



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS

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ADVISORY 12-01-2020

TO: All Massachusetts Retail Businesses

FROM: Michael Flanagan, Director Department of Labor Standards

DATE: December 1, 2020

RE: Holiday Shopping and COVID-19 Workplace Safety Standards for Retail

The Massachusetts Department of Labor Standards provides this reminder to retailers of the need to maintain required COVID-19 safety measures during the holiday shopping season. This advisory highlights some common questions and complaints received by DLS that have special relevance to increased customer volumes during the holiday shopping season. This advisory does not replace the full COVID-19 Workplace Safety Standards for Retail. The complete set of standards is available at <https://www.mass.gov/doc/sector-specific-workplace-safety-standards-for-retail-businesses-to-address-covid-19-110620/download>

Occupancy Limits

Retail stores must limit occupancy to 50% of maximum permitted occupancy and no more than 10 per 1,000 square feet of accessible space). Retailers are required to monitor entrances and exits to ensure compliance with these limitations.

Occupancy counts must consider store areas where customers can congregate, such as electronics sections, deli counters, and registers. Dedicated staffing may be needed in these areas to monitor spacing of customers.

Distancing

Directional aisles and signage are required to assist customers in maintaining 6 feet of distance from others. Use of floor markings to ensure 6 foot distancing is encouraged. Ensure distancing is maintained at registers and other locations where customers may line up. Dedicated staffing may be needed in the queuing area to monitor spacing of customers.

Keep aisles clear. Point-of-purchase displays must allow customers to maintain at least 6 feet distance from each other.

Face Coverings

Face coverings are required for all employees and customers, except where unsafe due to medical condition or disability.



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Retailers may deny entry to customers who refuse to wear a face covering due to non-medical reasons.

Retail workers in high-volume customer areas may opt to wear a face shield over a cloth face covering. Workers who decide to wear both a face shield and face mask must be allowed to do so. Workers cannot opt to wear only a face shield without a cloth face covering unless they have requested an ADA accommodation from store management. Management may request documentation of medical exemption when evaluating an ADA request.

Food Court

Retail settings serving food must comply with the MA Restaurant COVID standard. Food courts must be closed for seated eating between 9:30pm and 5am. <https://www.mass.gov/doc/sector-specific-workplace-safety-standards-phase-iii-step-2-for-restaurants-to-address-covid-0/download>

Tables must be spaced at least 6 feet apart. Remove or close tables that do not allow 6 foot distancing. Tables and chairs must be cleaned and sanitized thoroughly between each use.

Customers must wear face coverings unless they are seated at tables and in process of eating or drinking. Customers using the food court tables as a rest area must wear face coverings.

Mall operators may need to designate staff to monitor and supervise the Food Court seating.

COVID-19 Positive Employee

Retail management must immediately inform the Local Board of Health if an worker is identified as COVID-positive. Notify the Board of Health where the store is located.

Retail management must follow instructions from the Local Board of Health. Retail workers are not exempt from quarantine instructions, even when the type of retail was considered an “essential business” under earlier orders requiring certain retailers to remain closed.

DLS strongly advises retailers to communicate with workers when a COVID-positive worker is identified, and explain the instructions that have been provided from the Local Board of Health. Open communication will reduce anxiety and allow workers and customers to have confidence in your business.

Thank you for your efforts and cooperation during the COVID pandemic to keep your employees and customers safe. Questions regarding COVID requirements can be sent to DLS at safepublicworkplacemailbox@mass.gov