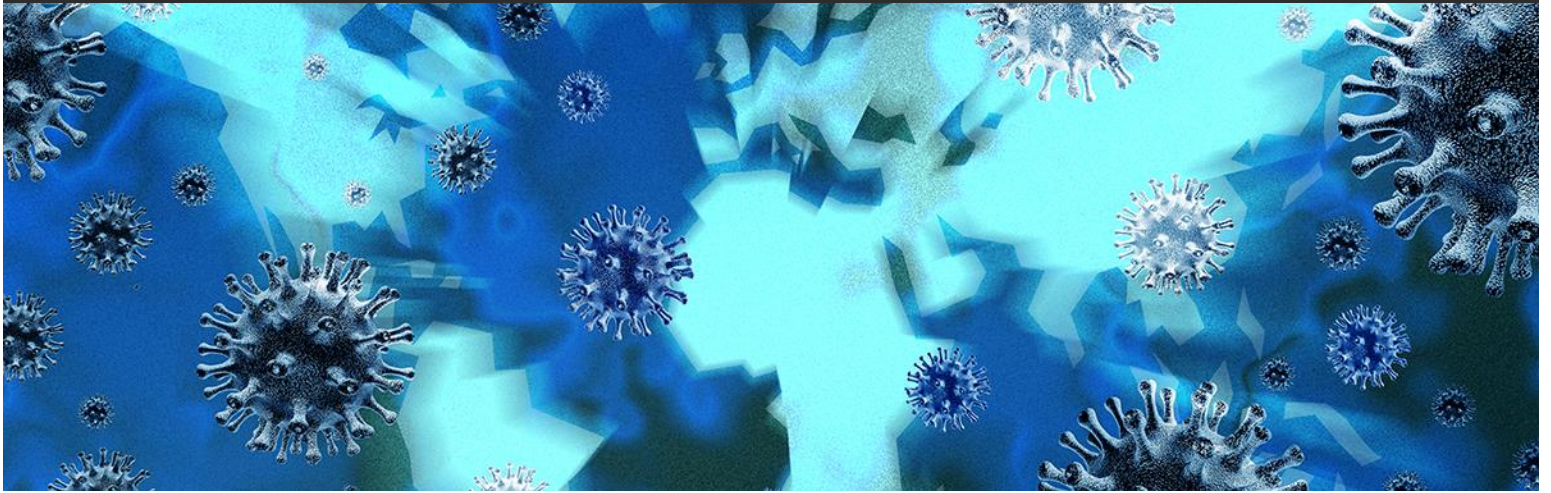


**Alert | Health Emergency Preparedness Task Force:
Coronavirus Disease 2019**



March 2020

Massachusetts Orders March 24, 2020 Shutdown for Non-Essential Services and Prohibits Gatherings of More Than 10 People

On March 23, 2020, Massachusetts Governor Baker issued an **emergency Order** requiring all businesses and organizations that do not provide “COVID-19 Essential Services” to close their physical workplaces and facilities to workers, customers and the public.

The emergency Order is effective as of Tuesday, March 24 at noon until Tuesday, April 7 at noon. Business and organizations that are required by the Order to close their brick-and-mortar premises, are encouraged to continue operations where they are able to operate through remote means.

Businesses that are identified on **the list of essential services** are urged to continue operations with allowance for social distancing protocols consistent with the guidance provided by the Department of Public Health. The list of essential services is broken down by the following categories:

- Healthcare/Public Health/Human Services
- Law Enforcement, Public Safety, First Responders
- Food and Agriculture

- Energy (which included the electricity industry, petroleum workers, natural and propane gas workers, steam workers)
- Water and Wastewater
- Transportation and Logistics
- Public Workers
- Communications and Information Technology
- Other Community-Based Essential Functions and Government Operations
- Critical Manufacturing
- Hazardous Materials
- Financial Services
- Chemical
- Defense Industrial Base

More details regarding the types of businesses permitted to continue to operate can be found [here](#).

If the function of a business is not currently identified in the list of essential services and a business owner believes that it is essential, a business may request designation as an essential business. Requests by businesses to be designated as an essential function should only be made if they are not covered by the guidance. [The link to request designation as an essential business can be found here](#).

Additionally, Governor Baker's March 15, 2020 Order Prohibiting Gatherings of More than 25 People, has been revised to prohibit gatherings of over 10 people. Gatherings subject to the Order include, community, civic, public, leisure, faith-based, or sporting events, concerts, conferences, conventions, fundraisers, parades, fairs, festivals, weddings, funerals, and any similar event or activity that brings together more than 10 people in a confined indoor or outdoor space.

As provided in [guidance](#) issued by the Department of Public Health, the Order does not apply to:

- gatherings of more than 10 people in an unenclosed, outdoor space, provided that individuals follow social distancing protocols by remaining at least six feet apart (however, all athletic activities that bring participants into close, physical contact are prohibited even when involving 10 or fewer people);
- normal operations at airports, bus and train stations, ferries, polling locations, grocery stores, farmers' markets, food pantries, banks and pharmacies;
- operations or activities of any business or organization in its provision of "COVID-19 Essential Services";
- healthcare facilities;
- dental or orthodontic offices performing emergency procedures;
- homeless and domestic violence shelters, or organizations providing services and supports to a shelter;
- temporary or permanent locations used for isolation and/or quarantine;
- residential treatment or after-school programs;

- residential schools for special needs students; and
- the operation of Emergency Child Care Programs.

Violations of this Order are subject to the following punishments: (a) first offense will result in a warning; (b) second offense may result in civil citation and fine up to \$300; and (c) further offenses which are repeated and willful may be subject to criminal penalties including a fine up to \$500 or term of imprisonment or both.

For more information and updates on the developing situation, visit [GT's Health Emergency Preparedness Task Force: Coronavirus Disease 2019](#).

Authors

This GT Alert was prepared by:

- [Jack S. Gearan](#) | +1 617.310.5225 | gearanj@gtlaw.com
- [Justin F. Keith](#) | +1 617.310.6230 | keithj@gtlaw.com
- [Terence P. McCourt](#) | +1 617.310.6246 | mccourtt@gtlaw.com
- [Amanda L. Carney](#) | +1 617.310.5268 | carneya@gtlaw.com
- [Kelly M. Pesce](#) | +1 617.310.5224 | pescek@gtlaw.com

Albany. Amsterdam. Atlanta. Austin. Boca Raton. Boston. Chicago. Dallas. Delaware. Denver. Fort Lauderdale. Germany.~ Houston. Las Vegas. London.* Los Angeles. Mexico City.+ Miami. Milan.* Minneapolis. Nashville. New Jersey. New York. Northern Virginia. Orange County. Orlando. Philadelphia. Phoenix. Sacramento. San Francisco. Seoul.∞ Shanghai. Silicon Valley. Tallahassee. Tampa. Tel Aviv.^ Tokyo.* Warsaw.- Washington, D.C.. West Palm Beach. Westchester County.

*This Greenberg Traurig Alert is issued for informational purposes only and is not intended to be construed or used as general legal advice nor as a solicitation of any type. Please contact the author(s) or your Greenberg Traurig contact if you have questions regarding the currency of this information. The hiring of a lawyer is an important decision. Before you decide, ask for written information about the lawyer's legal qualifications and experience. Greenberg Traurig is a service mark and trade name of Greenberg Traurig, LLP and Greenberg Traurig, P.A. ~Greenberg Traurig's Berlin office is operated by Greenberg Traurig Germany, an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. *Operates as a separate UK registered legal entity. +Greenberg Traurig's Mexico City office is operated by Greenberg Traurig, S.C., an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. »Greenberg Traurig's Milan office is operated by Greenberg Traurig Santa Maria, an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. ∞Operates as Greenberg Traurig LLP Foreign Legal Consultant Office. ^Greenberg Traurig's Tel Aviv office is a branch of Greenberg Traurig, P.A., Florida, USA. #Greenberg Traurig Tokyo Law Offices are operated by GT Tokyo Horitsu Jimusho, an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. ~Greenberg Traurig's Warsaw office is operated by Greenberg Traurig Grzesiak sp.k., an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. Certain partners in Greenberg Traurig Grzesiak sp.k. are also shareholders in Greenberg Traurig, P.A. Images in this advertisement do not depict Greenberg Traurig attorneys, clients, staff or facilities. No aspect of this advertisement has been approved by the Supreme Court of New Jersey. ©2020 Greenberg Traurig, LLP. All rights reserved.*