

CORONAVIRUS OVERCOMING THE DIFFICULTIES

CALIFORNIA AND COUNTY OF LOS ANGELES CONTINUE FIGHTING COVID-19 DURING EARLY STAGE 2. RETAIL INDUSTRY AND NEW PROTOCOL FOR RETAILERS

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Californians have been staying home since the start of the statewide stay-at-home order issued on March 19, 2020.

In particular, on March 19, 2020, Governor Newsom issued Executive Order N-33-20 directing all California residents immediately (i) to stay home or at their place of residence and (ii) to strictly follow the current State public health directives. Only exceptions were made to maintain continuity of operations of essential critical infrastructure sectors and additional sectors as designated as critical to protect health and well-being of all Californians by the State Public Health Officer.

The California retail industry employs almost three million people, approximately one-fifth of California's workforce, and boasts of more than 164 thousand stores that produce sales of over \$571 billion every year.

The Covid-19 outbreak has severely impacted the retail industry and the consumer buying behavior has been consistently changing over the past weeks and experts think that it will continue to do so for the foreseeable future. Retailers do not only need to take into due consideration consumers needs and expectation, but they need also to elaborate new opportunities and strategies to go through this transformation and to address those changes in order to achieve sustainable long-term growth in line with the specific orders issued by the competent authorities.

California is currently in early Stage 2, where retail (curbside and delivery only), related logistics and manufacturing, office workplaces, limited personal services, outdoor museums, childcare, and essential businesses can open by following certain rules and guidelines meant to reduce the risk of COVID-19 and create a safer environment for workers and customers.

Save for certain Counties variances (see below with regard to the County of Los Angeles), businesses may use effective methods to build upon the guidelines provided by the State, prepare a plan based on the guidance for the relevant industry and put it into action.

In particular, according to the State guidelines, before reopening all facilities must:

1. Perform a detailed risk assessment and implement a site-specific protection plan
2. Train employees on how to limit the spread of COVID-19, including how to screen themselves for symptoms and stay home if they have them
3. Implement individual control measures and screenings
4. Implement disinfecting protocols
5. Implement physical distancing guidelines.

With reference to the County of Los Angeles, a staged approach is being adopted: the reopening of businesses will occur in 5 stages and require physical distancing and infection control practices.

In addition to the conditions imposed on specific retail businesses by the California Governor, retail businesses must also follow the conditions laid out in the “Checklist for Retail Establishments Opening for Curbside” issued by the County, which covers:

1. Workplace policies and practices to protect employee health
2. Measures to ensure physical distancing
3. Measures to ensure infection control
4. Communication with employees and the public
5. Measures to ensure equitable access to critical services. These five key areas must be addressed as your facility develops any reopening protocols.

As said, it will be critical for retailers to survive during the next months and possibly grow their business to make sure to strictly follow the current guidelines and to anticipate what a post-pandemic world will look like, in order to begin to better match this new reality. The respect of public health measures and rules will be keen to make sure that consumers will be able to feel again safe and comfortable while shopping.

The US Desk of De Berti Jacchia, located in Los Angeles, is at the disposal of the firm’s clients for any additional elaboration on the subjects addressed in this article.

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Il presente articolo ha esclusivamente finalità informative e non costituisce parere legale.

This article is exclusively for information purposes, and should not be considered as legal advice.



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