServSafe® Food Handler and ServSuccess training may be accessed for free through May 31, 2020 as well as ServSafe® COVID-19 Takeout and Delivery. You will need to create account to access the courses. No promo code is required; discount will be applied to your cart at checkout.

**19. Thoroughly detail, clean, and sanitize the entire facility prior to resuming dine-in services and continue to do so regularly, focusing such cleaning and sanitation on high contact areas that would be touched by employees and patrons;**

**20. Between diners, clean and sanitize table condiments, digital ordering devices, check presenters, self-service areas, tabletops and commonly touched areas, and discarding single-use items;**

**21. Use rolled silverware and eliminate table presets;**

**22. Remove items from self-service drink, condiment, utensil, and tableware stations and have workers provide such items to patrons directly wherever practicable;**

**Q:** Do we have to shut down drink machines?

**A:** Customers can use self-serve drink machines as long as social distancing is practiced and you provide the cups, lids and straws to each customer.

**23. The use of disposable paper menus is strongly encouraged, which should be discarded after each patron use. Otherwise, businesses subject to this Section shall clean and sanitize reusable menus between each use by a patron. Non-touch menus are also acceptable for use.**

**24. Clean and sanitize restrooms regularly, check restrooms based on the frequency of use, and ensure adequate supply of soap and paper towels at all times;**

**Q:** Are paper towels required in restrooms or are hand dryers sufficient?

**A:** Both drying methods are fine. It is important is to maintain an ample supply of hand soap. If using a hand dryer, make sure to sanitize it frequently.

**25. Implement procedures to increase cleaning and sanitizing frequency of surfaces in the back-of-house. Avoid all food contact surfaces when using disinfectants;**

**26. Check restrooms regularly and clean and sanitize based on frequency of use;**

**27. Update floor plans for common dining areas, redesigning seating arrangements to ensure at least six (6) feet of separation from seating to seating. Utilize physical barriers on booth seating when available;**

**28. Limit party size at tables to no more than six;**

**29. Where practical, consider a reservations-only business model or call-ahead seating;**

**30. Remind third-party delivery drivers and any suppliers of your internal distancing requirements;**

**31. Post signage on entrances that no one with a fever or symptoms of COVID-19 is permitted in the facility;**

Q: What should the sign say?

A: The sign must say "No one with a fever or symptoms of COVID-19 is permitted in the facility"; you may include other guidelines for guests such as requiring face coverings if you choose.

**32. Where practicable, physical barriers such as partitions or Plexiglas at registers should be used;**

Q: Is it mandatory for restaurants to install sneeze guards in dining rooms and at fast food counters? What if the Plexiglas material isn't available?

A: Guideline #32 says "where practicable, physical barriers such as partitions or Plexiglas at registers should be used." "Should" is a recommendation and not a mandate/required.

**33. Use technological solutions where possible to reduce person- to-person interaction: mobile ordering, mobile access to menus to plan in advance, text on arrival for seating, and contactless payment options;**

**34. Provide hand sanitizer for use by patrons, including contactless hand sanitizing stations when available;**

Q: What counts as hand sanitizer?

A: "Hand sanitizer" means "any hand antiseptic, hand rub, soap, or agent applied to the hands for the purpose of removing common pathogens". (Definition from [4.27.2020 Executive Order](#))

**35. Do not allow patrons to congregate in waiting areas or bar areas. Design a process to ensure patron separation while waiting to be seated that can include floor markings, outdoor distancing, or waiting in cars;**

**36. If possible, use an exit from the facility separate from the entrance;**

Q: How can we do this?

A: It is strongly encouraged that you utilize directional tape and/or signage to accomplish this.

**37. Mark ingress/egress to and from restrooms to establish paths that mitigate proximity for patrons and staff;**

Q: How can we do this?

A: It is strongly encouraged that you utilize directional tape and/or signage to accomplish this.

**38. Where practicable, take-out and curbside pick-up services should be prioritized over dine-in services; and**

**39. All restaurant or dining room playgrounds shall be closed.**

**Other Questions & Answers**

**Q:** Do the guidelines in the new Order apply to restaurants even if they don't open their dining rooms?

**A:** Yes, you must follow the executive order to the extent that you can when operating at a limit capacity.

**Q:** Do we have to take customers' temperatures?

**A:** No, you do not have to take the temperatures of your customers, but if they are exhibiting symptoms you should not allow them on site.

**Q:** What is the status of restaurant bar in a full-service establishment under the executive order?

**A:** You can use high tops and other tables located in a bar area. However, you cannot use the bar itself.

**Q:** Are hibachi restaurants allowed to have the chef cook table side?

**A:** Only if the chef can maintain proper social distancing.

**Q:** Are action stations permitted?

**A:** Only if proper social distancing can be maintained.

**Q:** What is the status of restaurant bar in a full-service establishment under the executive order?

**A:** You can use high tops and other tables located in your bar area. However, you cannot use the bar itself as it will not allow the enforcement of 6 feet social distancing for the bartender.

**Q:** Can a bar counter be considered one table?

**A:** No, a bar counter cannot be used as one table.

**Q:** Why can't we seat anyone at a bar counter?

**A:** Even if you practice social distancing for the guests, the bartender would be too close.

**Q:** Are there any dates depicting the timelines of the specific phases of these Executive Orders?

**A:** No, we only know the start date of this order. Expect another executive order around May 13<sup>th</sup>. Governor Kemp is working with a team of advisors and experts to determine the next steps.

**Q:** Does Kemp's Executive Order preempt any local mandates?

**A:** Yes, Kemp's Executive Order is the guiding document right now. It overrides any other municipal or county rules.

**Q:** Is it required for restaurants to open the restrooms to the public if we are not allowing dine-ins?

**A:** Yes.

**Q:** What consequences are restaurants facing for not following the guidelines?

**A:** Not adhering to the guidelines will result in a misdemeanor. Officials who are enforcing this Order should make the infraction known before pursuing charges. Two violations of the executive order will result in the closure of operations.