



COVID-19 PROTOCOLS FOR TANNING FACILITIES AND BODY ART ESTABLISHMENTS OPERATING PURSUANT TO EXECUTIVE ORDERS NO. 154 and 242

May 28, 2021

This document presents best practices for Body Art establishments and Tanning Facilities that have opened their premises to the public. Note that a portion of the listed protocols are mandatory for food and beverage establishments pursuant to Executive Order No. 192.

On June 13, 2020, Governor Murphy issued Executive Order No. 154 (2020), allowing personal care facilities, including tanning and body art establishments, to open effective at 6:00 a.m. on Monday, June 22, 2020. These facilities are now permitted to operate at full capacity, without regards to social distancing.

Executive Orders No. 241 and 242 amended masking requirements. Individuals are no longer required to wear masks in these public settings, though unvaccinated individuals are strongly encouraged to do so.

In addition to the recommended protocols below, facilities must continue to obtain all required municipal permits and local health authority approvals before opening and/or reopening and resuming operations. Ensure the tanning facility is registered with the New Jersey Department of Health (“DOH”). Initial and renewal applications can be found at: <https://www.nj.gov/health/ceohs/sanitation-safety/app-payments/>.

ESTABLISHMENT

Facilities offering tanning or establishments offering body art services are encouraged to follow the protocols listed below:

- Notify the local health department immediately of any known positive COVID-19 case in the facility and must cooperate with contact tracing while maintaining confidentiality.
- Maintain daily logs of all employees/clients/visitors entering the facility.
- Clean and sanitize/disinfect all common areas and contact surfaces prior to opening, after each use, and at the end of each day.



- Post signage at the entrance that states that no one with a fever or symptoms of COVID-19 should enter the establishment.
- Establish and implement a COVID-19 plan which, at a minimum, addresses training on illness reporting, infection control practices, social distancing, proper use of personal protective equipment, employee health assessment, and cleaning and disinfection procedures.
- Individuals entering the establishment are no longer required to wear masks in these public settings, though unvaccinated individuals are strongly encouraged to do so. Practitioners performing services are strongly encouraged to wear a mask.
- Routine disinfection and sanitization should be conducted for high-touch areas, such as doorknobs/handles, toilet areas, credit card machines, keypads, and counters to which the employees and clients have access.
- Provide sanitizing and disinfecting materials to staff, such as hand sanitizer and sanitizing wipes for hands and surface disinfecting wipes for environmental surfaces.
- Provide contactless/touchless payment options, wherever feasible.
- All tanning facilities and body art establishments are recommended to provide hand sanitizing station(s) meeting CDC requirements for hand sanitizers, with a minimum 60% alcohol.
- Encourage clients in tanning facilities to provide their own goggles or the facility should provide disposable goggles.

Indoor Air / Ventilation

Consider utilizing the following measures to increase air flow and ensure proper ventilation within the facility:

- Keep doors and windows open where possible and utilize fans to improve ventilation.
- Inspect and evaluate the heating, ventilation, and air conditioning (HVAC) unit to ensure that the system is operating within its design specifications and according to existing building code standards.



- Conduct routine maintenance as recommended by the manufacturer or HVAC professional.
- Within the design specification of the HVAC unit:
 - Increase the volume of outdoor air to the maximum capacity while the facility is occupied.
 - Reduce the volume of recirculated air being returned to the indoor spaces.
 - Increase the volume of air being delivered to the indoor spaces to the maximum capacity.
 - Select maximum filtration levels for the HVAC unit.
 - Run the HVAC unit continuously while the facility is occupied.
 - Run the HVAC unit for at least two hours before and two hours after the facility is occupied.
- Consider installing portable air cleaners equipped with a high efficiency particulate air (HEPA) filter to increase the amount of clean air within the facility.
- Review and follow the latest CDC guidance for ventilation requirements.

EMPLOYEES

Establishments **must** follow the requirements of Executive Order No. 192 (2020), including the health and safety protocols outlined in Paragraph 1, to protect their employees, customers, and other visitors at the worksite, which require establishments to abide by the following requirements:

- Provide sanitization materials, such as hand sanitizer that contains at least 60% alcohol and sanitizing wipes that are approved by the United States Environmental Protection Agency for SARS-CoV-2 virus to employees, customers, and visitors at no cost to those individuals.
- Ensure that employees practice regular hand hygiene, particularly when such employees are interacting with the public, and provide employees break time for repeated handwashing throughout the workday and access to adequate hand washing facilities. Employers may adopt policies that require employees to wear gloves in addition to regular hand hygiene. Where an employer requires its employees to wear gloves while at the worksite, the employer must provide such gloves to employees.



- Routinely clean and disinfect all high-touch areas in accordance with DOH and CDC guidelines, particularly in spaces that are accessible to employees, customers, or other individuals, including, but not limited to, restrooms, hand rails, door knobs, other common surfaces, safety equipment, and other frequently touched surfaces including employee used equipment, and ensure cleaning procedures following a known or potential exposure are in compliance with CDC recommendations;
- Prior to each shift, conduct daily health checks of employees, such as temperature screenings, visual symptom checking, self- assessment checklists, and/or health questionnaires, consistent with CDC guidance, including latest CDC guidance regarding COVID-19 symptoms, consistent with the confidentiality requirements of the ADA, NJLAD and any other applicable laws, and consistent with any guidance from the Equal Employment Opportunity Commission (“EEOC”) and the New Jersey Division on Civil Rights;
- Immediately separate and send home employees who appear to have symptoms, as defined by the CDC, consistent with COVID-19 illness upon arrival at work or who become sick during the day. Employers subject to the New Jersey Earned Sick Leave Law, New Jersey Family Leave Act, N.J.S.A. 34:11D-12 and/or federal leave laws must continue to follow the requirements of the law, including by allowing individuals to use accrued leave in the manner permitted by law and employer policy, when requiring employees to leave the workplace in accordance with the provisions of this subparagraph;
- Promptly notify all employees of any known exposure to COVID-19 at the worksite, consistent with the confidentiality requirements of the ADA and any other applicable laws, and consistent with guidance from the EEOC.
- Clean and disinfect the worksite in accordance with CDC guidelines when an employee at the site has been diagnosed with COVID-19 illness; and
- Continue to follow guidelines and directives issued by the New Jersey DOH, the CDC and the Occupational Safety and Health Administration, as applicable, for maintaining a clean, safe, and healthy work environment.
- In addition to the requirements above, establishments are encouraged to:
 - Require employees to wash and/or sanitize their hands when entering the food or beverage establishment



- Require all customer-facing employees (e.g. servers, bus staff) to minimize time spent within 6 ft of customers.
- Place tables in break rooms six feet apart and encourage outdoor breaks.
- Prohibit the use of small spaces (e.g. storage rooms) by more than one individual at a time.
- All employees shall wash hands when entering the facility, and before and after each client service.
- Dispose of all single use items in a closed container after each client. All other reusable items shall be immediately cleaned and disinfected or placed in a closed container for laundering and disinfection after each use. All reusable linens and towels will be laundered and dried completely.
- Establishments are permitted to require all employees to wear face coverings when inside the facility and when in contact with clients. Body artists should change face coverings between clients. (Consider use of face shield and/or goggles when in closer proximity with customers).
- Follow COVID-19 operational plan regarding routine cleaning and disinfection of frequently used and touched areas using only EPA registered disinfectants.
- For tanning facilities, follow disinfectant guidelines according to sunlamp equipment manufacturer's directions to ensure compatible cleaning and disinfecting agents are used with required minimum contact times.

Available Resources

- NJDOH Communicable Disease Service COVID-19 information
<https://www.nj.gov/health/cd/topics/ncov.shtml>
- Directory of Local Health Departments in NJ
<https://www.nj.gov/health/webdata/lh/documents/lhdirectory.pdf>
- Interim Guidance for Businesses and Employers Responding to Coronavirus Disease 2019 (COVID-19), May 2020



<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

- CDC's guidance on How to Protect Yourself and Others
<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>
- CDC General Business Frequently Asked Questions
<https://www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html>
- OSHA Guidance on Preparing Workplaces for COVID-19
<https://www.osha.gov/Publications/OSHA3990.pdf>
- CDC, Cleaning and Disinfecting
<https://www.cdc.gov/coronavirus/2019-ncov/community/clean-disinfect/..index.html>
- NJDOH, Information for Communities and the General Public
https://www.nj.gov/health/cd/topics/covid2019_community.shtml
- Body Art Education Alliance's guidelines for reopening body art establishments
<https://www.neha.org/eh-topics/body-art-0/body-art-resources>