

Washington: New Rollback of Phased Reopening Rules

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To address the spread of COVID-19, Washington State Governor Jay Inslee has rolled back some of the phased reopening rules in this state. The new [amended Proclamation](#) and accompanying [guidance](#) mandate several statewide modifications to existing rules. The latest modifications are set to expire at 11:59 p.m. on December 14, 2020.

While the modified restaurant and bar restrictions become effective at 12:01 a.m. on November 18, 2020, the remainder of the modifications went into effect at 11:59 p.m. on November 16, 2020.

Following are the modifications to the existing rules:

Social Gatherings. Outdoor social gatherings are limited to 5 people from outside their household. People may not gather socially indoors with people from outside their household, unless they (a) quarantine for 14 days beforehand; or (b) quarantine for 7 days beforehand and receive a negative COVID-19 test result no more than 48 hours beforehand.

Restaurants and Bars. To-go service is still allowed, but indoor dine-in service is prohibited. Outdoor dining is allowed as long as it complies with the [Outdoor Dining Guidance](#). No more than 5 people may sit together at a table.

In-Store Retail. A store's common or congregate seating areas and indoor dining facilities (e.g., food courts) must be closed. A store's indoor occupancy is limited to 25% of capacity.

Professional Services. Whenever possible, employees must work from home, and offices must be closed to the public. If an office must remain open, the office's indoor occupancy is limited to 25% of capacity.

Personal Services. This category includes cosmetologists, cosmetology testing, hairstylists, barbers, estheticians, master estheticians, manicurists, nail salon workers, electrologists, permanent makeup artists, tanning salons, and tattoo artists. The indoor occupancy of such businesses is limited to 25% of capacity.

Fitness Facilities and Gyms. Indoor operations are closed. Outdoor fitness classes are allowed, but they are subject to the outdoor social gathering restrictions.

Long-Term Care Facilities. Outdoor visits are allowed, but indoor visits are prohibited except for an essential support person or end-of-life care. These facilities are still subject to detailed rules found in other industry-specific Proclamations and guidance.

Miscellaneous Venues. This category includes convention and conference centers, designated meeting spaces in a hotel, events centers, fairgrounds, sporting arenas, nonprofit establishment, and substantially similar venues. For miscellaneous venues, all

retail activities and business meetings are prohibited. Only professional training and testing that cannot be performed remotely, as well as all court and judicial branch-related proceedings, are allowed. Indoor occupancy in each meeting room is limited to 25% of capacity or 100 people, whichever is fewer.

Real Estate. Open houses are prohibited.

Bowling Centers. Indoor operations must be closed.

Movie Theaters. Indoor operations must be closed. Drive-in movie theaters are allowed and must continue to follow current drive-in movie theater guidance.

Museums/Zoos/Aquariums. Indoor operations must be closed.

Youth and Adult Sporting Activities. Indoor activities and all contests and games are prohibited. Outdoor activities must be limited to intra-team practices only, with facial coverings required for all coaches, volunteers, and athletes at all times.

Wedding and Funerals. No more than 30 people may attend ceremonies. Indoor receptions, wakes, or similar gatherings in conjunction with such ceremonies are prohibited.

Religious Services. The indoor occupancy for religious services is limited to 25% of capacity, or a maximum of 200 people, whichever is fewer. Congregation members and attendees must wear facial coverings at all times. Congregation singing is prohibited. No choir, band, or ensemble may perform during the service. Vocal or instrumental soloists may perform, and vocal soloists may have a single accompanist. Outdoor services must comply with the [Outdoor Dining Guidance](#), as applicable to the structure or facility.

If an activity or industry is not specifically listed in this amended Proclamation, the currently existing guidance and rules will continue to apply. These modifications do not apply to education, childcare, healthcare, and courts and judicial branch-related proceedings.

In addition, on November 13, Washington also issued a travel advisory for all non-essential travel. Persons arriving in Washington from other states or countries, including returning Washington residents, should self-quarantine for 14 days after arrival and limit their interactions to their immediate household. Washington residents should stay home or in their region and avoid non-essential travel to other states or countries.

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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