

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>.

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

Phase 2 Personal Service Providers

COVID-19 Requirements

Personal services establishments must adopt a written procedure that is at least as strict as the requirements in this document and that complies with the appropriate Phase 2 safety and health requirements and guidelines established by the Washington State Department of Labor & Industries and the Washington State Department of Health.

Prior to re-opening, all personal service providers and employer-owners are required to develop at each establishment, a comprehensive COVID-19 exposure control, mitigation, and recovery plan which must be adhered to. A site-specific COVID-19 monitor shall be designated at each location to monitor the health of individuals and enforce the COVID-19 job site safety plan. A copy of the plan must be available at all locations for inspection by state and local authorities. Failure to meet this requirement may result in sanctions up to, and including, license suspension.

Covered Professions and Facilities

Personal service providers and employer-owners covered in these operational guidelines include Cosmetologists, Cosmetology Testing, Hairstylists, Barbers, Estheticians, Master Estheticians, Manicurists, Nail Salon Workers, Electrologists, Permanent Makeup Artists, and Tattoo Artists. 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, and with the off-site guidance when working anywhere other than a personal services establishment.

Safety and Health Requirements

All employer-owners have a general obligation to maintain a safe and healthy workplace in accordance with state and federal law and safety and health rules for a variety of workplace hazards. In addition, they must comply with the following COVID-19 worksite-specific safety practices as outlined in Governor Jay Inslee's "Safe Start" Proclamation 20-25.4, 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 and Recommendations](#). All personal services establishments are required to post signage at the entrance that requires their customers to use cloth face coverings. Employer-owners must specifically ensure operations follow the main L&I COVID-19 requirements to protect personal employee-service providers:

- Educate personal employee-service providers in the language they understand best about coronavirus, how to prevent transmission, and the owner's COVID-19 policies.
- Maintain a minimum of six feet separation between personal employee-service providers and clients in all interactions. When strict physical distancing is not feasible for

a specific task, other prevention measures are required, the use of barriers, minimization of employee-service providers or clients in narrow, enclosed areas, occupancy limitations in waiting rooms, and staggered breaks and work shift starts.

- Provide (at no cost to employees) and require the wearing of personal protective equipment (PPE), such as gloves, goggles, face shields and [face masks as appropriate](#) or required for the work activity being performed. Cloth face coverings must be worn by every employee not working alone on the job site unless their exposure dictates a higher level of protection under Washington State Labor & Industries safety and health rules and guidance.

- Exceptions to this requirement for cloth face coverings include when working alone in an office, vehicle, or at a job site; if the individual is deaf or hard of hearing, or is communicating with someone who relies on language cues such as facial markers and expression and mouth movements as a part of communication; if the individual has a medical condition or disability that makes wearing a facial covering inappropriate; or when the job has no in-person interaction.

- Refer to [Washington Coronavirus Hazard Considerations for Employers \(except COVID19 care in hospitals & clinics\) Face Coverings, Masks, and Respirator Choices](#) for additional details. Cloth face coverings are described in the [Department of Health guidance](#).

- Ensure frequent and adequate hand washing with adequate maintenance of supplies. When using single use disposable gloves to prevent transmission on tools and items that are shared, discard gloves after a single use.

- Update the housekeeping schedule to include frequent cleaning and sanitizing with a particular emphasis on commonly touched surfaces.

- Screen personal employee-service providers for signs/symptoms of COVID-19 at the start of each shift. Make sure sick personal 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 clean and disinfect.

- Follow specific association standards to maintain health standards for owners, service providers and clients, if applicable.

Employees may refuse to perform unsafe work, including hazards created by COVID-19. It is unlawful for the employer-owner to take adverse action against an employee who has engaged in safety-protected activities under the law if their work refusal meets certain requirements. Information is available in these publications: [Safety and Health Discrimination in the Workplace brochure](#) and [Spanish Safety and Health Discrimination brochure](#).

Employees 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 employees 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 employees may have access to expanded family and medical leave included in the Families First Coronavirus Response, unemployment benefits, or other paid time off depending on the circumstances. Additional information is available at [Novel Coronavirus Outbreak \(COVID-19\) Resources](#) and [Paid Leave under the Washington Family Care Act and the Families First Coronavirus Response Act](#).

All personal service provider employer-owners are required to comply with the following COVID19 facility-specific safety practices to provide a safe back to work environment for themselves and clients:

1. Arrange contactless or electronic scheduling, pay options, and services wherever possible.
2. Keep occupancy at 50% or lower, with the exception of one to one service in an enclosed room.
3. Develop 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.
4. Provide soap and running water at all business locations for frequent handwashing. Personal 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 that contain more than 60% ethanol or 70% isopropanol can also be used, but are not a replacement for the water requirement.
5. Post required hygienic practices in areas visible to all workers, 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% ethanol alcohol or 70% isopropanol;
 - 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).

6. Launder all linens, towels, drapes, smocks, etc., in accordance with [WAC 308-20-110](#), if applicable.
7. Provide disinfectants to personal employee-service providers throughout the workplace, and ensure cleaning supplies are frequently replenished.
8. Clean and disinfect frequently touched surfaces after each use, including reception areas, personal work stations, mirrors, chairs, headrests and armrests, dryers, shampoo bowls, hand tools, other equipment, handrails, restrooms and breakrooms, and pens/pencils. Porous and soft surface tools cannot be disinfected and must be discarded after a single use.
9. Adhere to social distancing requirements as outlined in this document. Personal service providers should maintain six feet of space between booths/stations or have physical barriers between them when in use.
10. Increase ventilation rates where feasible. Evaluate ventilation and utilize U.V. filters with a higher MERV rating.
11. Ensure that tissues and trash cans are placed throughout the business.
12. Advise clients of new requirements when making personal service appointments:
 - Clients must self-screen for signs and symptoms of COVID-19 before arriving at the service provider location.
 - Clients must wear a cloth face covering while at the service provider location.
 - Clients should not bring other guests with them, unless they are bringing children under the age of 16 for an appointment.
 - Clients should advise personal service providers via call, email or text message that they have arrived at the location for the appointment, and are waiting for instructions to enter.
13. Post a notice at the front door or window regarding access to the facility for walk-in appointments at personal service provider establishments. Employer-owners 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 their current health and put on a face covering before entering the location.
14. **For off-site services**, personal service providers must wear the [appropriate PPE](#) and work one on one with clients. PPE should be disposed of or sanitized where appropriate per the guidance above, such as disposing of disposable gloves or replacing linens after providing service to a client. Personal service providers must adhere to social distancing requirements, maintaining at least six feet of distance from non-clients who may be present at the off-site location.

COVID-19 Training

15. Train all on-site personal service providers on the worksite's policies, the requirements in this document, and all COVID-19 appropriate safety-related requirements and guidance in the language they understand best.

Health/Symptoms for Personal Service Provider Employer-Owners and Personal Service Providers

16. Create a policy that requires personal service providers to stay home or leave the worksite when feeling sick or when they have been in close contact with a confirmed positive case of COVID-19. If they develop symptoms of acute respiratory illness, they should seek medical attention and inform their employer.
17. Screen all personal 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. If a personal service provider has a family member with COVID-19, that individual must follow the isolation/quarantine requirements as established by the Department of Health. If a personal service provider is confirmed to have COVID-19, employers or the individual should inform fellow workers of their possible exposure in the workplace, but maintain confidentiality as required by the Americans with Disabilities Act (ADA). The employer or individual should consult with the local health department and/or instruct fellow workers about how to proceed based on the CDC Public Health Recommendations for Community-Related Exposure.
18. Instruct service providers to report to their supervisor or employer 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 worker should be immediately sent home. If symptoms develop while the personal service provider is not working, they should not return to work until they have been evaluated by a healthcare provider.
19. If a personal service provider or client reports feeling sick and goes home, the area previously occupied by that person should be disinfected in accordance with CDC and Department of Health guidelines.

All personal service provider employer-owners and personal service providers must meet and maintain all the requirements in this document, including providing materials, schedules and equipment required to comply.

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://coronavirus.wa.gov/how-you-can-help/covid19-business-and-worker-inquiries>.
- All other violations related to Proclamation 20-25 can be submitted at <https://bit.ly/covidcompliance>.