



BULLETIN #69/2020 MAY 18, 2020

_CORONAVIRUS UPDATE #55

GOV. BAKER ANNOUNCES FIRST PHASE OF FOUR-PHASE RE-OPENING PLAN

NO CHANGES FOR VEHICLE SERVICE/REPAIR, PARTS OPERATIONS – STILL OPEN AS ESSENTIAL

DEALERSHIP SALES STILL TO FOLLOW MAY 4 RULES, ADDING CURBSIDE DELIVERY ON MAY 25, AND SHOWROOMS OPEN IN PHASE TWO

ALL BUSINESSES TO FOLLOW MANDATORY COVID-19 PROTOCOLS CHECKLIST

NADA DEALERSHIP LIFELINE WEBINARS SCHEDULE

MASSACHUSETTS COVID-19 DAILY TRACKER

[This bulletin supplements our previous bulletins #11 and #16 through #68 on this subject matter. These bulletins are intended to be cumulative so we can avoid repeating the same information.]

Gov. Baker Announces First Phase of Four-Phase Re-Opening Plan; Dealerships Must Follow New Rules

This morning Gov. Charlie Baker announced a set of recommendations created by the Re-opening Advisory Board that sets a four-phase plan for re-opening the Massachusetts economy over the next two months. At today's press event, the governor laid out the details for phase one, in which essential businesses will continue to operate (**this includes auto service/repair and parts**) and manufacturing and construction companies along with houses of worship will resume operations today under a strict set of safety and health standards.

Under phase one, the governor is allowing other sectors of the economy to open effective May 25, including:

- Lab space;
- Office space at 25 percent capacity, except in Boston;
- Limited personal services, such as hair salons and barbershops, pet grooming, exterior car washes; and
- Retail, with remote fulfillment and curbside pick-up (**including vehicle sales**).

Also permitted to open on May 25 with applicable guidelines are health and human services and various recreation and outdoor activities. Additional sectors are expected to



services and various recreation and outdoor activities. Additional sectors are expected to open on June 1 as part of phase one including office spaces in the City of Boston with applicable guidelines.

According to the governor's documents, retail stores and restaurants will open their doors in subsequent phases of the re-opening plan. **Dealership showrooms are set to open for "browsing" in phase two.**

Each phase will last a minimum of three weeks and could last longer depending upon public-health data.

Non-essential companies seeking to open under the plan must certify compliance with both general workplace safety standards and sector-specific protocols before they open their doors.

Companies operating as essential business have until May 25 to certify compliance with those standards and protocols.

The mandatory safety standards and protocols for workplaces can be found [here](#).

The plan contains the specific four-part checklist for complying with the aforementioned mandatory safety and health protocols at the business in the areas of social distancing, hygiene, staffing and operations, and cleaning and disinfectant. Required materials for businesses to self-certify are located on [mass.gov/reopening](https://www.mass.gov/reopening), and include:

- COVID-19 Control Plan template, which must be retained on premises and provided in the event of an inspection;
- Compliance Attestation poster to be posted in a location visible to employees and visitors indicating a completed COVID-19 Control Plan; and
- Other posters and signs describing rules for maintaining social distancing, hygiene protocols, and cleaning/disinfecting.

TO DO:

The Massachusetts Re-Opening website can be accessed [here](#).

The Re-Opening Plan can be accessed [here](#).

The list of businesses with assigned opening phase is found [here](#).

• For businesses that are deemed essential, such as **auto repair/service and parts**, they have been allowed to be open all along and are now required to comply with Mandatory Workplace Safety Standards and any applicable sector specific safety protocols and best practices by May 25, 2020. Those standards and protocols can be found [here](#).

• For **auto dealer sales**, they still need to follow the "guidelines for non-essential retail and car dealerships" found in the Essential Services FAQ [here](#), as we detailed in Bulletin #57 on May 4, 2020. (See excerpt below.) Under phase one, beginning May 25, the requirements call for curbside pickup/delivery only. Under phase two (which theoretically could start June 8), the report allows for "browsing inside the showroom with



restrictions.” [We are seeking clarification as to what they envision these concepts to mean in practice.] This side of the business will also need to comply with the applicable sector specific safety protocols and best practices found [here](#).

The COVID-19 Control Plan compliance attestation poster can be found [here](#).

The COVID-19 Control Plan template can be found [here](#).

The employer guidance poster can be found [here](#).

Excerpt from Bulletin #57 (5/4/20) describing sales standards:

Although showrooms are still required to be closed, the administration has now laid out specific standards under which sales can occur via the internet and remotely and how vehicle deliveries are to be made. The new standards do not affect repair/service and parts activities, which all along have been deemed essential services and allowed to be open. The new standards are effective as of tonight.

The **first new entry to the FAQs** deals with **car dealership sales activities:**

Can a car dealership be open for car sales? YES, in a limited manner and only if following the guidelines for remote fulfillment, and the specific guidelines for car dealerships below:

- The dealership must remain closed to the public and sales must be conducted exclusively via phone or online, and the dealership must follow the remote fulfillment guidelines specified elsewhere in this guidance document.
- Test drives are not permitted.
- To the maximum extent feasible, processing of documents should occur electronically. Any processing of documents that must occur in person should be done in compliance with social distancing protocols.
- The transfer and delivery and return of vehicles (new or leased or trade-in) may be conducted in person by appointment only at the dealership, or at a customer’s residence.
- The dealership service department/garage may continue to operate as an essential service.

The **second new FAQ entry** deals with “**the guidelines for remote fulfillment**” as it now relates to the conduct of retail vehicle sales. (The remote fulfillment standards have been an on-going request of retailers since the issuance of the governor’s original closure order in late March.)

Can non-essential businesses bring in a small number of employees in order to remotely fulfill online or phone orders? YES, if following the remote fulfillment guidelines below:

- Facilities must be closed to the public, as the allowance is for the fulfillment of remote sales/orders only.
- Employees may only be engaged in the packaging and delivery/shipping of phone and online orders, not the manufacturing of those product.



- Operating hours must allow for sufficient ongoing off-hour sanitation/cleaning.
- All employees must wear face coverings while on-site.
- All employees must maintain 6 feet social distancing and employers should stagger employees within the facility to ensure social distancing.
- Any deliveries made by employees must be 'no-contact' deliveries: items must be left in mailboxes, mailrooms, garages, lobbies, at doorstep, or similar no-contact drop-off points.
- Employers must stagger shift start/stop times and breaks/lunchtimes in order to minimize contact.
- Facilities must have readily accessible hand sanitizer and hand washing facilities for employee use.
- In a closed facility that is used for remote fulfillment:
 - There must be enough space within the facility for all employees present to be able to maintain six feet of social distancing
 - In a facility under 10,000 square feet, a maximum of 3 employees may be allowed on the premises at a time
 - In a facility between 10,000 – 30,000 square feet, a maximum of 5 employees may be allowed on the premises at a time
 - In a facility more than 30,000 square feet, a maximum of 7 employees may be allowed on the premises at a time
- Employee work spaces must be cleaned frequently, following public health guidelines.
- Employers must require employees to self-administer a temperature check prior to beginning each shift. Any employee with any symptoms, including a temperature over 100.0 degrees, must not report to work and should self-isolate, contact their doctor and follow medical guidance.
- Employees in quarantine, due to exposure to a known case of COVID-19 or someone with COVID-19 like illness, must remain under quarantine for 14 days since day of exposure and not report to work.
- Employers must strictly adhere to any further workplace guidance.
- Facilities found in noncompliance with this order must be closed immediately.
- Facilities unable to fully comply with all of these parameters shall not operate.

NADA Dealership Lifeline Webinars Schedule for This Week

NADA's Lifeline Series Webinars designed to help dealers during the re-opening phase:

- **Tuesday, May 19, 1pm-2pm ET:** [*Creating the New Normal in Fixed Operations*](#). Randy McCleskey, NADA 20 Group consultant, and Russell Hill, a 30-year industry veteran, will discuss what service departments can do to thrive during COVID-19.
- **Wednesday, May 20, 1pm-2pm ET:** [*Video Communication: Building Trust in a Virtual Environment*](#). Tim Fortune, NADA 20 Group consultant, and Joe Shaker from TruVideo will discuss how you can use videos to build trust in a virtual environment for service and sales.
- **Thursday, May 21, 1pm-2pm ET:** [*NADA All Dealer Town Hall Meeting*](#). Join a virtual town hall meeting with NADA Chairman Rhett Ricart and NADA President and CEO Peter Welch.



· Friday, May 22, 1pm-2pm ET: [*The Best Ideas from NADA 20 Groups, Part 4: In Times of COVID-19 Pandemic.*](#) NADA 20 Group consultant Tim Gavin will review best ideas from NADA 20 Groups during these unprecedented times.

Daily Massachusetts COVID-19 Tracker

The state's COVID-19 Dashboard with up-to-the-date data can be found [here](#).