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Plan to Re-open Maine Retail Recommendations from the Retail Association of Maine

The Retail Association of Maine proposes the following plan to move Maine’s retail industry back to full operations. Retail is one of Maine’s largest employment sectors and is also responsible for collecting and remitting a significant amount of revenue for the state.

We recently surveyed retailers from across Maine and 85% of retailers told us that they felt they could ensure the safety of customers and employees through the various phases. While we cannot avoid the economic disruption caused by COVID-19, we can choose to try to mitigate the disruption and find a balance between protecting people’s health and restoring the economy.

In developing this plan, we have worked with a number of major retailers based here in Maine as well as retailers that operate in multiple states. We have also reviewed the plans that were developed in other states and by some of our national trade organizations like National Retail Federation and Retail Industry Leaders Association. Through this diligent process, we believe we have put forth a plan specific to Maine’s retail community.

Throughout this crisis, retailers have been learning from each other, and sharing leading practices and protocols to keep stores clean and sanitized, as well as keeping customers and employees as safe as possible. We stand ready to help Maine and our localities with the important task of safely re-opening our Main Streets and storefronts again.

We envision an approach that relies on the protocols employed by those businesses which have remained open to the public since the beginning of the crisis. This approach allows businesses to open to the public with the confidence that all retailers will adopt the social distancing, hygiene, and sanitization practices necessary to keep customers, employees, and the entire community safe.

Our plan puts in place uniform statewide rules of operations. These protocols were developed in accordance with US CDC guidelines and benchmarked between retailers who have shared their operational experiences over the past six weeks. There are three key objectives:

- 1. *Protect all citizens***
- 2. *Allow for the safe re-opening of Maine’s retail community***
- 3. *Establish clear expectations for employees and customers***

Additionally, our plan proposes:

- **Protocols:** Provide specific public health protocols aligned to a color-coded health guidance system.
- **Liability Protection:** Address business liability issues related to COVID-19.
- **Facial Coverings / Sanitation:** Ensure businesses and their employees have access to appropriate products so that businesses can comply with safety protocols.
- **Regulations:** Continue to relax business regulations to make it easier for businesses to do business in Maine.

We've also incorporated Governor Mills's Guiding Principles, and expand upon them:

1. **Protecting Public Health:** The State will continue to rely on epidemiological data, such as case trends, hospitalization rates, recoveries and deaths, to inform decisions with the private sector regarding the appropriateness of lifting restrictions.
2. **Maintaining Health Care Readiness:** Maine must maintain its capacity to respond to any surge of the virus. To that end, the State will continue to work closely with our hospitals and health systems to assess system capacity, including available hospital beds, ICU beds and ventilators, and will continue to procure and distribute personal protective equipment as needed to hospitals, nursing facilities, emergency services, and other frontline responders.
3. **Building Reliable and Accessible Testing:** Testing capacity for all symptomatic people and sentinel disease surveillance are key elements of re-opening various sectors of the economy. While the widespread availability of rapid testing remains a challenge, the State is actively seeking to expand testing to make it more accessible to Maine people.
4. **Prioritizing Public-Private Collaboration:** Collaboration and leadership among businesses, employees, government entities, and the public is vital to develop, implement, oversee, and adapt guidelines and safe practices. Government alone cannot fix things; government doesn't have all the answers; we need the best thinking of Maine people from every industry and every corner of the state to reimagine and reinvent how we do things in this state in a way that protects both lives and livelihoods.

We would also expand on the Guiding Principles with the following thoughts:

- **Vigilance:** Minimize economic harm and avoid a resurgence of the virus.
- **Data Driven Decision Making:** Track key health and economic indicators to help guide decision making regarding the economy.
- **Geography:** Recognize Maine's economic regions and county structure. Communities will face different circumstances at different points of time.
- **Protect Vulnerable Populations:** Continue to focus on these populations and how to minimize their risks.
- **Protocols for Safety:** Make use of available protections including masks, testing, sanitation and hopefully, vaccinations.

Economic Restart for Retail

Maine will not be able to flip a switch and return to pre-pandemic normalcy. Instead, it is likely there will be stops and starts that will come in waves as the virus changes course over time. Without intervention, these disruptions will continue to do harm to Maine's businesses, and we recognize that this is not a short-term problem, but one that will require new solutions for the long-term. Assessment, testing, tracing and mitigation will be key components.

We are recommending a color-coded system like a stop light (Red, Yellow, Green) or more like Maine's fire danger color system (High Risk - Red, Moderate Risk - Orange, Low Risk - Yellow, No Risk - Green). These levels can be guided by a rigorous measurement system to determine the level of risk on a statewide basis or county by county or city by city. The color can change depending on the specific circumstances. Red or High Risk is our current profile. Each level would prescribe certain rules of conduct of businesses and individuals:

1. **Common Sense and Personal Responsibility:** The State will not be able to anticipate every situation and residents and businesses must use common sense and take actions that will protect health and support economic reactivation.
2. **Continue Sound Hygiene and Cleaning:** We all know them by heart. Wash hands for 20 seconds; frequent use of hand sanitizer; cover coughs and sneezes; frequent cleaning of surfaces; avoid touching face.
3. **Follow Guidance:** Of the US CDC and Maine CDC.

Retail Impacts:

What we've learned is that unlike restaurants where ServSafe food safety handling procedures are universal regardless of the type of restaurants, retailers come in all shapes and sizes and sell different products in different ways. Certainly, there will need to be some changes for certain retailers in how they market and sell their products, but we can discern some general guidance followed by more specific guidance. Perhaps it is worth considering a retailer-specific certification process so that customers can know that a retailer is practicing the recommended protocols given the situation.

In general:

High Risk – Red Situation: Essential retail creates a safe environment for customers and staff with frequent reminders on distancing, hygiene and other best practice protocols. Employees wear face coverings; frequent cleanings; and strict customer limits. Non-essential retailers limited to curbside pick up and e-commerce.

A fully functioning supply chain with all distribution centers operational is crucial for retailers to meet the needs of customers.

Retailers have established and implemented safety protocols to allow contactless pickup and in-home deliveries. In a Red situation, a limited number of employees are allowed in non-essential retailers to fulfill online orders and deliver purchases to customers who drive or walk up, utilizing proper social distancing.

Moderate Risk – Orange: All of retail creates a safe environment for customers and staff with frequent reminders on distancing and hygiene. Employees wear face coverings. Slight easing of customer limits. Uniform, statewide standards ensure the easing of restrictions is safe, efficient and productive for customers, employees and enforcement.

For both Red and Orange Levels, we recommend the following protocols:

- Ensure employees stay six feet apart wherever practical.
- Adjust seating in break rooms, lunchrooms, and other common areas to reflect proper social distancing practices.
- Stagger shifts, breaks, and meals.
- Prohibit meetings of employees of 10 or more during work hours, and permit employees to take breaks and meals outside when practical.
- Restrict interaction between employees and vendor / transportation; implement touchless receiving practices if possible.
- Consider one-way aisles where practical.
- Designate separate entrances and exits where practical.
- Suspend “self-service” food stations and the sampling of food or personal care products.
- Utilize virtual training / onboarding when possible.
- Discourage employees using colleagues’ phones, desks, workstations, radios, or other work tools and equipment. Promote proper sanitation of such devices.
- Prohibit handshaking.

For home delivery / installation:

- Wear protective face coverings and gloves during in-home delivery and installation.
- Ensure proper distancing between the customer and employee.
- Clean and disinfect any surfaces which will be contacted throughout the delivery / installation.
- Clean and disinfect any tools or supplies used throughout the delivery / installation.

Social distancing:

- Continue to ease the customer count as we transition from Red to Orange level, but we recommend continuing to base the numbers based on square footage. This will be easy for most to understand and alter as needed.
- Place signage at entrances and throughout the store promoting the occupancy limits, physical distance, and the policy on face coverings.
- Encourage special hours for high-risk individuals, whenever possible.
- Arrange for contactless payment operations, pickup, and/or delivery whenever possible.

Hygiene:

- Require frequent hand washing of employees throughout work shifts.
- Provide sanitation materials such as hand soap, hand sanitizer, and sanitizing wipes for employees.
- Regularly sanitize community technology such as POS, cash registers, conveyor belts, credit card machines, ATM machines, etc.

Sanitation:

- Frequent cleaning and sanitation of rest rooms, fitting rooms, doors, pin pads, baskets, carts.
- Deep cleaning required during off-hours.
- Clean and disinfect high-touch areas routinely, particularly in areas accessible to staff, customers, and suppliers.
- Have a deep cleaning response plan in place in the event an employee test positive.
- Follow CDC guidance related to returned merchandise before returning items to the sales floor.

Protective Face Coverings:

- Require workers, contractors, and drivers to wear face coverings during work hours.

Health Screening:

- Encourage employees to self-evaluate (before reporting to work) for signs of illness.
- Require associates who exhibit signs of illness not to report to work and encourage them to seek proper medical attention before returning to work.

Low Risk – Yellow: As the data continues to progress and Maine sees additional success in reducing or limiting the spread of the virus, the Yellow Phase will continue to guide Maine citizens, but allows retailers to ease certain protocols except those related to enhanced sanitation and screening practices.

Hygiene:

- Require frequent hand washing of employees throughout work shifts.
- Provide sanitation materials such as hand soap, hand sanitizer, and sanitizing wipes for employees.

Sanitation:

- Regular cleaning and sanitation of rest rooms, fitting rooms, doors, pin pads, baskets, carts.
- Clean and disinfect high-touch areas routinely, particularly in areas accessible to staff, customers, and suppliers.
- If a retailer chooses to allow reusable bags, require the customer to bag their own products.

Employee Guidelines:

- Identify employees who become sick during the day and send home.
- Encourage employees to not come to work if not feeling well.

No Risk – Green: While not pre-pandemic, this new normal would be the most permissive status. Customer counts would be removed, but new best practices would remain that may have altered consumer behavior and shopping norms.

Category Specific Guidance:

It is clear that different retailers will need to approach these levels differently. A furniture seller is different than a jeweler who is different from a shoe seller or a hair salon. There will need to

be specific mitigation measures for these diverse subsets of retailers, and we will need to rely on the industry to help guide that process and those best practices. For example, during Orange status, a furniture retailer could allow appointment only shopping and plastic coverings on furniture. A jewelry retailer can clean each piece of jewelry after each handling and gloves could be worn during all transactions. Can a shoe seller utilize disposable foot coverings before shoes are tried on? We urge each category to continue to develop their own best practices and widely share them with other retailers.

Additional Recommendations:

- Consider a Sales Tax Holiday when Maine moved to Yellow status.
- The Retail Association of Maine would be willing to set up a Facebook Group for Maine retailers to share best practices of how different retailers are practicing safe shopping protocols.
- Develop a **#ShopMaine** consumer education messaging, PSA's and events that emphasizes the safety and importance of supporting Main Street and Maine's retail community including farmers markets, shopping, dining and tourist locations.

This is a public health crisis which also created an economic crisis. It will be incumbent upon the business community to adjust to a "new normal" and adapt to new customer preferences and behaviors. It is likely that public fear/concern will remain pervasive for the next year or so, and the economic impact may last well beyond that.