



**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:
John's Meat Market
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, 20-50, and Rhode Island Department of Health ("RIDOH") regulation 216-RICR-50-15-7 (the "Safe Regulations"), determines there are reasonable grounds to believe that John's Meat Market ("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 critical retail establishment located at 512 Prairie Avenue in Providence.
- 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 July 29, 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. 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 8, 2020, the same Task Force inspector conducted a reinspection of the Respondent. The inspector met with manager Ahed Obayah and again performed a checklist inspection based on the Safe Regulations. The inspector determined that the Respondent scored a 6/11 for overall requirements.
- 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 8, 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. The inspector observed two (2) employees in the store, neither of which were wearing cloth face coverings upon her arrival. Both employees did put on masks when they observed the inspector in the store. Neither employee claimed a medical exception, nor could either easily and continuously maintain physical distancing.
- II. 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 admitted that it did not maintain an employee work log.

- 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. Based on the observations of the inspector, Respondent did not conduct daily cleaning. Upon request, the Respondent also admitted that it did not maintain a cleaning log for either daily cleaning or cleaning of high touch surfaces.
- 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. The inspector observed that the table where food was transferred, and transactions conducted was not clean. This led the inspector to believe that Respondent did not clean high touch surfaces in accordance with CDC guidelines for its industry.

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 in its establishment to wear cloth face coverings unless physical distancing or an exemption applies.
- II. 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.

- 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.

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 12th day of August 2020.



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**