



COVID-19 Guidance for Businesses

Managing Non-Compliant Patrons and Visitors

Updates

12/29/2021: Updated to reflect the current state of the pandemic, including new COVID-19 variants and vaccine requirements for some businesses.

In response to the ongoing community transmission of COVID-19 and the presence of new and emerging variants, the LA County [Health Officer Order](#) requires businesses to take steps to ensure the safety of their customers and employees, including universal masking indoors and, for some businesses, verification of vaccination status or a negative test prior to entry. Requiring masking and vaccination will help to reduce community spread, lower the risk to employees, and encourage residents to get vaccinated.

Factors that increase the risk of infection, including transmission to people more than 6 feet away, include:

- Enclosed spaces with inadequate ventilation or air handling that allow for build-up of exhaled respiratory fluids, especially very fine droplets and aerosol particles, in the air.
- Increased exhalation of respiratory fluids that can occur when an infectious person is engaged in physical exertion or raises their voice (e.g., exercising, shouting, singing).
- Prolonged exposure to these conditions.

In combination, requiring masks indoors and encouraging residents to get vaccinated are effective ways to reduce the risk of spreading COVID-19 in the community. Nevertheless, businesses may encounter customers who do not comply with masking and vaccination rules. This document provides guidance for managing these situations.

PLANNING TIPS

1. Maintain a COVID-19 Safety Team for your business that hosts regular meetings between staff and supervisors to create, review, and assess safety measures for staff.
 - The Safety Team should:
 - Review the current public health and company COVID-19 protocols with supervisors and employees to ensure that all staff understand the requirements.
 - Help supervisors and staff work together to develop safety measures for handling situations where a customer is not in compliance with public health or company protocols. Safety measures should include how other staff and supervisors can provide support in situations when a customer may not want to comply.
 - Ensure that all staff have been trained on the safety measures, including recognizing when a customer is out of compliance as well as company strategies on how to remedy the situation. The training should also include de-escalation measures that might be necessary if the customer continues to refuse to comply.
 - Provide support for overall COVID-19 safety for the business.





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2. Create and review a communications plan:
 - a. Share messages on social media, company webpages, and other customer or visitor communications that outline company policy on use of face masks, proof of vaccination or a negative test result, and other infection control practices.
 - b. Post large, clearly visible [signs](#) throughout the establishment outlining the need for face masks, proof of vaccination or a negative test result, and other infection control measures.
3. Consider having face masks available to offer to individuals who come to the business without one.
4. Maximize opportunities for customers or visitors to make use of services remotely such as curbside pick-up or online purchases. If your business is subject to a vaccination requirement for indoor service, consider offering an outdoor service space, if feasible, for customers who are not fully vaccinated.
5. For businesses that do not have staff, consider installing cameras. If customers know they are being recorded it may deter them from being non-compliant. Signage should be used to let people know they are being recorded.

OPERATIONAL TIPS

If a customer comes into your business and is not wearing a face mask or refuses to provide proof of vaccination or a negative test result, consider the following steps to bring them into compliance. These steps may be modified to match the company's safety plan:

1. Identify a single staff person to approach the visitor or customer and calmly and politely remind them of the company policy. This will help limit exposure to multiple staff members.
 - Staff can refer to the posted signs mentioned above.
2. Offer a face mask if the establishment has extras on hand for the public.
3. If the customer states that they have been advised by their medical provider to not wear a face mask, offer to provide them with alternatives, such as curbside pick-up or online services, but instruct them that they must exit the facility. Be sure to clarify that the customer is not being denied service but simply entry into the facility because they are not wearing a face mask or, if applicable, providing proof of vaccination or a negative test result.
4. If the customer states that they have received an exemption from the vaccination requirement, encourage them to be served in the outdoor portion of the business, if available, but inform them that they are not permitted to enter the indoor portion of the business except for very limited purposes such as to use the restroom, to pay for food, or to pick up a to-go order.
5. If the customer remains non-compliant, reiterate that no one may enter the business facility without wearing a face mask (or, if applicable, proof of vaccination or a negative test), due to the on-going COVID-19 pandemic and due to State, County, and City rules. Advise the customer that they are welcome to return when they are in compliance.
6. When customers that are violating the COVID-19 rules become very disruptive, threatening or hostile, 911 should be called and law enforcement should be asked to assist and, if appropriate, remove the customers from the premise.





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POST-INCIDENT TIPS

- Debrief with staff involved in the incident as soon as possible.
 - These incidents can be very stressful for staff members and it is important to give them an opportunity to voice concerns and raise issues that can be addressed in order to prevent incidents and improve responses in the future.
 - These incidents can also be brought up at the next Supervisor/Employee team meeting to discuss opportunities for improvement with all staff members.
- Consider rotating the individuals who are assigned to address non-compliant visitors or customers so one individual is not always responsible for this task.
- Address any build-up of exhaled respiratory fluids that may have resulted from physical exertion or shouting, by opening windows and doors to increase fresh outdoor air, and promptly clean any impacted surfaces.

