

Washington: New COVID-19 Roadmap to Recovery Plan

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Washington State Governor Jay Inslee has issued [Proclamation 20-25.12](#) and the [Healthy Washington - Roadmap to Recovery Plan](#), which create a new two-phase, regional framework of business reopening and social distancing rules to handle the ongoing COVID-19 pandemic. The new Proclamation became effective January 11, 2021, and does not expire until the end of the COVID-19 State of Emergency.

This new framework replaces Washington's previous Safe Start Plan, which used a four-phase, county-by-county approach.

The Healthy Washington Plan divides the state into eight regions. Each region begins in Phase 1 until metrics based upon community disease levels and health system capacity justify a move to Phase 2. If a region moves to Phase 2 and regresses, it can be moved back to Phase 1. There is also a chance that new phases could be added.

The eight regions are as follows:

1. Puget Sound Region (King, Snohomish, and Pierce Counties)
2. Northwest Region (Kitsap, Clallam, Jefferson, and Mason Counties)
3. West Region (Thurston, Lewis, Pacific, and Grays Harbor Counties)
4. North Region (Whatcom and Skagit Counties)
5. Southwest Region (Cowlitz, Clark, Klickitat, Skamania, and Wahkiakum Counties)
6. East Region (Spokane, Whitman, Lincoln, Adams, Garfield, Asotin, Ferry, Stevens, and Pend Oreille Counties)
7. South Central Region (Kittitas, Yakima, Benton, Franklin, Walla Walla, and Columbia Counties)
8. North Central Region (Grant, Douglas, Chelan, and Okanogan Counties)

Retail

Under both phases, retailers' indoor occupancy is limited to 25% and curbside pickup is encouraged. This category includes grocery and convenience stores, pharmacies, and farmers' markets.

Professional Services

In Phases 1 and 2, remote work is strongly encouraged and an office's indoor occupancy is limited to 25%.

Personal Services

In both phases, the indoor occupancy of these businesses is limited to 25%.

Eating and Drinking Establishments

This category does not include businesses that only serve individuals 21 and older and do not serve food. Such businesses must remain closed.

In Phase 1, indoor dining is prohibited. Outdoor dining is permitted, but businesses must close by 11:00 p.m. Each table can seat a maximum of six people and two households.

In Phase 2, indoor dining may reopen at 25% capacity, and outdoor dining is permitted. Businesses must close by 11:00 p.m. Each table can seat a maximum of six people and two households.

Indoor Recreation and Fitness Establishments

This category includes gyms, fitness organizations, indoor recreational sports, indoor pools, indoor K-12 sports, indoor sports, indoor personal training, indoor dance, no-contact martial arts, gymnastics, and climbing.

In Phase 1, low-risk sports (including dance, no-contact martial arts, gymnastics, and climbing) are permitted for practice and training only in stable groups of no more than five athletes. Customers or athletes must attend appointment-based fitness or training. Sessions may last no more than 45 minutes. Only one customer or athlete is permitted per room. In large facilities, only one customer or athlete is

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permitted in each 500 square foot area.

In Phase 2, low- and moderate-risk sports competitions are permitted, but not tournaments. For fitness and training, occupancy is limited to a maximum 25% capacity.

Outdoor Sports and Fitness Establishments

This category includes fitness organizations, recreational sports, pools, parks and hiking trails, campsites, K-12 sports, sports, personal training, dance, and motorsports.

In Phase 1, low- and moderate-risk sports are permitted for practice and training only. No tournaments are allowed. Outdoor guided activities, hunting, fishing, motorsports, park use, camping, hiking, biking, running, and snow sports are permitted in this phase.

In Phase 2, low-, moderate-, and high-risk sports competitions are allowed, but not tournaments. A maximum of 200 persons may be involved, including spectators.

Indoor Entertainment Establishments

This category includes the following indoor venues: aquariums, theaters, arenas, concert halls, gardens, museums, bowling, trampoline facilities, cardrooms, entertainment activities of any kind, and event spaces.

In Phase 1, private rentals or tours for individual households of no more than six people are permitted. General admission is prohibited.

In Phase 2, indoor occupancy may reach a maximum capacity of 25%. If food or drinks are served, then the eating and drinking requirements above apply.

Outdoor Entertainment Establishments

This category includes zoos, gardens, aquariums, theaters, stadiums, event spaces, arenas, concert venues, and rodeos.

In Phase 1, only ticketed events are permitted with "timed ticketing." A group may not exceed 10 people from no more than two households.

In Phase 2, a group may not exceed 15 people from no more than two households per group. A business may have a maximum of 200 persons at a time, including spectators.

Live Entertainment

Live entertainment is no longer prohibited, but businesses must follow the guidance appropriate to the venue in question.

Social Gatherings

In Phase 1, indoor social gatherings are prohibited, and a maximum of 10 people from outside a person's household may gather socially outdoors. Outdoor gatherings may be attended by no more than two households.

In Phase 2, indoor social gatherings may be attended by a maximum of five people from outside of a person's household. A maximum of 15 people from outside of a person's household may gather socially outdoors. Indoor and outdoor gatherings may be attended by no more than persons from two households.

Weddings and Funerals

In Phase 1, ceremonies are limited to 30 people. Indoor receptions, wakes, or similar gatherings in conjunction with such ceremonies are prohibited.

In Phase 2, ceremonies and indoor receptions, wakes, or similar gatherings in conjunction with such ceremonies are permitted and must follow the appropriate venue requirements. If food or drinks are served, eating and drinking requirements apply. Dancing is prohibited.

Worship Services

In both phases, the indoor occupancy for worship services is limited to 25%.

Other Information

If an activity or industry is not specifically listed in the Healthy Washington - Roadmap to Recovery Plan's rules above, then the Governor's existing guidance and rules will continue to apply. Unfortunately, this Plan lacks details about some of these categories, and further written guidance is expected.

All violations of the Proclamation are subject to criminal penalties (as is the case with all of the Governor's recent Proclamations).

Reopening orders contain extensive requirements creating compliance issues that can vary significantly depending on the specific state or local jurisdiction. Jackson Lewis attorneys are closely monitoring updates and changes to legal requirements and guidance and are available to help employers weed

through the complexities involved with state-specific or multistate-compliant plans.

If you have questions or need assistance, please reach out to the Jackson Lewis attorney with whom you regularly work, or any member of our COVID-19 team.

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