Additional Guidance for Salons, Spas, and Sole Practitioners of Personal Services

Background:

Effective April 27, 2020, Governor Jared Polis issued Executive Order D 2020 044 directing Colorado to enter the new Safer at Home phase of the COVID-19 pandemic. The goal is to have most people stay at home as much as possible and avoid any unnecessary social interactions, while also allowing businesses that are hurting from extended closures to gradually reopen under restrictions and guidance to ensure as much safety as possible for both employees and consumers.

The Colorado Department of Public Health and Environment (CDPHE), based on the Governor’s directive, has also issued Public Health Order 20-28 which provides details of certain restrictions and safety guidance by broad industry type. CDPHE is making the information contained in the Public Health Order available via the Safer at Home webpage where you can access information by industry.

DORA recognizes that these orders, while detailed, do not necessarily reach the level of specificity many of our regulated professions desire before reopening. Additionally, we know that businesses and professionals are being asked to absorb information from a wide variety of sources. In an effort to provide not only additional clarity on industry and business-specific safety measures, but also to synthesize information from many state of Colorado sources, we have compiled the following guidance.

What Safer at Home Means for You:

Open/Closed Status:
Allowed to reopen doors as of May 1, 2020
This applies unless you are in a county still under a Stay At Home Order (see our FAQ below for more information on determining whether to follow state or county orders).

Updated on May 7, 2020 at 12:30 p.m.
Specific “Do’s and Don’ts” for Salons, Spas, and Sole Practitioners of Personal Services Under Safer at Home

Please note: This matrix was adapted from the guidance issued following Public Health Order 20-28, but does not match it exactly. Some information that does not pertain to salons and spas has been removed, while other, more specific information has been added.

<table>
<thead>
<tr>
<th>WORKSPACES</th>
<th>EMPLOYEES</th>
<th>TO PROTECT CUSTOMERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>● Employ strict hygiene guidelines and frequent sanitization procedures for all contact surfaces and tools</td>
<td>● Conduct symptom and temperature checks and refer symptomatic employees or families to the CDPHE Symptom Tracker (Additional Guidance)</td>
<td>● Provide service by appointment only (no walk-ins or waiting lines)</td>
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<tr>
<td>● Ensure a minimum of 6 feet of separation between clients/customers when not directly performing services</td>
<td>● Wear mask or face covering at all times (Additional Guidance)</td>
<td>● Require customers to wear cloth face coverings or masks, and only perform services that can be done without a customer removing their mask.</td>
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<tr>
<td>● No more than 10 people (including customers and employees) in a common business space at one time, regardless of partitions or facility square footage.</td>
<td>● Wear gloves (meticulous and frequent hand-washing if gloves not feasible or appropriate)</td>
<td>● Conduct symptom checks for all customers receiving services (Additional Guidance)</td>
</tr>
<tr>
<td>● Post signage for employees and customers outlining good hygiene and safety measures being taken</td>
<td>● Wash hands and change gloves between customers</td>
<td>● Provide contactless payment options (whenever possible), or use disposable materials to hand credit cards and cash back and forth.</td>
</tr>
<tr>
<td>● Clean and disinfect all financial transaction equipment after each use (Additional Guidance)</td>
<td>● If you must enter a private home inquire whether any household members have had symptoms or contact with known positive cases. If so, do not enter.</td>
<td>● Communal gathering spaces, such as locker/changing rooms or waiting rooms, are strictly prohibited. Customers should wait in cars until appointment times, and expect to change in a single occupancy room (e.g. for a massage).</td>
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<tr>
<td>● Clean and disinfect all service equipment (tanning beds, salon chairs, etc) after each use, and dispose of porous or soft materials as single use if a disposable cover can’t be used.</td>
<td></td>
<td>● Communal spa services like saunas, whirlpools, baths, and steam rooms are prohibited.</td>
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<tr>
<td>● Ensure a minimum of 6 feet of separation between work stations</td>
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<tr>
<td>● Avoid entering private homes when possible, but if you must for a special event (e.g. a wedding), work with customers to ensure frequent-touch surfaces are properly sanitized before and after your services.</td>
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</table>

Additional resources and guidelines:

- Guidelines for Non-healthcare industries
- Employee Health Screening Form
- CDC Recommendations for businesses and employers
- CDPHE Cleaning Guide for COVID-19
Frequently Asked Questions From Spas, Salons, and Sole Practitioners of Personal Services

Question: When can our businesses actually reopen? The state says May 1 but my county/city has released a date that is later.

Answer: The later date should be adhered to, as the Governor’s Executive Order allowed local governments to determine whether they wanted to extend their Stay at Home orders beyond the statewide date. So, for example, if your business is in Denver County, you need to wait until at least May 8 to reopen, per Mayor Hancock’s order.

Question: What if my county has requirements for sanitization and occupancy of a business that are different from the state’s Public Health Order 20-28? Which requirements do I have to follow?

Answer: The general rule is that the most restrictive terms of either the state or local orders apply, since local governments are allowed to implement stricter rules without state approval. So if the city or county’s order is more restrictive than the state order, follow the city or county order.

The exception is if your county has been granted a variance by the state, meaning that the local government has both submitted an application and been approved by the Colorado Department of Public Health and Environment which demonstrates that they are able to relax some restrictions. Please visit [this site](#) for information on which counties have approved variances.

Question: What specific types of services are allowed under Public Health Order 20-28, and which are still prohibited?

Answer: The following services are permitted provided the business is adhering to all other guidance:

- Acupuncture (non-medical)
- Athletic Training (non-medical)
- Eyebrow services (waxing, threading, tinting, and microblading)
- Eyelash services (extensions, lifting, and tinting)
- Hair cuts, coloring, and styling
- Manicures
- Makeup Application (must keep mask on, but can receive eye makeup)
- Massage (non-medical)

Updated on May 7, 2020 at 12:30 p.m.
• Paraffin Treatments
• Pedicures
• Other nail services
• Reflexology
• Skin Treatments, provided customers can still wear a mask for the entirety of service (e.g. exfoliation, salt scrub, seaweed body wraps, microderm abrasion, clay or herbal body masks, etc.)
• Tanning
• Waxing, laser and other forms of hair removal, provided customers can still wear a mask for the entirety of service (e.g. eyebrows, arms, legs, chest, etc.)
• Botox and other facial fillers, provided customers can still wear a mask for the entirety of service (e.g. eyebrows, arms, legs, chest, etc.)
• Permanent cosmetic services, provided customers can still wear a mask for the entirety of service (e.g. eyebrows, arms, chest, etc.)

The following services are NOT permitted at this time, as hygiene and sanitation cannot be assured to the level required at this time:
• Beard Trims and Shaving
• Facials
• Jet Baths
• Mud Baths
• Saunas
• Steam Rooms
• Waxing, laser and other forms of hair removal for areas around the nose and mouth that would necessitate mask removal (e.g. lips, chins, nostrils, etc.)
• Botox and other facial fillers for areas around the nose and mouth that would necessitate mask removal (e.g. lips, chins, nostrils, etc.)
• Permanent cosmetic services for areas around the nose and mouth that would necessitate mask removal (e.g. lips, chins, nostrils, etc.)
• Whirlpools

Question: Why did the governor say that salons are open but spas must remain closed?

Answer: We recognize that this detail caused confusion since many services like waxing, facials, manicures/pedicures, are offered in both salon and spa settings. These services are allowed to be performed in both salon and spa settings. However, many spas also offer services such as steam...
rooms, saunas, hot tubs, and other shared spaces that are not permitted at this time. Please review the above lists of approved vs. not approved services to determine what might be offered in a spa setting.

**Question:** The current guidance states “No more than 10 people in a facility at one time, at a maximum of 50% occupancy” but what if 50% occupancy is more than 10 people? Which number takes precedence?

**Answer:** The cap is 10 people **total** in a shared business space. This limit is in effect due to the inherent interactive nature of personal services. If a salon or spa employs fewer than 10 people, the workforce should be cut to 50% since the size of the space is likely smaller. In short, whichever results in less people between calculating 50% or only allowing 10 people at a time, use that number. This applies regardless of a facility’s square footage or partitions between workstations. We also recommend the use of staggered work schedules to better accommodate this requirement.

**Question:** What about a building where personal services are provided, with a single entrance/exit, shared hallway/common space, but individually operated studios/units (each with 4 walls and a door) within that larger building? (Not applicable to individually leased chairs/stations without walls and a door separating them)

**Answer:** Individual operators may utilize separate units (each with 4 walls and a door) in a building and follow all of the PHO requirements for that individual unit. The shared space in the building must comply with the office guidelines for shared spaces, with no group use of shared spaces. Customers and staff should wear face coverings and maintain 6 feet distance as they move through the hallways to get to the space where service is provided, but cannot congregate in the lobby and other shared spaces, and only restrooms (not changing rooms or lounges) should be open.

**Question:** My business provides services that can’t be conducted when the client is wearing a mask (lip waxes, facials, beard trims, etc.) Can clients remove masks to have these services performed?

**Answer:** No. Masks must be worn for the entire duration of service, unless a medical exception exists. See the following questions for more details.

**Question:** How and where can I obtain masks and gloves for my employees and customers?

**Answer:** We recognize that the ongoing difficulty in acquiring personal protective equipment (known as PPE) is frustrating. CDPHE will be providing updates as more materials become available. However, it is important to note that Colorado, along with the rest of the United States, is still experiencing a PPE shortage. Therefore, PPE, and especially equipment like N95 masks, gowns, face shields, and bonnets, will continue to be prioritized for healthcare professionals that are on the front lines fighting the virus.

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If you need to create and provide homemade masks for your employees due to lack of medical-grade PPE, follow these guidelines for ensuring your homemade coverings are as safe as possible.

**Question:** If customers are required to wear masks, can I tell customers who don’t wear masks to leave?

**Answer:** Masks are required, unless a medical exemption exists for individuals who cannot wear a mask due to a medical condition, or for anyone who cannot remove a mask without assistance, including children under the age of 2 years, per CDC guidance.

**Question:** Will blow drying hair be eliminated due to the potential increased spread of the virus?

**Answer:** At this time, blowing drying services can still be performed while respecting the no less than 6 foot distance requirements and regular sanitation and disinfection of shared tools and equipment between each customer.

**Question:** I don’t believe it’s safe to be called back into work yet. What are my options as an employee?

**Answer:** We recognize that the decision to return to work amid the COVID-19 crisis is a very personal one. If you have spoken with your employer and are unable to reach a compromise on this issue, please view this information from the Department of Labor and Employment (CDLE).

**What resources are available for those employees who may have lost employment or had their hours reduced during the COVID-19 Stay at Home Order?**

You might be eligible for unemployment benefits depending on the circumstances of your reduced wages or hours. At this time, the CARES Act provides additional benefits to those who have exhausted their regular unemployment benefits and it also provides an additional $600/week for all eligible unemployment claimants. Visit the Safer at Home website for more information, or file a claim at www.coloradoui.gov

**Where can I get more information on small business assistance?**

The Small Business Administration (SBA) offers a variety of resources, including some non-loan options after recent adjustments. Small business owners need to contact the SBA disaster assistance customer service center at 800-659-2955 or email disastercustomerservice@sba.gov. To apply for the loans, visit DisasterLoan.SBA.gov. Additional small business relief resources can be found through the Colorado Office of Economic Development and International Trade (OEDIT).

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