

OSHA Issues Industry-Specific COVID-19 Guidance for Restaurant Industry and Other Food and Beverage Retailers

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Restaurants, as well as other food and beverage retailers, have been tremendously impacted by the COVID-19 pandemic and resulting government-mandated limits, including the prohibition on in-person dining. While the food and beverage industry is eager to return to full-service, at this time, Michigan continues to prohibit in-person dining. Even with curbside/carryout service only, food and beverage industry employers may have concerns about how do to properly mitigate risks of exposure for employees and customers.

On Friday, May 8, 2020, the Occupational Safety and Health Administration (OSHA) provided guidelines for takeout and curbside pickup operations. These [restaurant industry-specific guidelines](#) provide helpful recommendations to reduce the likelihood of COVID-19 outbreaks in food and beverage environments and include:

- Encourage workers to stay home if they are sick;
- Avoid direct hand-off, when possible;
- Display a door or sidewalk sign with the services available (e.g., take-out, curbside), instructions for pickup, and hours of operation;
- Reserve parking spaces near the front door for curbside pickup only;
- Train workers in proper hygiene practices and the use of workplace controls;
- Allow workers to wear masks over their nose and mouth to prevent spread of the virus;
- Provide a place to wash hands and alcohol-based hand rubs containing at least 60% alcohol;
- Routinely clean and disinfect surfaces and equipment with Environmental Protection Agency-approved cleaning chemicals from List N or that have label claims against the coronavirus;
- Practice sensible social distancing by maintaining six feet between co-workers and customers. Mark six-foot distances with floor tape in pickup lines, encourage customers to pay ahead of time by phone or online, temporarily move workstations to create more distance, and install plexiglass partitions, if feasible; and
- Encourage workers to report any safety and health concerns.

Additional guidance for in-person dining is likely and when Michigan is ready to open in-person dining we expect that a gubernatorial executive order will provide specific requirements. As the COVID-19 pandemic is an ever-evolving situation, Bodman will continue to closely monitor OSHA guidance and provide updates as they become available. For more information, please contact your Bodman attorney or Brent Scott at 616-205-3317 or bscott@bodmanlaw.com. Bodman has created a COVID-19 Task Force which has prepared a multitude of [topical client resources](#) in order to assist our clients stay apprised of relevant developments and meet the legal and business tribulations that the coronavirus outbreak has created. Bodman cannot respond to your questions or receive information from you without first clearing potential conflicts with other clients. Thank you for your patience and understanding.

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