



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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August 14, 2020

**AMENDED STATEMENT OF PERMIT CONDITIONS:**  
**PHASE 3 STEP 1 WORKPLACE SAFETY AND REOPENING STANDARDS**  
**FOR FOR-HIRE FISHING VESSELS**

On May 18, 2020, Governor Baker issued COVID-19 Order No. 33 “Implementing a Phased Reopening of Workplaces and Imposing Workplace Safety Measures to Address COVID-19” and COVID-19 Order No. 34 “Expanding Access to and Use of State Beaches and Addressing Other Outdoor Recreational Activities.” These orders reopened the for-hire recreational fishing industry on May 25, 2020, subject to certain workplace safety and reopening standards. On August 12, 2020, the Executive Office of Energy and Environment updated the “Workplace Safety and Reopening Standards for For-Hire and Charter Vessels – Phase III, Step 1”. Consistent with these most recent workplace safety and reopening standards, the Division of Marine Fisheries is issuing all for-hire charter and head boat permit holders **Statement of Permit Conditions** to protect public health, welfare and safety.

Pursuant to the authority set forth at G.L. c. 130, §§17C and 80 and 322 CMR 7.01(7) and 7.10(7), the Director of the Division of Marine Fisheries applies the below listed conditions to your 2020 recreational for-hire fishing permit.

1. Effective immediately all for hire charter and head boat permit holders will be authorized to conduct for-hire fishing activity under the authority of your for-hire fishing permit subject to the “Workplace Safety and Reopening Standards for For-Hire and Charter Vessels – Phase III, Step 1” issued by the Massachusetts Executive Office Energy and Environmental Affairs. These standards are available [online](#) and have been attached to this Statement of Permit Conditions.

This Statement of Permit Conditions shall remain in effect until otherwise notified. The Director may amend this Statement of Permit Conditions at any time. Any amendments shall become effective upon written notice. Violation(s) of any condition or restriction as contained herein shall result in an adjudicatory hearing to suspend or revoke your for-hire permit, as well as any other fines and penalties provided in G.L. c.130.

Daniel J. McKiernan, Director  
Division of Marine Fisheries

August 14, 2020

Effective Date



## MASSACHUSETTS EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

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### WORKPLACE SAFETY and REOPENING STANDARDS FOR FOR-HIRE AND CHARTER VESSELS – Phase III, Step 1

Amended August 12, 2020

#### **INTRODUCTION**

In accordance with the authority granted to the Secretary of the Executive Office of Energy and Environmental Affairs (EEA) pursuant to [COVID-19 Order No. 43](#) to issue workplace safety standards for operators of and participants in outdoor recreational activities, the following guidelines apply to For-Hire and Charter Vessels as part of Phase III, Step 1 of the Commonwealth's reopening.

In Phase III, Step 1, For-Hire and Charter Vessels are permitted to operate subject to the limitations set forth below.

This document provides guidance for how to implement general workplace safety standards and other public health guidance ("COVID-19 measures") in the context of outdoor recreational operations in Phase III of the Commonwealth's reopening. Operators who fail to implement applicable COVID-19 measures may be sanctioned in accordance with COVID-19 Order No. 43. Operators are further reminded that in addition to implementing COVID-19 measures in Phase III, they must still comply with all federal, state and local laws.

The public health data and guidance on which this document is based can and does change frequently. The most recent version of this document can be found on the Commonwealth's website, <http://www.mass.gov/>

#### **LIMITATIONS ON OUTDOOR RECREATIONAL ACTIVITIES AND FACILITIES**

For-hire and charter vessels may operate in Phase III, Step 1 with specific capacity restrictions. Inspected vessels are limited to 50% capacity, plus Captain and crew, or 10 passengers, plus Captain and crew, whichever is greater, and provided further that aggregate capacity must not exceed 50 passengers plus Captain and crew. "Inspected vessels" are those subject to U.S. Coast Guard inspection under 46 USC 3301. Uninspected vessels, known as "six pack boats" are limited to 6 passengers plus Captain and crew. Indoor areas on all vessels are limited to 40% of indoor capacity. Multiple deck vessels must limit the capacity on each deck to no more than 50% capacity. All vessels must still comply with all federal, state, and local laws.

In addition to complying with the aforementioned limitations, operators must implement the following safety measures detailed below:



## **IMPLEMENTING SAFETY MEASURES FOR YOUR OPERATION**

All businesses and organization in the Commonwealth must immediately adopt and maintain the following generally applicable COVID-19 safety rules.

<b>Social Distancing</b>	<ul style="list-style-type: none"> <li>• All persons, including employees, customers, and vendors should remain at least six feet apart to the greatest extent possible, both inside and outside workplaces</li> <li>• Establish protocols to ensure that employees can practice adequate social distancing</li> <li>• Provide signage for safe social distancing</li> <li>• Require face coverings or masks for all employees and customers</li> </ul>
<b>Hygiene Protocols</b>	<ul style="list-style-type: none"> <li>• Provide hand-washing capabilities throughout the workplace</li> <li>• Ensure frequent hand washing by employees and adequate supplies to do so</li> <li>• Provide regular sanitization of high touch areas, such as workstations, equipment, screens, doorknobs, restrooms throughout work site</li> </ul>
<b>Staffing and Operations</b>	<ul style="list-style-type: none"> <li>• Provide training for employees regarding the social distancing and hygiene protocols</li> <li>• Employees who are displaying COVID-19-like symptoms do not report to work</li> <li>• Establish a plan for employees getting ill from COVID-19 at work, and a return-to-work plan</li> </ul>
<b>Cleaning and Disinfecting</b>	<ul style="list-style-type: none"> <li>• Establish and maintain cleaning protocols specific to the business</li> <li>• When an active employee is diagnosed with COVID-19, cleaning and disinfecting must be performed</li> <li>• Disinfection of all common surfaces must take place at intervals appropriate to said workplace</li> </ul>

The application of these measures to for hire and charter vessels is detailed below.

### **I. Social Distancing**

- ❖ Face coverings are required for all workers and customers in accordance with Covid-19 Order 31: [\*Order Requiring Face Coverings in Public Places Where Social Distancing is Not Possible\*](#) to prevent against the transmission of Covid-19.
- ❖ Passengers and crew members must abide by social distancing protocols of at least six feet between individuals. Passengers and crewmembers from the same household are not required to social distance from each other.
- ❖ Minimize the use of confined spaces (e.g., elevators, control rooms, vehicles) by more than one individual at a time; all employees in such spaces at the same time are required to wear face coverings.



## II. Hygiene Protocols

- ❖ Ensure access to handwashing facilities on site, including soap and running water or provide alcohol-based hand sanitizers with at least 60% alcohol.
- ❖ Crewmembers are encouraged to provide to customers handwashing capability or sanitizer on the vessel.
- ❖ Supply employees with an adequate supply of soap, disinfectant, hand sanitizer, and paper towels.
- ❖ Crew members must provide for regular touch-point sanitization (e.g., workstations, equipment, screens, doorknobs, restrooms) no less than daily.
- ❖ Vessel captains must provide training for crewmembers regarding the COVID-19 control plan, train their crewmembers in basic hygiene practices, such as frequent and thorough hand washing, respiratory etiquette (e.g., covering coughs and sneezes), and discourage crewmembers or passengers from using others' personal property, work tools, and equipment.
- ❖ Require regular and not less than daily cleaning and sanitation of all high-touch areas such as workstations, door handles, and restrooms.
- ❖ Post visible signage throughout the site to remind employees on the hygiene and safety protocols.

## III. Staffing and Operations

- ❖ Vessel captains must conduct pre-shift staff screening and maintain staff screening log.
- ❖ Vessels that offer food and beverage service must comply with all food service and [restaurant guidance](#), including that 1) bar areas must remain closed unless re-configured to accommodate table seating 2) all customers must be seated while consuming food or beverages on the vessel, and 3) all other amenities and areas not specifically designated for appropriately socially distanced, seated food and beverage consumption (e.g., decks without chairs and tables, etc.) must not be used for consumption of food or beverages. Dance floors and self-serve areas must remain closed.
- ❖ Customers and crew members should not pass or share fishing rods or equipment, to the maximum extent possible. If sharing is necessary, equipment must be disinfected between use.
- ❖ The vessel captain must establish a COVID-19 control plan addressing the practices and protocols to protect staff and the public. A control plan should be developed for each vessel.
- ❖ Signage must be posted that clearly states that any person with symptoms consistent with COVID-19 may not enter the vessel.
- ❖ Provide training to workers on up-to-date safety information and precautions including hygiene and other measures aimed at reducing disease transmission.
- ❖ Limit visitors and service providers on site; shipping and deliveries should be completed in designated areas, outside the facility if possible.
- ❖ Operators should log all persons on the vessel, including customers, to enable contact tracing (name and phone number or name and email address). It is recommended that at least one member per household/car is logged so as to assist with contact tracing.



- ❖ Employees must stay home if feeling ill.
- ❖ Encourage workers who test positive for COVID-19 to disclose to the workplace employer for purposes of cleaning / disinfecting and contact tracing. If the employer is notified of a positive case at the workplace, the employer shall notify the local Board of Health (LBOH) in the city or town where the workplace is located and assist the LBOH as reasonably requested to advise likely contacts to isolate and self-quarantine. Testing of other workers may be recommended consistent with guidance and / or at the request of the LBOH.
- ❖ Employees who are particularly vulnerable to COVID-19 according to the Centers for Disease Control (e.g., due to age or underlying conditions) are encouraged to stay home.
- ❖ Post notice to employees, workers, and customers of important health information and relevant safety measures as outlined in government guidelines.

#### **IV. Cleaning and Disinfecting**

- ❖ Conduct frequent cleaning and disinfection of vessels and associated boarding site.
- ❖ Keep cleaning logs that include date, time, and scope of cleaning.
- ❖ Conduct frequent disinfecting of heavy transit areas and high-touch surfaces (e.g., doorknobs, handrails, seating areas, bathrooms). Restrooms should be cleaned and sanitized following the [\*EEA COVID-19 Outdoor Recreation Facility Restroom Cleaning Best Practices\*](#).
- ❖ In event of a positive case, shut down site for a deep cleaning and disinfecting of the workplace in accordance with current guidance.