



GOVERNMENT OF GUAM

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DPHSS Guidance Memo. 2020-05

RE: Additional Guidance Relative to Executive Order Nos. 2020-04, 05, 06, 07, and 09

This Guidance replaces, in its entirety, the DPHSS Guidance Memo. 2020-03 dated April 3, 2020; which was issued in error. This Guidance supplements DPHSS Guidance Memoranda 2020-01 and 2020-02 issued by the Guam Department of Public Health and Social Services on March 19, 2020 and March 28, 2020, respectively.

The purpose of this Guidance is to provide further clarification on what business operations are deemed essential services, and those businesses and areas that are prohibited from operations and/or congregations.

In accordance with Section 5 of Executive Order ("E.O.") No. 2020-05, the following clarification is provided and shall be applicable to Executive Orders 2020-04, 05, 06, 07, and 09:

1. Definitions:

- a. "Congregation" or "Social Gathering" shall mean a meeting of more than one person where the individuals are not members of a single household unit.
- b. "Immediate Family Unit" shall mean individuals within the same family household.
- c. "Essential Businesses" shall mean:
 - i. Healthcare Operations and Essential Infrastructure;
 - ii. Eating and Drinking Establishments;
 - iii. Essential Retail Stores
 - iv. Food Establishments;
 - v. Food cultivation, including farming, livestock, and fishing;
 - vi. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
 - vii. Newspapers, television, radio, and other media services;
 - viii. Gas stations and auto-supply, auto-repair, bicycle repair and related facilities;

- ix. Banks and related financial institutions (i.e., payroll, accounting, insurance, check cashing, and money transfer operations);
 - x. Hardware stores;
 - xi. Plumbers, electricians, exterminators, builders, contractors, HVAC technicians, landscapers, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, essential activities, and essential businesses;
 - xii. Businesses providing mailing and shipping services, including post office boxes;
 - xiii. Educational institutions, including public and private K-12 schools, colleges, and universities, for the purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
 - xiv. Laundromats, dry cleaners, and laundry service providers;
 - xv. Businesses that primarily supply products needed for people to work from home;
 - xvi. Businesses that primarily supply other essential businesses with the support or supplies necessary to operate;
 - xvii. Businesses that ship or deliver groceries, food, goods or services directly to residences;
 - xviii. Airlines, taxis, and other private transportation providers providing transportation services necessary for essential activities and other purposes expressly authorized in Executive Order No. 2020-05;
 - xix. Home-based care for seniors or adults;
 - xx. Residential facilities and shelters for seniors, adults, and children;
 - xxi. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
 - xxii. Vehicle and moped rental businesses;
 - xxiii. Automobile and bicycle sales, provided that sales must be conducted remotely or electronically. Automobiles may be delivered and leases can be returned in person “by appointment only;”
 - xxiv. Distributors, wholesalers, and providers to essential business may continue operations; and
 - xxv. Business operations of firearms or ammunition products and accessories.
- d. “Eating and Drinking Establishments” means those businesses, such as restaurants and other facilities that prepare and serve food, but only for delivery, carry out, or drive-through. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under Executive Order No. 2020-05 on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not allow the food to be eaten at the site where it is provided, or at any other gathering site on their premises.

- e. “Essential Infrastructure” means those businesses which includes, but is not limited to:
 - i. Public works construction;
 - ii. Construction of housing (in particular affordable housing or housing for individuals experiencing homelessness);
 - iii. Airport operations;
 - iv. Water, wastewater, gas, electrical, oil refining, roads and highway operations;
 - v. Public transportation;
 - vi. Solid waste collection and removal;
 - vii. Internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications and web-based services); and
 - viii. Hotels and places of accommodation.

- f. “Essential Retail Stores” means those retail stores that primarily sell essential household consumer commodities that are necessary to maintain the essential daily requirements for health, safety, and sanitation for residences, such as pharmaceuticals, cleaning and sanitizing products, personal care products, and other non-grocery products. Essential items which may be sold at Essential Retail Stores include, but are not limited to: butane stoves, butane gas, propane gas tank refills, charcoal, rice cookers, microwaves, fans, air conditioners, bath towels, sheets/bedding, mattresses, candles, batteries, cooking pans and utensils, vacuum cleaners, coolers, and small appliances. Determination of commodities available for sale shall be restricted to the authorized operations as stated in the Business License issued by the Department of Revenue and Taxation.

- g. “Food Establishments” means those businesses, such as grocery stores; certified farmers’ markets; farm and produce stands; supermarkets; food banks; convenience stores; and other establishments primarily engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, livestock and pet food, fresh meats, fish, and poultry.

- h. “Healthcare Operations” means:
 - i. Hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services.
 - ii. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals.

- i. “Healthcare Operations” does not include fitness centers, exercise gyms, and similar facilities; daycare facilities; and therapeutic massage establishments without physician’s order.

- j. “Non-essential Retail Stores” means those retail stores that primarily sell non-essential items. Examples include, but are not limited to:
 - i. Clothing/Shoe stores;
 - ii. Furniture stores;
 - iii. Jewelry stores;
 - iv. Kiosks;
 - v. Novelty shops (theme-oriented type of stores);
 - vi. Sporting goods stores;
 - vii. Vape shops; and
 - viii. Video stores and rentals.

 - k. “Primarily” shall mean at least eighty percent (80%) of all operations.
2. Approved for Business Operations/Activities:
- a. Essential businesses (as defined above);
 - b. Essential infrastructure (as defined above);
 - c. Essential Retail Stores (as defined above);
 - d. Funeral services (both religious and non-religious) restricted to immediate family units or a single household, not to exceed ten people at any given moment;
 - e. Hotels will be allowed to continue limited operations to allow their guests to stay in their facilities, but non-essential operations, such as bars, ballrooms, fitness centers, and swimming pools are not permitted to operate;
 - f. Trash and recycling collection, processing, and disposal services;
 - g. Building cleaning and maintenance operations (i.e. janitorial services, landscaping services, and pool maintenance);
 - h. Security companies to maintain building access control and physical security measures;
 - i. Armored cash carriers;
 - j. Funeral homes, crematoriums, and cemeteries;
 - k. Animal shelters;
 - l. Vehicle safety inspection facilities; and
 - m. Defense and national security-related operations supporting the U.S. Government or a contractor to the U.S. government.

Personnel shall be limited to those who are needed to provide essential services to maintain basic operations, which include security, payroll, and other similar activities for these business operations.

All businesses approved for operation should comply with the social distancing guidelines, frequent cleaning of all surfaces, posting of signs, and permitting/encouraging teleworking requirements of Executive Order No. 2020-04 to the maximum extent possible.

Retail operations and any other customer-facing services must comply with the guidelines specified in DPHSS Guidance Memo 2020-02.

3. Not Approved for Operations - Subject to Closure and Prohibition from On-Site Operations
 - a. Non-essential government of Guam offices;
 - b. Non-essential retail stores;
 - c. Educational institutions, including public and private K-12 schools, colleges, and universities and those staff not engaged in distance learning or performing essential functions;
 - d. Child care center facilities;
 - e. Dive Shops;
 - f. Tourist attraction sites and venues;
 - g. Bars and taverns;
 - h. Gymnasiums and fitness centers;
 - i. Movie theaters;
 - j. Sporting events;
 - k. Public swimming pools;
 - l. Firing ranges;
 - m. Real estate services;
 - n. Therapeutic massage establishments;
 - o. Automobile detailing services (i.e., cleaning, tinting, washing, waxing);
 - p. Animal grooming and training facilities;
 - q. Travel agencies;
 - r. All Places of Worship; and
 - s. All government of Guam public parks and beaches, except for individual use for purposes of exercise, both physical and mental, provided that individuals abide by the social distancing requirements of six feet.

4. "Face mask" is defined as a material that covers the nose and mouth and can be secured to the head with ties or straps or wrapped around the lower face.

For further questions, please contact the Division of Environmental Health at 300-9579 from 8 am to 5 pm, Monday through Friday.



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