

Reopening Guidance for Museums, Zoos, and Gardens

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Presented by: Oregon Heritage, Oregon Museums Association and Cultural Advocacy Coalition

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<https://register.gotowebinar.com/recording/557127347301188610>

0:04 OK, welcome everyone, to the Re-opening Guidance for Museums, Zoos and Gardens Webinar. This is a partnership webinar that we're putting on between The Cultural Advocates Advocacy Coalition, Oregon Museum Association, and Oregon Heritage. My name is Beth. I'm just getting us kicked off here with some housekeeping, and then I'm going to let everybody introduce themselves. So the first thing I wanna point out to all attendees, you are on mute. You will be able to, if you see on the right-hand side of your screen, there is a Q and A question box where you're able to enter questions and we will be monitoring that during this webinar. So feel free if when something pops up into your mind, you can add it there and we will track that.

0:50 The other thing that we wanted you to know is that there is an attachment to the webinar of the actual GOV's re-opening guidance. So you will be able to find that little bullet on the right side of your screen and download that, which will be particularly useful as we start going through some of the specifics of the guidance.

1:10 The last thing I want to mention is that we're really pleased to have Sean Robert here with us on your screen. He is an American Sign Language interpreter, and he will be signing the entire webinar. And thank you to Oregon Museums Association for including that as part of this. So you'll see us come on and off the screen, but Sean will stay there so that you will be able to see that. So with that said, I'm going to turn it over to Tim ... to start the introductions.

1:44 Alright, thank you, Beth, and thanks for everybody being here. My name is Tim, I'm the Board Chair of the Oregon Museums Association, and we participated in a truly group effort with the Cultural Advocacy Coalition to develop the, or to recommend, re-opening guidelines to the Governor's Office before they were officially approved. And then Oregon Heritage offered to host a webinar for all of us to share this out. So we really appreciate their efforts to. And with that, I think I'll hand it over to Ginger.

2:21 Hi, everyone. I'm Ginger Savage. I'm the executive director with Crossroads Carnegie Art Center Baker City, Oregon. I'm also a Cultural Advocacy Coalition Board member and on behalf of the Coalition, we'd like to thank you for being with us today, but Cultural Advocacy Coalition is here, is a membership-based organization in the state of Oregon. Please check out our website, we would appreciate your support. Our goal is to continue to put arts, culture, heritage, and humanities, and continue with advocacy within the state capitol. We occasionally will advocate on federal issues to make sure that we have a voice at the table. So we're really glad to be here and we were thrilled to participate in this process. Maybe Dana, do you wanna go?

3:08 Sure, hi everybody. My name is Dana Whitelaw. I'm the executive director and also a member of the Cultural Advocacy Coalition. And Ginger did a great job of explaining the work that we do. Thanks for joining us today. I'll pass it over to Paul.

3:25 Hi, I'm a lobbyist in Salem, an attorney at law firm and one of my clients who and I'm very proud of the Cultural Advocacy Coalition. So thank you and welcome.

3:41 Seth, do you want to introduce yourself?

3:43 Sure, hi, everyone. My name is Seth Rao. I'm a partner at the law firm Miller, Nash Graham and Dunn in Portland, Oregon. We provide advice to cultural organizations and other businesses on risk management issues, insurance issues related to pandemic, and re-opening and I'm pleased to be here today. Thank you.

4:05 I also just want to mention and I know she's on the call. Karie Burch from the Portland Art Museum also served on a task force with Dana and Ginger and myself to draft these re-opening guidelines. So thanks, Karie.

4:18 With that, I think we can kick off our agenda and the first thing we wanted to talk about was the process that we went through just for transparency in developing the re-opening guidelines. So I'm gonna hand it off to Paul and he can give some context on how this all came about and then I can talk about kind of the collaborative effort in getting feedback from across the state.

4:45 So, thank you, Tim, the CAC and its members, several of which you've just heard from Karie Dana and Ginger in particular. Plus, Tim was also important participant. We decided early on that absent a sort of intervening in the process and suggesting appropriate guidelines for re-opening museums and other similar kinds of institutions that they might languish and not get dealt with very promptly. And obviously, as entities that were expressly directed to shut based on the initial stay home, stay safe, executive order. It was important for many of them to open up as soon as it was safe and appropriate to do so.

5:31 So, we gathered together a group of willing participants who worked very, very hard. I was not a substantive member, in terms of suggesting guidelines, it was people who actually operate museums who did that. And then, we presented that to Governor's Office. The process for developing guidelines in the state has evolved over the last month, over month and a half. It has had several stages of how it's developed. But in most recent times, there has been, at least somewhat of a collaborative process embarked upon by the governor's office to involve various sectors of the economy and discussions that then, are taken back to the health experts. Who say, yes, we think that's an appropriate guideline, or appropriate requirement, or appropriate suggestion. Some of the guidelines, if you've looked at them, have requirements as well as recommendations, which are not necessarily requirements, but they are recommended.

6:32 So, there's all that sort of work behind the scenes with the health folks and then things get published. And I'll let Tim described in just a second, how we develop the guidelines with input from other people, but the one thing I'd like to say right now and then we can talk about more later when we talk about the guidelines are, the guidelines for museums have morphed several times even since they've been issued and they could morph again, We're trying to get clarity and stability in those guidelines. But I just to alert you to the fact that if you've seen one set of guidelines, it may or may not

be the full set of guidelines that are now in force. So we're working on that to try to get clarity and stability. But I just wanted to make everybody aware of that fact. Tim?

7:23 Yeah, thanks Paul. And so, I was really honored to be asked to be on the task force. And I think that there was just four of us, but we did a really good job representing the field of museums and cultural institutions. It's also good to know that the guidelines we put together were specifically through the lens of museums and cultural centers. But then they got all lumped together with the zoos and outdoor gardens so that it's a good thing to know. But, yeah, Ginger works at an Arts Center, and Dana works at the High Desert Museum, which is multi disciplinary. I have 12 years experience at the Oregon Museum of Science and Industry, and then Karie's at the Portland Art Museum. So just the four of us. I felt like we had a really good perspective of all the different types of museums, and then we reached out pretty actively to the folks in the children's museum community as well.

8:24 And so there are different groups working on their own on processes for re-opening, and the Portland Museum community had put a group of folks together that were meeting on the call. They were mostly from the executive leadership teams of all the different cultural museums and institutions and gardens in Portland.

8:49 And so as we developed different drafts of the guidelines, we put those forth on in front of that team, and as well as the Board of the Oregon Museums Association, and just shared broadly with all of our networks. I know Karie shared it with the leadership team of the Portland Art Museum. And so there are a number of different drafts and I felt really good about how informed they were from the field. So I just want to thank everybody again for that collaborative effort.

9:21 And then I guess it's good to note that when we handed it over to the governor's office, we were thinking maybe there would be some communication there, and some back and forth on fleshing them out. But we were surprised to see that museums were all of a sudden, OK to open, regardless of what phase your county was in, and that was a surprise. And I think that that was also why the guidelines were kind of wrapped together with zoos and outdoor gardens. But you can correct me if I'm wrong on that.

9:59 You stated that accurately.

10:01 Yeah. Are we ready to talk about Governor Brown's announcement on June third? Yes, thanks. That would be great.

10:09 So on June third, it was announced that Governor Brown would be specifying guidance for Phase 2 to make things hopefully a little clearer. We've got two sets of overlays when we're talking about guidance on re-opening. One is the overlay based on phases, and those phases are determined based on what is happening in the county, in terms of health indicators, hospital availability, contact tracing, capacity, and a variety of other health factors. And that's what you've read about, frequently in the news, media, about, who got opened up in Phase 1, who has now been approved to open up in Phase 2. Multnomah County is still the only county that has not yet in Phase 1.

11:04 I think the last Phase 2 county to open will be Washington. And it may be a few more days away, but all the others are open as of today. With the exception of them in Washington, I believe. So, that's one layer is the phase, that's the other layer is by type of business or institution. And, in some cases,

there were a whole series of organizations, businesses that were allowed to open up, regardless of what phase their county is.

11:35 Those are called the baseline businesses and institutions. Other institutions and businesses would only be allowed to open when they got to the right phases. For example, large venues, performance venues are currently not allowed to open until we hit Phase 3 where no one is to get there and no one is likely to be in Phase 3 until late this fall. So we've got the timing of the phases, and the type of businesses, and to add a little more confusion in some cases, businesses, like, I'm going to use the example of restaurants. They have one set of Phase 1 requirements. They have a different set of a looser set of requirements, in Phase 2. So all of that is more complicated than you need to know, except to sort of explain why there's been some differences and communication issues about, what are the requirements for museums.

12:36 Going specifically to the museum guidance, as Tim mentioned, we submitted, we being the group that Tim described. And I actually did the submission to Leah Horner and the governor's office suggesting that these had been worked on by this great group of people with input broadly across the state. And we asked for them to consider them for their own guidance and to issue guidance that allowed museums to open.

13:06 When the decision was made to go to the announcement on June 3rd, that the governor was going to talk about Phase 2 and what it would require, we got wrapped into that same announcement and as part of the Governor's June 3 Press Briefing, and the documents posted on that date. Museums were enabled to open up not with Phase 1, but the input I had described previously is baseline, meaning anywhere around the state, regardless of the phase their counties in, museums can operate if they can comply with the guidance.

13:45 So Dana will go in detail about, or at least in summary about what the guidance. But the one thing I want to harken back to, what I said before, is the guidance has already changed a number of times since we first heard about it. First play with the version we submitted, which was substantially incorporated in the version that was initially set out on June 3rd. Then there was a June 4th version, although the document, it's heading, is still called June 3rd. But it's the date at the bottom of the page is dated June 4th. And thank you, Dana, for noticing that difference. It makes it, it makes it easier to, just, to discriminate between these various things. And that one had an additional requirement of a 250 number limitation on patrons in a museum.

14:38 We're still trying to get clarification of what that 250 means, whether it's 250 for one event, or 250 a day, that we hope will be forthcoming. And then the third change that has happened even more recently is, it's affecting children's museums plus, potentially, other museums. Is the concern voiced by the governor's office, although it's never been discussed with folks who are actually operating these kinds of museums with interactive museums, like children's museums. I think our position has always been, it's a museum, regardless of how they organize their exhibits and how much interaction there is between their patrons and their exhibits.

15:20 If they can comply with the museum guidance as originally issued, they ought to be able to open. And that is an issue where you are also going to try to get some clarification on, these things are happening all with, you know, a 24 hour period, and then another 24 hour period. I hope to be able to get clarification on those shortly, and we'll try to get that out to everybody who's participating today.

We can also go over this a little more detail in the Q&A period. But suffice it to say that things are still a little bit uncertain. We've got very good guidance about museums generally, and then we have these other couple of late occurring issues that need clarification. So with that, I will be glad to turn it over to Dana.

16:13 Great. I'm gonna take a high level review of the guidelines. And if you haven't seen it, you can look over in the chat box and see the PDF that is linked there, and that is the current document. That's changed a few times since last week that I'll be going over, and I want to acknowledge that each of us have unique spaces and interpreting these guidelines. And each of our spaces is definitely going to take some tailoring, but I think that there's some high level components that that touch on today, that I hope provides clarity.

17:01 One thing that I did want to go back to our process, and one element that we included in that guidelines, the draft guidance that we submitted to the Governor's office, was including an opening statement about equity. And I know that that's so important in the museum field, and to all of our work. And we felt that that was an important message to be thinking about, as we're re-opening, is making sure that we are still providing access to our community and the people who need it most. And maybe that's something that we can come back to if there's time in the question and answer session.

So looking at the guidelines and I'm going to start with the physical distance distancing measures. And that first bullet point about limiting the capacity to a maximum of 250 is the new element that came out after the original one was sent out last Wednesday. So definitely make sure that you're looking at the June fourth document and the June fourth document is down you can see where that is down in the lower right-hand corner. So it's been important for us to make sure that we are looking at the most current guidelines since they are changing.

18:17 And our original document talked about ensuring physical distancing of at least six feet. And one of the ways that you can calculate that or your organization is to calculate or to keep 35 square feet per person. And that's in a couple of the other guidelines that have been issued from the state, and that's the general guide line for giving enough room around each visitor, in our museums, historic houses, all of our various unique entities. And like Paul said, we're getting some clarification around the maximum of 250, if that is just for an event, or when we do have one particular gathering, or if that's general attendance numbers.

19:07 So stay tuned for that clarification as you can see, throughout the rest of the physical distancing measures it's really about spacing people out as easily as possible and removing anything, opening spaces up and we'll get down to the signage section later on, but obviously, providing just as much space as possible. And visitors, you'll see, very specific, a note also, about not having groups more than 10. And the intent behind that is to make sure that we're not having these kind of larger groups negotiating and maneuvering through our spaces. And they did add the last bullet point in the physical distancing measures is not operating if we're not able to provide that physical distancing in our spaces unless it's a brief interaction, such as perhaps there's just one little pinch point in a certain part of our museum.

20:12 Moving on to the employees section, face coverings have been a huge topic. And, as employers, we are required to have all of our employees wear a shield, cloth, paper or disposable face covering. So that is a requirement, and an important aspect of making sure we're keeping our staff safe or volunteers safe when they come back. And, obviously, our visitors, as well. Different museums are taking different

takes on whether they're requiring visitors to wear a mask. You'll see that later on in the section that it's strongly recommended.

20:54 So important for all employees, to be wearing face coverings, cleanings, section. So, as with any entity retail, restaurant, museums are in the same situation of needing to regularly sanitize and clean highly touched surfaces. And, because we have unique spaces, there are questions that have come up on, particularly in spaces like historic homes, where there's a banister, and perhaps the EPA approved list of cleaners is not the one that we would choose to apply to our historic banisters.

21:33 So Beth at Oregon Heritage Commission is going to provide a resource for how to think about cleaning some of those delicate objects that that our visitors are going to be interacting with. I want to point out the last bullet point under cleaning. Cleaning and disinfecting all games, balls and shared equipment between each use. And they restricted that a little bit more than our original recommendations. So I want to draw attention to that. You will see some, some alignment between the museum sector guidelines and spaces like retail. Some of the other entities that, that the governor's office kind of lumped us into. And so, those line items come up.

22:25 Similarly, moving on to signage, we are required to post the signs that detail the COVID-19 symptoms. And those are also available through the Oregon Health Authority. They're highly recognizable, because we see them at retail spaces, restaurant spaces, and now museums using clear signs to encourage physical distancing. One of the recommendations that we're using at the High Desert museum is to have very clear signage about physical distancing and maintaining six feet. We're having a little bit of fun with it. Using the wingspan of a vulture is about six feet to give people a visual representation. So, I encourage people to maybe do some on-brand, physical distancing signs to help people recognize what that looks like.

23:19 And another recommendation that was helpful for us is instead of really dictating a very clear way, one-way route through the museum, it appears that with human behavior, it's better to remind people of the six feet of physical distancing, rather than kind of forcing a very strict one-way route through different spaces. All of us have unique spaces, and we are using one way routes in some sections, but also making sure that we're watching how our visitors use the space. And then adjusting our signage and whether or not we're using one way paths, depending on the best way to move through those spaces.

24:03 And the additional requirements, they go through a couple more points of keeping areas closed that are prone to attracting crowds, and here you'll see them equating some of our components to playgrounds and indoor play structures. This is where some of the clarity is still needed around children's museums. And Paul is working on that for us. Thank you, Paul, and limiting parties to 10 people or fewer.

24:33 And at the end of that additional requirements section, they note that if you do have a store within your museum, that we need to use the retail store guidance. The same applies for those of us that have cafes within our institutions, that you'll need to look at the restaurant guidelines and follow those. So I wanted to point that out.

24:57 The next set of guidelines are things that we are not required to do, but to the extent possible we are encouraged to and those are things like timed ticketing, assigning greeters and roamers to help

alleviate any of those pressure points within our museum. And, again, kind of watching our visitor behavior and adjusting accordingly so we can keep the six feet of physical distancing as much as possible. I'm going to pause there and so we can continue on in the agenda and get back to any of these questions that are generated from looking at the guidelines later on, thanks so much.

25:45 I think we'll hand it over to Seth if I'm sticking to the agenda to talk about some legal guidance for following these guidelines.

26:00 Thank you. Thanks, Dana.

26:03 Gonna get my slides up here and we can move forward. So, as I mentioned at the beginning, we're offering some counseling to some of our clients on risk management issues, legal risk management issues. And when we talk about risk, as you can imagine, there are risks coming from different sources. When I say risk, I mean, legal risk of liability of a claim against you, against the entity.

26:36 The risks that we're worried about mostly come from employees, that is injury or illness to employees, injury or illness to visitors, and then also we want everybody to be aware that you can have risks from your vendors. We have some clients that are outsourcing certain parts of their operations to or their offerings to other people in their facilities that may be more maybe distant. And of course, you can be held liable if you subcontracted out part of your operations. Even if you're not in control of the other location, so you need to take that into account as well. So how do we manage these risks, just briefly?

27:43 The best thing you can do is to follow the guidelines. Usually when we see claims for injuries, whether it's employees or visitors, it's not that the organization wasn't trying to follow the guidelines. The problem was that they didn't document what they did, what their policies were, what their implementation was, or they didn't enforce the guidelines.

28:11 They had every intention of doing things correctly, but they didn't actually enforce it, and then something bad happened, and that's how you could potentially be held liable. Following the guidelines is going to be your best defense, but you need to do more than just follow the guidelines. You need to document what you're doing, the good decisions that you're making on how to implement them. Take pictures of your signage. Take pictures of your guidelines in action. Write things down after you make decisions. Then also enforce guidelines enforce the social distancing, limiting it to groups of 10, et cetera. Train your employees to do that. And track those best practices.

29:03 Another way to manage risk is through insurance. I'll talk about that in a minute, a little bit more. Then what we call contractual risk transfer. And this relates to your vendors and it's not just for people that you outsource functions to, it's also products that you're buying. You can insert into your contract clauses that shift the risk from you to the people most able to control the rest of, your vendor, to suppliers, et cetera.

29:29 Let me talk about employee risk, share a little bit more detail and share some resources with you. We've published on our website what we call the roadmap to re-opening and its employment guidance, and here are the key features of that. First, we're advising to have a plan and clear protocols about what to do if one of your employees is ill, or appears to be symptomatic. You need to write those down. That's really when it comes down to, and make sure that your managers are trained on what to look out for and what to do.

30:08 Obviously, you need to take the steps that are recommended in these guidelines and, elsewhere, to prevent the spread of illness and keeps a workplace safe, including following the cleaning protocol not just in your public areas, but also in your employee break rooms. And you can add areas that employees only access, those also need to be cleaned and treated almost the same way, I think, as areas that are accessible to the public.

30:38 Be aware of legal protections that may entitle employees not to return to work. So, this is not certainly not a time to relax, or to let slip any of your normal safeguards about ADA compliance, et cetera, about employees who are ill or have susceptibilities, et cetera, that may entitle them not to return to work. Then just make sure that everything is up to date. We've already, you know, we've heard today about, so you know these guidelines are changing all the time.

31:16 Do your best and document that you're doing your best, that's your best protection. As far as risk transfer goes, you're proactive about education and enforcing non-discrimination, non-retaliation protections. The employment-related claims that we're seeing so far in this pandemic, mostly related to retaliation, retaliating against employees who put in a worker's comp claim or who don't want to return to work because of an illness. And then there's an adverse employment action, they claim retaliation. So we all want to avoid that, so make sure that your managers are well aware they are not allowed to retaliate, to discriminate against anybody ever, as frustrating as it may be when, when those kinds of things disrupt the plan to re-open.

32:06 We're going to circulate the slides at the end. These are hyperlinks to materials that are available on our websites or employment team has put together. And we've got some specific guidance for our educational institution clients, which I think would also apply to most of the folks on this, on this webinar today. So, I recommend those to check them out on our website, and feel free to ask me or e-mail me if you have any follow-up questions about those. And then we also have a page on our website with additional resources. You can find these elsewhere as well, I'm sure on the on the state's website as well different government guidance on employment laws and other issues related to the to the pandemic. So these are all hyperlinks and we'll see them when you get the slides.

32:52 So what else can you do to manage risks? Here are some issues, obviously, follow the signage, guidance, to prevent claims from visitors, enforce those policies. As I said, this has become key just in my own experience over the weekend, going out and about and visiting retail establishments. I could tell that managers were being put in positions to enforce guidelines that they're not used to, having to enforce social distancing, allowing only certain numbers of people in, et cetera. These are difficult tasks for people who are not used to doing those kinds of police functions. So nevertheless it is very important that you not only make a plan to follow the guidelines that you enforce the guidelines as well and that you document any instances where enforcement didn't happen or failed someone, you know, violated the policies, et cetera. Documentation is as always is key in risk management.

34:16 Some folks are considering waivers, getting visitors, or folks who use facilities to sign waivers. Those are going to be honestly problematic to enforce in these circumstances, and certainly not anything that I would advise anyone to rely on and not do something else. So, that's a separate issue that you should talk to your legal counsel about. If you're considering a waiver, is the wording on it.

35:09 Let me say a little bit more about contractual risk transfer, because all of this is happening in real time, very quickly. So, it is something that you need to think about. You probably do some of this

already. Your contracts with vendors probably already have some requirements in there about what the vendors can and can't do. And my suggestion would be, in general, contracts with vendors should say that the vendors need to employ the same level of safety that you are applying. In other words, that they will comply with whatever governmental guidelines are out there, just as you're complying with governmental guidelines as well.

35:31 So basically, a mirror of what you're doing require that of your vendors, suppliers, independent contractors, et cetera. To the extent that you can negotiate this, asked to be what's called an additional insured on the liability policies that your vendors or contractors maintain. That will may give you access to additional insurance benefits, if there is a claim involving some fault, that is actually their fault. That's sort of a standard risk risk management tactic and I recommend it to everybody to take a look at doing that when you're dealing with vendors, suppliers, contractors, et cetera, your own insurance. Um, spring is renewal season for lots of folks as insurance policies. The insurance industry is of course, trying to manage its own risk arising out of the pandemic.

36:31 And what we're seeing is that as liability policies aren't renewed, insurance companies are often padding exclusions, and limitations on coverage So that they can try to avoid any follow on claims for illness or injury. As companies re-open that it's something that everybody needs to be aware of. I advise you to speak to your legal counsel. Speak to your insurance broker about what has changed in your liability insurance. May make it more difficult for you to get coverage if there is a claim, ways to manage that. Just so that you can be aware, there may not be anything you can do about it. The insurance industry is obviously looking to protect itself. Certainly, to a certain extent, there's nothing we can do about that, or you can do about that as a consumer of insurance, but at least you can be aware and it's all this, of course, you know, better to know in advance.

37:28 So, I'd, I'd recommend that you speak with your insurance broker, speak with your lawyer, about your insurance situation, that may cover you, both for employee claims, for claims that aren't covered by workers comp, claims by visitors and those that use your user facilities that may get injured or contract illness despite your best efforts. Then, yes, as I said, they're increasingly abroad exclusions by the insurance industry. So thanks very much. If you've got any questions, feel free to e-mail me. There's my e-mail contact address. This is a blog, north-west policyholder dot com blog where we post insurance coverage, risk management topics. If you really want to follow me on Twitter, my post about insurance and risk management issues, probably not the most exciting thing on Twitter these days for sure. Thanks, everyone.

38:28 Great, thank you so much. That is super helpful. I think, Beth, we're going to share some resources now, right, before we open it up to questions. Did you want to pop on?

38:39 Sounds good. So yeah, thanks that was great. We see lots of great questions coming in, the chat feature. So thanks, everyone who's doing that. We're following them. Um, we want to get to open up questions, because I think that will be one of the most important pieces of this webinar. But before we do that, I wanted to explain a little bit about who Oregon Heritage is and some resources that we've been compiling that might be useful to museums in the state. So, the Mission of Oregon Heritage ,Division of Oregon State Parks, that includes the State Historic Preservation Office, as well as the Oregon Heritage Commission, and our mission is to help support all sorts of heritage organizations. And we do that through grant funding, technical assistance programs, and incentives. And one of the

technical assistance pieces that we've been working on is putting together resources that are useful to all sorts of different groups.

On the screen here, you'll see a link to our website, so if you go to www.oregonheritage.org, you will see a link to COVID-19 Resources. And when you click on that, there's multiple drop-down menus that will come up. I wanted to point out if you haven't visited yet, and based on today's conversation at the very bottom, you'll see a recovery re-opening drop-down menu. So it's just a matter of clicking on that folder to open it up and to see what we have put in there.

40:04 I'm gonna go over a couple of things that we have that might be very useful to you. So the very first thing on that drop-down menu is this starting a re-opening conversation. And we work with a lot of smaller organizations, particularly museums. And something that we are encouraging is the image that you can see on the right-hand side of your screen, which is a process, to think through this re-opening conversation.

40:32 So we're really encouraging folks to think about creating an ad hoc committee who can really focus on the guidelines, who can do some work with the health authority in your community. And to bring that information back to the board as a whole. We know that all-volunteer run museums have a lot of challenges that they need to meet. Going through this process is one way to kind of divide up the work and think this through and then make sure that your board votes on it and creates a policy that you can then make sure that volunteers know that they're being supported in the decisions and the communications that they're making with the public. That's come up a lot in the conversations that we hear.

41:14 Also the second bullet point on this list here is that we're working on putting together a framework for re-opening that takes those guidelines that we've all been looking at today and puts in very simple, basic resources under each of the guidelines. So for example we have some signage that you can just click on a link and download. So if your organization has kind of low capacity, that's a really great way to get that information. We have physical distancing signage templates that you can click on.

41:45 Ginger Savage from the Carnegie Crossroads shared a contact tracing sheet that we'll get in there so that you'll have some just a real basic templates that you can use. There have been a lot of questions about cleaning historic objects that is on there as well, So check on the website to find those things. And then, of course, we know that there's a lot of resources floating around. So we've done our best to kind of compile from national resources, kind of top level things that we felt were useful to the Oregon Museum community, as well as other heritage organizations.

42:26 Very last thing I want to say, as well, and also, additional links to State Resources, non-profit Association of Oregon helped us communicate this webinar. They have great resources as well, and you have links back to the things that they have. So just information to keep in mind. That's very high level. But again, visit www.oregonheritage.gov, and you'll find a lot more information and we'll post what comes out of this webinar as well.

42:55 With that said, I think we're gonna bring, we have 15 minutes left. Lots of great questions. We'll bring everybody else back up on the screen and start asking some of these.

43:31 OK, first question we had from someone is, what is the number of people do you know for inside and outside? And does this include volunteers in the museum?

43:47 Dana, you want to try to take that or do you want me to try to do that? Is it?

43:53 Go ahead. So the guidance has two numbers in it that are important. One is never more than groups of 10 together and the corollary to that is don't allow groups that came separately to combine into a group of 10. In other words, if four people came together, that's fine. They can stay together. But you can't combine them with the next six to make a group of 10. And you can't bring in a group that is bigger than 10 as a small group. The other number is the 250 that we discussed earlier, which I think the most logical interpretation of, but we haven't gotten this clarified yet, is no more than 250 patrons in the facility at a time and the rationale for the total number of people in a facility.

44:45 It's not really having much to do with the size as much as it is, if there were an outbreak, or somebody who tested positive on a day at a museum, or a store or restaurant, how many potential contacts would have to be traced? And that's the rationale for me 250 upward limit. And that is, I think, means it's more logically, we'll try to get clarification of limit of how many patrons can be there at any given time. But that's still a little bit uncertain, and so I'm not sure that completely answers your question.

45:24 OK, thank you. We have another question from the Oregon Rail Heritage Center and they say we are an all volunteer run organization. Please clarify masked wearing requirements for volunteers acting as staff. Also, we have people working when not open to the public. Are masks required at that time?

45:55 Ginger, would you mind it? Sure. Sure. Yeah. So, I, again, Paul and the lawyers here can jump in. I read that, that all employees are required to wear some type of a face covering. And the disease does not discriminate where you're at, who you're standing next to. And so, it is all employees. It also, for all independent contractors. So, for example, here, all of our teachers, who are 1099 employees, have to wear face coverings. We don't have a lot of volunteers, but yes, volunteers absolutely should. And I do believe are required. If they're official in their capacity. Like, they've signed up to be a volunteer. You need to have have them wearing that. I will say that I am in the kitchen. This is now my office. The door is closed. I have my mask off. I don't expect my employees to wear them all the time when they're in their private spaces that we now have created. So. that's but it's the egress issues. Going to and from the bathroom, greeting a customer. All those sorts of things, create that challenge and you have to have them. Am I correct lawyers?

47:10 Yes. Yes.

47:14 OK, the next question we have is, When you refer to parties and groups, are you referring to people who know each other coming to the museum together? Whether or not they reside together?

47:29 I think that's the indication there are. I don't think it's intended to be our responsibility for determining whether in that group of 10, they'd all live in the same house. If they all came together, and they've decided that they're safe coming together, you're allowed to leave them together. You just can't combine another group. Even if they want to be combined. You can't combine that other group with one group of the first group that came.

48:00 Thank you. The next question we have says, my museum has an outdoor wooden train, play structure. Does that have to be closed down?

48:12 This is getting to the crux of some of the problems that we're trying to clarify. But I think, something that is equivalent to a playground. Yes. It's pretty clear. It needs to be closed down. Playgrounds where there is a lack of, immediate supervision, often. A difference in terms of how you clean versus your indoor spaces. And, in fact, a difference in terms of how you keep track of who's there. In a lot of cases, playgrounds may be open to people coming in, whereas museums, you know who they are, because they've been ticketed or they've signed in or done a number of other things. And the site play area that is available to anybody walking up, any kid walking up, I think that's a different thing. And that's the reason that play structures outdoors, or for that matter indoors, that are not supervised as interactive exhibits. For sure, those are pretty close.

49:12 OK, thank you, the next question is really interesting, someone wrote, when you say required, who will enforce and how?

There's a technical legal answer to that and then there's the practical answer. The technical legal answer to that is that a violation of the Governor's executive order is a criminal, relatively low-level criminal that subject to big fines. As you may recall in the news media a salon operator in Salem opened before that community was allowed to have salons open and she was given a \$14,000 fine. By, I think it was 14,000, it was over \$10,000. Finally, Oregon Safety, OSHA, that is going to be the most likely enforcement agency, But there are penalties for violation of these requirements.

50:15 OK, thank you. This next question might be for us, that Oregon Heritage, but I'm gonna throw it out to the group because there's one piece that some of you might have answers to. This person writes, in addition to cleaning materials for historic objects, touched my visitors. Are there resources that ensure collections objects do not receive well intended, but damaging cleaning treatment?

Um, so I can say that we will look into that. We do have some resources on Oregon Heritage website, but we'll look into that second piece. The last part of the question says, Also, Have you seen certain types of hand sanitizer, more likely to cause degradation to paper? Does anybody come across that? That's very specific.

50:58 All right. Well, we'll keep looking for that answer. Thank you for the question.

51:04 The next person writes, what specifically are the guidelines for disinfecting touchable surfaces?

51:14 Well, one of the things that we found very helpful in crafting the guidelines, Tim actually found it, is to go look at the other guidelines. So there's a set of guidelines about day camps. How do you interact with groups of children, OK, that might be helpful to you. But if you look in the child care, daycare guidelines, there are some very specific directions on how to clean manipulatives. That might be used in, whether it be in a museum purpose, whether they're used to childcare purpose. That might give you some tips to be able to utilize those, because they are an ordinance. And if it really does sort of meet that, it's in the governor's guidelines. It might be helpful to you. That's all I had on that one.

52:04 So then I'll jump in on that one. So Beth, can I just add one resource that we found really helpful. We contacted the Deschutes County Health department, and some of their environmental specialists have been walking us through some of those more detailed questions, like, should we take away half the benches, and for the ones that stay, what's the best practice for dealing with that. So all the way from visitor spaces to camps, the county health authority is really helpful. And they do a great,

balanced measure of what's practical, and looking at the requirements at the same time, and they can make great recommendations.

52:45 Thank you. So the next question was touched on a little bit, but we've heard this a lot, so I'm going to ask it again. Does anyone foresee any legal issues with requiring the public to wear masks, if they don't want to in our museum?

53:03 Seth, you may have an opinion as well. I don't at all. I think that it's you can hearken back to the old days when in a restaurant. The sign said, no shirt knows shoes, no service, I think you, as the operator of a facility, even though you invite the public in, especially when it's a rational request that you're making, and this is certainly a rational and important request, you are permitted to make that requirement or to refuse admission for people who do not want to meet that requirement.

53:33 Seth, do you have anything to add? No, I completely agree, Paul. In particularly where it's part of guidelines that the government is, as has put out as an essential part of the requirement of operation. But, again, I'll say, just from my own personal experience this weekend, enforcing that is going to put a lot of stress on your employees. So, I'm sure everybody out here on this call is going to be very sensitive to the distress that that is going to put on their employees, trying to enforce that. If people show up that do not have a mask, don't want to wear a mask, et cetera. Anyway, but, no, as to whether you can require it, absolutely, not only can you, but you absolutely should.

54:23 Thank you. The next question is for, I guess, the Cultural Advocacy Coalition. People are wondering if you're working on guidelines for other arts and culture sectors.

54:34 I'll jump in on that one. Yes. When we started this, it was under Paul's leadership, we need to be to the table proactively so that we can get arts and culture open effectively. There is a separate committee. We became the sort of museum Art center subcommittee. There's one working entirely on performing arts facilities. I think the reality is the majority of performing arts facilities are going to be probably a Phase 3. And I don't know how active they have been because it's so discouraging, I think, for all of us. I know I put a caveat that I would appreciate if they would get some work out there for very small performing arts facilities that are 50 less kind of environments. And so I just haven't gotten an update, But, yeah, we are working in that other sector.

55:28 Thank you. And the next question is specific to children's museums. And they say, children's museums and others are concerned about the new sentence that "interactive museums are not permitted to open or operate at this time" what is the recommended process that we should follow to help advance clarification on this issue?

55:49 So, earlier today, I had a discussion with several of the children's museum directors around the state, and they are seeing communication with their colleagues. And we have already requested a conversation with Governor's Office about this issue. The position that we are arguing is that if a museum, regardless of what it is named, can follow the guidance for museums in, terms of cleaning protection distancing and all of those other things, that it ought to be able to open and we'll see if we can prevail in that. But that's one of those uncertain things, that sentence that Interactive Museums was not part of the original guidance issued last week. It came into place later. And we're seeking clarification on trying to get that back into a position that anyone who can follow the museum guidance, and those standards ought to be able to re-open.

56:55 Next question. Do you have recommendations for dealing with people who don't want to comply with the face covering requirements?

57:08 Well I guess I'll jump in that one. I just got done with First Friday and we've been open since May 15th. We're just handling it delicately. The nice thing is, we've talked to our insurance agent, and we know what our insurance agent has told us, And when you say to people, "these are the restrictions being placed upon us by our insurance company," they have a tendency to stop and rethink a little bit, because most people recognize insurance as being a necessary part of business.

57:41 I had somebody, luckily, they were by themselves, they said something very inappropriate about the governor. Nobody was around, and so I didn't need to ask them to leave. And I will say to you, it is tiring, but it takes practice, and you just keep at it. We take turns at it. We also have an escalation process. So, as the manager, if words don't work, then they always come and get me, but you do need to be prepared for it. But, we do also have the face coverings available, that they can take home. And, so, there are people who do have some limitations. And we are working with our attorney to see if we can come up with a timeframe where they do not have to wear masks, if I can figure out a way to do it safely. We're still working through that with our attorney.

58:37 OK, wonderful. Well, we are right at one o'clock, and so I'm gonna answer the last question that's come up a lot. Yes, we will post the slides and a recording of this webinar on Oregon Museums Association website, as well as Oregon Heritage and we will e-mail them to everyone who registered for the webinar. I think we're going to try to follow up with an FAQ for some of these larger questions that are still a little opaque right now. So we'll see what we can do to continue adding those resources.

59:08 Can I just jump in? One of the things I do want note on the Governor's page, where you look for the guidelines, is the FAQ page. And when you open it, it says restaurants and bars, scroll down. When you ask a question that's at the bottom of those guidelines where it tells you to e-mail, they will not respond to you in person. They put the answers on the FAQ sheet. So please do check that, like daily. It's helpful.

59:37 Great advice. Well, thanks everyone, for participating. I'll let Tim totally wrap it up. But on behalf of Oregon Heritage, we really appreciate all the work that your Cultural Advocacy Coalition did on this. This is huge. Thank you.

59:51 Thanks, Beth, and yeah, I just want to thank everybody. This webinar is recorded and it will be available on both the Oregon Museum Association and Oregon Heritage Web pages. You're welcome to reach out to any of us on the webinar for more questions. Ginger has been open for awhile, so you could go into that. But, yeah, Please keep in touch, and we'll keep you updated.

1:00:22 Thank you.