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Written Testimony

TO: Assembly State Affairs Committee
FROM: Kristine Hillmer, President and CEO

Support of the Back to Business Plan

Thank you Chair Swearingen and members of the Assembly State Affairs Committee for the opportunity to speak to you today in support of the Back to Business Plan.

From the beginning, the Wisconsin Restaurant Association has been an active part of the discussions to design the Back to Business Plan before you. We strongly feel that a common sense, data driven, analytical approach to slowly re-open the state makes sense to ensure the safety of our operators, their employees, and the customers who they serve.

To understand why this plan is critical, let me begin by setting the table - by sharing the status of the restaurant and food service industry pre-crisis, then give you data on the affects that we've seen, and, finally, share what we are doing to help our operators plan for the inevitable time that they can reopen their doors.

Restaurant Industry Pre-Crisis

First let me refer you to the document titled Wisconsin Restaurant Industry at a Glance. Prior to the crisis:

- There were 12,796 eating and drinking establishments
- Employed 284,600 restaurant and foodservice people, representing 9% of employment in our state
- Represented \$10.1 billion in estimated sales in Wisconsin
- Every dollar spent in the table service segment contributed \$1.89 to the state's economy. An almost 1:2 return ratio.
- Every dollar spent in the limited-service segment contributed \$1.65 to the state's economy, a more than 1:1.5 return ratio.

Restaurants have truly been a critical and large piece of the Wisconsin culture, identity and economy.

Survey Data on Crisis Impact

Next, I'd like to call your attention to the document titled The Restaurant Industry Impact Survey. These are the results of a survey conducted between April 10 – April 16 this year and illustrates the devastating impact of the crisis on our industry:

- 136,000 + restaurant employees have been laid off or furloughed since the beginning of the outbreak. Remember that this does not count those who have been added to the unemployment rolls since that time.
- Wisconsin will lose \$630 Million in sales by the end of April
- On average, restaurant operators have reported a 70% decline in sales. I've personally talked to some people who have lost 95% of sales, And, of course, those that have decided to close at this time have lost 100% of sales.

- 44% of Wisconsin operators have already temporarily closed and another 40% anticipate temporarily closing in the next 30 days.
- And for those who think the federal dollars will help, 61% of operators say that existing Federal relief programs will not prevent more restaurant layoffs.

Anecdotally, I can tell you that as dire as these statistics are, the longer restaurants are closed to most business - the more at risk restaurants businesses are. We are predicting that if the closures continue, half of our restaurants are at risk of closing for good. Many of these businesses are independent, small or family operations that are at the heart of main street Wisconsin. The ripple effect will be severe not only to our economy, but to small towns, countless families, tourism, and the cultural heritage of our state.

So, as you can see, the comparison pre-crisis to now, shows the dire circumstances restaurants currently face. We are at an extinction level event for small businesses and restaurants and it is urgent that we use this time to figure out how these businesses can reopen safely.

Also, as was indicated by the testimonies of Joanne and Robert, there is a true need to look at various parts of the state differently. Joanne's restaurants in Altoona and Bob's in the Dells should not be shuttered because of the different situation in other parts of the state, like Milwaukee. These areas of the state are simply not comparable and they should be treated differently based on the circumstances they face in their county and local community.

Wisconsin Restaurant Promise

In anticipation of the eventual reopening of restaurants, the Wisconsin Restaurant Association has worked on two projects. The first, the Back to Business Plan and the specific activities that are allowed in each of the risk categories. These are attached and has been reviewed by food safety and public health experts, in addition to leaders from our organization.

Next, we developed the Wisconsin Restaurant Promise, which is brand new and you are getting an advanced copy. This is a document that provides guidance on reopening, but more importantly, helps to build confidence in the safety of eating out when customers are able to do so. This plan uses not only the mitigation strategies, but also is in tandem with the Reopen Guidance developed by the National Restaurant Association which was developed with experts from the Food and Drug Administration, Conference for Food Protection, plus other safety experts. This plan has also undergone extensive review and is included for your information so you are aware that once restaurants can slowly re-open, there are plans in place to ensure the safety of restaurant employees and the guests they will serve.

We strongly encourage you to pass the Back to Business Plan so that we can slowly, but surely, open up our state's economy. The Wisconsin Restaurant Association and our 7,000 members are readying their businesses and staff for when this can occur. We strongly feel that this common sense, data driven, analytical approach to slowly re-open the state, makes sense to ensure the safety of our operators, their employees, and their customers.

Thank you for your time.

Attachments:

- Wisconsin Restaurant Industry At A Glance
- Restaurant Industry Impact Survey Infographic
- Mitigation Activities for Restaurants
- Wisconsin Restaurant Promise



COVID-19 UPDATE

The Restaurant Industry IMPACT SURVEY

Published April 20, 2020 by

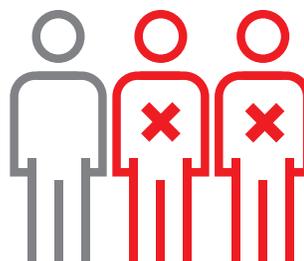


To assess the economic impact of the coronavirus to date, the National Restaurant Association conducted a survey of more than 6,500 restaurant operators nationwide, April 10-16.

The restaurant industry, MORE THAN ANY OTHER INDUSTRY in the nation, has suffered the MOST SIGNIFICANT SALES & JOB LOSSES since the COVID-19 outbreak began.

136,000+ RESTAURANT EMPLOYEES

have already been **LAI D OFF
OR FURLOUGHED**
since the beginning of the
outbreak in **WISCONSIN**



**NATIONWIDE
2 OUT OF 3
restaurant employees have
LOST THEIR
JOBS**

This survey measured **only the impact to restaurants** and their employees. The data **does not include other foodservice outlets** such as hotels, ballparks, and other venues.



The industry will sustain
**\$240 BILLION
IN LOSSES**
BY THE END OF 2020

The restaurant & foodservice industry in **WI** will **LOSE**
\$630+ MILLION
IN SALES by the end of April

On average, restaurant operators across the state reported a
70% DECLINE IN SALES
during the period from April 1 to April 10.

61%
of operators say



**Existing Federal Relief
WON'T PREVENT
MORE RESTAURANT
LAYOFFS**



44% of Wisconsin operators say they **TEMPORARILY CLOSED** their restaurant since March

40% anticipate **TEMPORARILY CLOSING** in the **NEXT 30 DAYS**

For more information & resources, visit restaurant.org/covid19

THE WISCONSIN RESTAURANT PROMISE

The restaurant industry has an outstanding track record of protecting our employees and guests. To ensure everyone's safety as we welcome you back into our dining rooms, we ask that we make the following promises to each other:

OUR PROMISE TO YOU

- We will continue to be a leader in food safety and sanitation practices where all of our team is trained in safe food handling practices and a Certified Food Protection Manager is scheduled for every shift.
- All staff will pass a health check or complete a health survey prior to each shift.
- All indoor and outdoor seating options will comply with the appropriate social distancing guidelines.
- Hand sanitizer or hand washing stations will be available upon entry and exit.
- We will clean and sanitize common areas regularly.
- All tables and chairs will be cleaned and sanitized after every use.
- Place settings, utensils, menus, and condiments will either be single-use or will be cleaned and sanitized after every use.
- We will post the Wisconsin Restaurant Promise at our entrances so everyone understands the steps we must all take to keep our communities safe.

YOUR PROMISE TO US

- If you have been exposed to COVID-19 recently or have symptoms of COVID-19 (including a fever, cough, or shortness of breath), please help us keep everyone safe by using our contactless delivery options.
- If you have underlying health conditions or are otherwise concerned about contracting COVID-19, please feel free to use our contactless delivery options.
- While waiting and dining, you will follow and comply with the appropriate social distancing guidelines.



More about the Wisconsin Restaurant Promise:

In partnership with the Wisconsin Restaurant Association and health officials across the State, restaurant owners and operators make the commitments above to earn this endorsement during the COVID-19 recovery period. When customers see this endorsement, they can be certain that the restaurant is taking all necessary steps to protect their employees and customers and is committed to playing a leadership role in protecting our communities. For more information, please visit www.wirestaurant.org.

- If you have any questions about the Wisconsin Restaurant Promise, please ask for a manager who will be happy to assist you.





THE WISCONSIN RESTAURANT PROMISE

Supporting Guidance

Section 1 – Introduction

What is the Wisconsin Restaurant Promise?

In partnership with the Wisconsin Restaurant Association, health officials across the State, and national experts in food safety, restaurant owners and operators make a set of commitments to their employees and customers and earn the endorsement of the Wisconsin Restaurant Promise during the COVID-19 recovery period. When customers see this endorsement, they can be certain that the restaurant is taking all necessary steps to protect their employees and customers and that they are taking a leadership role in protecting their community. It helps to instill confidence that the facility is as safe as possible for them and their families. The Wisconsin Restaurant Promise also empowers customers to learn what they can do to help keep everyone safe. With restaurants and customers working together, we can make the restaurant industry as vibrant as it was prior to the impact of COVID-19. For more information, please visit www.wirerestaurant.org.

Who can participate in the Wisconsin Restaurant Promise?

Any restaurant or foodservice establishment that is reopening its dining room and other full-service areas.

How long will this program last?

Throughout the duration of the COVID-19 recovery efforts. Over time, these efforts should help customers regain trust and comfort while dining in restaurants.

Section 2 – Restaurant Responsibilities & Obligations

How do restaurants participate in the Wisconsin Restaurant Promise?

Restaurants must agree to the following commitments to protect their employees and customers:

- We will continue to be a leader in food safety and sanitation practices where all of our team is trained in safe food handling practices and a Certified Food Protection Manager is scheduled for every shift.
- All staff will pass a health check or complete a health survey prior to each shift.
- All indoor and outdoor seating options will comply with the appropriate social distancing guidelines.
- Hand sanitizer or hand washing stations will be available upon entry and exit.
- We will clean and sanitize common areas and surfaces regularly.
- All tables and chairs will be cleaned and sanitized after every use.
- Place settings, utensils, menus, and condiments will either be single-use or cleaned and sanitized after every use.
- We will post the Wisconsin Restaurant Promise at our entrances so everyone understands the steps we must all take to keep our communities safe.



What are some best practices restaurants can, but are not specifically required to follow, in order to comply with the commitments in the Wisconsin Restaurant Promise?

Importantly, restaurants are already experts in safe food handling and sanitation, and so many of their routine practices will go a long way towards fulfilling the commitments in the Wisconsin Restaurant Promise.

Different strategies will be appropriate for different restaurants at different times, but the following are ideas that can be implemented or adapted to fit a restaurant's needs:

- Designate a single employee per shift, ideally with a clearly identifiable uniform or badge for customers to recognize, to oversee safety and sanitation measures.
- Allow or require certain employees to wear gloves and/or masks and other protective equipment in keeping with public health guidelines related to preventing cross-contamination.
- Limit tables to 10 or fewer guests.
- When able, use physical barriers to separate tables, booths, and bar stools.
- For tables that are unable to be moved, physically block off and/or remove seats so they are clearly not in use.
- Use signage and/or floor markings to help customers comply with social distance guidelines in common areas.
- Encourage contactless payment options like credit cards or online ordering
- Temporarily close buffets, topping bars, and other communal serving areas.
- Have each staff member complete a health survey prior to their shift*

What kinds of questions should a restaurant ask its employees to perform health screenings before each shift?

Yes or no questions/statements like these can help strike the balance between obtaining the necessary health information and respecting privacy concerns. Recommendation is to have all employees complete a simple pre-shift screening that includes answering questions like:

- Do you have any of these symptoms: fever, aches, cough, shortness of breath?
- Have you come in contact with anyone diagnosed with COVID-19?
- Are you currently waiting for the results of a COVID-19 test?
- Have you traveled outside Wisconsin over the last 14 days?
- I understand my responsibility to not come to work if I have symptoms of COVID-19 or have recently come into contact with someone who has COVID-19.
- I understand my responsibility to comply with [the restaurant's] health and sanitation standards.

How should participating restaurants communicate the commitments of the Wisconsin Restaurant Promise?

It's vital that restaurants communicate the commitments directly to their staff and monitor compliance. Restaurants should also take steps to communicate their enrollment in the Wisconsin Restaurant Promise by posting the required notice at entrances, and if the restaurant uses a website or social media, through those channels as well.



Section 3 – Customer Responsibilities & Obligations

Why are customers included within the Wisconsin Restaurant Promise?

Customers are included because we all have a responsibility to follow public health authority guidance to prevent the spread of COVID-19. By partnering together, we can keep everyone safe.

What commitments does the Wisconsin Restaurant Promise ask customers to make to restaurants?

- If you have been exposed to COVID-19 recently or have symptoms of COVID-19 (including a fever, cough, or shortness of breath), please help us keep everyone safe by using our contactless delivery options.
- If you have underlying health conditions or are otherwise concerned about contracting COVID-19, please feel free to use our contactless delivery options.
- While waiting and dining, you will follow and comply with the appropriate social distancing guidelines.
- If you have any questions about the Wisconsin Restaurant Promise, please ask for a manager who will be happy to assist you.

What can restaurants do to help customers meet these responsibilities & obligations? (From the Section 3 heading)

Restaurants are encouraged to maximize the use of contactless delivery options and advertise those options to potential customers. Publicizing information about the Wisconsin Restaurant Promise should also increase customers' compliance. More about the Wisconsin Restaurant Promise: www.wirerestaurant.org

Section 4 – Additional Resources & Next Steps

What resources and support are available related to the Wisconsin Restaurant Promise?

WRA will share information about the Wisconsin Restaurant Promise with elected officials, the public, allied groups, and the media to assure the public and policymakers that Wisconsin restaurants stand ready to reopen safely in keeping with these commitments. WRA will also be available to help answer questions and provide support to restaurants as they reopen their dining and other full-service spaces.

Also, the National Restaurant Association has made its ServSafe Food Handler Program available to all restaurants free of charge through April 30. These trainings can be found at:

- ServSafe Takeout: COVID-19 Precautions
- ServSafe Delivery: COVID-19 Precautions
- ServSafe Food Handler

Supporting documents included in this document:

- Wisconsin Restaurant Industry at a Glance
- Handwashing and Hand Sanitizer Use (source: CDC)
- Proper Use of Gloves (source: Public Health Madison & Dane County)
- National Restaurant Association Reopening Guidance



Wisconsin

RESTAURANT INDUSTRY AT A GLANCE

Restaurants are a driving force in Wisconsin's economy. They provide jobs and build careers for thousands of people, and play a vital role in local communities throughout the state.



12,796
Eating and drinking place locations in Wisconsin in 2018



\$10.1 billion
Estimated sales in Wisconsin's restaurants in 2018



284,600
Restaurant and foodservice jobs in Wisconsin in 2019 = 9% of employment in the state

AND BY 2029, THAT NUMBER IS PROJECTED TO GROW BY 10.5%
= 29,800 additional jobs, for a total of 314,400

HOW DOES THE RESTAURANT INDUSTRY IMPACT THE WISCONSIN ECONOMY?

Every dollar spent in the tableservice segment contributes \$1.89 to the state economy.

Every dollar spent in the limited-service segment contributes \$1.65 to the state economy.



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WIRESTaurant.org

Handwashing and Hand Sanitizer Use at Home, at Play, and Out and About



Germs are everywhere! They can get onto hands and items we touch during daily activities and make you sick. Cleaning hands at key times with soap and water or hand sanitizer is one of the most important steps you can take to avoid getting sick and spreading germs to those around you.

There are important differences between washing hands with soap and water and cleaning them with hand sanitizer. For example, alcohol-based hand sanitizers don't kill ALL types of germs, such as a stomach bug called norovirus, some parasites, and *Clostridium difficile*, which causes severe diarrhea. Hand sanitizers also may not remove harmful chemicals, such as pesticides and heavy metals like lead. Handwashing reduces the amounts of all types of germs, pesticides, and metals on hands. Knowing when to clean your hands and which method to use will give you the best chance of preventing sickness.

When should I use?

Soap and Water

- Before, during, and after preparing food
- Before eating food
- Before and after caring for someone who is sick
- Before and after treating a cut or wound
- After using the bathroom, changing diapers, or cleaning up a child who has used the bathroom
- After blowing your nose, coughing, or sneezing
- After touching an animal, animal food or treats, animal cages, or animal waste
- After touching garbage
- If your hands are visibly dirty or greasy

Alcohol-Based Hand Sanitizer

- Before and after visiting a friend or a loved one in a hospital or nursing home, unless the person is sick with *Clostridium difficile* (if so, use soap and water to wash hands).
- If soap and water are not available, use an alcohol-based hand sanitizer that contains at least 60% alcohol, and wash with soap and water as soon as you can.

* Do **NOT** use hand sanitizer if your hands are visibly dirty or greasy: for example, after gardening, playing outdoors, or after fishing or camping (unless a handwashing station is not available). Wash your hands with soap and water instead.



U.S. Department of Health and Human Services
Centers for Disease Control and Prevention

CS270631

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W I R E S T A U R A N T . O R G

USING GLOVES IN THE WORKPLACE

Employers should complete risk assessments to see if gloves are a necessary precaution for them.



Will wearing gloves prevent the spread of COVID-19 in my workplace?

Coronavirus can survive on surfaces for varying amounts of time. Wearing gloves can provide a barrier from coronavirus if worn properly but can also give a false sense of security.

Coronavirus spreads through tiny droplets when someone coughs, sneezes, and talks. These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs. Gloves won't protect you from getting infected this way.

Also, if you touch something where a contaminated droplet has landed, with or without gloves, and then touch your face, you can still get sick. The best protection is to follow public health guidelines:

- Avoid touching your face
- Wash your hands regularly
- Stay at least six feet away from other people

Should my employees wear gloves?

Currently there is no specific guidance from CDC for workers about wearing gloves. OSHA provides [guidance](#) for specific groups, and stresses that **employers should conduct their own hazard and risk assessments**, and implement adequate controls (e.g., gloves or other PPE).

While conducting hazard and risk assessments, employers may want to consider:

- **What is the risk level for each task?** Certain tasks may be more risky and it may be decided that glove use is appropriate. For example, workers may need gloves when implementing protocols for cleaning and disinfecting frequently touched surfaces.
- **What is the available supply of gloves?** How often would gloves need to be changed and how many gloves are available?
- **What hand hygiene options are available?** Where and how often can employees wash hands or use hand sanitizer? Are more breaks possible? When developing staff schedules, consider options for additional short breaks to increase the frequency with which staff can wash hands with soap and water. Alternatively, consider providing alcohol-based hand sanitizers with at least 60% alcohol so that workers can frequently sanitize their hands.
- **What training do employees have on glove use?** The CDC has guidance on [how to remove gloves](#).
- **If gloves are not deemed “necessary,” are individuals more or less likely to touch their face when wearing gloves?** For example, do employees feel a false sense of security or does having gloves remind them not to touch their face?

If hazards are deemed high enough to warrant required glove use:

Proper training needs to be in place. Without training on the correct way to remove gloves, hands may become contaminated. For contact transmission, it is important reiterate that a person does not become infected *through* their hands. They are only infected if their contaminated hand, whether gloved or not, touches other parts of the body such as their nose, mouth or eyes.

There is concern whether gloves are beneficial for workers at lower risk of exposure due to the following:

- Gloves act like bare hands; once contaminated, it is easy for cross contamination to occur.
- Glove change and hand hygiene is required to break any cycle of contamination similar to how handwashing/hand hygiene is required for bare hands.
- Gloves should be replaced when they are torn, soiled, or there is excessive sweating from hands.
- Hands should be washed before putting on new gloves and after removing gloves.

What should I do if I want my employees to wear gloves?

Gloves can be a good practice, if used in combination with other preventive measures, with proper training, and following these guidelines:

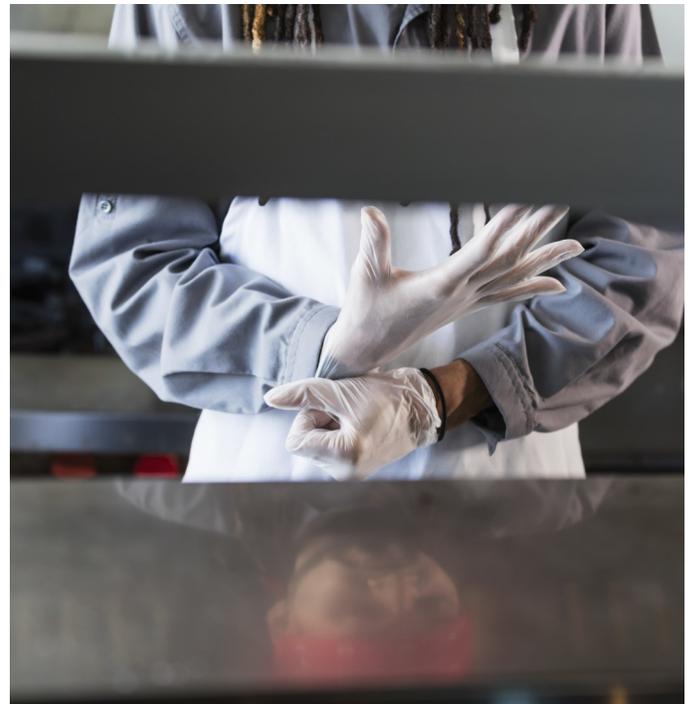
- **Always wash your hands** before and after wearing gloves.
- **Clean any surface you might have touched** with your gloves on, such as your counter tops, keypads, phone, keys, wallet, eyeglasses, or door handles.
- **Employees cannot wash hands with gloves on or apply hand sanitizer to gloved hands.** Gloves are

one time use, and washing or sanitizing gloves can degrade gloves and make them less effective.

- **Throw away used disposable gloves**, and wash fabric gloves with soap and water before using them again.
- **Be careful to avoid contamination** when taking gloves off. Avoid touching the inside of a glove or your bare hand with the outside of a dirty glove.
- **Don't touch your face**, especially your nose or mouth.

What is the proper way to remove gloves?

The key to removing gloves is to not touch the exterior of the gloves which may be contaminated. The CDC has a [diagram](#) on how to remove gloves safely or your employees could watch this video to learn the proper way to remove gloves [Glove Removal Video](#).



FOR MORE INFO: publichealthmdc.com/coronavirus

COVID-19

REOPENING GUIDANCE

A GUIDE FOR THE
RESTAURANT INDUSTRY

PUBLISHED April 22, 2020

For other resources:
[RESTAURANT.ORG/COVID19](https://www.restaurant.org/covid19)



TO RESTAURANT OPERATORS GETTING READY TO REOPEN...

The purpose of guidance is just that, to offer you direction and provide a framework for best practices as you reopen.

But as the saying goes, the devil is in the details, and not every restaurant is the same and not every opening scenario will align. We recognize that not everyone has access to guidance, and that is where the National Restaurant Association can provide help.

- Make sure your person-in-charge has an up-to-date ServSafe Food Manager certification. The Food and Drug Administration requires every facility to have a person in charge on site during open hours and also directs that the person in charge should have a food manager certification.
- Provide ServSafe food handler training for your workers. They're your front line; educating them protects them, you and your guests.
- Make technology your friend. Contactless payment systems, automated ordering systems, mobile ordering apps, website updates and simple texts can help you to communicate and conduct business with reduced need for close contact. As you begin to reopen, keep communicating with customers (your hours, menu items, reservations, etc.), and help promote your social distancing and safety efforts.
- And some of the best advice comes from the Food and Drug Administration, which develops the Food Code we all rely on. Its newest guide, *Best Practices for Retail Food Stores, Restaurants, and Food Pick-Up/Delivery Services During the COVID-19 Pandemic*, was just released. You can link to it [here](#).

As we continue to learn more about operating businesses during the COVID-19 pandemic, it's important to share with you the most current direction and advice from the experts at FDA, the Centers for Disease Control and Prevention, the Environmental Protection Agency, and other agencies. These documents will continue to reflect those best practices and will continue to be updated.



REOPENING GUIDANCE TASK FORCE

Frank Yiannas,

Deputy Commissioner, Food Policy & Response, FDA

Dr. Mark Moorman,

Director, Office of Food Safety, FDA

Dr. David McSwane,

Executive Director, Conference for Food Protection

Dr. Benjamin Chapman,

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Patrick Guzzle,

Idaho Department of Health, Past Chairman, CFP

Greg Cocchiarella,

Vice President, Industry Relations, Ecolab

Larry Lynch,

Senior Vice President, Science and Industry, National Restaurant Association

The National Restaurant Association partnered with representatives of the Food and Drug Administration, academia, the Conference for Food Protection, Ecolab, public health officials and industry representatives to develop a set of opening and operating guidelines to help restaurants return to full operation safely when the time comes.

This guidance is designed to provide you with a basic summary of recommended practices that can be used to help mitigate exposure to the COVID-19 virus, including:

- ✓ Food safety
- ✓ Cleaning and sanitizing
- ✓ Employee health monitoring and personal hygiene
- ✓ Social distancing

Combine this guidance with your existing policies as well as this new resource from the FDA, *Best Practices for Retail Food Stores, Restaurants, and Food Pick-Up/Delivery Services During the COVID-19 Pandemic*.

Armed with information, ServSafe training and the recommendations of your local health departments, you can help secure a safe opening.

For the most comprehensive and up-to-date COVID-19 resources and information for the restaurant industry, visit restaurant.org/COVID19.

RETURNING
RESTAURANTS
TO SERVICE

SAFELY



RESTAURANT RESPONSE

Food safety has always been a priority for the restaurant industry, for both guests and employees.

The basis of an effective food safety culture is the Food and Drug Administration Food Code, which for decades has served as the foundation for restaurant operating procedures as they relate to safe food handling. The guidance outlined in the Food Code is science-based and is designed to reduce and prevent the incidence of foodborne illness. Food Code requirements related to sanitation and personal hygiene in particular are the most reliable protocols available to combat risks related to the spread of COVID-19.

Local, state and federal regulators use the FDA Food Code as a model to develop or update their own food safety rules and to be consistent with national food regulatory policy.

AMONG THE REQUIREMENTS OF THE FOOD CODE THAT APPLY TO CORONAVIRUS MITIGATION ARE

- ✔ Prohibiting sick employees in the workplace
- ✔ Strict handwashing practices that include how and when to wash hands
- ✔ Strong procedures and practices to clean and sanitize surfaces
- ✔ Ensuring the person in charge of a foodservice facility is a certified food safety manager
- ✔ Ensuring the person in charge is on site at all times during operating hours



FOR MORE THAN 30 YEARS, THE NATIONAL RESTAURANT ASSOCIATION'S SERVSAFE PROGRAM HAS PROVIDED FOOD SAFETY TRAINING FOR BOTH MANAGERS AND FOOD HANDLERS.

ServSafe certifies food safety managers through an independently developed certification exam, which follows standards adopted by the Conference for Food Protection.

The Conference for Food Protection also collaborates with the FDA to develop the Food Code.

THE PURPOSE OF THIS GUIDANCE IS TO BUILD ON THE ALREADY ESTABLISHED BEST PRACTICES AND REQUIREMENTS AVAILABLE

that address specific health and safety concerns related to the spread of COVID-19, and to put those protocols into practice as state and local officials begin to open communities and businesses.

Operators should make use of these guidelines as they relate to their existing policies and procedures and in conjunction with instructions they receive from authorities during their reopening phase-in.



REOPENING GUIDANCE FOR EMPLOYERS

State and local officials may tailor the application of opening criteria to local circumstances (e.g., metropolitan areas that have suffered severe COVID outbreaks vs. rural and suburban areas where outbreaks have not occurred or have been mild).

To prepare to comply with opening procedures, operators should update their existing policies and operating procedures in accordance with the latest FDA, Centers for Disease Control and Prevention, and Environmental Protection Agency guidance and in accordance with local and state officials regarding:

- ✓ Social distancing and protective equipment
- ✓ Employee health
- ✓ Cleaning/sanitizing/disinfecting

ON FOOD SAFETY

- ✓ Discard all food items that are out of date.
- ✓ Where salad bars and buffets are permitted by local/state officials, they must have sneeze guards in place. Change, wash and sanitize utensils frequently and place appropriate barriers in open areas. Alternatively, cafeteria style (worker served) is permissible with appropriate barriers in place.
- ✓ If providing a “grab and go” service, stock coolers to no more than minimum levels.
- ✓ Ensure the person in charge is ServSafe certified and that their certification is up to date, and provide food handler training to refresh employees.

REOPENING GUIDANCE FOR CLEANING AND SANITIZING

- ✓ Thoroughly detail-clean and sanitize entire facility, especially if it has been closed. Focus on high-contact areas that would be touched by both employees and guests. Do not overlook seldom-touched surfaces. Follow sanitizing material guidance to ensure it's at effective sanitizing strength and to protect surfaces.
- ✓ Avoid all food contact surfaces when using disinfectants.
- ✓ Between seatings, clean and sanitize table condiments, digital ordering devices, check presenters, self-service areas, tabletops, and common touch areas. Single-use items should be discarded. Consider using rolled silverware and eliminating table presets.
- ✓ Remove lemons and unwrapped straws from self-service drink stations.
- ✓ Clean and sanitize reusable menus. If you use paper menus, discard them after each customer use. Implement procedures to increase how often you clean and sanitize surfaces in the back-of-house. Avoid all food contact surfaces when using disinfectants.
- ✓ Check restrooms regularly and clean and sanitize them based on frequency of use.
- ✓ Make hand sanitizer readily available to guests. Consider touchless hand sanitizing solutions.





REOPENING GUIDANCE ON MONITORING EMPLOYEE HEALTH & PERSONAL HYGIENE

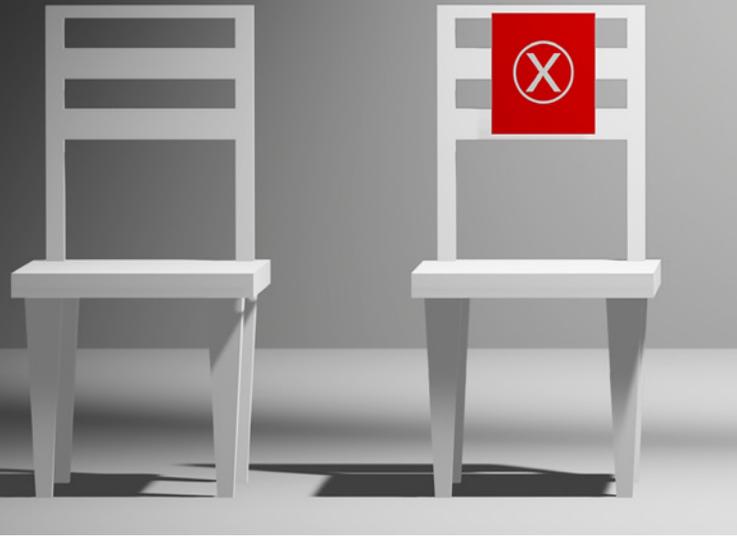
✓ Per existing FDA Food Code requirements, employees who are sick should remain at home.

✓ If an employee becomes ill or presents signs of illness, the operator should identify the signs during a pre-work screening and follow the business's established policies on when the ill employee is allowed to return to work. At a minimum, however, follow CDC guidelines – tell the employee to self-isolate for seven days from the onset of symptoms and be symptom-free for three days without medication.

✓ Taking employees' temperatures is at the operators' discretion. The CDC has not mandated taking an employee's temperature and any operator who chooses to do so should engage health officials first and adopt policies aligned with proper procedures. CDC guidance states the minimum temperature that indicates a fever is 100°F.

✓ Per CDC recommendations, face coverings have been shown to be effective tools to mitigate risk from individuals who show symptoms as well as those who don't, especially in close environments where it's hard for people to maintain a three- to six-foot distance. In some states and local jurisdictions, face coverings are required by government officials; some employers require them, too. In all cases, those coverings worn by employees should be kept clean in accordance with CDC guidance. CDC provides overall cleaning guidance [here](#).

✓ Train all employees on the importance of frequent hand washing, the use of hand sanitizers with at least 60% alcohol content, and give them clear instruction to avoid touching hands to face.



REOPENING GUIDANCE **ON SOCIAL DISTANCING**

- ✓ Update floor plans for common dining areas, redesigning seating arrangements to ensure at least six feet of separation between table setups. Limit party size at tables to no more than the established “maximums approved” as recommended by CDC or approved by local and state government. Where practical, especially in booth seating, physical barriers are acceptable. Consider a reservations-only business model or call-ahead seating to better space diners.
- ✓ Any social distancing measures based on square footage should take into account service areas as well as guest areas.
- ✓ Remind third-party delivery drivers and any suppliers that you have internal distancing requirements.
- ✓ Post signage at the entrance that states that no one with a fever or symptoms of COVID-19 is to be permitted in the restaurant.
- ✓ Limit contact between waitstaff and guests. Where face coverings are not mandated, consider requiring waitstaff to wear face coverings (as recommended by the CDC) if they have direct contact with guests.
- ✓ If practical, physical barriers such as partitions or Plexiglas barriers at registers are acceptable.
- ✓ Use technology solutions where possible to reduce person-to-person interaction: mobile ordering and menu tablets; text on arrival for seating; contactless payment options.

✓ Provide hand sanitizer for guests to use, including contactless hand sanitizing stations, and post signs reminding guests about social distancing. Thank them for their patience as you work to ensure their safety.

✓ Try not to allow guests to congregate in waiting areas or bar areas. Design a process to ensure guests stay separate while waiting to be seated. The process can include floor markings, outdoor distancing, waiting in cars, etc. Consider an exit from the facility separate from the entrance. Determine ingress/egress to and from restrooms to establish paths that mitigate proximity for guests and staff.

✓ Where possible, workstations should be staggered so employees avoid standing directly opposite one another or next to each other. Where six feet of separation is not possible, consider other options (e.g., face coverings) and increase the frequency of surface cleaning and sanitizing.

Note: Face coverings may be required by government officials and/or restaurant operators to mitigate the distancing gap. If not mandated, face coverings are recommended by CDC and, when worn, they should be cleaned daily according to CDC guidance.

✓ Limit the number of employees allowed simultaneously in break rooms.

✓ With larger staffs, use communication boards to or digital messaging to convey pre-shift meeting information.

BEST PRACTICES

FOR RETAIL FOOD STORES, RESTAURANTS & FOOD/PICK-UP DELIVERY SERVICES DURING THE COVID-19 PANDEMIC

FDA is sharing information about best practices to operate restaurants, retail food stores and associated pick-up and delivery services during the COVID-19 pandemic to safeguard workers and consumers.

This addresses key considerations for how foods offered can be safely handled and delivered to the public. This is not a comprehensive list. FDA encourages consulting the references and links provided below (by CDC, FDA, EPA, and OSHA) for more detailed information. This will be updated as FDA receives further information and inquiries.

- [Managing Employee Health \(Including Contracted Workers\)](#)
- [Personal Hygiene for Employees](#)
- [Managing Operations in a Foodservice Establishment or Retail Food Store](#)
- [Managing Food Pick-Up and Delivery](#)

BE HEALTHY, BE CLEAN



- Employees - Stay home or leave work if sick; consult doctor if sick, and contact supervisor
- Employers - Instruct sick employees to stay home and send home immediately if sick
- Employers - Pre-screen employees exposed to COVID-19 for temperature and other symptoms



- Wash your hands often with soap and water for at least 20 seconds
- If soap and water are not available, use a 60% alcohol-based hand sanitizer per CDC
- Avoid touching your eyes, nose, and mouth with unwashed hands
- Wear mask/face covering per [CDC](#) & [FDA](#)



- Never touch Ready-to-Eat foods with bare hands
- Use single service gloves, deli tissue, or suitable utensils
- Wrap food containers to prevent cross contamination
- Follow 4 steps to food safety [Clean, Separate, Cook, and Chill](#)

CLEAN & DISINFECT



- Train employees on cleaning and disinfecting procedures, and protective measures, per CDC and FDA
- Have and use cleaning products and supplies
- Follow protective measures



- Disinfect high-touch surfaces frequently
- Use EPA-registered disinfectant
- Ensure food containers and utensils are cleaned and sanitized



- Prepare and use sanitizers according to label instructions
- Offer sanitizers and wipes to customers to clean grocery cart/basket handles, or utilize store personnel to conduct cleaning/sanitizing

SOCIAL DISTANCE



- Help educate employees and customers on importance of social distancing:
 - Signs
 - Audio messages
 - Consider using every other check-out lane to aid in distancing



- Avoid displays that may result in customer gatherings; discontinue self-serve buffets and salad bars; discourage employee gatherings
- Place floor markings and signs to encourage social distancing



- Shorten customer time in store by encouraging them to:
 - Use shopping lists
 - Order ahead of time, if offered
- Set up designated pick-up areas inside or outside retail establishments

PICK-UP & DELIVERY



- If offering delivery options:
 - Ensure coolers and transport containers are cleaned and sanitized
 - Maintain time and temperature controls
 - Avoid cross contamination; for example, wrap food during transport



- Encourage customers to use "no touch" deliveries
- Notify customers as the delivery is arriving by text message or phone call



- Establish designated pick-up zones for customers
- Offer curb-side pick-up
- Practice social distancing by offering to place orders in vehicle trunks



COVID-19

REOPENING GUIDANCE

A GUIDE FOR THE
RESTAURANT INDUSTRY

For other resources:

[RESTAURANT.ORG/COVID19](https://www.restaurant.org/covid19)



WIRESTAURANT.ORG

Toolkit for Small Business Borrowers with Employees as of April 23, 2020

The Paycheck Protection Program (PPP) provides for forgiveness of up to the full principal balance and accrued interest for loan proceeds used for covered purposes so long as employee head count and compensation levels were also maintained during the covered period. This toolkit is intended to help provide borrowers with information and calculations related to the forgiveness phase of the PPP program, and is current as of the date of publication (4/23/2020). **Since guidance is still pending, it is subject to change at any time.**

» Borrower Frequently Asked Questions

What amount may be forgiven?

The actual amount of loan forgiveness will depend, in part, on the total amount of payroll costs, payments of interest on covered mortgage obligations incurred before February 15, 2020, rent payments on covered lease obligations dated before February 15, 2020, and covered utility payments under service agreements dated before February 15, 2020, over the 8-week period following the date of the loan. **At least 75% of PPP loan proceeds must be used for payroll costs.**

IT IS YOUR RESPONSIBILITY TO TRACK YOUR USE OF PPP LOAN PROCEEDS. YOU WILL BE REQUIRED TO PROVIDE DOCUMENTATION WHEN APPLYING FOR PPP LOAN FORGIVENESS.

What amounts are included as “payroll costs?”

Payroll costs include:

- Salary, wages, commissions, or tips (capped at \$100,000 on an annualized basis for each employee);
- Employee benefits including costs for vacation, parental, family, medical, or sick leave;
- Allowance for separation or dismissal;
- Payments required for the provisions of group health care benefits including insurance premiums;
- Payment of any retirement benefit;
- State and local taxes assessed on compensation; and
- For a sole proprietor or independent contractor: wages, commissions, income, or net earnings from self-employment, capped at \$100,000 on an annualized basis for each employee.

Are dental insurance premiums included in the definition of “payroll costs?”

It does not appear that dental insurance premiums, or other type of insurance premiums paid by an employer are covered as a “payroll costs” other than insurance premiums for the purpose of continuing group health care benefits.

What is excluded from the definition of “payroll costs?”

The CARES Act expressly excludes the following from the definition of “payroll costs:”

- i. Any compensation of an employee whose principal place of residence is outside of the United States;
- ii. The compensation of an individual employee in excess of an annual salary of \$100,000, prorated as necessary;
- iii. Federal employment taxes imposed or withheld between February 15, 2020 and June 30, 2020, including the employer’s share of FICA and Railroad Retirement Act taxes; and
- iv. Qualified sick and family leave wages for which a credit is allowed under sections 7001 and 7003 of the Families First Coronavirus Response Act (Public Law 116-127).

The CARES Act excludes from the definition of payroll costs any employee compensation in excess of an annual salary of \$100,000. Does that exclusion apply to all employee benefits of monetary value?

No. The exclusion of compensation in excess of \$100,000 annually applies only to cash compensation, not to non-cash benefits, including:

- employer contributions to defined-benefit or defined-contribution retirement plans;
- payment for the provision of employee benefits consisting of group health care coverage, including insurance premiums; and
- payment of state and local taxes assessed on compensation of employees.

What is meant by “covered mortgage obligations?”

A “covered mortgage obligation” is any indebtedness or debt instrument incurred in the ordinary course of business that is a liability of the borrower, is a mortgage on real or personal property, and incurred before February 15, 2020.

» **Borrower Frequently Asked Questions – *continued***

What is meant by “covered lease (or rent) obligation?”

A “covered lease (or rent) obligation” means rent obligated under a leasing agreement in force before February 15, 2020.

What is meant by “covered utility payments?”

The term “covered utility payments” means payment for a service for the distribution of electricity, gas, water, transportation, telephone, or internet access for which service began before February 15, 2020.

The amount of forgiveness of a PPP loan depends on the borrower’s payroll costs over an eight-week period; when does that eight-week period begin?

The eight-week period begins on the date the lender makes the first disbursement of the PPP loan to the borrower. The lender must make the first disbursement of the loan no later than ten calendar days from the date of loan approval. **Consequently, if the borrower has no payroll costs during some or all of the 8 week period that begins upon first disbursement of the loan, it will affect the forgiveness amount of the loan proceeds.** Remember, all borrowers certified in the application, among other things, that the funds will be used to retain workers and maintain payroll.

What if borrowers still need to lay off employees even after receipt of the funding?

Loan forgiveness will be reduced if borrower’s decrease their full-time employee headcount. Loan forgiveness will also be reduced if the borrower decreases salaries and wages by more than 25% for any employee that made less than \$100,000 annualized in 2019. Borrowers have until June 30, 2020 to restore the business to full-time employment and salary levels for any changes made between February 15, 2020 and April 26, 2020.

How can the SBA restrict the amount of loan forgiveness?

If you use PPP loan proceeds for unauthorized purposes, SBA will direct you to repay those amounts. If you knowingly use the funds for unauthorized purposes, you will be subject to additional liability such as charges for fraud. If one of your shareholders, members, or partners uses PPP loan proceeds for unauthorized purposes, SBA will have recourse against the shareholder, member, or partner for the unauthorized use.

» **Documentation Checklist**

✓ Documentation verifying BOTH the number of FTE employees on payroll **and** the pay rates for the 8 week period beginning on the date of origination of the PPP loan, including:

- Payroll tax filings reported to the IRS (Form 941); and
- State income, payroll and unemployment insurance filings.

✓ Documentation verifying payments on covered mortgage obligations, payments on covered lease (or rent) obligations, and covered utility payments, including:

- Cancelled checks; • Transcripts of accounts; or
- Payment receipts; • Other documents

✓ A certification from an individual authorized to act on behalf of the borrower that:

- The documentation presented is true and correct; and
- The amount for which forgiveness is requested was used to retain employees, make interest payments on a covered mortgage obligation, make payments on a covered rent obligation, or make covered utility payments; and

✓ Any other documentation deemed necessary.

» **Timeline**

✓ 8 weeks from loan closing, a borrower can begin to submit a request to lender for PPP loan forgiveness, completing all required paperwork and submitting all required documentation.

✓ Lender has 60 days from receipt of forgiveness request to make a decision regarding forgiveness.

✓ No later than 90 days from the date of a forgiveness determination, SBA will reimburse Lender an amount equal to the amount of forgiveness, plus any accrued interest through date of payment.

✓ 6 months from loan closing, Borrower begins making first P&I monthly payment due for remaining unforgiven portion of loan.

✓ 2 years from loan closing, final P&I payment due from Borrower (unless prepaid earlier; no prepayment penalties on PPP loans).

PAYCHECK PROTECTION PROGRAM – Forgiveness Calculation^{1,2}

Step One: Amount of actual payroll costs incurred during the covered 8 week period: \$ _____

Step Two: Actual costs incurred during the covered 8-week period for any payment of interest only on any covered mortgage obligation (may not include any prepayment of or payment of principal on a covered mortgage obligation): \$ _____

Step Three: Actual costs incurred during the covered 8-week period for any payment of rent on any covered rent obligation: \$ _____

Step Four: Actual costs incurred during the covered 8-week period for any payment of covered utilities: \$ _____

Step Five: ADD together all numbers in Steps 2-4 for a non-payroll costs SUBTOTAL of: \$ _____

Step Six: ADD together all numbers in Steps 1-4 for a GRAND TOTAL of: \$ _____

Step Seven: Divide the amount in Step 5 by the amount in Step 6. If the amount in Step 5 is more than 25% of the amount in Step Six, then the amount forgiven will be reduced accordingly such that the non-payroll costs equal no more than 25% of the total amount forgiven. If the amount is equal to or less than 25% then there will be no adjustment to the forgiveness amount at this phase so the Adjusted Grand Total equals the Grand Total from Step Six. Put applicable ADJUSTED GRAND TOTAL here: \$ _____

Step Eight: Divide the average number of full-time equivalent employees per month employed by borrower during the 8-week covered period by one of two numbers, at the election of the borrower:

- a. The average number of full-time equivalent employees per month employed by the borrower during the period beginning on 2/15/2019 and ending on 6/30/2019; OR
- b. The average number of full-time equivalent employees per month employed by the borrower during the period beginning on 1/1/20 and ending on 2/29/20. Place quotient here: _____

If the quotient equals “1” or is greater than “1” then skip to **Step Ten**.

If the quotient is less than “1” then move on to **Step Nine**.

Step Nine: If the quotient in Step 8 is less than “1,” the loan forgiveness amount will be reduced accordingly unless no later than June 30, 2020, the borrower has eliminated the reduction in the number of full-time equivalent employees. If the borrower is unable to eliminate the reduction in the number of FTEs by June 30, 2020, then multiply the ADJUSTED GRAND TOTAL from Step Seven, by the number in Step Eight to calculate your ADJUSTED FORGIVENESS AMOUNT: \$ _____

Step Ten: For every FTE paid during the covered 8-week period, individually determine if any one or more of these employees’ salary or wages during the covered 8-week period were reduced by more than 25% of the total salary or wages of each of those same employees during the most recent full quarter the employees were employed before the covered period.

- ✓ If no reduction occurred for any employee, then skip to **Step Twelve**.
- ✓ If any individual employee’s total salary or wages were reduced by more than 25%, and the borrower is able by June 30, 2020 to eliminate the reduction in salary or wages of such employees, then skip to **Step Twelve**.

For all individual employees’ total salary or wages that were reduced by more than 25%, where the borrower is **unable** to eliminate the reduction in salary or wages of such employees by June 30, 2020, enter the amount equal to the excess salary or wages greater than 25% here: \$ _____

Step Eleven: Subtract the amount in Step 10 from the amount in Step Nine (or Step Seven if Nine was skipped) to calculate the NEW ADJUSTED FORGIVENESS AMOUNT: \$ _____

Step Twelve: Enter PPP Loan Amount \$ _____

Step Thirteen: Enter the amount in Step Eleven (or Step Nine if Eleven was skipped; or Step Seven if Nine and Eleven were skipped) here: \$ _____

Step Fourteen: To determine borrower’s ANTICIPATED FORGIVENESS AMOUNT, place the lesser of Step 12 or Step 13 here: \$ _____

Step Fifteen: Subtract Step Fourteen from Step Twelve to calculate the borrower’s ANTICIPATED REMAINING PRINCIPLE LOAN BALANCE: \$ _____

(Remember, interest accrues from date of loan closing and any amount not forgiven will continue to accrue interest throughout the 24 months of the loan.)

¹A specific calculator has not been created by SBA or Treasury; nor has guidance around forgiveness been finalized as of the date of this publication. As a result, the guidelines mentioned here, and the calculations described here are subject to further change. This information is current as of the date of this publication based on the law and rules in existence at this time.

²This calculation process assumes no EIDL grant received by borrower. If an EIDL grant was received and used for the same purposes as the PPP loan, then the forgiveness amount will be further reduced by the amount of the EIDL grant.

³For seasonal employers, use the average number of full-time equivalent employees per month employed by borrower during the period beginning on 2/15/19 and ending on 6/30/19.



April 30, 2020

The Honorable Dr. Tony Evers
Governor, State of Wisconsin
115 East, State Capitol
Madison, WI 53708

Dear Governor Evers and Honorable Members of the Legislature,

We write to you as representatives of Wisconsin's business community to urge your support for the Back to Business plan to allow the safe and responsible reopening of Wisconsin's economy.

Together, we represent thousands of businesses of all sizes, from all sectors of our economy, and from all corners of our state. The businesses we represent provide millions of Wisconsin workers with family-supporting jobs, but many of these jobs and the continued viability of thousands of businesses are in jeopardy.

As you are well aware, the economic toll of the COVID-19 pandemic has been devastating to our state. We currently have a jobless rate of more than 18% in Wisconsin, which is roughly double the peak from the Great Recession. More than 460,000 workers have filed for unemployment benefits since social distancing requirements were put in place. Foot traffic at retail businesses is down 50% since the beginning of March, and is down about 70% for the restaurant industry.

Equally troubling, a recent survey of businesses conducted by the Wisconsin Economic Development Corporation (WEDC) and UW-Oshkosh found that 35% of businesses currently shut down will never reopen again if stay at home regulations continue.

We recognize there is a measure of risk associated with reopening businesses, but we believe that risk can be managed and mitigated. The Back to Business plan does exactly that. The plan assigns risks for every business in Wisconsin according to four factors: (1) the infection rate for each business's county, (2) the population density for each business's county, (3) the risk of transmission associated with each type of business, and (4) the capacity of local hospitals to treat COVID-19 patients.

Based upon its individual risk score (minimal, moderate, or substantial), each business would be required to implement mitigation steps to ensure that employees and customers are protected from virus spread. The higher the risk score, the more protective measures businesses will be required to undertake. The mitigation requirements are also customizable to reflect unique circumstances associated with specific industries. For example, customized mitigation requirements would be used for businesses in the hospitality industry, like restaurants, bars and lodging.

The risk scores and mitigation requirements are based upon CDC and OSHA recommendations, and also include input from public health professionals. Because the plan relies on real-time data for infection rates and hospital capacity, it allows for responsive mitigation tactics. If infection rates increase in a localized area, risk scores for businesses will correspondingly increase, and businesses in that area will be required to take more aggressive mitigation steps to prevent the spread.

Taken together, we believe the Back to Business plan is a credible, responsive, adaptable, and tactical means to safely reopen Wisconsin's economy in a way that responsibly manages risk, and reflects the fact that communities in different parts of the state are having very different experiences with this virus.

We respectfully request your support for enactment of this important plan into law, and allow businesses and workers to begin earning a living again as soon as possible.

Sincerely,



Wisconsin Business Trade Associations

Alliance of Wisconsin Retailers
American Chemistry Council
Bowling Centers Association of Wisconsin
Chiropractic Society of Wisconsin
Commercial Association of REALTORS® Wisconsin
Independent Business Association of Wisconsin
National Federation of Independent Business
Professional Insurance Agents of Wisconsin, Inc.
Tavern League of Wisconsin
Tool Die & Machining Association of Wisconsin
Venture Dairy Cooperative
Wisconsin Amusement & Music Operators
Wisconsin Association of Staffing Services
Wisconsin Association of Textile Services

Wisconsin Automatic Merchandising Council
Wisconsin Bankers Association
Wisconsin Builders Association
Wisconsin Cast Metals Association
Wisconsin Dairy Alliance
Wisconsin Grocers Association
Wisconsin Hotel & Lodging Association
Wisconsin Independent Businesses
Wisconsin Manufacturers & Commerce
Wisconsin Motor Carriers Association
Wisconsin Petroleum Council
Wisconsin Realtors Association
Wisconsin Restaurant Association

Wisconsin Chambers of Commerce

Baraboo Area Chamber of Commerce
Beaver Dam Area Chamber of Commerce
Burlington Area Chamber of Commerce
Cottage Grove Chamber of Commerce
DeForest Windsor Area Chamber of Commerce
Delafield Chamber of Commerce
De Pere Area Chamber of Commerce
Dodgeville Area Chamber of Commerce
Elkhart Lake Area Chamber of Commerce
Elkhorn Area Chamber of Commerce & Tourism
Center, Inc.
Forward Janesville, Inc.
Geneva Lake West Chamber of Commerce
Greater Wausau Chamber of Commerce
Hartford Area Chamber of Commerce
Hartland Area Chamber of Commerce
Heart of Wisconsin Chamber of Commerce
Hudson Area Chamber of Commerce & Tourism
Bureau
Jefferson Chamber of Commerce
Kenosha Area Chamber of Commerce
La Crosse Area Chamber of Commerce
Lodi and Lake Wisconsin Chamber of Commerce
Marinette Menominee Area Chamber of Commerce
Merrill Area Chamber of Commerce
Monroe Chamber of Commerce & Industry
Mosinee Area Chamber of Commerce

Muskego Area Chamber of Commerce
New Berlin Chamber of Commerce & Vis. Bureau
New London Area Chamber of Commerce
Oregon Area Chamber of Commerce
Oshkosh Chamber of Commerce
Park Falls Area Chamber of Commerce
Portage Area Chamber of Commerce
Portage County Business Council
Prairie du Chien Area Chamber of Commerce
Pulaski Area Chamber of Commerce
Racine Area Manufacturers and Commerce
Shawano Country Chamber of Commerce
Sheboygan Falls Chamber-Main Street, Inc.
South Suburban Chamber of Commerce
St. Germain Area Chamber of Commerce
Stoughton Chamber of Commerce
Sun Prairie Chamber of Commerce
The Chamber of Manitowoc County
Tomah Chamber & Visitors Center
Visit Lake Geneva
Walworth County Economic Development Alliance
Waukesha County Business Alliance, Inc.
Waunakee Area Chamber of Commerce
Waupaca Area Chamber of Commerce, Inc.
Wauwatosa Chamber of Commerce
West Bend Area Chamber of Commerce

Wisconsin

RESTAURANT INDUSTRY AT A GLANCE

Restaurants are a driving force in Wisconsin's economy. They provide jobs and build careers for thousands of people, and play a vital role in local communities throughout the state.



12,796
Eating and drinking place
locations in Wisconsin in 2018



\$10.1 billion
Estimated sales in Wisconsin's
restaurants in 2018



284,600
Restaurant and foodservice jobs
in Wisconsin in 2019 = 9% of
employment in the state

**AND BY 2029, THAT
NUMBER IS PROJECTED
TO GROW BY 10.5%**
= 29,800 additional jobs,
for a total of 314,400

HOW DOES THE RESTAURANT INDUSTRY IMPACT THE WISCONSIN ECONOMY?

Every dollar spent in the tableservice segment contributes \$1.89 to the state economy.

Every dollar spent in the limited-service segment contributes \$1.65 to the state economy.



FOR MORE INFORMATION: Restaurant.org • WIRestaurant.org

Wisconsin's Restaurants

JOBS AND ENTREPRENEURIAL OPPORTUNITIES IN EVERY COMMUNITY

EATING AND DRINKING PLACES:		
U.S. SENATORS	Establishments in the state	Employees in the state*
Tammy Baldwin (D)	12,796	212,400
Ron Johnson (R)		
EATING AND DRINKING PLACES:		
U.S. REPRESENTATIVES	Establishments in the state	Employees in the state*
1 Bryan Steil (R)	1,422	23,601
2 Mark Pocan (D)	1,739	28,861
3 Ron Kind (D)	1,687	28,007
4 Gwen Moore (D)	1,373	22,797
5 F. James Sensenbrenner (R)	1,505	24,981
6 Glenn Grothman (R)	1,447	24,016
7 Sean P. Duffy (R)	1,915	31,780
8 Mike Gallagher (R)	1,708	28,356
TOTAL	12,796	212,400

*Wisconsin's 212,400 eating-and-drinking-place jobs represent the majority of the state's total restaurant and foodservice workforce of 284,600 jobs, with the remainder being non-restaurant foodservice positions.



FOR MORE INFORMATION: Restaurant.org • WIRestaurant.org

Source: National Restaurant Association, based on data from the Bureau of Labor Statistics & U.S. Census Bureau, 2018

WISCONSIN RESTAURANT ASSOCIATION

NAICS Code	Mitigation Activities According to Level of Transmission		
	1-Minimal	2- Moderate	3- Substantial
<p>7223 - Specialty Food Services 722310 - Food Service Contractors 722320 - Caterers 722330 - Mobile Food Services</p>	<p>For off-site catering, caterers are allowed to remain to serve guests, if needed. No PPE is required, but should be available for staff. Off-site venue is responsible for social distancing of tables and chairs unless the caterer is hired specifically to set seating arrangements.</p> <p>For onsite catering, the same requirements for restaurants must be followed as those in the same mitigation category including social distancing requirements.</p> <p>Mobile Food Services allowed as long as 6 feet social distancing is maintained by customers; consumption of food at the location is discouraged, but allowed; if eating on supplied tables and chairs, regular sanitizing is required and garbage options supplied for proper disposal of used items. Mobile food vendors must maintain a 12 foot distance between other vendors and the congregation of large groups avoided while social distancing maintained.</p> <p>Prepackaged utensils and napkins are encouraged; self-serve options are permitted, but not preferred. Safe food handling practices must be followed</p> <p>Touchless service should be practiced as much as possible. Single serve condiments must be used versus self-serve options (e.g. ketchup, salt, pepper, etc.)</p>	<p>For off-site catering, caterers are discouraged to remain to serve guests, but are allowed to do so. No PPE is required but should be available for staff. Off-site venue is responsible for social distancing of tables and chairs unless the caterer is hired specifically to set seating arrangements.</p> <p>For on-site catering, the same restrictions and requirements for restaurants must be followed as those in the same mitigation category including social distancing requirements.</p> <p>Mobile Food Services allowed as long as 6 feet social distancing is maintained by customers; consumption of food at the location is discouraged, but allowed; if eating on supplied tables and chairs, regular sanitizing is required and garbage options supplied for proper disposal of used items. Mobile Food vendors must maintain a 18 foot distance between other vendors and the congregation of large groups avoided while social distancing maintained.</p> <p>Prepackaged utensils and napkins are required; self-serve options are not allowed</p> <p>Safe food handling practices must be followed</p> <p>Touchless service should be practiced as much as possible. Single serve condiments must be used versus self-serve options (e.g. ketchup, salt, pepper, etc.)</p>	<p>For off-site venues, caterers are not allowed to remain after delivery of food. No PPE is required, but encouraged and available for staff. It is highly recommended that only disposable items shall be left behind to minimize exposure to catering staff and reducing the need for catering staff to return.</p> <p>For on-site catering, the same restrictions and requirements for restaurants must be followed as those in the same mitigation category.</p> <p>Mobile Food Services allowed as long as 6 feet social distancing is maintained by customers; no seating can be supplied by the mobile food service and the consumption of food should not be at the location. Mobile Food vendors must maintain a 24 foot distance between other vendors and congregating groups of more than 10 people must be avoided and social distancing maintained at all times. If congregating groups cannot be avoided, the mobile operations must cease.</p> <p>Prepackaged utensils and napkins are required; self-serve options are not allowed</p> <p>Safe food handling practices must be followed</p> <p>Touchless serving should be practiced as much as possible. Single serve condiments must be used versus self-service items can be available (e.g. ketchup, salt, pepper, etc.)</p>

Mitigation Activities According to Level of Transmission

NAICS Code	1-Minimal	2- Moderate	3- Substantial
<p>7225 - Restaurants and Other Eating Places 722511 - Full-Service Restaurants 722513 - Limited-Service Restaurants 722514 - Cafeterias, Grill Buffets, and Buffets 722515 - Snack and Non-Alcoholic Beverage Bars</p>	<p>Occupancy Rate: maximum of 75% of listed capacity for customers Social Distancing: Tables at least 6 feet apart and at least 6 feet between groups in all areas of the restaurant, including waiting and bar areas. If capacity limits do not allow for adequate spacing, operators should err on the side of further reducing capacity in order to maintain adequate social distancing. If tables are unable to be moved, those that cannot be used will be physically blocked off or seats removed so it is clear they are not to be used. Group Size: limit tables to 10 or fewer guests. Procedures: Clean and sanitize tables, chairs, booths, high chairs, booster seats and all items left on the table after each use; clean menus after each use or use single serve paper menus; regular cleaning of all handles, railings and commonly touched areas in front and back of house. Increase cleaning frequency of restrooms. PPE Needs: Masks supplied by the restaurant are encouraged and available for staff with direct interactions with customers; gloves provided by the restaurant are encouraged as long as they are changed between each customer; in lieu of gloves, hand sanitizer can be used. In all cases, frequent hand washing practices are mandated. Health Checks: Follow CDC guidelines for determining safe employee and vendor entry to property including potential health and temperature checks. Staff showing signs of illness should not be permitted to work. Touch Minimization: No self-serve options can be available, including buffets, salad bars or self-serve beverage stations; kiosks or touch screens can be used if they are sanitized between each customer. An exception is made for self-serve beverage stations that use a lever fill system that is no-touch. Misc: These guidelines are primarily specific to front of the house staff. All staff must follow safe food handling practices as identified in the Wisconsin Food Code. Narrative: This allows restaurants to open at approximately 3/4 capacity while maintaining the spirit of social distancing and cleaning between each customer. As dine-in resumes, there needs to be line management strategies used as customers wait for their table to maintain social distancing between groups - strategies could include text messages, waiting outside, or waiting in vehicles. Online or phone reservations should be encouraged. For specific items not listed, common sense would dictate to err on the side of protecting customers and employees in all cases.</p>	<p>Occupancy Rate: maximum of 50% of listed capacity for customers. Social Distancing: Tables at least 6 feet apart and at least 6 feet between groups in all areas of the restaurant, including waiting and bar areas. If capacity limits do not allow for adequate spacing, operators should err on the side of further reducing capacity in order to maintain adequate social distancing. If tables are unable to be moved, those that cannot be used will be physically blocked off or seats removed so it is clear they are not to be used. Group Size: limit tables to 6 or fewer guests unless all are from one household. Procedures: Clean and sanitize tables, chairs, booths, high chairs, booster seats and all items left on the table after each use; clean menus after each use or use single serve paper menus; regular cleaning of all handles, railings and commonly touched areas in front and back of house. Increase cleaning frequency of restrooms. PPE Needs: Masks supplied by the restaurant are highly encouraged and available for staff with direct interactions with customers; gloves provided by the restaurant are encouraged as long as they are changed between each customer; in lieu of gloves, hand sanitizer can be used. In all cases, frequent hand washing practices are mandated. Health Checks: Follow CDC guidelines for determining safe employee entry to property including potential health and temperature checks. Staff showing signs of COVID or food borne illness symptoms should not be permitted to work. Touch Minimization: No self-serve options can be available, including buffets, salad bars or self-serve beverage stations. Kiosks or touch screens can be used if they are sanitized between each customer. An exception is made for self-serve beverage stations that use a lever fill system that is no-touch. Misc: These guidelines are primarily specific to front of the house staff. All staff must follow safe food handling practices as identified in the Wisconsin Food Code. Narrative: This allows restaurants to open at approximately 1/2 capacity while maintaining the spirit of social distancing and cleaning between each customer. As dine-in resumes, there needs to be line management strategies used as customers wait for their table to maintain social distancing between groups - strategies could include text messages, waiting outside, or waiting in vehicles. Online or phone reservations should be encouraged. For specific items not listed, common sense would dictate to err on the side of protecting customers and employees in all cases.</p>	<p>Occupancy Rate: no more than 10 customers allowed in the restaurant at a time; no indoor or outdoor dining options available; curbside, delivery and take out are allowed Social Distancing: 6 foot social distancing maintained while ordering or waiting for food. Group Size: Limit how many from the same group is allowed in; discourage more than 1 or 2 per group inside establishment Procedures: Regularly clean and sanitize all handles, railings and commonly touched areas; sanitize menus and pens after each use PPE Needs: Masks supplied by the restaurant are highly encouraged and available for staff with direct interactions with customers; gloves provided by the restaurant are encouraged as long as they are changed between each customer; in lieu of gloves, hand sanitizer can be used. In all cases, frequent hand washing practices are mandated. Health Checks: Follow CDC guidelines for determining safe employee entry to property including potential health and temperature checks. Staff showing signs of COVID or foodborne illness symptoms should not be permitted to work. Touch Minimization: No self-serve options can be available, including buffets, salad bars or self-serve beverage stations, and ordering kiosks. Misc: These guidelines are primarily specific to front of the house staff. All staff must follow safe food handling practices as identified in the Wisconsin Food Code. Narrative: This allows restaurants to be open for take-out, delivery or curb-side options. It maintains the practiced followed during the Emergency Order period. For specific items not listed, common sense would dictate to err on the side of protecting customers and employees in all cases.</p>

**Assembly Committee on State Affairs
Informational Hearing
April 30, 2020**

**Testimony of Wisconsin Bankers Association
By President/CEO Rose Oswald Poels**

Thank you, Chair Swearingen, and Committee Members, for the opportunity to speak at this important informational hearing today. The Wisconsin Bankers Association is a statewide trade association representing nearly 230 financial institutions with a retail branch presence in the state of Wisconsin. I look forward to talking with you about the Paycheck Protection Program, which I have been asked to address, and its impact on Wisconsin businesses.

We are all living through unprecedented times, reacting to situations none of us have ever lived through before. It has been truly incredible to watch the power of people coming together to help solve problems while they are happening, all with the shared goal of helping to keep people healthy and safe as best we can.

Wisconsin's financial institutions are on the economic frontlines of this crisis and have been since its inception. Before government programs were even developed, financial institutions across the state already were proactively engaging with their customers to determine the impact the COVID-19 pandemic was having on their financial well-being. From the moment emergency health declarations were made at the state and federal level only 49 days ago, we started hearing concerns from customers about their financial stresses. After only a few days, economic hardship stories began surfacing as people took steps both on their own and in response to various government mandates and emergency orders to avoid public places or not go into an office building to help mitigate the spread of the virus.

Financial institutions across the state began their own relief programs to help customers through this difficult time. Many bankers worked with customers to defer payments; some were principal deferments, and some were both principal and interest payment deferments for 30, 60 or 90 day periods. Special small dollar loan programs were also created, among other initiatives. Shortly thereafter, government supported programs began surfacing at the federal level and in Wisconsin, WEDC launched its 20/20 program through CDFIs.

Overview of the Paycheck Protection Program

The focus of my testimony today is on the federal Paycheck Protection Program, or "PPP." This program was launched on March 27, 2020, when the President signed the Coronavirus Aid, Relief and Economic Security Act (CARES Act) to provide emergency assistance and health care response for individuals, families and businesses affected by the coronavirus pandemic. The Small Business Administration (SBA) received an unprecedented amount of funding and authority through the Act to modify existing loan programs and establish a new loan program to assist small businesses nationwide adversely impacted by the COVID-19 emergency. Section 1102 of the CARES Act temporarily permits SBA to guarantee 100 percent of a new 7(a) loan type called the "Paycheck Protection Program (PPP)," and \$349 billion was allocated to this effort.

PPP provides for forgiveness of up to the full principal balance and accrued interest for loan proceeds used for covered purposes so long as employee head count and compensation levels

are also maintained during the covered 8-week period. The maximum amount of money that can be borrowed is a formula based on the average monthly payroll costs as that is defined in PPP for calendar year 2019 multiplied by 2.5.

Within less than 10 days, this first round of money was completely allocated out to 1,661,367 small businesses by 4,975 lenders across the country. Wisconsin's volume put our state in 14th place overall after this first round of PPP money based on approved loan dollars at over \$8.3 billion. According to SBA's data, Wisconsin lenders approved 43,395 loans which means we helped 43,395 small businesses in this state since any business can only have one PPP loan.

I am so proud of how quickly Wisconsin financial institutions jumped into this program to help customers despite the rules not being fully written and continually evolving even to this day. And because the volume of lenders across the country participating in this program was so high, our bankers worked late nights and over weekends to ensure that small businesses in Wisconsin could participate in this program because the systems were open virtually 24/7.

Even before the first round of money was exhausted, it was clear that a second round of PPP funding would be needed to meet the demand. As a result, on April 24, 2020, the President signed the Paycheck Protection Program and Health Care Enhancement Act, which provided another \$310 billion of additional funding and authority for PPP. Applications for this second round of PPP opened this past Monday and nationally as of 4 p.m. yesterday, April 29, there were over 960,000 approved loans from over 5,300 lenders totaling nearly \$90 billion. The breakdown by size of lender is as follows:

Lenders < \$10B:

Number of approved loans: 587,000+

\$ volume of approved loans: \$43B+

Lenders btw \$10B – \$50B:

Number of approved loans: 206,000+

\$ volume of approved loans: \$20 billion+

Lenders > \$50B

Number of approved loans: 167,000+

\$ volume of approved loans: \$25 billion+

Small Business Considerations in Forgiveness Phase

With all the media attention surrounding the program, and the constantly evolving, and sometimes changing nature of interpretations by the SBA and Treasury, both small businesses and lenders continue to have unanswered questions. At this point, many of the outstanding issues are focused on the forgiveness phase of the program. As a result, WBA created a toolkit along with a forgiveness calculator for small business borrowers that I included with my testimony for your information, to try and help both lenders and small businesses better understand what we believe the forgiveness phase will look like based upon current law and rules. However, we are all waiting for guidance to be finally issued so this document is subject to change based on final rules.

When PPP was first available, there was a race to get an application in for the justified fear of the money running out. Congress provided for the program to be available until June 30, 2020, so many thought that a borrower could start the 8-week covered period at any point in time

during the program. However, through the issuance of an FAQ, it became clear that the payroll costs that would be forgiven were only those actually incurred during the 8-week period that began when the loan proceeds were first disbursed. And, that same FAQ stated that lenders must disburse loan proceeds within 10 calendar days of an application's approval. Consequently, some businesses that participated in the program assuming their entire loan amount would be forgiven by SBA will discover that is not the case because their actual payroll costs incurred during this 8-week covered period are significantly less than the formula used to calculate their maximum loan amount.

In addition, forgiveness amounts are reduced by one or more factors based on applicability. For example, while payroll costs include employer costs for family, medical or sick leave, any qualified sick and family leave wages for which a credit is allowed under the Families First Coronavirus Response Act, will be excluded from the definition of "payroll costs." Loan forgiveness will also be reduced if full time equivalent employee headcount decreases, and/or if the business decreases salaries and wages by more than 25% for any employee who made less than \$100,000 annualized income in 2019. Finally, no more than 25% of the total amount forgiven can be comprised of non-payroll costs, which are interest on covered mortgage obligations, rent pursuant to a covered lease obligation, or covered utility payments.

The burden to track and document all of these expenses is on the small business borrower in order to request forgiveness of the loan. In the toolkit, WBA provides a minimum documentation checklist to help borrowers understand what they should be tracking during this 8-week covered period. For any monies not forgiven, it results in a 2 year loan at an interest rate of 1% with the first 6 months of principal and interest payments deferred.

Finally, I want to thank the members of this committee, along with the other members in the Assembly and Senate for working on critical legislation needed to ensure that businesses were not taxed at the state level on the forgiveness amount of any PPP loan. WBA appreciates the Governor signing WI Act 185 to provide parity for small businesses in our state tax law with that of the federal law for these forgivable loan amounts.

Conclusion

The impact of this pandemic is being felt by everyone, and Wisconsin financial institutions are doing all they can to work with their customers to mitigate the financial impact as much as possible. WBA member banks have led the way in actively advocating for Wisconsin small businesses through our high participation rates in PPP, among other relief efforts. Banks are the cornerstones of their communities, driving Wisconsin's economy. The trusted advisor role our bankers serve for their customers has never been more important than it is now to help ensure their financial well-being through this health crisis.

Thank you very much for the opportunity to speak on PPP at today's informational hearing. I would be happy to answer any questions.

Attachment: WBA Toolkit for PPP Small Business Borrowers with Employees



Serving the
hotel & lodging industry
for more than 100 years

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April 30, 2020

TO: Assembly State Affairs Committee
Representative Rob Swearingen, Chair

From: Trisha A. Pugal, CAE
Interim CEO

RE: **Support of “Back to Business” Plan**

Thank you for the opportunity to speak this afternoon on behalf of the over 600 lodging properties around the state of all sizes, along with our Chairman of the Board Greg Stillman, who will speak shortly addressing the status of the Lodging Industry at this time.

As the dramatic development of the COVID-19 pandemic began in late February into early March, the lodging industry immediately felt a devastating impact on their businesses, as one of the first industries to face a fast downslide that worsened as time moved on.

When Emergency Order #12 on Safer at Home was issued on March 24, “Hotels and Motels” were declared Essential Businesses, with a number of restrictions imposed, however the fact remained that about 90% of our customers were eliminated as customers.

The fast and long-lasting losses faced by the lodging industry fueled a need for significant financial assistance or relief from government at all levels, and also the need to get back to business as soon as a reasonable blend of safety improvements and business actions providing increased protections could occur.

When the Wisconsin Hotel & Lodging Association (WH&LA) was invited to participate in a new proposed plan that tapped the expertise of the healthcare industry, state agencies, and the business community, we were quite impressed by the data, thought, and foresight that went into it. This plan has the potential to bring everyone together to find a reasonable solution.

The WH&LA assembled a top-quality Task Force, representing small and large lodging properties covering hotels, motels, resorts, and inns and, using the concepts of the proposed plan, spent numerous hours with interactive discussions on the many facets of our industry. We also drew in input from a Casino Hotel and a Bed & Breakfast to comply with the NAICS grouping for lodging.

Our approach was to identify commonalities and differences in addressing the mitigation of risk for lodging properties that could be rated from significant risk down to moderate risk, down to minimal risk to enable businesses to begin to reach a reasonable level of the new normal.

Categories for mitigation for our industry ranged from Social Distancing to Cleaning to Employee Safety to Health Checks to Group Gatherings to Food & Beverage, with protection practices each step of the way.

Between general protection practices and some practices that are specific to an industry, the guidance in the generated report to individual businesses can serve as a phasing in that is based on data and input provided by knowledgeable sources.

We respectfully ask that this committee consider supporting the implementation of the Back to Business Plan, which was not developed in a vacuum, but instead wisely reached well beyond any single organization's membership to ensure a broad wealth of input.

It is critical to Wisconsin's lodging industry that a well-thought plan tapping the expertise of multiple industries is moved forward in a manner that protects customers, employees, and the public while avoiding the potential for businesses to lose their ability to employ their valued staff and stay in business.

Thank you.