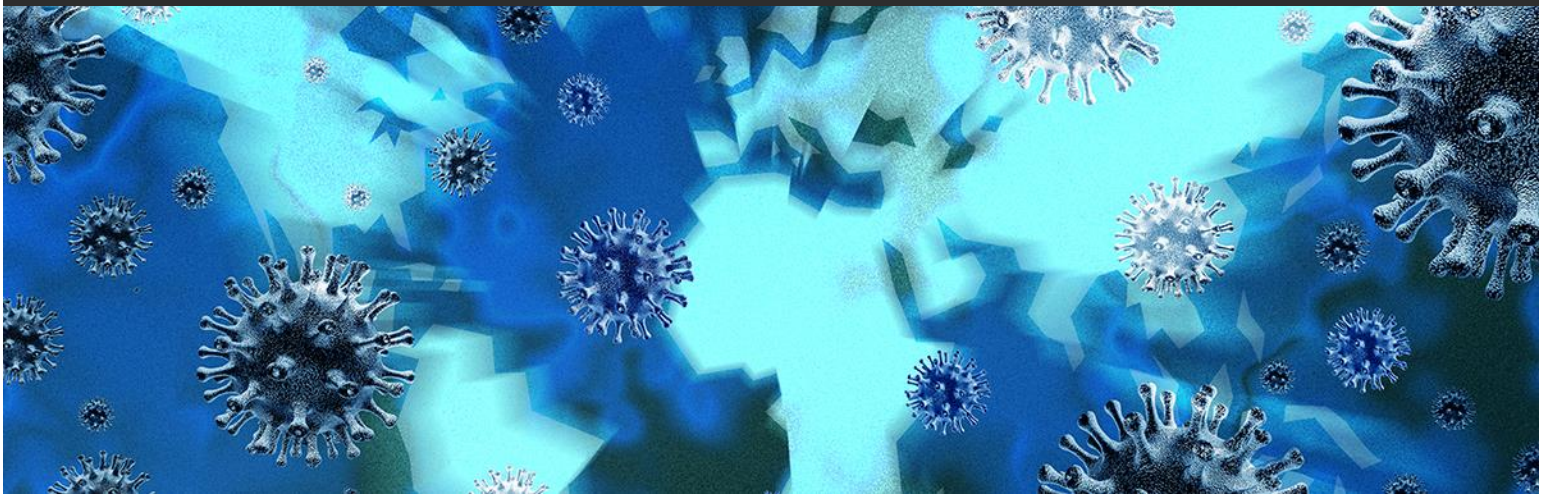


**Alert | Health Emergency Preparedness Task Force:
Coronavirus Disease 2019**



April 2, 2020

Bay Area Counties Implement Updated Shelter-in-Place Orders with April 2 Deadline for Compliance

As of 11:59 pm on March 31, 2020, and continuing through at least May 3, 2020, multiple Bay Area counties have implemented updated Shelter-in-Place orders in response to the worsening COVID-19 outbreak. Updated Orders have been issued in Alameda, Contra Costa, Marin, Santa Clara, San Francisco, and San Mateo Counties, as well as the City of Berkeley. As with the previous Shelter-in-Place Orders, individuals must remain in their homes except for certain essential purposes. These new orders clarify, and in some cases limit, the types of businesses that are deemed essential.

Two new requirements will now apply to all Essential Businesses. First, all Essential Businesses remaining in operation must “prepare, post, and implement a Social Distancing Protocol at each of their facilities at which they are maintaining operations.” The Orders provide a sample Protocol for each business to complete, and mandate that each Protocol be posted at or near the entrance to the facility in plain view of the public and employees. Among other things, the Protocols must explain what steps the business is taking to protect the health of its employees, maintain social distancing among customers, and increase sanitization. Each employee must also be provided with a copy of the Protocol, and essential businesses must produce a copy to government authorities upon request. These Protocols must be in place no later than 11:59 pm on April 2, 2020. Second, essential businesses are directed to “maximize” the number of employees who work from home and may only require employees to work outside the home if they cannot perform their job duties at home.

Several other provisions limit which types of businesses and business functions may now be classified as “essential.” First, businesses with both essential and non-essential components must now scale down operations to only their essential components. Second, all businesses are now prohibited from manufacturing or assembling non-essential products. Third, retail outlets selling both essential and non-essential goods may stay open only if their sales of essential products are a “significant” part of their business. Fourth, construction is now considered essential only under certain narrowly-defined conditions. Fifth, businesses that supply products needed for people to work from home are no longer essential businesses and must cease operations (except minimum basic operations) at their Bay Area facilities. For all businesses not classified as Essential, they may continue operating only as necessary to perform “Minimum Basic Operations.” These include activities necessary to maintain and protect the value of the business’s inventory and facilities, ensure safety, security, and sanitation, and process payroll and employee benefits.

These provisions are not comprehensive, and the requirements of these orders will vary depending upon the nature of the business and the particular duties of the employee.

For more information and updates on the developing COVID-19 situation, visit [GT’s Health Emergency Preparedness Task Force: Coronavirus Disease 2019](#).

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