

MEMO

TO: State and local public officials

FROM: Michigan Retailers Association

SUBJECT: Proactive measures by critical infrastructure retail stores

DATE: April 3, 2020

Critical infrastructure retailers allowed to remain open under Executive Order 2020-21 are taking many proactive steps to ensure the safety of their employees and customers through adopting the CDC's social distancing standards and ensuring only healthy employees come to work. This memo outlines the proactive measures taken by retailers to provide clarity and comfort to public officials and the general public.

It also highlights the logistical problems with proposed regulations seen in various parts of the country and cautions against adopting those in Michigan.

SOCIAL DISTANCING

1. Highly visible signage

Retailers have implemented highly visible signs throughout the store reminding customers to practice social distancing. Clear signage is at store entrances serving as a reminder and throughout the store especially near common congregating spots (checkout lanes, deli counters, pharmacy, etc.) Some stores are also doing verbal reminders several times an hour over the PA system.

2. Floor markers/decals

Retailers have placed floor markers six feet apart in spots where customers tend to congregate and to indicate one-way aisles to direct store traffic flow.

3. Plexiglass dividers

Retailers are installing plexiglass dividers between store clerks and customers in checkout lanes, service counters, and in the pharmacy. Some are also operating every other checkout lane to allow for additional spacing between line.

4. Hours of operation

Many retail stores, particularly grocery and pharmacies, have implemented special shopping windows for seniors and those with compromised immune systems. Most stores have implemented reduced shopping hours to allow for restocking and deep cleaning overnight. This also reduces the number of hours employees need to be in the store.

5. Encouraging alternate shopping

Retailers are encouraging shoppers to take advantage of curbside pickup and home delivery options to further encourage limited contact between store associates and customers. They've increased staffing

to provide these services and many are waiving fees related to curbside pickup and home delivery options.

EMPLOYEE WELLNESS

1. Pre-work employee screenings

Nearly all retailers have implemented self-screening before employees come to work and prohibit employees experiencing COVID-19 symptoms from coming to work. Where available, they've provided employees with thermometers to check their temperature prior to coming to work. This avoids having employees experiencing abnormal symptoms or fevers from even showing up for work or interacting with other employees or supervisors to do an in-person screening.

2. Paid leave for sick employees

Many large retailers have adopted paid sick leave policies to ensure that employees do not show up sick to work.

3. Personal protective equipment

Many retailers are allowing employees to use personal protective equipment (PPE) such as masks and gloves and are requesting more resources to more widely utilize PPE throughout the store. Most retailers have provided hand sanitizer for both employees and customers at the checkout lane. Whenever possible they are providing hand sanitizer and/or sanitizing wipes for carts. If those are not available, they're using sanitizing sprays to clean shopping carts between uses (often done outside the store).

There is a national shortage of PPE and retailers fully support America's health care workers having first priority to obtain this equipment, especially surgical or N95 grade masks. However, retailers need assistance from government officials to help secure a second or third tier priority place in line, behind healthcare and first responders, for all grocery workers to have access to basic protective masks and gloves (retailers are not calling for N95 grade or surgical masks).

4. Limiting direct interaction with customers and other employees

Retailers are taking precautions to avoid having employees directly handle reusable bags brought into stores by customers. Many now only allow reusable bags in limited capacity and only when the customer bags their own items. In order to further reduce employee customer interaction, employees unload and restock while maintaining social distance or during non-peak hours. Stores are also encouraging customers utilize curbside pickup, home delivery and in-store scanning apps.

5. Appreciation pay and hiring displaced workers

Several of our retailers have shared with us that they are giving employees additional appreciation pay, perks and bonuses. They recognize the hard work retail employees are doing to deliver critical goods to customers and want to thank them for their efforts. Critical infrastructure retailers are also hiring additional employees to help meet demand with a focus on hiring displaced workers from other industries.

STORE CLEANLINESS

1. Regular sanitization of frequently touched surfaces

Stores have implemented regular cleaning of checkout lanes including belts, credit card machines and counters. Many clean self-checkout lanes and shopping carts between each customer and utilize third party cleaning services to deep clean the entire store overnight.

RECOMMENDATIONS FOR CONSUMERS

1. Encourage only essential shoppers and shopping alone, when possible

Stores are having a difficult time determining whether larger groups come in if they are together or if they are ignoring social distancing requirements. In response, they are encouraging only essential shoppers to come to the store in order to prevent larger family groups and create more distance between all customers inside the store.

2. Continue encouraging shoppers to use discretion and not hoard items

Despite an increase in demand for certain products, we are consistently told that there are no current concerns with the supply chain. Panic shopping should be discouraged to ensure everyone has access to products. This is why some retailers have placed limits on the number of high-demand products individuals can purchase in one trip.

3. Encourage the use of credit or debit over cash

Cash is notoriously dirty and because it is made from cloth, can transmit viruses and bacteria. Further encouraging touchless interactions through the use of credit card terminals is preferred for employee and customer safety.

COMMENTS ON STATE/LOCAL RECOMMENDATIONS AND GUIDANCE

The concerns we've heard over local guidance and orders are the challenges presented for retailers, especially multi-store operators, to manage their footprint effectively. Retailers are already under tremendous strain to keep store shelves restocked, the store clean and sanitized, and to implement new policies to keep employees and customers safe and healthy.

Local orders tend not to be well publicized and each order, while similar, contains different nuances. It is difficult to get in touch with local officials to answer questions about the orders. In addition, they are often issued with very little notice to retailers to implement the required policies (usually less than 24 hours).

Uniformity in local orders, if issued, would be tremendously helpful to retailers.

1. Employee health screenings

Retailers welcome guidance ensuring all workplaces have implemented employee health screenings prior to coming to work. That guidance should be clear and flexible to allow for pre-screening at home and/or self-screening upon arriving at work that follows CDC guidelines. Patchwork orders across various counties make it difficult for multi-store operators to set standard protocol or know what definitions various counties are relying on.

Guidance and orders should not require recordkeeping that could violate HIPAA and should only require self-quarantine for employees who are experiencing new and abnormal symptoms not associated with a regular condition. Touchless thermometers are recommended in several orders by county health departments yet difficult or impossible to obtain.

2. Critical infrastructure/essential business enforcement

There have been discrepancies in how law enforcement is enforcing Executive Order 2020-21. We understand that the governor's office is working on guidance for local law enforcement. We urge consistent enforcement and that clear guidance be issued.

3. Limits on capacity

Some retailers and non-Michigan jurisdictions have attempted to set limits on store capacity. Capacity limits have resulted in unintended consequences. This often creates lines outside of the store in which customers are not properly distancing while waiting to enter. Lines create extra difficulties for elderly shoppers and those relying on public transportation.

If capacity limits are to be implemented they need to be crafted carefully to take the size of the store into account. They should be based on square footage or a percentage of set fire capacity. If capacity limits are set, local law enforcement should be prepared to enforce those limits.

4. Sales of essential vs. nonessential items

Some jurisdictions have suggested limiting sales to “essential” items only. It is challenging because what is deemed “essential” is subjective. Classifying broad categories of items as essential and others not is further complicated by areas in the store where you might deem there to be both essential and nonessential items.

Roping off certain aisles or sections may not stop customers from going into that area to get an item they deem essential. If store employees are forced to confront customers, that could violate social distancing rules and/or cause longer lines at checkout as customers debate about their right to purchase certain products. Closing off certain aisles or areas in the store is also problematic because there are designated fire lanes and it would further reduce the space for customers to spread out and properly distance while in the store.

Retail stores sell millions of products and without a clear, uniformly applied list it is impossible to make those determinations. We cannot expect store employees to challenge customers about whether their purchase is truly essential or not. Creating potential conflict between store employees and consumers is less than ideal when anxiety and emotions are already running high.

5. Additional posting requirements

Many of the local orders require stores to post a copy of the order at the store entrance. This takes away from the front-store signage that retailers already have up to remind customers to follow social distancing protocols. These postings are not easily legible from afar and could invite groups to congregate to read the order. Employee screening orders in particular should only be required to be posted at employee entrances or in employee accessible areas.

In conclusion, Michigan Retailers Association and our members want to be good partners with state and local officials to stop the spread of COVID-19. When crafting policies, it is important consider current industry best practices and how implementation of additional requirements will work. Retailers are familiar with being on the front lines of crises and are willing to take proactive measures to ensure they can continue offering the public the essential items they need. We ask that policymakers reach out so we can assist in crafting policies that achieve our joint goals of protecting the public and store employees without placing unworkable restrictions on critical infrastructure retailers.