



THE UNITED STATES VIRGIN ISLANDS
OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE
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COVID-19 GUIDANCE FOR RESTAURANTS, BARS AND NIGHTCLUBS

Issued and Effective on: June 1, 2020

The Government of the US Virgin Islands (the Government) takes seriously its mission to protect the lives and health of residents, visitors, and business owners and employees in the COVID-19 Pandemic Emergency. Because there is a higher risk of transmission of the COVID virus in the enclosed space of a restaurant, bar, and nightclub where patrons will have to remove their facial coverings to eat and drink, heightened precautions are necessary. To that end, the Government has developed guidance that may appear drastic in certain instances, but has been developed and deployed to avoid transmission of a virus that has no cure and to achieve the goal of protecting everyone's health and life. **THIS IS A SERIOUS PUBLIC HEALTH MATTER.**

Guidance for Restaurants

The Virgin Islands Department of Health (VI DOH) recommends strict adherence to guidelines issued by the Centers for Disease Control and Prevention ([CDC](#)) and the U.S. Food and Drug Administration ([FDA](#)), as well as the Universal Guidelines for All Businesses. Additionally, the Department recommends restaurants put into place an assortment of policies, including measures to address employee and consumer protection, and business process adaptations.

Please Note: This Guidance Protocol is prepared from a regulatory perspective as to what will be required of all parties doing business as Restaurants, Bars, and Nightclubs. And what can and will be enforced by Enforcement Officers. There are certain advisories for Suggested Better Business Practices included; these are not regulatory or intended to be enforced by Enforcement Officers. We urge reference to and use of the reference sources listed at the bottom of the Guidance for general business practice guidance.

General Business Guidance

Employee Health Measures and Screening:

- Workers who seek medical attention or exhibit signs of illness should not report to work. The U.S. Food and Drug Administration Food Code and Department of Public Health requires workers who are sick to remain at home.

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- Screen all employees reporting to work for Coronavirus Disease (COVID-19) symptoms using the questionnaire attached as Attachment A; should be printed out and completed weekly by each employee and retained by Management.
- Temperature screening of employees:
 - Best practice: Employers check temperatures onsite with a no-touch thermometer each day upon employee arrival at work.
 - Alternative: Temperature can be taken by employees before arriving at the workplace and verified by Management at the site.
 - Normal temperature should not exceed 100.3 degrees Fahrenheit
 - Employees with a temperature below 100.4°F and who answer “no” to all questions, can begin their shift.
 - Employees with a temperature higher than 100.3°F or who answered “yes” to any question should be sent home by their manager and advised not to return to work until cleared by a medical professional.
 - Employees who refuse to have their temperature checked or to answer any of the questions should be sent home.

N.B. * Effective June 8, 2020, as a safety precaution when screening workers and customers, an infrared thermometer should be used.

- Restaurants shall follow established policies of the VI DOH regarding when workers who have become ill may be permitted to return to work. A worker with known or suspected COVID-19 must follow CDC guidelines to self-isolate for at least ten (10) days after symptom onset and end isolation only after symptoms have improved. A worker is only deemed or considered to have symptoms improved under circumstances where the worker has been fever-free and/or symptom-free for at least three (3) consecutive days without medication before returning to work.
 - All employees should stay home if feeling ill and report any symptoms of illness to their supervisor. Employees should self-quarantine if any member of their household has been diagnosed with COVID-19.
 - Employees who are particularly vulnerable to COVID-19 according to the CDC (e.g., due to age or underlying medical conditions) are encouraged to stay home.
 - ***Employers must maintain the confidentiality of employee health information.***
 - Employer should plan for potential COVID-19 cases and must work with local health department officials when needed (e.g. monitoring of COVID-19 cases, deep cleaning facilities).
 - Covered employers and employees should be aware of the provisions of the federal *Families First Coronavirus Response Act*, which allows for paid sick leave or expanded family and medical leave for specified reasons, such as for self-quarantining or seeking a medical diagnosis for COVID-19 symptoms.

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- Employers must update their Employee Illness Policy to include the symptoms of COVID-19 or create a COVID-19 specific policy. All staff should sign the policy, and the policy should be posted for confirmation.
- Employers must post extensive signage on health policies, including the following documents, in the workplace, to help educate building occupants on COVID-19 best practices:
 - [CDC guidance to stop the spread of germs](#)
 - [CDC guidance on COVID-19 symptoms](#)
- Employers and Employees must follow sanitization frequency guidance contained in this document at all times.
- **Businesses shall post Guidance for Restaurants, Bars, and Nightclubs (as updated) in prominent place in business establishment.**

Social Distance Measures

- Practice recommended social distancing to the greatest extent possible – “Farther is safer”.
Businesses should:
 - Establish a limit for the maximum number of workers permitted in worker breakrooms to reduce contact.
 - Implement staggered shifts for all workers, if possible.
 - Where possible, stagger workstations to avoid workers standing adjacent to one another. Where six feet of separation is not possible, consider spacing options that include other mitigation efforts such as increased frequency of cleaning and sanitizing surfaces.
 - Hold all business and employee meetings and conferences virtually, whenever possible.
 - Remind third-party delivery drivers and any suppliers of your internal distancing requirements.
 - Third-party delivery drivers should also wear face coverings while in the restaurant and when interacting with any customers at the delivery location.
 - **No live bands or DJs in open public areas.**
 - **Event centers and banquet halls must comply with mass gathering mandates of less than 50 people or 50 percent of the occupancy capacity (whichever is less).**

Use of Personal Protective Equipment (PPE) in accordance with CDC guidelines

- All restaurant, bar, and nightclub workers are to have or be provided with their own dedicated face coverings and gloves (i.e. only used by one person) worn by all employees, at all times. (employers are encouraged to provide frequent breaks for workers).
- Face coverings must cover the nose and mouth while being worn.
- Employee masks should not be medical masks (N-95 or surgical masks), which should be reserved for use by health care workers. Instructions for making face coverings can be found on

the CDC's website: <https://www.cdc.gov/coronavirus/2019-ncov/downloads/DIY-cloth-face-covering-instructions.pdf>

- Additional protection such as a face shield is allowable, but not required. Such coverings or face shields shall be cleaned or replaced daily. Face shields are clear plastic barriers that do not make contact with the face but are worn as a way to protect the full face from spray. Face shields do not protect others from contaminated airborne particles expelled from the person wearing the face shield.

Hand Sanitization Measures

- Hand sanitizer means any hand antiseptic with an alcohol content of 60% or more, hand rub, soap, or agent applied to the hands for the purpose of removing common pathogens.
- Hand antiseptics and hand sanitizers must meet the criteria for the U.S. Food and Drug Administration's food additive definition of Generally Recognized as Safe (GRAS).
- Otherwise, hands should be thoroughly cleaned with soap and rinsed in clean water prior to handling food.
- Train all workers on the importance of:
 - Increased handwashing frequency
 - The use of hand sanitizers with at least 60 percent alcohol. Hand sanitizer means any hand antiseptic, hand rub, soap, wipe, or agent applied to the hands for the purpose of removing common pathogens meeting the criteria for the U.S. Food and Drug Administration's food additive definition of Generally Recognized as Safe (GRAS).
 - Not touching hands to face
 - Good respiratory etiquette when coughing or sneezing
 - Bare hand contact with ready-to-eat foods is prohibited.

Sanitization Measures Relating to Customer Service

- Thoroughly detail, clean, and sanitize the entire facility prior to resuming dine-in services and continue to do so regularly, focusing such cleaning and sanitization on high contact areas that would be touched by workers and/or patrons.
- Between diners, clean and sanitize table condiments, digital ordering devices, check presenters, pens, chairs, and tabletops; and discard single-use items.
- ***Effective June 8, the use of disposable dishes, utensils, napkins, and drink containers, is required if any are used (gloves should be used by staff while setting up and breaking down table settings). Patrons may bring, and leave with, their own drink containers or utensils.**
- Remove items from *self-service* drink stations, condiment, utensil and tableware stations, and have workers provide such items to patrons directly.
- Discontinue use of *self-serve* salad bars and buffets.

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- Clean and sanitize restrooms regularly, check restrooms based on the frequency of use, and ensure adequate supply of soap and paper towels at all times.
- Provide hand sanitizer for use by patrons and employees, including contactless hand sanitizing stations when available. Place hand sanitizer stations in restaurant lobby and bathrooms, as well as at cashier stations.
- Mark pathways to and from restrooms that mitigate proximity for patrons and staff.
- Implement workplace cleaning and disinfecting practices, according to CDC guidelines, with regular sanitization of high touch surfaces at least every two hours.
- Sanitize all front-of-house contact surfaces, including door handles, screens, phones, pens, keyboards, and other areas of hand contact every two hours, at a minimum.
- Use menus that are disposable or enclosed in plastic and sanitized between each use. Non-touch menus are also acceptable for use but are not required.

Additional Sanitization Measures

- Discourage workers from using other workers' phones, desks, offices, or other work tools and equipment (such as pens, pencils, check holders, etc.). Clean registers or Point of Sale machines between use by different workers.
- Implement procedures to increase the frequency of cleaning and sanitizing surfaces in the back-of-house. Avoid all food contact surfaces when using disinfectants.
- Verify that ware-washing machines are operating at the required wash and rinse temperatures and with the appropriate detergents and sanitizers.

Customer Service Procedures and Policies/Business Adaptation

Personal Protective Equipment

- **Customers are asked to enter with facial covering, be seated and remove facial coverings during meals.**
- **Facial coverings should be used when entering rest rooms.**

Social Distance Measures

- Limit the number of customers in the restaurant to 50 percent of seating capacity as defined by Business License or the Fire Marshall, or 50 customers, *whichever is less*.
- Tables and bar stools should be spaced at least 6 feet apart.
- Businesses may, but are not required to, utilize physical barriers on booth seating when available to ensure Social Distancing.
- Limit seating at tables to no more than six guests per table.
- Mark any indoor or outdoor waiting areas so that social distancing standards

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are met (options can include a text system to alert guests of available seating, an intercom system, or only one member of a party being allowed to wait in the waiting area).

- *Live music or DiscJockey (DJ) shall NOT be permitted after 12 midnight. Live band shall be set up with space of ten (10) feet between the band and patrons using social distancing principles. A clear barrier between live music and patrons may be considered but is not required. **[Allowance of live music is effective June 8]**
- Mitigate exposure in the workplace by scheduling of reservations and deliveries to meet social distancing policies, whenever possible.
- Where practicable, takeout, and curbside pick-up services should be prioritized over dine-in services.
- All restaurant or dining room playgrounds shall be closed.
- If possible, have patrons use an exit from the facility separate from the entrance.

Customer Health Measures

- Post clearly visible signage at entrances stating that: No one with a fever is permitted in the facility.
- Screen customers for illness upon their entry into the restaurant:
 - Best practice: Temperature checks for every customer in addition to screening questions. Customers with temperatures above 100.4 degrees Fahrenheit should not be permitted on-premise.
 - Minimum: COVID-19 screening questions for customers:
 - Have you been in close contact with a confirmed case of COVID-19?
 - Are you experiencing a cough, shortness of breath or sore throat?
 - Have you had a fever in the last 48 hours?

Additional Guidance for Bars and Nightclubs

- Observe six feet spacing between bar seating and/or standing patrons.
- Total number of patrons inside or outdoors is to be limited so physical distancing is maintained.
- Sanitizer is to be used on entering the bar and should be available at each seating.
- ***Effective June 8, disposable drink containers are to be used. This includes cups, bottles, cans, etc. Patrons may bring, and leave with, their own drink containers.**
- Bar must be frequently cleaned and disinfected, and disinfected after each patron leaves, and before a new patron arrives.

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- Bar seating must be disinfected after each use.
- Live music is permitted only as provided herein.
- If seating at tables is available in the bar, follow the seating guidance above.

Compliance

To ensure compliance DOH Division of Environmental Health will use the WARN, CITE, CLOSE & CITE, and SUSPENSION approach (in that order) for repeated COVID-19 health non-compliance.

1st Warning: Written Citation

2nd Violation: Written Citation with administrative process for assessment of an administrative fine through the Department of Licensing and Consumer Affairs.

3rd Violation: Written Citation and a Closure for a period not to exceed 7 calendar days unless public health emergency circumstances warranting Closure continue as a matter of law.

4th Violation: If the establishment continues to be non-compliant after exhausting 1, 2, and 3, then suspension of the Business License and Health Permit may occur.

Additional Resources:

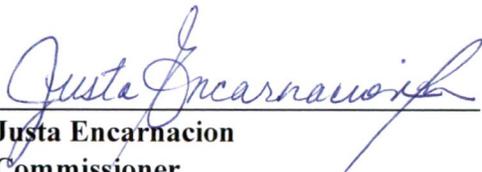
<https://restaurant.org/Articles/News/Association-issues-reopening-guidance>

<https://go.restaurant.org/rs/078-ZLA-461/images/National-Restaurant-Association-COVID19-Reopening-Guidance.pdf>

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ATTACHMENT A

COVID-19 Screening Questions:

1. Have you been in close contact in the past 14 days with a confirmed case of COVID-19?
2. Have you been diagnosed with COVID-19?
3. Have you been told by a health care provider or public health official to self-quarantine?
4. Are you experiencing a cough, shortness of breath/difficulty breathing, chills, muscle pain, new loss of taste or smell, or sore throat?
5. Have you had a fever in the last 48 hours?
6. Have you had vomiting or diarrhea in the last 24 hours?