

JAY INSLEE
Governor



STATE OF WASHINGTON
Office of the Governor

TO: Interested Stakeholders

FROM: Governor Jay Inslee

DATE: May 13, 2020

SUBJECT: Resuming Personal Services – Proclamation 20-25

This memorandum serves as the criteria for resuming Personal Services under Phase 2 and is effective as of May 13, 2020.

After consulting with stakeholders, we have developed the comprehensive Phase 2 – Personal Services COVID-19 Requirements. These requirements apply as long as Gubernatorial Proclamation 20-25, or any extension thereof, is in effect or if adopted as rules by a federal, state or local regulatory agency.

This memorandum supersedes any conflicting provision in the Appendix to Proclamation 20-25, “Essential Critical Infrastructure Workers” and stands in the place of any other omission from the document.

For purposes of this memorandum, “personal services” includes cosmetologists, hairstylists, barbers, estheticians, master estheticians, manicurists, nail salon workers, electrologists, permanent makeup artists, tattoo artists, cosmetology schools, and esthetics schools.

“Personal services” does not include those regulated by Washington’s Department of Health, such as massage therapy, acupuncture, physical therapy, and chiropractic.

Personal-service operations may resume immediately if they can meet and maintain all requirements, including providing materials, schedules and equipment needed to comply.

- **General questions about how to comply with safety practices** can be submitted to the state’s Business Response Center at <https://app.smartsheet.com/b/form/2562f1caf5814c46a6bf163762263aa5>.

5/13/2020

- **All other violations related to Proclamation 20-25** can be submitted at <https://bit.ly/covid-compliance>.

Phase 2 Personal Services COVID-19 Requirements

Phase 2: The personal services establishments must adopt a written procedure for personal services activity that is at least as strict as the Phase 2 safety requirements below.

Covered Facilities

Personal service providers covered in these operational guidelines including Cosmetologists, Hairstylists, Barbers, Estheticians, Master Estheticians, Manicurists, Nail Salon Workers, Electrologists, Permanent Makeup Artists, Tattoo Artists, Cosmetology Schools and Esthetics Schools. These employer-owners may contract with employee service providers to provide these personal services. These personal service providers must be able to comply with the following guidelines before re-opening.

Safety and Health Requirements

All personal service businesses have a general obligation to keep a safe and healthy facility in accordance with state and federal law, and comply with the following COVID-19 worksite-specific safety practices, as outlined in Governor Jay Inslee’s “Stay Home, Stay Healthy” Proclamation 20-25, and in accordance with the Washington State Department of Labor & Industries [General Requirements and Prevention Ideas for Workplaces](#) and the Washington State Department of Health Workplace and Employer Resources & Recommendations at <https://www.doh.wa.gov/Coronavirus/workplace>. All businesses are required to post signage at the entrance to their business to strongly encourage their customers to use cloth face coverings when in store with their staff.

These services are typically offered in a salon and spa environment that is owned and managed by an individual, a group of individuals or a corporation. These employer-owners may contract with employee service providers to provide these personal services.

Employer-owners must specifically ensure operations follow the main L&I COVID-19 requirements to protect employee-service providers and clients:

- Educate employee-service providers in the language they understand best about coronavirus, how to prevent transmission and the owner’s COVID-19 policies.
- Maintain minimum six-foot separation between employee-service providers and clients in all interactions at all times. When strict physical distancing is not feasible for a specific task, other prevention measures are required, such as use of barriers, minimization of service providers or clients in narrow, enclosed areas and waiting rooms, staggered breaks, and work shift starts.
- Provide personal protective equipment (PPE) such as gloves, goggles, face shields and face masks as appropriate or required to employees for the activity being performed.

5/13/2020

Require employee-service providers to use personal protective equipment (PPE) such as gloves, gowns, capes, goggles, face shields and facemasks as appropriate or required for the activity being performed. **Cloth facial coverings must be worn by every individual not working alone at the location unless their exposure dictates a higher level of protection under Department of Labor & Industries safety and health rules and guidance.** Personal service providers should review the Labor & Industries safety and health rules and guidance carefully to determine the appropriate personal protective equipment requirements. Refer to [Coronavirus Facial](#)

[Covering and Mask Requirements](#) for additional details. A cloth facial covering is described in the Department of Health guidance,

<https://www.doh.wa.gov/Portals/1/Documents/1600/coronavirus/ClothFacemasks.pdf>.

- Ensure frequent and adequate hand washing with adequate maintenance of supplies. Use single use disposable gloves, where safe and applicable, to prevent transmission on tools and items that are shared, and discard after a single use.
- Establish a housekeeping schedule that includes frequent cleaning and sanitizing with a particular emphasis on commonly touched services.
- Screen employee-service providers for signs/symptoms of COVID-19 at start of shift. Make sure sick employee-service providers stay home or immediately go home if they feel or appear sick. Cordon off any areas where an employee-service provider with probable or confirmed COVID-19 illness worked, touched surfaces, etc., until the area and equipment is cleaned and disinfected. Follow the [cleaning guidelines set by the CDC](#) to deep clean and disinfect.
- Service providers must follow their specific association standards to maintain health standards for owners, service providers and clients.

A site-specific COVID-19 Supervisor shall be designated by the employer-owner at each business to monitor the health of employee-service providers and enforce the COVID-19 safety plan.

An employee-service provider may refuse to perform unsafe work, including hazards created by COVID-19. And, it is unlawful for the employer-owner to take adverse action against an employee-service provider who has engaged in safety-protected activities under the law if their work refusal meets certain requirements.

Employee-service providers who choose to remove themselves from a location because they do not believe it is safe to work due to the risk of COVID-19 exposure may have access to certain leave or unemployment benefits. Employer-owners must provide high-risk individuals covered by Proclamation 20-46 with their choice of access to available employer-granted accrued leave or unemployment benefits if an alternative work arrangement is not feasible. Other employee-service providers may have access to expanded family and medical leave included in the Families First Coronavirus Response

5/13/2020

Act, access to use unemployment benefits, or access to other paid time off depending on the circumstances.

All personal service businesses are required to comply with the following COVID-19 facility-specific safety practices:

Below is a list of additional practices for employer-owners and employee-personal service providers to follow in order to provide a safe back to work environment for themselves and clients.

1. Authorized access to the business should primarily be through the front door. Other access points should be kept closed and locked.
2. Client occupancy should be kept at 50% or lower, with the exception of one to one service in an enclosed room.
3. Prior to reopening, all personal service businesses are required to develop and post at each location a comprehensive COVID-19 exposure control, mitigation and recovery plan. The plan must include policies regarding the following control measures: PPE utilization; on-location physical distancing; hygiene; sanitation; symptom monitoring; incident reporting; location disinfection procedures; COVID-19 safety training; exposure response procedures and a post-exposure incident project-wide recovery plan. A copy of the plan must be available at the location during personal service activities, and available for inspection by state and local authorities. Failure to meet posting requirements will result in sanctions, including the location being shut down.
4. COVID-19 safety information and requirements, such as CDC, DOH, OSHA posters and the employer-owner written policies for COVID-19, shall be visibly posted at each location.
5. Soap and running water shall be abundantly provided at all personal service businesses for frequent handwashing. Employee-service providers should be encouraged to leave their workstations to wash their hands regularly, before and after going to the bathroom, before and after eating and after coughing, sneezing or blowing their nose. Alcohol-based hand sanitizers with greater than 60% ethanol or 70% isopropanol can also be used but are not a replacement for the water requirement.
6. In areas visible to all workers, post required hygienic practices which include:
 - Not touching the face with unwashed hands or with gloves;
 - Washing hands often with soap and water for at least 20 seconds;
 - Using hand sanitizer with at least 60% alcohol;

5/13/2020

- Cleaning and disinfecting frequently-touched objects and surfaces such as workstations, keyboards, telephones, handrails, machines, shared tools, elevator control buttons, doors and doorknobs; and
 - Covering the mouth and nose when coughing or sneezing as well as other hygienic recommendations by the U.S. Centers for Disease Control (CDC).
7. All linens, towels, drapes, smocks, etc., must be laundered in accordance with [WAC 308-20-110](#), if applicable.
 8. Disinfectants must be available to employee-service providers and clients throughout the workplace and ensure cleaning supplies are frequently replenished.
 9. Clean and disinfect high-touch surfaces after each use, including reception area, personal work stations, mirrors, chairs, headrests and armrests, dryers, shampoo bowls, hand tools, other equipment, handrails, restrooms and breakrooms, using soapy water, followed by the appropriate disinfectants. Porous and soft surface tools cannot be disinfected and must be used once and then discarded.
 10. Shampoo bowl etiquette includes covering the face of the client with a towel while shampooing to protect their mouth, nose and eyes.
 11. If these areas cannot be cleaned and disinfected frequently, the personal service business shall be shut down until such measures can be achieved and maintained.
 12. Any personal service businesses must adhere to social distancing requirements and have 6' of space between booths/stations or have physical barriers between them.
 13. Human-machine interfaces such as keyboards, buttons, etc., must be sanitized and disinfected between users. Standard tools like brooms, mops and vacuums need to be sanitized and disinfected after each use, especially between two separate users.
 14. Develop a protocol for any physical sign-off requirements to avoid close contact and limit the common use of writing instruments. If used, writing instruments should be sanitized and disinfected after each use.
 15. To the degree possible, assign employees to small groups and assign them to designated separate bathrooms and breakrooms. In order to obtain social distancing, stagger days, shifts, shift changes, breaks and meals to avoid group. Provide additional break seating as needed with greater distancing, outside if possible.
 16. Increase ventilation rates where feasible. Evaluate ventilation and utilize U.V. filters with a higher MERV rating.
 17. Ensure that tissues and trash cans are placed throughout the business

5/13/2020

18. When making personal service appointments, advise clients of new requirements:
- Client must self-screen for signs and symptoms of COVID-19 before arriving at the service provider location.
 - Clients should not plan on bringing other guests with them, unless they are bringing children younger than 16 for an appointment.
 - Clients should advise personal service providers via call, email or text that they have arrived at the location for the appointment, and are waiting for instructions to enter. ○ Clients should put on a facemask prior to leaving the vehicle, and they should be prepared to wash their hands for at least 20 seconds prior to starting their service.
 - The service provider will wear a clean cape or gown, as well as providing each client with a clean cape or gown. They must be laundered as noted above, or be disposable and thrown away after a single use. ○ Payments for service should be through credit or debit cards or a touchless system to reduce the handling of cash.
19. For walk-in appointments, the employer-owner must post a notice on the front door or window regarding access to the facility. The notice should include the phone number that the guest should call to determine availability of services. If service is available at the time, the walk-up guest will need to answer questions regarding COVID-19 exposure and current health, and put on a mask before entering the location.

Sick Employee Plan:

20. Screen all employee-service providers at the beginning of their day by asking them if they have a fever, cough, shortness of breath, fatigue, muscle aches or new loss of taste or smell.
21. Ask employee-service provider to take their temperature at home prior to arriving at the business, or take their temperature when they arrive. Thermometers used at the business shall be ‘no touch’ or ‘no contact’ to the greatest extent possible. If a ‘no touch’ or ‘no contact’ thermometer is not available, the thermometer must be properly sanitized and disinfected between each use. Any employee-service provider with a temperature of 100.4°F or higher is considered to have a fever and must be sent home.

22. Create policies which encourage employee-service providers to stay home or leave the location when experiencing symptoms or when they have been in close contact with a confirmed positive case. If they develop symptoms of acute respiratory illness, they must seek medical attention and inform their employer-owner.
23. Have employee-service providers inform their supervisors if they have a sick household member at home diagnosed with COVID-19. If an employee-service provider has a household member sick with COVID-19, that employee-service provider must follow the isolation/quarantine requirements as established by the State Department of Health.
24. Instruct employee-service providers to report to their employer-owner if they develop symptoms of COVID-19 (e.g., fever, cough, shortness of breath, fatigue, muscle aches, or new loss of taste or smell). If symptoms develop during a shift, the employee-service provider should immediately report such and be sent home. If symptoms develop while the employee-service provider is not working, the employee-service provider should not return to work until they have been evaluated by a healthcare provider.
25. If an employee-service provider is confirmed to have COVID-19 infection, employer-owner should inform employee-service providers determined to have been in close contact of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by the Americans with Disabilities Act (ADA). The employer-owner should instruct fellow employee-service providers about how to proceed based on the CDC Public Health Recommendations for Community-Related Exposure.
26. If an employee-service provider reports feeling sick and goes home, the area where that person worked should be immediately disinfected.

Training:

27. All on-site employee-service providers must be trained on the businesses' policies, these requirements and all relevant sanitization/disinfection and social distancing protocols. Current and new employee-service providers must also be trained about COVID-19 and how to prevent its transmission. This can be accomplished through weekly safety meetings, where attendance is logged by the system, supervisor, human resources or COVID site supervisor.

All personal service businesses must meet and maintain all the requirements in this document, including providing materials, schedules and equipment required to comply. Additional considerations are made as suggestions and may be adopted as appropriate.

All issues regarding worker safety and health are subject to enforcement action under L&I's Division of Occupational Safety and Health (DOSH).

- Employers can request COVID-19 [prevention advice and help](#) from L&I's Division of Occupational Safety and Health (DOSH).
- Employee Workplace safety and health complaints may be submitted to the L&I DOSH Safety Call Center: (1-800-423-7233) or via e-mail to adag235@lni.wa.gov.
- General questions about how to comply with the agreement practices can be submitted to the state's Business Response Center at <https://app.smartsheet.com/b/form/2562f1caf5814c46a6bf163762263aa5>.

All other violations related to Proclamation 20-25 can be submitted at <https://bit.ly/covid-compliance>.