

# Eating and Drinking Establishment COVID-19 Requirements

## Summary of June 2, 2021 changes:

1. Clarified changes for fully vaccinated individuals.
2. Linked updated Department of Labor & Industries guidance.
3. Removed language that is duplicated in the Labor & industries guidance or outdated.

## Summary of the March 17, 2021 changes:

1. Added Phase 3 requirements and modifications:
  - a. Indoor dining capacity allowed at 50%.
  - b. Table size increased to 10 with no household restrictions.
  - c. Alcohol service allowed until 12 a.m.
2. Other minor wording clarifications.

Eating and drinking establishments must adopt a written procedure that is at least as strict as the requirements in this document and that complies with the appropriate safety and health requirements and guidelines established by the Washington State Department of Labor & Industries and the Washington State Department of Health.

For purposes of this document an eating and drinking establishment includes, but is not limited to, restaurants, cafes, food courts, breweries, brewpubs, taverns, wine bars, wineries, distilleries, tasting rooms, private clubs and night clubs, or other establishments where food is offered/sold.

Prior to recommencing on-site services, all business owners are required to develop at each establishment, a comprehensive COVID-19 exposure control, mitigation, and recovery plan which must be adhered to. A site-specific COVID-19 monitor shall be designated at each location to monitor the health of individuals and enforce the COVID-19 job site safety plan. A copy of the plan must be available at all locations and available for inspection by state and local authorities. Failure to meet this requirement may result in sanctions up to, and including, license suspension.

All eating and drinking establishments can refer to [Department of Health guidance](#) for additional recommendations.

## Phase 1

1. Indoor seating is prohibited. Outdoor and open-air seating and to-go service are permitted, provided that all outdoor/open-air dining must comply with the requirements of the Outdoor and Open-air Seating Guidance [here](#).
2. For liquor licensees who want to add outdoor seating to their premises, please go to the Washington State Liquor and Cannabis Board (WSLCB) website, [here](#), to access the Liquor Alterations Request Form. Please submit completed forms to [liquoralterations@lcb.wa.gov](mailto:liquoralterations@lcb.wa.gov).

## Phase 2

1. Indoor seating is permitted at 25% capacity if physical distance between adjacent tables (as noted below) can be achieved. This includes food courts.

2. Table size is limited to a maximum of six (6) people and a maximum of two (2) households.
3. Alcohol service, delivery, and consumption, including beer, wine, and spirits, must end at 11:00 p.m. Food service may continue past 11 pm.

### Phase 3

1. Indoor seating is permitted at 50% capacity if physical distance between adjacent tables (as noted below) can be achieved. This includes food courts.
2. Table size is limited to a maximum of ten (10) people with no household restriction.
3. Alcohol service, delivery, and consumption, including beer, wine, and spirits, must end at 12:00 a.m. Food service may continue past 12 a.m.

### All Phases

1. Liquor licensees must offer food service. Food may be sold or provided free-of-charge in at least one of the following ways:
  - a. Onsite food: At a minimum, food service should include a combination of small serving food items such as a mix of hors d'oeuvre type foods, cheeses, fruits, vegetables, deli-style meats, chips, pretzels, nuts, popcorn, crackers, or similar items. Food may be prepackaged for individual sale and consumption or prepared off-site for plating for the customer.
  - b. Offsite food: Customers may bring food from an outside business. The liquor licensee must post in a visible place, a list of multiple local restaurants or food trucks where customers can purchase food during hours of operation. The list shall include names, addresses, contact information, and hours of operation for each restaurant or food truck named.
2. Tables must be placed so that adjacent tables are a minimum of 6 feet away from each other, or there must be a physical barrier or wall at least standing height tall separating booths or tables.
3. If the establishment does not offer table service (i.e. wait staff), they must have protocols in place to ensure adequate social distancing at food and/or drink pick-up stations, and within their seating area.
4. No bar area seating is permitted. This is the area with a bar table/counter where patrons sit or stand side-by-side. If an establishment has bar area seating it must be closed off to prohibit use. Counter-style seating is permitted in other areas of the establishment (indoors or outdoors). Six feet of distance is required between other tables.
5. Customers must wear a face covering anytime they are not actively eating or drinking. This includes when arriving or leaving, while going to the restroom, and while they are seated at tables and talking.
6. Single use menus or reusable menus that are sanitized after each use are required.
7. Minimize the number of staff serving any given table. It is strongly recommended that one staff person take a table's order, bring all of their beverages/food/utensils, take their payment, etc.
8. Hand sanitizer should be available at entry for all staff and patrons (assuming supply availability).
9. Any condiments typically left on the table (ketchup, soy sauce, etc.) must be single-use or sanitized after each use.
10. Buffets and salad bars are permitted and must follow [Department of Health guidance](#).
11. All establishments must have implemented a plan to ensure proper physical distancing in lobby/waiting areas/payment counters.

12. Standing is prohibited in any area of the establishment, except when engaging in allowable entertainment activities or while in the lobby/waiting area. In these instances, 6 feet of distance between patrons must be maintained.
13. Please see [Indoor Entertainment Guidance](#) for allowable activities such as darts, billiards, and arcade games, etc.
14. Please see [Theater and Performing Arts Guidance](#) for allowable live entertainment. Dancing is prohibited.

#### **Fully Vaccinated Individuals:**

\*\*\* Nothing in this section repeals any of the other provisions found in this document. Rather, this section creates limited exemptions for fully vaccinated individuals. \*\*\*

1. Customers: In accordance with the Secretary of Health's [Order 20-03.2](#), fully vaccinated individuals are exempt from the requirement to wear a face covering. A person is fully vaccinated against COVID-19 two weeks after they have received the second dose in a two-dose series (Pfizer-BioNTech or Moderna) or two weeks after they have received a single-dose vaccine (Johnson and Johnson/Janssen).

Fully vaccinated individuals are also exempt from physical distancing requirements.

To implement this section, businesses may:

- a. Implement an honor system;
  - b. Engage with customers to ask about vaccination status;
  - c. Require proof of vaccination status; or
  - d. Continue mandating the use of face coverings.
2. Employees: Follow the requirements from the Department of Labor & Industries [here](#).

#### **Safety and Health Requirements**

All employers have a general obligation to maintain a safe and healthy workplace in accordance with state and federal law and safety and health rules for a variety of workplace hazards. Employers must specifically ensure operations follow the main Labor & Industries COVID-19 requirements to protect workers. COVID-19 workplace and safety requirements can be found [here](#).

Additional information is available at [Novel Coronavirus Outbreak \(COVID-19\) Resources](#) and [Paid Leave under the Washington Family Care Act and the Families First Coronavirus Response Act](#)