



**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:
Super 8 Motel – West Greenwich
Violations of Executive Orders and
RI Department of Health Regulations**

NOTICE OF VIOLATION AND COMPLIANCE ORDER

Now comes the Chair (the “Chair”) of the Rhode Island COVID-19 Enforcement Task Force (“Task Force”) and pursuant to R.I. Gen. Laws § 23-1-20, Executive Order 20-32, Executive Order 20-40, Executive Order 20-58, and Rhode Island Department of Health (“RIDOH”) regulation 216-RICR-50-15-7 (the “Safe Regulations”), determines there are reasonable grounds to believe that the Super 8 Motel (“Respondent”) is in violation of Executive Order and/or the Safe Regulations, and provides notice thereof.

REASONABLE GROUNDS FOR DETERMINATION OF VIOLATION

- I. Respondent is a motel located at 101 Nooseneck Hill Road in West Greenwich.
- 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 Regulation.
- III. On or about August 7, 2020, a Task Force inspector met with second shift manager Sonya Lavoie 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 8/11 for overall requirements, and a 1/5 for dining requirements. In response, 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 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 August 14, 2020, the same Task Force inspector conducted a reinspection of the Respondent. The inspector met with owner Mohammed Ganchi and again performed a checklist inspection based on the Safe Regulations. The inspector determined that the Respondent scored a 4/11 for overall requirements and a 3/5 for dining requirements. The inspector noted in her report that the owner did not appear to take the requirements seriously and that he had an attitude of noncompliance. She also noted that the motel made no attempts at corrective action since the first inspection and that the motel had actually become less compliant.
- V. 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 August 14, 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 exemption 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 approximately 10 employees in the motel, eight of which were

not wearing a cloth face covering. Upon entering the motel, the inspector observed the front desk attendant waiting on a guest. Neither of which was wearing a mask despite the fact that they could not easily and continuously maintain physical distancing. When the front desk attendant noticed the inspector, she donned a cloth face covering. The inspector also observed 5 members of a cleaning crew walking and talking together through the lobby without wearing cloth face coverings. Finally, while speaking with the owner, the owner continuously pulled his mask down, despite repeated requests for him to leave it up.

- II. Respondent is in violation of Section 7.4.1(A)(1) of the Safe Regulations, which requires each covered entity to develop, maintain, and ensure compliance with a written plan for the safe operation of the establishment. Upon request, Respondent admitted that it did not have a written plan.
- III. Respondent is in violation of Section 7.4.1(A)(6) & (7) of the Safe Regulations, which requires each covered entity to ensure the performance of environmental cleaning of their establishments once per day and to maintain records documenting such environmental cleaning. Upon request, Respondent admitted that it did not maintain a cleaning log.
- IV. Respondent is in violation of Section 7.4.1(A)(6) of the Safe Regulations, which requires each covered entity to clean commonly touched surfaces, such as shared workstations, elevator buttons, door handles and railings in accordance with CDC guidance for specific industries. When asked about cleaning commonly touched surfaces, the Respondent state that it did do such cleaning. However, the inspector observed that there was no evidence that such cleaning took place because she did not observe this taking place, nor did the inspector observe that any cleaning supplies were readily available.
- V. Respondent is in violation of Section 7.4.1(A)(2) of the Safe Regulations, which requires each covered entity to implement and ensure compliance with screening of all individuals entering its

establishment(s) at any time for any reason. The inspector observed multiple individuals enter the establishment, none of which were screened. In addition, there were no posters visible at or near the entry of the motel concerning entry screening.

- VI. Respondent is in violation of Section 7.4.1(A)(4) of the Safe Regulations, which requires each covered entity to ensure the placement of posters or signs at entry to its establishments educating any individual at the establishment concerning entry screening, required physical distancing, use of cloth face coverings, and other subjects as provided in guidance issued by the Department. Inspectors observed that required posters were absent from the entry to the establishment and concluded, therefore, that the Respondent failed to ensure the placement of required posters.
- VII. Respondent is in violation of Section 7.4.2(A)(1)(a) of the Safe Regulations, which requires that tables be separated by at least eight (8) feet from table edge to table edge or to allow six (6) feet spacing between seated customers at different tables unless separated by a physical, non-porous barrier of an appropriate height. The inspector observed numerous tables within 8 feet of each other that were not separated by any sort of barrier. (See Exhibit A)
- VIII. Respondent is in violation of Section 7.4.2(A)(2) of the Safe Regulations, which prohibits self-service seating. The inspector observed that there was no mechanism in place to prevent self service seating in the dining area.

ORDER

It is hereby ORDERED, that on or before the tenth (10th) 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 to wear cloth face coverings unless physical distancing or an exemption applies.

- II. Respondent shall develop, maintain, and ensure compliance with a written plan for the safe operation of the establishment.
- III. Respondent shall ensure the performance of environmental cleaning of its establishment once per day and maintain records documenting such environmental cleaning.
- IV. Respondent shall clean all high touch surfaces in accordance with CDC guidelines, in accordance with its specific industry and maintain records documenting such cleaning.
- V. Respondent shall implement and ensure compliance with screening of all individuals entering its establishment(s) at any time for any reason.
- VI. Respondent shall ensure the placement of posters or signs at entry to its establishment educating any individual at the establishment concerning entry screening, required physical distancing, use of cloth face coverings, and other subjects as provided in guidance issued by RIDOH.
- VII. Respondent shall ensure that all tables are separated by at least eight (8) feet from table edge to table edge or to allow six (6) feet spacing between seated customers at different tables unless separated by a physical, non-porous barrier of an appropriate height.
- VIII. Respondent shall ensure that self-service seating is prohibited.

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.

SIGNATURE APPEARS ON NEXT PAGE

Entered this 18th day of August 2020.

A handwritten signature in cursive script, reading "Elizabeth M. Tanner", enclosed within a rectangular box.

Elizabeth M. Tanner, Esq.
Chair
Rhode Island COVID-19 Enforcement Task Force
RI Department of Health
Cannon Building, Rm. 401
Three Capitol Hill
Providence, RI 02908

**A WRITTEN REQUEST FOR A HEARING MAY BE FILED IN WRITING WITHIN
TEN DAYS AFTER THIS NOTICE**

EXHIBIT A

