

Businesses with In-Person Contact Must Implement Social Distancing Measures

By P.K. Runkles-Pearson

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Oregon and Washington have enacted more restrictions on business, travel, and social life. Employers should be aware—both orders require businesses who remain open to in-person contact to implement measures for social distancing that comply with relevant public health guidance.

Oregon “Stay Home, Save Lives” Order Requires Retail Businesses to Enact Social Distancing Policies

On Monday, March 23, Oregon Governor Kate Brown issued [Executive Order 20-12](#), which restricts travel and requires the closure of certain businesses. A less-discussed part of the order requires most retail businesses who remain open to enact specific policies to ensure that employees and visitors comply with Oregon Health Authority guidance on social distancing. Only grocery, health care, medical, and pharmacy businesses are exempted from the order. The order also requires each employer to designate an official responsible for the implementation of the policy. [Affected retail businesses must close until they comply with the order. The order is already effective as of 12:01 a.m., Tuesday, March 24.](#)

While the order imposes new rules on retail businesses specifically, all businesses should consider implementing social distancing policies when telework is not possible. Each policy should consider the unique circumstances of the workplace and be tailored to specific work activities. Please contact us if we can help draft or review a policy for you.

Washington “Stay Home, Stay Healthy” Order Closes Workplaces for All but Essential Businesses, Requires Social Distancing Measures

On Monday, March 23, Washington Governor Jay Inslee issued [Executive Order 20-25](#), requiring the closure of all businesses except “essential businesses” and businesses conducted without in-person contact. Non-essential businesses may continue to conduct “minimum basic operations,” which includes activities necessary to facilitate employees being able to continue working from home. Food delivery and take-out remains allowed. To remain open, “essential businesses” must “establish and implement social distancing and sanitation measures” established by the Department of Labor and Washington State Department of Health. The order becomes effective at midnight, March 25, and lasts until midnight, April 8, unless otherwise extended.

For further information about ongoing developments related to COVID-19, visit Miller Nash Graham & Dunn’s [resource library](#).

Disclaimer: This article is not legal advice. It is provided solely for informational and educational purposes and does not fully address the complexity of the issues or steps business must take under applicable laws.



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