

ADVISORY

Preliminary Guidance on Colorado Businesses Reopening



Following the White House's guidelines issued on April 16, 2020, Colorado Governor Jared Polis announced on Monday, April 20, that the State of Colorado would seek to transition from a mandatory Stay-at-Home Order to a "Safer-at-Home Order" beginning April 27 with the expiration of the Stay-at-Home Order. The Safer-at-Home Order offers a cautious, long-term path to reopening the state's economy. While the precise details have yet to be worked out, employers should begin thinking about the issues they will face prior to reopening.

KEY TAKEAWAYS FOR EMPLOYERS

Employers should keep the following in mind when reviewing the governor's preliminary guidance:

- **Vulnerable employees.** How will employers accommodate those employees particularly susceptible to the COVID-19 virus?
- **Social distancing at work.** How will employers alter their physical space in order to allow for social distancing?
- **Reduced staffing.** How will employers use rotating or alternating schedules in order to accommodate social distancing?
- **Personal Protective Equipment (PPE).** How will employers ensure that they select (and pay for) the appropriate PPE for their employees?
- **Childcare and school issues.** How will employers accommodate the needs of employees to care for children who are out of school?

The governor's press conference touched on many different categories of individuals and businesses, making it clear that the way forward is a multitiered and flexible approach for each individual and business.



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A summary of the preliminary guidelines by individual and business category is below:

- **General Public: Safer-at-Home**
 - Encouraged to stay home unless absolutely necessary
 - Strongly advised to use face coverings
 - No gatherings of more than 10 people
 - Sick individuals may not go to work
 - Avoid unnecessary travel
- **At-Risk Individuals: Stay-at-Home**
 - Continue to follow Stay-at-Home Order
- **Critical Businesses: Safer-at-Home**
 - Open with strict precautions—unclear whether the current precautions for critical businesses will remain or will be relaxed when formal guidelines are issued
- **Nursing Homes: Safer-at-Home**
 - Strict precautions and protections
- **Retail: Safer-at-Home**
 - Noncritical retail may reopen
 - Curbside delivery and phased-in public opening with strict precautions
 - Noncritical businesses opening to general public, estimated May 1
- **Offices: Safer-at-Home**
 - Operate at 50 percent capacity with strict precautions, estimated May 4
 - Large workplaces advised to have symptom and temperature checks
 - Maximize telecommuting
- **Elective Medical: Safer-at-Home**
 - Elective procedures and dental reopen with strict precautions
- **Restaurants and Bars: Safer-at-Home**
 - Remain closed except for takeout and delivery but state will explore phased-in reopening with reduced capacity
- **Childcare: Safer-at-Home**
 - Open with strict precautions
- **Education: Stay-at-Home**
 - Closed
- **Services (e.g., salons, tattoo, pet grooming, personal training): Safer-at-Home**
 - Open with strict precautions
- **Real Estate: Safer-at-Home**
 - Showing may resume but no open houses