



VIRGINIA FORWARD: PHASE TWO FREQUENTLY ASKED QUESTIONS

1. What businesses can operate in Phase 2?

The following businesses may operate in a limited capacity:

- Restaurants and beverage services may operate at 50% occupancy load with at least six feet of spacing between tables.
- Farmers markets may operate as long as six feet of separation can be maintained between guests (including between tables and persons on public sidewalks).
- Non-essential retail may operate at 50% occupancy load.
- Personal care and personal grooming services may operate at 50% occupancy load by appointment only, with no more than two clients per service provider.
- Fitness centers, gymnasiums, recreation centers, indoor sports facilities, and indoor exercise facilities may operate at up to 30% occupancy load with at least ten feet of spacing between individuals.
- Indoor and outdoor swimming pools may open for exercise, diving, and instruction only with at least 10 feet of physical distance between individuals in the pool.
- Private campgrounds may operate with at least 20 feet of separation between lots used for stays of less than 14 days. Campgrounds may continue to operate lots that are reserved for stays longer than 14 days.
- Outdoor performing arts venues, concert venues, and movie theaters (excluding drive-in entertainment) may operate if the number of patrons does not exceed the lesser of 50% occupancy load (if there is an occupancy limit) or 50 patrons.
- Properly permitted businesses may operate a drive-in model, where cars are parked at least six feet apart and participants must remain in their vehicle
- Museums, Botanical Gardens, Aquariums, Zoos may open at 50% occupancy with no shared objects or touch-based interactive exhibits

The following businesses must remain closed to the public in Phase 2:

- Indoor sporting venues, performing arts venues, concert venues, and movie theaters;
- Historic horse racing facilities;
- Bowling, arts and craft facilities, arcades, escape rooms, amusement parks, trampoline parks, gaming facilities, fairs, and carnivals; and
- Overnight summer camps.

The full list of limitations may be found in [Executive Order 65](#).

2. I am not a business sector explicitly listed in the Executive Order. What should I do?

Where feasible and practicable, all workplaces should follow the Guidelines for All Business Sectors, including the recommendations for physical distancing, enhanced cleaning and sanitization, and enhanced workplace safety. These guidelines may be found [here](#).

3. I can't find PPE to supply my business before it reopens.

The Emergency Vendor List includes vendors used by the Va. Dept. of Emergency Management (VDEM) and Va. Dept. of General Services – Division of Purchases & Supply (DPS) during a "state of public emergency". The list may be utilized to quickly obtain supplies and services to provide assistance to those in need. This can be found here: <https://dgs.virginia.gov/procurement/resources/eva-emergency-vendor-list/>

4. Are there restrictions for any other categories of business?

All other categories of business should utilize teleworking as much as possible. Where telework is not feasible, such businesses should adhere to the Guidelines for All Business Sectors, including the recommendations for physical distancing, enhanced cleaning and sanitization, and enhanced workplace safety. These guidelines may be found [here](#).

The following sources provide additional workplace guidance for operations that remain open:

- CDC Guidance: <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html>
- OSHA Guidance: <https://www.osha.gov/Publications/OSHA3990.pdf>

RESTAURANT AND BEVERAGE SERVICES

5. What are the restrictions for food and beverage establishments?

Restaurants, dining establishments, food courts, breweries, microbreweries, distilleries, wineries, tasting rooms, and farmers markets may operate at up to 50% capacity in both indoor and outdoor dining areas with at least 6 feet between tables, while bar seating remains closed. Employers must provide face coverings for employees, and they must be worn in customer dining and service areas. The detailed set of requirements for food and beverage establishments may be found [here](#).

6. Are customers allowed to self-serve food from a buffet or food bar (e.g., hot/cold buffet, ice cream toppings bar, etc.) in a restaurant, retail food establishment, or grocery store?

No. Self-service is not allowed.

7. Is customer self-service of beverages allowed?

Yes, but only if customers can self-dispense drinks by a touchless method. Touchless dispensing of beverages activated by a held cup may be used; touch screen machines are not a touchless system.

8. Do back-to-to back style booths in outdoor dining areas meet the social distancing requirements?

No. For back-to-back booths, an alternating seating system needs to be implemented to ensure six feet of separation between individuals.

9. Can I seat customers at a bar if I install a plexiglass divider/shield like those used in grocery stores?

No. You may not seat customers at a bar if it is directly adjacent to a workspace used to prepare beverages or other food items or to store foodservice equipment. Non-bar seating in the bar area (i.e., tables or counter seats that do not line up to a bar or food service area) may be used for customer seating as long as a minimum of six feet is provided between parties at tables.

10. What do I need to know about my food establishment and outdoor seating?

Employee face covering, signage, and physical distancing requirements apply to this space. Table spacing must allow for physical distancing from areas outside the facility's control (e.g., provide physical distancing from persons on public sidewalks or an adjoining restaurant's outdoor dining).

If the outdoor dining space is included in the Virginia Uniform Building Code determination of building capacity, then seating in this area may not exceed 50% occupancy load.

The building and zoning requirements of your locality apply to any proposed change to your customer seating capacity (e.g., tented area, picnic tables). Tented areas may not be enclosed.

11. If I can roll up a garage door or open wall-length windows, can the interior of my restaurant be considered outdoor dining?

No. This is indoor seating.

BRICK AND MORTAR RETAIL

12. What are the restrictions for non-essential retail businesses?

Non-essential retail businesses must limit their operations to no more than 50% occupancy load with adequate physical distancing of 6 feet between customers. If they cannot limit their operations to no more than 50% occupancy with adequate physical distancing, then they must close. Employers must provide face coverings for employees and they must be worn in customer-facing areas. The detailed set of requirements for non-essential retail may be found [here](#).

13. What are the non-essential retail businesses that are restricted in their operations?

Non-essential retail businesses are brick-and-mortar operations that consist of everything except the following:

- Grocery, pharmacy, and other retailers that sell food and beverage products or pharmacy products, including dollar stores and department stores with grocery or pharmacy operations;

- Medical supply retailers;
- Electronic retailers that sell or service cell phones, computers, tablets, and other communications technology;
- Automotive parts, accessories, and tire retailers;
- Home improvement, hardware, building material, and building supply retailers;
- Lawn and garden equipment retailers;
- Beer, wine, and liquor stores;
- Retail functions of gas stations and convenience stores;
- Retail located within healthcare facilities;
- Banks and other financial institutions with retail functions;
- Pet and feed stores;
- Printing and office supply stores; and
- Laundromats and dry cleaners.

14. Are there any restrictions for essential retail businesses?

Where feasible and practicable, all workplaces should follow the [Guidelines for All Business Sectors](#), including the recommendations for physical distancing, enhanced cleaning and sanitization, and enhanced workplace safety. Additionally, employers at essential retail businesses must provide face coverings for employees.

PERSONAL CARE AND PERSONAL GROOMING

15. What are the restrictions for personal care and personal grooming businesses?

Personal care and personal grooming businesses must limit their operations to no more than 50% of the occupancy load with at least 6 feet between stations and no more than two clients per service provider at a time. If they cannot limit their operations in such a way, then they must close. Employees, service providers, and clients must wear face coverings. No service that requires removal of a facial covering may be offered.

The detailed set of requirements for personal care and personal grooming operations may be found [here](#).

16. I provide personal care or personal grooming services. What if the band or attachment for my client's face covering is getting in the way of my services? Can they remove it?

Employees and customers of personal care and personal grooming facilities must wear face coverings at all times. Employers and clients should consider using face coverings that are secured with ear loops. If in the course of providing services, the tie or loop securing your clients face covering must be moved, ask that your client move the tie or loop temporarily while holding the mask in place. Be careful that you and your clients do not touch their eyes, nose, or mouth when adjusting the tie or loop.

17. I provide personal care or personal grooming services. My workstations are fixed and less than six feet apart. Can I use all of my workstations at the same time?

No. If stations are fixed and cannot be moved to maintain six feet of separation, then you will need to close enough stations to provide at least six feet of separation between work areas.

PRIVATE CAMPGROUNDS

18. What are the restrictions for private campgrounds?

Private campgrounds may rent lots for stays shorter than 14 days and may continue to rent lots for stays longer than 14 days. For stays shorter than 14 days, private campgrounds must provide at least 20 feet of separation between units. Employees working in customer-facing areas must wear face coverings. The detailed set of requirements for private campgrounds may be found [here](#).

EXERCISE AND FITNESS

19. What restrictions apply to exercise and fitness facilities?

Exercise and fitness facilities may open with up to 30% of the minimum occupancy load on the certificate of occupancy. Individuals must maintain ten feet of physical distancing.

Equipment should be spaced 10 feet apart in order for patrons to maintain physical distance. All staff should maintain at least ten feet of separation from patrons and each other at all times. Facilities are required to perform thorough cleaning and disinfection of

frequently contacted surfaces every 60 minutes, while disinfecting all equipment between each customer and prohibiting the use of equipment that cannot be thoroughly disinfected (e.g., climbing ropes, exercise bands).

Facilities should also prohibit the use of equipment requiring more than one person to operate, unless those operating are from the same household (e.g., free weights requiring a spotter). This equipment should be thoroughly cleaned and disinfected between customers.

The full set of guidelines may be found [here](#).

20. Can I offer instructor-led classes at a gym/studio?

Yes. The number of participants in all group exercise and fitness classes must be limited to allow ten feet of physical distancing at all times. No shared equipment should be used.

21. Who has to wear a cloth face covering at the gym?

Employees working in customer-facing areas are required to wear face coverings over their nose and mouth, such as using CDC Use of Cloth Face Coverings guidance. Lifeguards responding to distressed swimmers are exempt from this requirement.

Patrons are encouraged to wear cloth face coverings. Face coverings may be removed while exercising as long as ten feet of physical distancing is observed.

RECREATIONAL SPORTS

22. Can my kid play sports?

Indoor and outdoor recreational sports may occur if ten feet of physical distancing can be maintained by all instructors, participants, and spectators, with the exception of incidental contact or contact between members of the same household. This applies during instruction, practice, and during competitive events. Competition that involves close contact with other athletes must be avoided.

The total number of attendees (including both participants and spectators) of outdoor recreational sports cannot exceed the lesser of 50% of the occupancy load on the certificate of occupancy, if applicable, or 50 persons. For youth recreational sports, spectators may not be present except parents, guardians, or caretakers supervising children and other children in their care.

The total number of attendees for indoor recreational sports cannot exceed the lesser of 30% of the lowest occupancy load on the certificate of occupancy or 50 persons. For indoor recreational sports, spectators may not be present except parents or guardians who are supervising children.

23. How do I screen a child for symptoms?

You should follow the CDC guidance for screening children with symptoms:
<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/guidance-for-childcare.html#ScreenChildren>

24. What about a venue with multiple fields? Can we have more than 50 people?

Each indoor field or court is limited to 50 persons.

ENTERTAINMENT AND PUBLIC AMUSEMENT

25. What entertainment and amusement businesses can operate in Phase 2?

The following businesses may operate in a limited capacity:

- Outdoor performing arts venues, outdoor concert venues, outdoor sports venues, outdoor movie theaters, and public and private social clubs may operate with occupancy limited to the lesser of 50% of the lowest occupancy load on the certificate of occupancy, if applicable, or 50 patrons.
- Museums, botanical gardens, aquariums, zoos may operate with occupancy limited to 50% of the lowest occupancy load on the certificate of occupancy.
- Drive-in entertainment venues may also operate as long as vehicles remain six feet apart, individuals remain in their vehicles except to use a restroom, and all performers maintain 10 feet of physical distance.

26. What entertainment and amusement venues must remain closed in Phase 2?

The indoor locations of all theaters, performing arts centers, concert venues, sports venues (except for recreational sports at such facilities), and other indoor entertainment centers must remain closed to the public in Phase 2.

Historic horse racing facilities, bowling alleys, skating rinks (except for recreational sports at such facilities), arcades, amusement parks, trampoline parks, fairs, carnivals, arts and

craft facilities, escape rooms, trampoline parks, and all other places of indoor public amusement must remain closed to the public in Phase 2.

27. Are pool halls able to be open during phase 2 for people to play billiards? If pool is not able to be played, would they still be able to just have the restaurant part open without the ability to play pool?

Indoor entertainment venues with shared equipment such as pool halls must remain closed during Phase 2. However, the restaurants within these indoor venues may operate solely as restaurants.

SWIMMING POOLS

28. Can I go to my pool?

Indoor and outdoor swimming pools may be open for swimming, diving, and instruction. Seating may be provided on pool decks with at least ten feet of spacing between persons who are not members of the same household. All seating must be sanitized between uses.

29. Can a hot tub, splash pad, or steam room be opened?

Hot tubs, spas, splash pads, spray pools, interactive play features, and saunas must be closed.

30. Are swim lessons allowed?

Lessons that allow swimmers to maintain ten feet of physical distance are permitted. Instructors are allowed to have physical contact with Learn to Swim participants that have no swimming ability, and guardians or parents are allowed to hold/support the child during Learn to Swim lessons.

31. Is the swimming pool water a risk to transmit the virus?

No. There is no evidence that the virus that causes COVID-19 can be spread to people through the water in pools, hot tubs, spas, or water play areas. Proper operation and maintenance (including disinfection with chlorine and bromine) of these facilities should inactivate the virus in the water.

32. What methods may current lifeguards and aquatic facilities consider for staff when performing water rescues or training lifeguards?

When making a water rescue or assist, lifeguards are strongly encouraged to use an extension or reaching method (simple assists) for initial contact as opposed to person to person direct contact. These simple assists may include the use of a reaching pole, rescue tube (rescue floatation device) or a throwing device such as a ring buoy with line. Equipment extensions may be used in shallow or deep water during an in-water swimming rescue to maintain distance between the rescuer and a distressed or drowning victim. Simple assists may also be reaching assists (hand to wrist/arm) from deck, in-water or water craft followed by pulling/towing the distressed swimmer/drowning victim to safety. Additional training is required to practice these skills along with verbal cues from the rescuer.

For water emergencies where a distressed swimmer or drowning victim cannot accept or hold on to extension equipment, lifeguards should consider the safest method from their training standard of care and limit person to person contact. Appropriate and mandatory PPE (e.g. as advised by The Red Cross) should be considered for land and water emergency care.

Whenever possible, lifeguards participating in in-service training sessions should use water rescue manikins, CPR mannequins, diving bricks, or other simulation equipment. Social distancing may not be possible for some skills or when mannequins are unavailable. In all training sessions, efforts should still be in place to minimize close proximity and contact of students and instructors.

GATHERINGS

33. What are the restrictions for social gatherings?

Social gatherings must be limited to 50% of the occupancy of the event space, if applicable, or 50 participants.

RELIGIOUS SERVICES

34. What about religious services? Can I still go to my church, synagogue, or mosque?

Virginians are strongly encouraged to seek alternative means of attending religious services, such as virtually or via “drive-through” worship. Beginning at 12am on Friday, May 15, 2020, religious services may occur at no more than 50% of the lowest occupancy load on the certificate of occupancy of the room or facility in which the religious services are conducted. The full set of guidelines for religious services may be found [here](#).

35. What is a religious ritual? Can I remove my face covering during a religious service?

Wearing a face covering is mandatory for religious services. The exemption for “religious rituals” was intended to allow for practices, including but not limited to communion, where face coverings must be removed temporarily.

36. What about weddings and funerals?

Religious services may occur at no more than 50% of the lowest occupancy load on the certificate of occupancy of the room or facility in which religious services are conducted. Any social gathering held in connection with a religious service is subject to the ban on public and private in-person gatherings of more than 50 people.

37. What is drive-through worship? What about drive-in churches?

Attendees may travel to their place of worship, park in the parking lot and listen to the religious message while remaining in their vehicles. Participants must remain in their vehicle at all times, except as necessary to visit a restroom. Any interaction by the faith leaders and those in the vehicles must be strictly limited, such as using social distancing methods when passing out palms, serving Holy Communion using sealed or self-contained elements, and priests directing congregants to place ashes or water on their own forehead as opposed to priests applying the ashes or water directly on the foreheads of the congregants. Any objects used for collecting monetary offerings shall not be passed from attendee to attendee but may be offered to attendees in a vehicle as long as the object stays in the possession of the person assisting with collection. Appropriate measures should be taken for the safety of those functioning outside of the cars. Faith communities should also adhere to any noise ordinances.

WORKPLACE PROTECTIONS

38. I have a sick employee. Should I require them to provide a doctor's note or positive COVID-19 test result?

No. Employers should not require sick employees to provide a COVID-19 test result or a healthcare provider's note to validate their illness, qualify for sick leave, or to return to work. Healthcare provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely manner.

39. I don't provide sick leave to my employees. What should I do?

Employers that do not currently offer sick leave to some or all of their employees are encouraged to draft non-punitive "emergency sick leave" policies. Ensure that sick leave policies are flexible and consistent with public health guidance and that employees are aware of and understand these policies.

40. Should I screen my employees for COVID-19 symptoms prior to a shift?

All businesses should screen employees prior to a shift. Screening can be handled by requiring employees to conduct self-checks (asking the employee to monitor for COVID-19 symptoms, including measuring temperature before each work shift) before reporting to work.

See [VDH Interim Guidance for Implementing Safety Practices for Critical Infrastructure Workers During Widespread Community Transmission](#).

IMPLEMENTATION

41. When do the Phase 2 restrictions go into effect?

Governor Northam signed Executive Order 65, which provides for an easing of business restrictions for certain categories of businesses beginning at 12:00am on Friday, June 5, 2020. The full text of Executive Order 65 may be found [here](#).

42. Will this order be changed?

Governor Northam, in consultation with State Health Commissioner Oliver, may adjust this order or issue new orders as needed, given the quickly-changing public health situation.

43. Am I still required to stay at home until June 10? Will customers be able to travel to my business before June 10?

Executive Order 61 amended the previous stay-at-home requirement in Executive Order 55 to a safer at home order. Individuals may leave their homes to visit any of the businesses that are able to operate under Executive Order 61. However, Governor Northam is urging Virginians to limit all non-essential travel outside the home, if and when possible. If you choose to go to the park, for a walk, or exercise outside, please practice strict social distancing and keep six feet apart from others. All public and private in-person gatherings of more than 10 people are prohibited.

44. Does the prohibition on public and private gatherings of more than 50 individuals apply to my business?

No, the prohibition applies to social gatherings but does not apply to a business setting. Where feasible and practicable, workplaces should require telework. For operations where telework is not feasible, we strongly recommend adhering to the Guidelines for All Business Sectors, including the recommendations for physical distancing, enhanced cleaning and sanitization, and enhanced workplace safety. These guidelines may be found [here](#).

45. What does Phase 3 look like?

Phase 3 will include a further easing of restrictions on individuals and businesses. Governor Northam has not yet announced the details of Phase 3, but will do so before it is to go into effect.

46. Can my locality move faster/slower?

Regions or localities may submit a request to the Governor for a slower implementation between phases, but no region or locality may enact fewer restrictions on businesses than the Commonwealth.

47. When do we move into Phase 3?

Governor Northam, in consultation with State Health Commissioner Oliver, will adjust the Executive Order that currently sets forth the Phase I restrictions when the public health data supports a further easing of restrictions. Given the quickly-changing public health situation, we are unable to provide a date when this will occur.

OTHER CATEGORIES

48. Are hotels able to operate in Phase 2?

Hotels may continue to operate in Phase 2, subject to the gathering ban requirements that limit all in-person social gatherings to 50 people or fewer. Any food and beverage or fitness facility within a hotel must follow the guidelines provided for those business categories, which may be found [here](#).

49. What about shopping malls?

Non-essential retail is limited to 50% occupancy. Each store within a shopping mall must not exceed 50% occupancy. The mall itself must not exceed 50% occupancy in any congregation areas and implement physical distancing measures. Any food and beverage or personal care facility within a shopping mall must follow the guidelines provided for those business categories, which may be found [here](#).

50. What about car dealerships?

Auto repair and service are considered essential and are not impacted. Sales and showrooms are considered non-essential retail and must follow the guidelines below:

Non-essential retail businesses must limit their operations to 50% occupancy with adequate social distancing. If they cannot limit their operations to no more than 50% occupancy with adequate social distancing, then they must close.

51. Am I required to present any documentation proving I am traveling for an essential purpose?

No. Virginia law enforcement will not require documentation from individuals that are traveling for an essential purpose.