

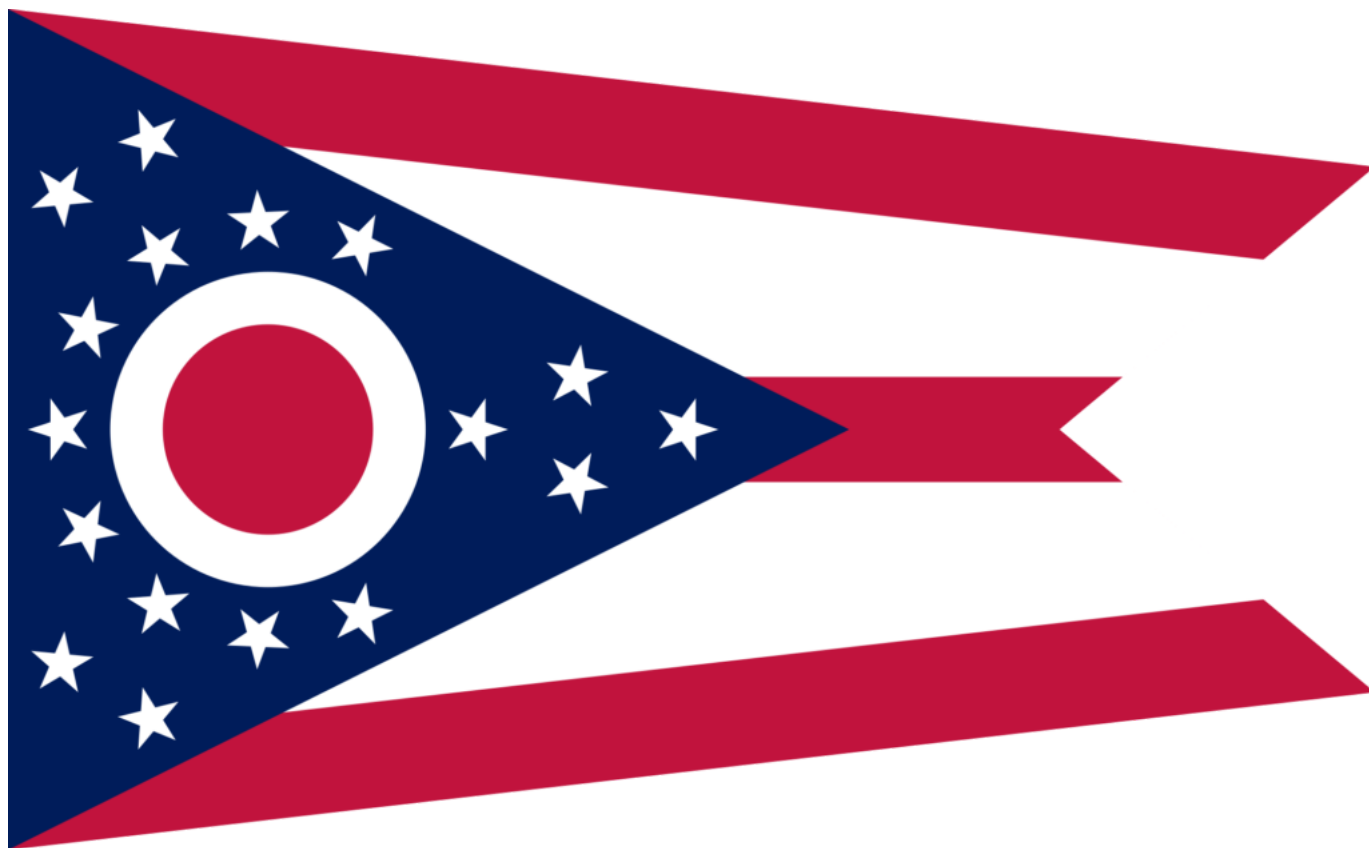
Ohio Issues COVID-19 Restrictions on Retailers

November 19, 2020

By [Federico G. Barrera](#) and [Donald Campbell Bulea](#)



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The order applies to “retailers,” defined as all stores, retail businesses, or other enterprises in Ohio “offering goods in person to the public,” with some notable exceptions. The new order expressly exempts the following categories of businesses and the restrictions and obligations set forth in prior industry-specific orders remain in place:

- restaurants, bars, banquet halls, and catering facilities, which remain subject to the various face covering, social distancing, and sanitization requirements set forth in the September 23, 2020, order;
- hair and nail salons, barber shops, tattoo and body piercing parlors, and tanning facilities, which remain subject to a separate order issued on October 9, 2020; and
- gyms, dance studios, and personal fitness venues, which remain subject to a separate order issued on May 22, 2020.

[According to a July 23, 2020 order](#), Ohioans must wear face coverings at all times when inside public establishments, subject to narrow exceptions. The November 13, 2020, order clarifies that this requirement continues to be the law, but includes the following additional requirements:

- Retailers must post at all entrances a notice stating that all persons are required to wear a face covering at all times while on the premises, as well as the maximum occupancy limit for each location.
- Retailers must rearrange the physical space of the location or require people to move in one direction in specific aisles to permit six feet of social distancing at all times.
- Retailers must physically mark placeholders in checkout lines demonstrating six feet of distance.

The order requires retailers to designate onsite compliance officers “for each business location and each shift during business hours” to ensure compliance with the order and act as a point person for the local health department and law enforcement. Retailers must cooperate with any government official inquiring about health and safety protocols.

The order also includes enhanced enforcement measures. Any local health department or law enforcement agency may enforce the terms of the order. If a retailer receives a notice of violation, the order requires the retailer to immediately close the location to the public for up to 24 hours “to allow dissipation of COVID-19 airborne droplets.” Under the order, businesses will be given an initial warning; however, repeat violations may result in the issuance of a “notice of violation requiring closure.”

Finally, Ohio will be mobilizing its Bureau of Workers’ Compensation (BWC) health and safety inspectors to inspect businesses, and empowers them to issue citations for any violation of this order.

Ogletree Deakins will continue to monitor and report on developments with respect to the COVID-19 pandemic and will post updates in the firm’s [Coronavirus \(COVID-19\) Resource Center](#). Important information for employers is also available via the firm’s [webinar programs](#).

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