



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF THE DIRECTOR
235 Promenade Street, Room 425
Providence, Rhode Island 02908

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The RI Department of Environmental Management in conjunction with the Department of Business Regulation issues this guidance to clarify the April 18 directive by the Governor that all garden centers cease in-store retail sales until April 27 and then reopen only in strict compliance with the protocols in this guidance.

PROTOCOLS AND GUIDANCE

The following protocols and guidance apply to retail garden centers, and retail nurseries and greenhouses beginning on the date of issuance until further notice. These policies must be in place in order to operate. The DEM Division of Agriculture staff will work closely with all retail nursery and garden centers to inform, educate and enforce these protocols. DEM will collaborate with the RI Department of Business Regulation and local law enforcement to make random inspections and adjust or shut down operations at any facility that does not comply. It is essential in order for the following protocols to be effective that all relevant businesses in Rhode Island adhere to the same standards regardless of membership affiliation, business structure or size.

The specific, required protocols include:

Customer and Employee Health and Safety

- Enforce the CDC-recommended and state required social distancing of at least 6 feet and with no more than 5 people gathered together. All employees and customers must maintain this social distancing at all times, whether caring for plants, loading and unloading plant materials, at registers, etc.
- Limit the number of customers on the property/in an area at a time – following state social distancing guidelines. Personnel must be assigned to guiding customers to maintain social distance. (Exceptions can be made for very small operations.) Only one person per car/family is allowed to shop. Customers may be instructed to park and wait (if necessary) until called to proceed to the pick-up/sales area. This will allow sales staff to regulate the flow of customer traffic into the designated sales area.
- Face coverings must be worn by employees and customers when on the business's property. This mask requirement must be clearly displayed in signage and on business websites and through social media, along with other safety protocols. Employers must provide face coverings for their employees. (See addendum.)

- Employees and customers must have access to hand sanitizer and/or hand washing stations. Public restrooms may not be made available to customers. All “touch points” must be sanitized regularly (including all tools, carts, common work surfaces, registers, credit card readers, etc.), and a log must be maintained of when sanitization occurs.
- All indoor buildings must be off limits to public browsing of product. Do not allow customers to touch the product. Sales staff wearing gloves should pull and transport the selected products for the customer to pick up in designated check-out area.
- Create designated outdoor sales areas – not unlike outdoor farmers markets. Mark aisles and pathways with signs, tape or cones to indicate “one way” pedestrian traffic flow and six-foot spacing to facilitate social distancing protocols. Employees should monitor in order to ensure compliance with social distancing protocols.
- If space allows, encourage customers to stay in their cars as they drive through the facility and select product, which will be transported by employees to designated check-out area. Employees may bring product to the vehicle and load into the trunk or cargo area, but no employee can load directly into the cab or passenger area of the car. (Only customers can load product into the cab or passenger areas of their own vehicles.)
- Clearly mark designated areas for customer parking/staging, check-out, and pick-up.
- Online payment application platforms used on smartphones, such as Apple Pay, Square or PayPal, are preferred options to facilitate transactions for on-site pick-ups and deliveries. Minimize cash transactions.
- Encourage advance ordering, by phone, web, or email, which allows for “no touch” sales for pick-up or delivery.
- When necessary for indoor financial transactions, managers should designate one person – when possible – to handle financial transactions and another to handle produce/product. Employers should provide a plexiglass shield – if possible – to be placed between employee at point of financial transaction and customer. Delivery orders must be dropped off with no interaction with the customer at a designated spot at the customer’s property and observing all social distancing (including employees in delivery trucks). Do not enter the customer’s home.
- Any transportation used by employees, whether on- or off-site will be limited to one person per vehicle. Those vehicles shall be sanitized after every use.
- Employers must greet each employee from a safe distance at the beginning of the day to ensure that they are not coming to work sick. All sick employees must stay home. Employees who, under CDC guidelines, are considered high risk (over 60 years of age, immuno- compromised, etc.), must be provided a lower-exposure assignment.
- Employers are required to ensure that all employees receive adequate COVID-19 instruction related to these protocols. This requires addressing any language barriers that might prevent effective communications.

ADDENDUM TO RETAIL GARDEN CENTER GUIDANCE

Cloth Face Coverings

- Beginning on April 18th, all of your employees must wear a cloth face covering that covers the nose and mouth, unless doing so would compromise the health of that employee.
- Please note that even though required, cloth face coverings are not a replacement for adhering to social distancing protocols. As a general rule, all persons must maintain at least a 6 ft. distance from all other persons, when job duties allow.
- Employees who can easily, continuously, and measurably maintain a 6-foot distance from all other persons are not required to wear a cloth-face covering. However, face coverings must still be worn when in common areas of every workplace including entrances and exits, check-in, registration, reception, waiting areas, hallways and corridors, bathrooms, break rooms, time clock areas, elevators, stairways, etc.
- To ensure all employees have a cloth face covering, businesses must, at their expense, provide their employees with:
 - A cloth face covering that covers the nose and mouth, or the materials to create a face covering.
 - For information on purchasing or creating face masks, see www.commerceri.com/masks
- Businesses must take steps to remind customers who are over two years of age & health-permitting, to wear face coverings by:
 - Posting the requirement at the entrance of the business.
 - Posting clearly visible signs inside the business to remind customers of the requirement to wear the face covering at all times when in the business.
- At this time, businesses should refrain from prohibiting entry based solely on the reason that a customer does not have a face covering.

May 1, 2020 Update:

The RI Department of Environmental Management in conjunction with the Department of Business Regulation is providing additional clarification on issues, scenarios and questions which have come up since release of this guidance:

Greenhouses with sides that can be rolled up: The guidance prohibits access to interior spaces, but many growers have pointed out that the sides of their greenhouses can be rolled up which is done for climate control. Public access to the interior of greenhouses is therefore allowed only if the sides are rolled up and with customers/employees following applicable social distancing standards.

Use of hand carts: Many growers and garden center managers have asked whether customer use of hand carts provided by the facility is allowable to minimize customer/employee close contact. Such would allow the customer while wearing gloves to place products they choose directly into their cart and then load their own vehicle after checkout. This is acceptable as long as customers do not touch any product they are not going to purchase or return any product to the shelf that was placed in the cart, and the common touch points on the cart are sanitized after each use.

Complaint Process The following link to the Department of Business Regulation lists COVID 19 resources and the process to file a complaint (see first tab)

<https://dbr.ri.gov/covid/covid19updates.php>. You may also call DBR at 889-5550.