



**STATE OF RHODE ISLAND  
RHODE ISLAND DEPARTMENT OF HEALTH**

**ELIZABETH M. TANNER, ESQ.  
IN HER CAPACITY AS CHAIR OF THE  
RHODE ISLAND COVID-19 ENFORCEMENT  
TASK FORCE**

**IN THE MATTER OF:  
Dollar General – 295 Armistice Boulevard, Pawtucket  
Violations of Executive Orders and  
RI Department of Health Regulations**

**NOTICE OF VIOLATION AND COMPLIANCE ORDER**

Now comes the Chair (“Chair”) of the Rhode Island COVID-19 Enforcement Task Force (“Task Force”) and pursuant to R.I. Gen. Laws § 23-1-20, Executive Orders 20-32, 20-40, and 20-79, and Rhode Island Department of Health (“RIDOH”) regulation 216-RICR-50-15-7 (“Safe Regulations”), determines that there are reasonable grounds to believe that Dollar General (“Respondent”) is in violation of Executive Orders and/or the Safe Regulations, and provides notice thereof.

**REASONABLE GROUNDS FOR DETERMINATION OF VIOLATION**

- I. Respondent is a retail establishment located at 295 Armistice Boulevard in Pawtucket.
- II. Respondent is a covered entity as defined in the Safe Regulations. As such, the Respondent is required to comply with applicable Executive Orders and the Safe Regulations.
- III. On or about September 11, 2020, a Task Force inspector conducted a Healthy Environment inspection of the Respondent. The inspector performed a checklist inspection based on the Safe

Regulations and determined that Respondent scored a 4/11 for overall requirements. After the inspection, the inspector provided information and resources to the Respondent to help it achieve full compliance. This included a recommendation to the Respondent on how to access [www.ReopeningRI.com](http://www.ReopeningRI.com) and the relevant websites for the Executive Orders, rules, regulations, and guidance. The Respondent was also advised that an inspector would conduct a reinspection in the near future.

- IV. On or about October 15, 2020, a different Task Force inspector met with manager Cameron Pita (“Manager”) and conducted a Healthy Environment inspection of the Respondent. The inspector performed a checklist inspection based on the Safe Regulations and determined that Respondent scored an 8/12 for overall requirements. Of concern was the fact that the inspector observed two employees, one of which was the Manager, who were not properly wearing their cloth face coverings. The Manager also stated that no information from the prior inspection had been passed along to him.
- V. On or about October 24, 2020, a different Task Force inspector conducted a reinspection of the Respondent. The inspector met with the Manager and performed a checklist inspection based on the Safe Regulations. The inspector determined that the Respondent scored a 7/12 for overall requirements. Of concern again was the fact that an employee was not wearing a cloth face covering.
- VI. Therefore, as a result of the Respondent’s continued failure to comply with applicable Executive Orders and the Safe Regulations, and in the absence of any other information to rebut the allegations above, RIDOH has drawn the conclusion that the above allegations are true, and the Respondent is not in compliance with applicable Executive Orders and/or the Safe Regulations.

#### **ALLEGED VIOLATIONS**

The following alleged violations stem from the October 24, 2020 reinspection.

- I. Respondent is in violation of Section 7.4.1(A)(3) of the Safe Regulations, which requires all individuals in an establishment to wear cloth face coverings unless physical distancing or an exception applies and requires establishments to deny entry to any employee who is not otherwise exempt from the requirement who refuses to wear a cloth face covering when required. The inspector observed two (2) employees in the store, one (1) of which was not wearing a cloth face covering. When asked, the employee cashier stated that “he was not feeling well”. The employee did not otherwise claim an exception, nor was he able to continuously maintain physical distancing.
- II. Respondent is in violation of Sections 7.4.1(A)(6) & (7) of the Safe Regulations, which require each covered entity to ensure the performance of environmental cleaning of its establishments once per day, to clean commonly touched surfaces, such as shared workstations, elevator buttons, door handles and railings in accordance with CDC guidance for specific industries, and to maintain records documenting such environmental cleaning. The inspector observed surfaces such as countertops, cash register stations, and credit card keypads being used by multiple customers without cleaning between uses and concluded, therefore, that the Respondent did not clean high touch surfaces in accordance with CDC guidelines for its industry. Furthermore, upon request, the Respondent could not produce the required cleaning records.
- III. Respondent is in violation of Section 7.4.1(A)(8) of the Safe Regulations, which requires all covered entities to maintain an employee work log that identifies the full name, phone number, and the date and time of all shifts worked by each employee. This work log must be maintained for at least thirty (30) days. Upon request, Respondent could not produce an employee work log.

**ORDER**

It is hereby ORDERED, that on or before the tenth (10<sup>th</sup>) day from service of this Notice of Violation and Compliance Order, Respondent shall remedy the above cited violations and come into full compliance with applicable Executive Orders and Regulations, by fulfilling the conditions as set forth below:

- I. Respondent shall require all employees in its establishment to wear cloth face coverings unless physical distancing can be continuously maintained, or an exception applies. In accordance with Section 7.4.1(3)(a) of the Safe Regulations, Respondent shall deny access to its establishment to any employee who refuses to wear a cloth face covering when required by the Safe Regulations unless an exception applies.
- II. Respondent shall ensure the performance of environmental cleaning of its establishment once per day and maintain records documenting such environmental cleaning.
- III. Respondent shall clean all high touch surfaces in accordance with CDC guidelines, in accordance with its specific industry, and maintain records documenting such cleaning.
- IV. Respondent shall maintain an employee work log that identifies the full name, phone number, and the date and time of all shifts worked by each employee. This work log must be maintained for at least thirty (30) days.

**Failure to comply with this ORDER may result in the imposition of civil fines, the issuance of an immediate compliance order, and/or any other action authorized by regulation, the Act, or other applicable law.**

Entered this 28th day of October 2020



Elizabeth M. Tanner, Esq.  
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**A WRITTEN REQUEST FOR A HEARING MAY BE FILED IN WRITING WITHIN  
TEN DAYS AFTER THIS NOTICE**