COVID-19 Preparedness Plan Guidance: Requirements for Personal Care Services

1/10/2021

Executive Order 21-01 will go into effect Sunday, Jan. 10 at 11:59 p.m. and does not have an end date. Personal care services must comply with the requirements set forth in EO 21-01 and the requirements provided in this document, to mitigate the risk of transmission of COVID-19.

Frequently asked Questions about all Executive Orders may have additional clarifications about requirements and recommendations. See Frequently Asked Questions about Stay Safe MN (https://mn.gov/covid19/for-minnesotans/stay-safe-mn/faq.jsp) or Stay Safe Guidance for Businesses and Organizations (https://staysafe.mn.gov/industry-guidance/index.jsp)

Executive Order (EO) 21-01

The full executive order (EO) with all requirements can be found at Executive Orders from Governor Walz (https://mn.gov/governor/news/executiveorders.jsp).

- **Social gatherings limited.** Social gatherings are limited as described on the Social Gatherings webpage (https://staysafe.mn.gov/individuals-families/social-gatherings.jsp). Most commercial activities are not considered social gatherings, so this limit will not impact most industries.

- **Masks and face coverings required.** EO 20-81, requiring face coverings in certain settings, remains in full force and effect. See Face Covering Requirements and Recommendations under Executive Order 20-81 (https://www.health.state.mn.us/diseases/coronavirus/facecover.html).

- **People at higher risk.** All people currently living within the State of Minnesota who are at higher risk of severe illness from COVID-19, as defined by Executive Order 20-55, are strongly urged to stay at home or in their place of residence and follow the provisions of Executive Order 20-55.

- **Work from home.** All people who can work from home must continue to do so.

- **Business and activities are affected differently.** For a full listing of all business and activity requirements and limitations, see the full executive order at Executive Orders from Governor Walz (https://mn.gov/governor/news/executiveorders.jsp). Please review the guidance below for industry-specific requirements and applicable COVID-19 Preparedness Plan Requirements Guidance.
EO 21-01 requirements and COVID-19 Preparedness Plans for personal care services

For the duration of Executive Order 21-01, the personal care services industry must operate under the guidance below.
COVID-19 Preparedness Plan Guidance: 
Requirements for Personal Care Services

Businesses involving “personal care services” include, but are not limited to, salons, barbershops, spas, tattoo parlors, and tanning salons.

Your health and COVID-19

Any time individuals are gathering with other people, they are at risk of exposure to SARS-CoV-2, the virus that causes COVID-19. COVID-19 is spread through respiratory droplets produced when an infected person coughs, sneezes or talks. These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs. People with symptoms and without symptoms can spread the virus.

COVID-19 can lead to serious medical conditions and even death for people of all ages. We cannot predict who will become severely ill, although we know that older people and people with underlying health conditions are at higher risk. We do not yet know what the long-term effects of infection from COVID-19 are; even people with mild cases may experience long-term complications.

The best way to prevent illness is to avoid being exposed to this virus. The masking, physical distancing, and other safety precautions included in these requirements reduce the risk of spreading COVID-19, but do not eliminate the risk entirely. We can all take these actions to protect ourselves, our families, and others throughout our communities. This applies to people who have already been vaccinated, too.

- Stay home when sick.
- Stay at least 6 feet apart from other people.
- Wear face coverings in indoor businesses and public indoor spaces and outdoors when 6 feet of social distancing cannot be consistently maintained.
- Wash your hands often.
- Cover your mouth and nose when you cough or sneeze.

COVID-19 Preparedness Plans

As required by the Executive Orders (also referred to as “EOs”) issued by Governor Tim Walz under the Peacetime Emergency, all businesses, both critical or non-critical, and other entities identified in the EOs, are legally required to develop and implement COVID-19 Preparedness Plans (also referred to as “Plan” or “Plans”). Under the EOs, a “business” and “businesses” include entities that employ or engage workers, including private-sector entities, public-sector entities, non-profit entities, and state, county, and local governments. “Worker” and “workers” are broadly by defined by the EOS to include owners, proprietors, employees, contractors, vendors, volunteers, and interns.

For purposes of this Plan Guidance, “other entities” includes those entities identified in the EOs that are not covered by the definition of a “business” but are also required by an EO to develop and implement Plans. Other entities include places of public accommodation, establishments, institutions, facilities,
venues, and organizers identified in the EOs. Plan Guidance is designed to protect workers, customers, and other members of the public from the transmission of the virus that causes COVID-19.

This Plan Guidance constitutes the “Plan Guidance” referred to in EO 21-01 and applies to all identified businesses and other entities. Businesses and other entities must develop and implement COVID-19 Preparedness Plans that address the following:

- The requirements of EO 21-01,
- The requirements included in the Universal Plan Guidance for COVID-19 Preparedness Plans found at Stay Safe Guidance for All Business Entities (https://staysafe.mn.gov/industry-guidance/all-businesses.jsp), and
- The requirements included in this Plan Guidance that are applicable to their business or entity.

Unless clearly indicated that an action is recommended and included under “Recommendations,” businesses and other entities should understand that the Plan Guidance imposes legally enforceable requirements. In instances where a requirement uses language “to the extent possible,” the action is required, to the extent it is possible for the business or entity to implement the requirement.

Depending on the activities engaged in by a business or other entity, it may be required to comply with additional industry or activity specific plan guidance, such as plan guidance applicable to bars and restaurants, if the facility serves food and beverages or plan guidance applicable to businesses that provide personal services, if the facility has a hair salon.

Frequently Asked Questions have been posted to respond to questions about provisions of Executive Orders and Plan Guidance. The following is a link to current Frequently Asked Questions about Stay Safe MN (https://mn.gov/covid19/for-minnesotans/stay-safe-mn/faq.jsp).

**Required Plan Sections**

Follow the requirements included in the Universal Plan Guidance for COVID-19 Preparedness Plans found at Stay Safe Guidance for All Business Entities (https://staysafe.mn.gov/industry-guidance/all-businesses.jsp) and the following:

1. Use of face coverings and social distancing
2. Space configuration and flow

**Requirements and Recommendations**

**1. Use of face coverings and social distance**

Requirements

- Evaluate and modify work activities to ensure social distancing can be maintained. When social distancing cannot be maintained due to the nature of the services being provided, the activities must not be performed unless the protective measures described below are implemented.
COVID-19 RETAIL BUSINESSES

✓ Require that workers, customers, clients, and visitors wear face coverings when required by Executive Order 20-81, and post face covering policies prominently for workers, customers, clients, and visitors. Cloth face coverings are NOT a substitute for maintaining a physical distance of 6-feet from other people.

▪ If the service being performed requires the customer/client to remove their face covering, the worker must wear both a face covering and face shield when within 6 feet of the customer/client.

▪ If a customer/client must remove their face covering and the worker cannot provide the service while wearing both a face covering and face shield, then the service cannot be performed.

▪ Have all customers, clients, and visitors bring their own face coverings, or offer face coverings for use.

✓ Establish a process to accommodate workers who cannot wear a face covering due to a medical condition, mental health condition, or disability while still protecting the health and safety of all workers and customers. Businesses must comply with applicable law, including civil rights laws, relating to verification of a worker’s disability or medical condition.

▪ If a worker is unable to use a face covering due to a medical condition, mental health condition, or disability, then the business must engage with the worker to identify and implement alternative measures based on up-to-date public health recommendations to protect the worker, as well as other customers, visitors, and workers from exposure to COVID-19 (e.g., isolating the worker, changing the worker’s role, etc.).

▪ If a business cannot lessen the risks posed by a worker exempt from face covering requirements, or if the exempt worker refuses offered accommodations, then the business must send the worker home.

✓ Create a process for accommodating customers, clients, and visitors who cannot wear a face covering due to a medical condition, mental health condition, or disability, while still protecting the health and safety of all workers and customers.

▪ Businesses may not require customers to provide proof of a medical condition mental health condition, or disability, or require customers to explain the nature of their conditions or disability.

▪ When possible, and as long as it does not pose a health or safety risk to worker or other customers or visitors, businesses must provide accommodations to customers and visitors who are unable to wear a face covering.

▪ If a customer who cannot wear a face covering refuses offered accommodations, or if a business cannot reasonably accommodate the customer in a way that minimizes or eliminates potential exposure to others, the business may decline services or ask the customer to leave the premises.

✓ Create a process for handling customers, clients, and visitors who refuse to wear a face covering where wearing a face covering is required. Businesses may refuse entry or services to customers, clients, or visitors who refuse to wear a face covering when required by Executive Order 20-81 or when otherwise required by the business even if not required by the Executive Order. Refer to the
documents and information available at Face Coverings Requirements and Recommendations under Executive Order 20-81 (https://www.health.state.mn.us/diseases/coronavirus/facecover.html) for more information about what a business may or may not do to enforce the face covering requirement.

**Recommendations**

- **Additional work practices to reduce face-to-face interaction include:**
  - Stand to the side or behind the customer/client as much as possible.
  - Incorporate barriers, screens, or curtains.
  - **For manicures/pedicures:** Install a plastic partition between the worker and client with ample space cut out where the hands/feet can slide through and allow for a manicure/pedicure.
  - **For tattooing:** Install a curtain between the worker and the client to allow the portion of the body being tattooed to be exposed, minimizing face-to-face contact.

2. **Space configuration and flow**

**Requirements**

- Evaluate space, configuration, and flow throughout the establishment and make changes as needed to allow for physical distancing of 6 feet by all workers, customers, clients, and visitors.

- Mark check out and other areas of congestion for social distancing of at least 6 feet, including floors, lane lines, and areas where customers or clients wait for business access.

**Recommendations**

- Store and maintain merchandise away from public view, keeping only a limited number of products on display” for customers or clients. Workers should fill orders for clients from where products are stored; display products should be sanitized regularly.

- Adjust merchandise return policies to accommodate sanitation and/or delay of restocking the product.