

Crystal Clear Compliance: Connecticut Outlines How COVID-19 Sector Rules Will Be Enforced Against Non-Compliant Businesses

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05.26.2020

By Zachary Zeid



On May 20, 2020, Connecticut businesses in certain sectors of the economy were permitted to reopen pursuant to Phase One of the state's reopening plan. To prepare for a safe reopening, the state released Sector Rules outlining the various requirements for businesses in each sector. The rules mandate that employers implement and follow strict protocols, including cleaning, social distancing, and reduced capacity. Shortly after businesses began to reopen, additional guidance was released clarifying how the Sector Rules would be enforced.

According to the additional guidance from the state, local health officials, local law enforcement, cities, and towns will be primarily responsible for enforcing the Sector Rules and other public health regulations. Businesses may be inspected to ensure compliance with the rules, and employees, customers, residents, and visitors are being encouraged to report bona fide violations to local law enforcement.

In most instances, a first violation will result in a warning. For subsequent or more egregious violations, a referral will be made to the local health department or chief elected official designee, which may then order the business closed.

It is unclear whether there is an appeal process or if businesses can dispute frivolous complaints without resorting to court proceedings. Because of this uncertainty, employers should be diligent to ensure compliance with the Sector Rules to avoid possible closure or other liability.

If your organization is unsure about its obligations under the Sector Rules or other COVID-19 guidance, please contact any of our Labor and Employment Law attorneys for assistance.

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WATERBURY
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