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August 15, 2020

DPHSS Guidance Memorandum 2020-32

RE: PCOR1 Restrictions and Requirements Relative to Executive Order 2020-27

The purpose of this document is to advise the public on restrictions and requirements of business operations in accordance with Executive Order No 2020-27, which declared Guam in Pandemic Conditions of Readiness 1 (PCOR1) effective 12:01 AM on Sunday, August 16, 2020 through 11:59 PM on Saturday, August 29, 2020.

This memorandum supersedes all previous DPHSS guidance documents that are in effect, in whole or in parts, which contradicts or conflicts with Executive Order 2020-27 and this document.

A. Definitions as used in this memorandum:

1. "Congregation" shall mean a meeting of more than one person where the individuals are not members of a single household unit.
2. "Immediate Family Unit" shall mean individuals within the same family household.
3. "Essential Businesses" shall mean:
 - a. Community testing coordinated, performed, led, or otherwise sanctioned by the Department of Public Health and Social Services;
 - b. Healthcare Operations (includes medical and dental clinics; pharmacies; and elective medical and dental procedures, treatments, and therapies);
 - c. Guam Election Commission sanctioned-election, and necessary supportive services;
 - d. Essential Infrastructure;
 - e. Educational institutions, including private and public K-12 schools, colleges, and universities for the purposes of providing distance learning;
 - f. Distance learning services;
 - g. Eating and Drinking Establishments;
 - h. Essential Retail Stores;
 - i. Food Establishments;
 - j. Food cultivation, including farming, livestock, and fishing;
 - k. Businesses and non-profit organizations that provide food, shelter, and social services, and other necessities of life for economically disadvantaged

- or otherwise needy individuals;
- l. Newspapers, television, radio, and other media services;
- m. Gas stations and auto-supply, auto-repair, bicycle repair and related facilities;
- n. Banks and related financial institutions (i.e., payroll, accounting, insurance, check cashing, and money transfer operations);
- o. Hardware stores;
- p. Plumbers, electricians, exterminators, builders, contractors, HVAC technicians, landscapers, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, essential activities, and essential businesses;
- q. Businesses providing mailing and shipping services, including post office boxes;
- r. Laundromats, dry cleaners, and laundry service providers;
- s. Businesses that primarily supply products needed for people to work from home;
- t. Trash and recycling collection, processing, and disposal services;
- u. Funeral homes, crematoriums, and cemeteries;
- v. Animal shelters;
- w. Vehicle safety inspection facilities;
- x. Defense and national security-related operations supporting the U.S. Government or a contractor to the U.S. government;
- y. Businesses that primarily supply other essential businesses with the support or supplies necessary to operate;
- z. Businesses that ship or deliver groceries, food, goods or services directly to residences;
- aa. Airlines, taxis, and other private transportation providers providing transportation services necessary for essential activities and other purposes;
- bb. Home-based care for seniors or adults;
- cc. Residential facilities and shelters for seniors, adults, and children;
- dd. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
- ee. Vehicle and moped rental businesses;
- ff. Automobile and bicycle sales, provided that sales must be conducted remotely or electronically (automobiles may be delivered and leases can be returned in person “by appointment only”);
- gg. Building cleaning and maintenance operations (i.e., janitorial services, landscaping services, and pool maintenance);
- hh. Security companies to maintain building access and control and physical security measures
 - ii. Armored cash carriers;
- jj. Distributors, wholesalers, and providers to essential businesses may continue operations;
- kk. Real estate services by appointments only;
- ll. Business operations of firearms or ammunition products and accessories; and

mm. Limited curb-side sale of non-essential items by non-essential retail stores.

4. “Healthcare Operations” means:
 - a. Hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services.
“Healthcare Operations” also includes veterinary care and all healthcare services provided to animals.
 - b. “Healthcare Operations” does not include fitness centers, exercise gyms, and similar facilities; daycare facilities; and therapeutic massage establishments without physician’s order.
5. “Eating and Drinking Establishments” means those businesses, such as restaurants and other facilities that prepare and serve food, but only for delivery, carry out, or drive-through. Schools and other entities that typically provide free food services to students or members of the public may continue to do so on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not allow the food to be eaten at the site where it is provided, or at any other gathering site on their premises.
6. “Essential Infrastructure” means those businesses which includes, but is not limited to:
 - a. Airport operations to include all aircraft and passenger activities and support services;
 - b. Public works construction;
 - c. Construction of housing (in particular affordable housing or housing for individuals experiencing homelessness);
 - d. Water, wastewater, gas, electrical, oil refining, roads and highway operations;
 - e. Public transportation;
 - f. Solid waste collection and removal;
 - g. Internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications and web-based services); and
 - h. Hotels and places of accommodation.
7. “Essential Retail Stores” means those retail stores that primarily sell essential household consumer commodities that are necessary to maintain the essential daily requirements for health, safety, and sanitation for residences, such as pharmaceuticals, cleaning and sanitizing products, personal care products, and other non-grocery products. Essential items which may be sold at Essential Retail Stores include, but are not limited to, butane stoves, butane gas, propane gas tank refills, charcoal, rice cookers, microwaves, fans, air conditioners, bath towels, sheets/bedding, mattresses, candles, batteries, cooking pans and utensils, vacuum cleaners, coolers, and small appliances. Determination of commodities available for

sale shall be restricted to the authorized operations as stated in the Business License issued by the Department of Revenue and Taxation.

8. "Face mask" means material that covers the nose and mouth and can be secured to the head with ties or straps or wrapped around the lower face. Face masks with exhalation vent, valve, or any device that allows unfiltered release of exhaled breath are highly discouraged.
9. "Food Establishments" means those businesses, such as grocery stores; certified farmers' markets; farm and produce stands; supermarkets; food banks; convenience stores; and other establishments primarily engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, livestock and pet food, fresh meats, fish, and poultry.
10. "Funeral Ceremony" means wakes, visitations, viewings, and/or other funeral services.
11. "Non-essential Operations" means businesses, including Non-Essential Retail Stores, and/or activities not listed under Essential Businesses.
12. "Non-essential Retail Stores" means those retail stores that primarily sell non-essential items, which include, but are not limited to:
 - a. Clothing/Shoe stores;
 - b. Furniture stores;
 - c. Jewelry stores;
 - d. Kiosks;
 - e. Novelty shops (theme-oriented type of stores);
 - f. Sporting goods stores;
 - g. Vape shops;
 - h. Video stores and rentals; and
 - i. Any other businesses identified as non-essential retail stores by the Department of Public Health and Social Services.
13. "Primarily" shall mean at least eighty percent (80%) of all operations.

B. Authorized Businesses and Activities:

1. Essential Businesses (as defined above);
 2. Funeral Ceremony (both religious and non-religious); however, it is restricted to only immediate family units or a single household, not to exceed ten people at any given moment inside a building where the ceremony is being held; and
 3. Hotels will be allowed to continue limited operations to allow their guests to stay in their facilities, but non-essential operations found on its premises, such as bars, ballrooms, fitness centers, and swimming pools are not permitted to operate.
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- C. The number of people in any authorized business or operation shall be limited to 50% of that building's or business' occupancy load.
 - D. Personnel for essential businesses, operations, and/or activities shall be limited to those who are needed to provide services to maintain basic operations, which include security, payroll, and other similar activities for these business operations.
 - E. All businesses shall follow applicable requirements of DPHSS Guidance Memo 2020-29, which does not contradict or conflict with Executive Order 2020-27 and this memorandum, for social distancing; cleaning, sanitization, and/or disinfection of surfaces; posting of signs; face masks; and employee health and hygiene.
 - F. Limited curb-side sale of non-essential items by non-essential retail stores are authorized, subject to the following:
 - 1. Customers are prohibited from entering the non-essential business;
 - 2. All transactions (i.e., payment) are to be conducted in advance, such as via phone, email, facsimile, or other means to prevent person-to-person contact;
 - 3. Purchased merchandise is to be delivered to the customer in his/her vehicle by an employee of the retail store;
 - 4. Customers must notify the retail store by text, email, and/or phone call upon arrival;
 - 5. Customers are prohibited from existing the vehicle, must wear mask, and wait for the retail store employee to deliver the merchandise to them;
 - 6. Customers are to turn off any fan or air-conditioning of the vehicle when receiving the merchandise from the retail store employee;
 - 7. Any retail store employee delivering merchandise under this section must wear a mask and place the merchandise in the vehicle, and not give directly to the customer, whenever possible;
 - 8. Retail store employees must wash their hands or use approved hand-sanitizer after servicing every customer;
 - 9. Only retail store employees who are essential for providing curb-side services are permitted in the non-essential business;
 - 10. Retail store employees must prevent the formation of any foot-traffic queue by customers;
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11. Any surfaces contacted by the customer are to be cleaned and disinfected by the business with approved disinfectant; and
12. Requirements and restrictions noted above are applicable to non-essential retail store businesses operating inside shopping malls.

G. Not Approved for Operations

1. In-person customer service (i.e., counter-service) of non-essential government of Guam offices;
2. Non-essential Retail Stores (except curbside sales);
3. Educational institutions, including public and private K-12 schools, colleges, and universities and those staff not engaged in distance learning or not performing essential functions;
4. Child care facilities;
5. Professional services not explicitly mentioned as Essential Businesses;
6. Cosmetic establishments;
7. Theaters and museums;
8. Dive shops;
9. Tourist attraction sites and venues;
10. Bars and taverns;
11. Gymnasiums and fitness centers;
12. Movie theaters;
13. Sporting events of all types;
14. Public swimming pools;
15. Firing ranges;
16. Therapeutic massage establishments;
17. Automobile detailing services (i.e., cleaning, tinting, washing, waxing);

18. Animal grooming and training facilities;
 19. Travel agencies;
 20. All places of worship; and
 21. All government of Guam public parks and beaches, except for individual use for purposes of exercise, both physical and mental, provided that individuals abide by the social distancing requirement of six feet.
- H. Congregation is prohibited.
- I. DPHSS shall enforce this memorandum and Executive Order 2020-27 pursuant to relevant provisions of DPHSS Guidance Memorandum 2020-25.

For further questions, contact the Division of Environmental Health at 300-9579 from 8 AM to 5 PM, Monday through Friday, or email at dphss-deh@dphss.guam.gov.


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