

## Appendix A-1 Mandatory Workplace Guidance for Restaurants, Bars, Brewpubs, And Public Tasting Rooms At Breweries, Wineries, And Distilleries

**Application:** This appendix applies to restaurants, bars, breweries, brewpubs, wineries, tasting rooms and distilleries. To the degree this appendix provides specific guidance, it supersedes the requirements for physical distancing and use of masks, face coverings, or face shields of the COVID-19 Temporary Rule (OAR 437-001- 0744); to the degree a situation is not addressed by the specific language of this appendix, the requirements of the rule apply.

**Note:** In accordance with [Oregon Health Authority Statewide Mask, Face Covering, Face Shield Guidance](#) and subsection (3)(b) of the Temporary Rule for COVID-19, it is strongly recommended, but not required, that individuals wear a mask or face covering as source control instead of a face shield alone.

**Note:** The Oregon Health Authority guidance on which this appendix is based applies to counties that have reached Phase Two Reopening. Such operations in Phase One counties are covered by separate Oregon Health Authority provisions not necessarily reflected by this appendix.

**A. Physical Distancing Measures.** To ensure appropriate physical distancing, employers operating such facilities must do the following:

1. Ensure tables are spaced at least 6 feet apart so that at least 6 feet between parties is maintained, including when customers approach or leave tables;
2. Businesses must determine the appropriate seating configuration to comply with these physical distancing requirements. If available, businesses may allow for footprint expansion to outside space for service, while maintaining the physical distancing requirements of at least 6 feet;
3. Remove or restrict seating to facilitate the requirement of at least 6 feet of physical distance between people not in the same party; and
4. If booth seating is back-to-back, business must use no more than every other booth, unless a barrier is installed in accordance with the following: Install acrylic (Plexiglas, Lexan, etc.) or other impermeable physical barrier that is easily cleaned, if the barrier is at least 1 foot higher than head level for customers seated and at least 3 feet wide or at least the width of the seat if the seat is wider than 3 feet.
5. Abide by any applicable gathering size or capacity limitations imposed by the Oregon Health Authority.

- B. Masks, face coverings, and face shields.** To reduce the risk of transmission from potentially infected individuals, employers operating such facilities must review and implement [OHA Statewide Mask, Face Covering, Face Shield Guidance](#); if at any point such guidance is no longer available, such employers must require all employees, patrons, and other visitors five years of age and older, unless they are eating or drinking, to wear masks, face coverings, or face shields in all indoor spaces, and in all outdoor spaces whenever at least 6 feet of physical distancing cannot be consistently ensured.

**Note:** While reasonable accommodation for those unable to wear a mask, face covering or face shield must be provided under applicable state and federal laws, such an accommodation does not include exempting individuals from the requirement to wear such masks, face coverings, or face shields.

- C. Signage.** To reinforce the need to minimize COVID-19 risks, employers operating such facilities must do the following:
1. Post [clear signs](#) listing COVID-19 symptoms, asking employees, volunteers, and visitors with symptoms to stay home and whom to contact if they need assistance;
  2. Use [clear signs](#) to encourage physical distancing;
  3. Post [clear signs](#) about the mask, face covering, or face shield requirements; and
  4. For drive-through operations, post signs at the drive-through entrance advising customers to wear masks, face shields, or face coverings when interacting with employees during any transactions and delivery of product (beyond such required posting, employers need not take additional steps to enforce requirements that customers wear masks, face coverings, or face shields while using the drive-through).
- D. Special provisions for Video Lottery Terminals (VLTs).** To minimize risks associated with the use of VLTs, employers with such terminals must do the following:
1. Place VLTs at least 6 feet apart. If VLTs cannot be spaced at least 6 feet apart, businesses may install an acrylic (Plexiglas, Lexan, etc.) or other non-permeable physical barrier that is easily cleaned, between VLTs in lieu of having 6 feet of distance, if the barrier is at least 1 foot higher than head level for customers seated and at least 3 feet wide or at least the width of the VLT if wider than 3 feet;

2. Require individuals to request VLT access from an employee before playing; an employee must then clean and disinfect the machine to allow play. A business must not allow access to VLTs or change VLTs without requesting access from an employee;
3. Consider a player at a VLT machine the same as a customer seated for table service; and
4. Limit one player at or around a VLT.

**Note:** Oregon Lottery will not turn on VLTs until the agency is satisfied that all necessary conditions have been met.

**Additional Resources:**

[Oregon Health Authority Signs You Can Post](#)

[Oregon Health Authority Guidance for the General Public](#)

[Oregon Health Authority Statewide Mask, Face Covering, and Face Shield Guidance](#)