

Guidance for Food Service Establishments Re-Opening During Phase One of the Plan to Re-Open Kansas

The state’s framework to resume business operations — “Ad Astra: A Plan to Re-Open Kansas” — was established via Executive Order No. 20-29 issued by Governor Laura Kelly on April 30, 2020. Under Phase One of the framework, all businesses, including restaurants and other food service establishments, will be allowed to resume business dine-in operations beginning on Monday, May 4, but only under certain conditions as outlined below.

It is important to note that **local governments retain the authority to impose additional restrictions**, including local “stay-at-home” orders. Any specific guidelines not outlined by the Governor’s re-opening framework are the jurisdiction of each local government. Each business must be aware of any additional restrictions that may be issued by local authorities.

Restaurants and Other Food Service Establishments may open IF:

- They can maintain at least **6 feet of distance** between consumers (individuals or groups). Restaurants and dining establishments may meet this requirement by using physical barriers sufficient to prevent virus spread between seated customers or groups of seated customers.
- **AND fundamental cleaning and public health practices** are followed. Businesses should follow industry specific guidelines and best practices guidance (see below).
- **AND** businesses must avoid any instances in which groups of **more than 10 individuals** are in one location and are unable to consistently maintain 6 feet of distance with only infrequent or incidental moments of closer proximity. This does not limit the total occupancy of a business, but requires that businesses limit areas and instances in which consistent physical distancing cannot be maintained, such as in tables, entrances, lobbies, break rooms, check-out areas, etc.
- Note: Bars and night clubs can NOT open in this phase, excluding already operating curbside and carryout services.

Which types of food service establishments are included in these guidelines?

- Restaurants
- Fast-food establishments
- Grocery stores
- Convenience stores
- Food trucks

When does Phase One reopening begin?

- This re-opening plan begins May 4, 2020. Check with your local government to make sure they have not added any additional restrictions.

Are there still rules prohibiting buffets, salad bars, and self-service drink stations?

- Any rules regarding self-service food and beverages will be set by local health authorities. Please consult your local government to determine whether self-service food and beverages will be allowed in your area.

What kind of cleaning do we need to do as we re-open?

- If your business has been closed to the public during this time period, it is recommended that the entire facility be cleaned and disinfected, including all table and counter surfaces, doors, and bathrooms before re-opening.
- Please refer KDHE's document on [Cleaning and Disinfecting Your Business/Facility](#) for more thorough guidance related to cleaning and disinfecting during the COVID-19 outbreak.
- As always, cleaning and sanitizing of your facility, equipment, and utensils should follow the guidelines in the "Safe and Clean" section of KDA's [Focus on Food Safety](#) booklet.
- Additional guidance can be found from the U.S. Food and Drug Administration in their document [Best Practices for Retail Food Stores, Restaurants and Food Pick-Up/Delivery Services During the COVID-19 Pandemic](#) and from the National Restaurant Association's [COVID-19 Reopening Guidance: A Guide for the Restaurant Industry](#).

How should we monitor employees for potential illness?

Continue to follow KDHE's guidance for responding to sick employees:

- Actively encourage sick employees to stay home. Employees who have symptoms of acute respiratory illness are recommended to stay home until they are free of a fever and any other symptoms for at least 72 hours and at least 7 days have passed since symptoms first appeared.
- Employees should notify their supervisor and stay home if they are sick.
- If employees appear to have acute respiratory illness symptoms upon arrival to work or become sick during the day, they should be separated from other employees and sent home immediately.
- Emphasize respiratory etiquette and hand hygiene by all employees
- Provide soap and water at handwashing sinks and alcohol-based hand sanitizer at appropriate locations in the workplace.
- Consult KDHE's document on [Guidance for Businesses and Employers to Respond to Coronavirus Disease 2019](#) for more thorough guidance.
- As always, consider the guidelines about sick food workers included in KDA's [Focus on Food Safety](#) booklet.

How should a restaurant achieve the required social distancing and limitations on mass gatherings?

- Ensure that customer seating areas are at least 6 feet apart (tables, barstools, etc.) If tables/seating areas are separated by physical barriers sufficient to prevent virus spread between seated customers or groups of seated customers that can take the place of the 6-foot distance.
- Outdoor seating areas must comply with the same social distancing requirements.

- Do not seat any groups larger than 10.
- Consider employee workspaces and develop a plan that maintains distance between staff.
- Develop a plan for spacing of customers who are waiting in the lobby and/or other shared spaces.
- Encourage 6-foot distance between individuals in any lines: for payment, waiting for carryout food, for bathrooms, etc.

Does it matter anymore if something is an “essential business”?

- Industries or functions that are already in operation pursuant to the Kansas Essential Functions Framework (KEFF) may continue to function while, if possible, avoiding gatherings of more than 10 individuals where social distancing measures are difficult to maintain.
- Any local government that decides to impose equal or more stringent restrictions during this phase is permitted to do so, except that essential functions in KEFF must not be restricted.
- Any federal restrictions imposed and still in effect must be followed.

Additional Resources

- For current information about Kansas’ response to COVID-19, and to sign up for updates, go to the Kansas COVID-19 Resource Center at www.covid.ks.gov.
- Please consult the Kansas Department of Agriculture’s food safety and lodging program for additional information about food safety in Kansas: www.agriculture.ks.gov/FSL.
- Additional guidance has been provided by the U.S. Food and Drug Administration on their website: [Best Practices for Retail Food Stores, Restaurants and Food Pick-Up/Delivery Services During the COVID-19 Pandemic](#).
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