Ohio | Department of Health

Mike DeWine, Governor
Jon Husted, Lt.Governor

Lance D. Himes, Interim Director

AMENDED DIRECTOR'S ORDER

Re: Amended Director's Order that Reopens Hair Salons, Day Spas, Nail Salons, Barber Shops, Tattoo Parlors, Body Piercing Locations and Tanning Facilities, with Exceptions

I, Lance D. Himes, Interim Director of the Ohio Department of Health (ODH), pursuant to the authority granted to me in R.C. 3701.13 to "make special orders…for preventing the spread of contagious or infectious diseases" **Order** the following to prevent the spread of COVID-19 into the State of Ohio:

1. **Hair Salons, Day Spas, Nail Salons, Barber Shops, Tattoo Parlors, Body Piercing locations and Tanning facilities to reopen**. All hair salons, day spas (including relaxation massages), nail salons, barber shops, tattoo parlors, body piercing locations, tanning facilities, and other like businesses and operations licensed by the Ohio State Cosmetology and Barber Board and local boards of health in the State are permitted to reopen for full service within the State so long as all workplace safety standards are met. These businesses and operations are encouraged to reopen. Businesses and operations shall continue to comply with Social Distancing Requirements as defined in this Order, including by maintaining six-foot social distancing for both employees and members of the public when possible, including, but not limited to, when any customers are standing in line.

2. **Massage Therapy Cosmetic Therapy, and Acupuncture locations.** Massage therapy, cosmetic therapy, and acupuncture locations that employ individuals licensed by Ohio State Medical Board are permitted to reopen for full service within the State so long as all guidance issued by the Medical Board that specifically addresses the requirements for these businesses to reopen is followed.

3. **Facial Coverings (Masks).** Businesses must require all customers, patrons, visitors, contractors, vendors and similar individuals to use facial coverings, except for specifically documented legal, life, health or safety considerations and limited documented security considerations. Businesses must require all employees to wear facial coverings, except for one of the following reasons:

    a. Facial coverings in the work setting are prohibited by law or regulation;
    b. Facial coverings are in violation of documented industry standards;
    c. Facial coverings are not advisable for health reasons;
    d. Facial coverings are in violation of the business's documented safety policies;
    e. Facial coverings are not required when the employee works alone in an assigned work area; or
    f. There is a functional (practical) reason for an employee not to wear a facial covering in the workplace.

    Businesses must provide written justification, upon request, explaining why an employee is not required to wear a facial covering in the workplace. At a minimum, facial coverings (masks) should be cloth/fabric and cover an individual's nose, mouth, and chin.

4. **Social Distancing Requirements.** For purposes of this Order, Social Distancing Requirements includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

    a. **Required measures.** Businesses and Operations must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:

        i. **Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;

        ii. **Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;

        iii. **Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers when possible; and

        iv. **Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

5. **Enforcement.** This Order may be enforced by State and local law enforcement to the extent set forth in Ohio law. Specifically, pursuant to R.C 3701.352 "[n]o person shall violate any rule the director of health or department of health adopts or any order the director or department of health issues under this chapter to prevent a threat to the public caused by a pandemic, epidemic, or bioterrorism event." R.C. 3701.56 provides that "[b]oards of health of a general or city health district, health authorities and officials, officers of state institutions, police officers, sheriffs, constables, and other officers and employees of the state or any county, city, or township, shall enforce quarantine and isolation orders, and the rules the department of health adopts." To the extent any public official enforcing this Order has questions regarding what services are prohibited under this Order, the Director of Health hereby delegates to local health departments the authority to answer questions in writing and consistent with this Order, but does not require local health departments to provide advisory opinions to nongovernmental entities.

6. **Penalty.** A violation of R.C. 3701.352 is guilty of a misdemeanor of the second degree, which can include a fine of not more than $750 or not more than 90 days in jail, or both.

7. **General COVID-19 Information and Checklist for Businesses/Employers.** Business and employers are to take the following actions:

    a. Strongly encourage as many employees as possible to work from home by implementing policies in areas such as teleworking and video conferencing, subject to the discretion of the employer;

    b. Actively encourage sick employees to stay home until they are free of fever (without the use of medication) for at least 24 hours (one full day) AND symptoms have improved AND at least ten days have passed since symptoms first began. Do not require a healthcare provider's

note to validate the illness or return to work of employees sick with acute respiratory illness; healthcare provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely way;

c. Ensure that your sick leave policies are up to date, flexible, and non-punitive to allow sick employees to stay home to care for themselves, children, or other family members. Consider encouraging employees to do a self-assessment each day to check if they have any COVID-19 symptoms (fever, cough, or shortness of breath);

d. Separate employees who appear to have acute respiratory illness symptoms from other employees and send them home immediately. Restrict their access to the business until they have recovered;

e. Reinforce key messages — stay home when sick, use cough and sneeze etiquette, and practice hand hygiene — to all employees, and place posters in areas where they are most likely to be seen. Provide protection supplies such as soap and water, hand sanitizer, tissues, and no-touch disposal receptacles for use by employees;

f. Frequently perform enhanced environmental cleaning of commonly touched surfaces, such as workstations, countertops, railings, door handles, and doorknobs. Use the cleaning agents that are usually used in these areas and follow the directions on the label. Provide disposable wipes so that commonly used surfaces can be wiped down by employees before each use; and

g. Be prepared to change business practices if needed to maintain critical operations (e.g., identify alternative suppliers, prioritize customers, or temporarily suspend some of your operations).

h. Comply with all applicable guidance from the U.S. Centers for Disease Control and Prevention and the Ohio Department of Health regarding social distancing.

8. **Sector Specific COVID-19 Information and Checklist for Businesses/Employers Covered by this Order.** Businesses and employers, whether currently open or reopening, are to take the following actions:

   a. Employees:

      i. Where possible, ensure a minimum of 6 feet distance between workers and where not possible, utilize barriers and increase the frequency of surface cleaning, handwashing, sanitizing and monitor compliance. When necessary, the distance between the employee and customer may be less than 6 feet;
      ii. Face coverings (per CDC guidelines) must be worn at all times unless exceptions apply, see Section 5 of this Order for guidance;
      iii. Where possible, gloves must be worn at all times and disposed of between tasks in accordance with CDC glove removal guidance and where not possible, wash hands in between tasks in accordance with CDC handwashing guidance;

iv. Dispose of single-use materials between customers;
v. Employees must perform a daily symptom assessment that should include taking temperature with a thermometer, monitoring for fever and watching for coughing or trouble breathing;
vi. Require employees to stay at home if symptomatic and perform daily symptom assessment before returning to work;
vii. Require regular handwashing (soap and water for at least 20 seconds) between each customer or more often as necessary;
viii. Require hand sanitizers in high-contact locations;
ix. Require that high-touch items be cleaned after each use;
x. Maintain accurate appointment and walk-in records including date and time of service, name of customer, and contact information to assist in contact tracing;
xi. Immediately isolate and seek medical care for any individual who develops symptoms while at work;
xii. Contact the local health department about suspected cases or exposures;
xiii. After learning of a suspected case or exposure, if possible shut down the area for deep sanitation;
xiv. It is recommended that businesses work with local health department to identify potentially infected or exposed individuals to help facilitate effective contact tracing/ notifications;
xv. It is recommended that once testing is readily available, test all suspected infections or exposures;
xvi. It is recommended that following positive testing, contact local health department to initiate appropriate care and tracing;
xvii. It is recommended that employees be grouped by shift to reduce exposure;
xviii. It is recommended that, when possible, employees wear eye protection when providing services in close proximity to customers; and
xix. It is recommended that employees launder work clothing daily and shower immediately upon returning home from the establishment.

b. Customers and Guests

i. Where possible, ensure minimum of 6 feet between parties waiting and when dining, and where not possible, then utilize barriers and other protective devices;
ii. Ask customers and guests not to enter if symptomatic;
iii. Specify hours for at-risk populations, see Section 4 of this Order;
iv. Stagger the entry of customers and guests;
v. Only permit customers in the establishment for their service, unless customer must be accompanied by a caregiver;
vi. It is recommended that customers and guests wear face coverings at all times;
vii. It is recommended that health questions for symptoms be posted at the entrance and follow current guidelines of the CDC and ODH;

viii. It is recommended that, if possible, provide face coverings to customers and guests upon entry;
ix. It is recommended that, where possible, accept customers by appointment only;
x. It is recommended that, where possible, increase availability for curbside pickup;
xi. It is recommended that, where possible, return policies be suspended;
xii. It is recommended that, where possible, schedule appointments with adequate time in between appointments to reduce the number of customers in the establishment; and
xiii. It is recommended that, where possible, have customers wait outside in their vehicle or, if not possible, at the entrance of the business with at least six feet between customers until their scheduled appointment.

c. Physical spaces

i. Where possible, ensure a minimum of 6 feet distance between workers and where not possible, utilize barriers and increase the frequency of surface cleaning, handwashing, sanitizing and monitor compliance. When necessary, the distance between the employee and customer may be less than 6 feet;
ii. Post social distancing signage and disinfect high-contact surfaces hourly;
iii. Clean merchandise before stocking if possible;
iv. Provide approved hand cleansing/sanitizing methods in common areas;
v. Establish maximum capacity;
vi. Discontinue all self-service refreshments;
vii. Discontinue client use of product testers and switch to employee-only product handling;
viii. Clean chairs and equipment before and after each use;
ix. Discard magazines and other non-essential items in the waiting area that cannot be disinfected;
x. It is recommended that, if possible, close the establishment once a week for deep cleaning;
xi. It is recommended that, if possible, the available checkout space be maximized to promote social distancing (example: space customer lines with floor markers, use alternate registers);
xii. It is recommended that, if possible, use contact-less payments;
xiii. It is recommended that, where possible, increase capacity for delivery and curb-side pickup; and
xiv. It is recommended that post visible and appropriate signage to communicate to the customer that thorough sanitation procedures are in place, and that service will not be provided to customers exhibiting symptoms of COVID-19. Signage to be created, in consultation with the Ohio Department of Health, and distributed to licensees by the Ohio State Cosmetology and Barber Board.

9. **Duration.** This Amended Order shall be effective at 12:01 a.m. on October 10, 2020 and remains in full force and effect until the Director of the Ohio Department of Health rescinds or modifies this Order.

I hereby **ORDER** that hair salons, day spas (including relaxation massages), nail salons, barber shops, tattoo parlors, body piercing locations, tanning facilities may continue to operate as set forth in this Order. This Order shall remain in full force and effect until the Director of the Ohio Department of Health rescinds or modifies this Order. To the extent any public official enforcing this Order has questions regarding what services are prohibited under this Order, the Director of Health hereby delegates to local health departments the authority to answer questions in writing and consistent with this Order.

October 9, 2020

Lance D. Himes
Interim Director of Health