



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

**IN THE MATTER OF:
Cornerstone Barber
Violations of Executive Orders and
RI Department of Health Regulations**

IMMEDIATE COMPLIANCE ORDER

Now comes the Director of the Rhode Island Department of Health (“RIDOH”), as informed by the Chair (“Chair”) of the Rhode Island COVID-19 Enforcement Task Force (“Task Force”), and pursuant to R.I. Gen. Laws § 23-1-21, Executive Order 21-05 (“Executive Order”), and the RIDOH rules and regulations pertaining to Safe Activities By Covered Entities During the COVID-19 Emergency (216-RICR-50-15-7) (“Safe Regulations”), determines that Cornerstone Barber (“Respondent”) is in violation of applicable Executive Orders and/or the Safe Regulations, which violations require immediate action to protect the health, welfare, and safety of the public.

NEED FOR IMMEDIATE ACTION

On March 9, 2020, Governor Gina M. Raimondo declared a state of emergency for the State of Rhode Island due to the dangers to health and life posed by COVID-19. The Safe Regulations were promulgated as an emergency rule, pursuant to R.I. Gen. Laws § 42-35-2.10, based on a finding that an imminent peril to the public health, safety, or welfare required immediate promulgation of the rule, specifically that “[i]n order to prevent further spread of COVID-19 as individuals begin to leave their homes more frequently and establishments begin to reopen, protective measures must be followed and

implemented for individuals and establishments to resume operations so that the public's health and welfare is protected.”

GROUNDS FOR DETERMINATION OF VIOLATION

- I. Respondent is a personal services establishment located at 290 Wood Street in Bristol.
- 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 December 5, 2020, a Task Force inspector met with owner Adam Sardinha (“Owner”) 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 a 7/12 for overall requirements.
- IV. Of significance was the fact that the inspector observed that two of the three employees, as well as both customers, were not wearing cloth face coverings. One of the barbers was servicing a customer while both were unmasked, in violation of the Safe Regulations. As a result of this violation, the Respondent was issued citation number 8000-0163 on December 7, 2020. (See “Exhibit A”)
- V. 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 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.
- VI. On or about January 21, 2021, the same Task Force inspector again met with the Owner and conducted a reinspection of the Respondent. The inspector performed a checklist inspection based on the Safe Regulations and determined that the Respondent scored a 9/12 for overall

requirements. Once again however, the Respondent was in violation of the requirements to wear a cloth face covering.

- VII. 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.

VIOLATIONS

The following alleged violations stem from the January 21, 2021 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 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 that the Owner, who was not wearing a mask, was actively servicing a customer who was also not wearing a mask. Additionally, the inspector observed that a second barber, who was masked, was cutting the hair of an unmasked customer. Neither the Owner nor the customers claimed an exception.
- 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 and to maintain records documenting such environmental cleaning. Upon request, the Respondent could not produce the required records.
- III. Respondent is in violation of Section 7.4.6(A)(3) of the Safe Regulations, which requires that, for services where the individual receiving the service must remove his or her mask, the personal service professional must wear a face covering with protection equivalent to an N-95 respirator and eye protection. As described above, the inspector observed both barbers performing services

on unmasked customers without wearing protection equivalent to an N-95 respirator and without eye protection.

ORDER

It is hereby **ORDERED**, that Respondent is to immediately close. Prior to reopening, violations shall be remedied to the satisfaction of the Director of RIDOH by fulfilling the conditions as set forth below:

- I. Respondent must develop and incorporate into its written control plan a strategy to prevent the violations listed above from reoccurring and shall incorporate, but not be limited to, the following:
 - a. Respondent shall require all employees in its establishment to wear cloth face coverings unless 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.
 - b. Respondent shall instruct all individuals/customers in its establishment to wear cloth face coverings unless an exception applies.
 - c. Respondent shall ensure the performance of environmental cleaning of its establishment once per day and maintain records documenting such environmental cleaning.
 - d. Respondent shall ensure that, for services where the individual receiving the service must remove his or her mask, the personal service professional must wear a face covering with protection equivalent to an N-95 respirator and eye protection.
- II. In addition to the conditions as set forth above, Respondent may not reopen until such time that the following conditions are met, to the satisfaction of the Director of RIDOH:
 - a. Email the following documents to: DBR.CovidTaskForce@dbr.ri.gov
 - i. An updated control plan which, in addition to addressing the matter set forth above in this ICO, must detail a strategy to ensure your employees and patrons

are adhering to other applicable RIDOH regulations found here:

<https://rules.sos.ri.gov/regulations/part/216-50-15-7>

- ii. Your establishment's employee worklog, dating back two weeks from the date the violations outlined in the ICO were witnessed by a Task Force inspector.
- b. Ensure all persons on the worklog are tested for COVID-19; if anyone on the worklog refuses to be tested, such person may not return to work for fourteen days from the date of this order.
- c. Once all employees have been tested AND their results are available, send confirmation of such to: DBR.CovidTaskForce@dbr.ri.gov
- d. Respondent establishment shall be completely cleaned and sanitized in accordance with applicable CDC guidance.
- e. All employees must be trained on, and comply with, Respondent's updated written control plan.
- f. Respondent shall attend and participate in a meeting with the Rhode Island Department of Health to discuss health concerns. You will be emailed the contact information of the RI Department of Health (RIDOH) so you can schedule your meeting with RIDOH.
- g. After you have met with RIDOH, please contact: DBR.CovidTaskForce@dbr.ri.gov to schedule an inspection of your establishment.

Entered this 25th day of January, 2021.



Nicole Alexander-Scott, MD, MPH
Director
Rhode Island Department of Health
Cannon Building, Rm. 401
Three Capitol Hill
Providence, RI 02908

EXHIBIT A



Rhode Island Department of Health
 Three Capitol Hill
 Providence, RI 02908-5097

CITATION/ACCOUNT NUMBER:		
LOCATION		
THE UNDERSIGNED STATES THAT HE/SHE IS INFORMED THAT THE VIOLATION OF 216-RICR-50-15-7 AND/OR ONE OR MORE EXECUTIVE ORDERS, AS DEFINED IN 216-RICR-10-05-5		
OCURRED ON	TIME	IN
AT		
WITNESS	BADGE NUMBER (IF APPLICABLE)	
WITNESS	BADGE NUMBER (IF APPLICABLE)	

RESPONDENT			
FIRST NAME	MIDDLE INITIAL	LAST NAME	SUFFIX
DATE OF BIRTH	SEX	LICENSE STATE	DRIVER'S LICENSE NUMBER
ADDRESS		BUSINESS NAME	
CITY	STATE	ZIP CODE	

CHARGED VIOLATIONS		
VIOLATION CODE	DESCRIPTION	FINE
<input type="checkbox"/> SOCIAL GATHERING (INDOOR) (EO 20-67)		
<input type="checkbox"/> SOCIAL GATHERING (OUTDOOR) (EO 20-67)		
<input type="checkbox"/>		
TOTAL AMOUNT DUE		

PAYMENT	
ADMINISTRATIVE PAYMENT ADDRESS:	Your payment must be sent to the Rhode Island Department of Health (RIDOH) not later than ten (10) days after the date of this citation. Payment must be made via check, money order, or certified cashier's check and made payable to Rhode Island General Treasurer and mailed to the address at left. Include a copy of this citation and write the citation number on your check. Do not mail cash.
RHODE ISLAND DEPARTMENT OF HEALTH 3 CAPITOL HILL PROVIDENCE, RI 02908 ATTN: COVID-19 ENFORCEMENT	

Pursuant to R.I. Gen. Laws Chapter 42-35, you have the right to an administrative hearing if you dispute this citation. If you wish to request such a hearing, you must do so in writing not later than ten (10) days after the date of this citation. Such request may be made by mail to the address [above] or by email at doh.prcompliance@health.ri.gov. **Include a copy of this citation.** Failure to timely request a hearing shall constitute waiver of your right to a hearing. Payment of the fine(s) shall also constitute waiver of your right to a hearing. If you fail to timely pay the fine or request a hearing, as set forth above, RIDOH may take such actions including, but not limited to, referral to the State of Rhode Island Central Collections Unit pursuant to R.I. Gen. Laws § 42-142-8 and/or commencement of enforcement proceedings in Rhode Island Superior Court.

SIGNATURE	
I certify that the facts contained herein are true, and I served this citation upon the Respondent in person or by certified mail or other sufficient means to the Respondent's last known address.	
ISSUED BY (PRINT NAME)	
SIGNATURE	DATE
DELIVERED TO RESPONDENT:	
<input type="checkbox"/> IN HAND/AGENT <input type="checkbox"/> CERTIFIED/REGISTERED MAIL <input type="checkbox"/> OTHER: _____	