

## QUESTIONS ABOUT BUSINESSES, EMPLOYMENT, AND GOVERNMENT OPERATIONS

### Will all business offices and stores be required to close?

No. "Essential businesses" may keep their facilities open (and are encouraged to keep them open) to continue providing essential services and products to the public. Employees may leave home to go to these jobs.

Non-essential businesses may keep facilities open only to maintain minimum basic operations, such as maintaining the value of an inventory, keeping the site secure, or ensuring that employees are able to work remotely. The Order does not prohibit any employees from working from home.

### What are "Essential Businesses"?

The Order provides the following list of "Essential Businesses":

1. Construction, including critical home and building repairs;
2. Healthcare and public health services and supply manufacturing and distribution, including mental health and home health services, blood and plasma donation and related activities, and pharmacies but not including gyms and fitness centers. This should be construed broadly to avoid any impacts to the delivery of healthcare;
3. Veterinary care and other healthcare services for animals, including boarding;
4. Food, shelter, and social services and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing at shelters;
5. Mortuary services, including funeral homes, crematoriums, and cemetery workers, except that not more than 10 persons at a time shall be allowed into a funeral, visitation, or wake;
6. Home-based care for seniors, adults, or children;
7. Law enforcement, emergency management, public safety, first responder, emergency dispatch, and security;
8. Hazardous materials handling and cleanup;
9. Agriculture and food cultivation, including farming, livestock, and fishing;
10. Grocery stores, food banks, convenience stores and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household products (such as cleaning and personal care products), provided that farmers' markets and produce stands may provide drive-thru or carry out services only. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintain the safety, sanitation, and essential operation of residences and persons, and includes the retail sale and distribution of alcohol;
11. Restaurant carry-out, drive-thru, and delivery services; entertainment, amusement, and recreation carry-out, drive-thru and delivery services provided they are food services; pick-up or take-away food services provided by a school;
12. Energy, electricity, petroleum, natural and propane gas acquisition, production, generation, processing, storage, distribution, and retail distribution;
13. Waste and wastewater maintenance and operation of infrastructure, including processing, treatment, conveyance, and distribution;
14. Logistics and transportation of goods and people, including taxis and private transportation providers and businesses that ship or deliver foods, goods, or services directly to residences;

15. Vehicle repair and maintenance facilities, including vehicle parts manufacturers and suppliers;
16. Public works support, inspection, and maintenance, including workers such as plumbers, electricians, and other service providers whose services are necessary to maintain safety, sanitation, and essential operation of residences and buildings, Essential Activities, and Essential Businesses;
17. Public infrastructure support and maintenance;
18. Communications infrastructure support and maintenance, including storefronts that sell or repair communication devices and media services, including radio, television, and print;
19. Information technology development, management, support, and security, including client service centers;
20. Inspection services for construction functions of new facilities and/or maintenance of existing buildings;
21. Hotels, motels and bed and breakfasts, provided that they may not offer dining-in services;
22. Critical manufacturing of materials and products needed for medical supply chains, transportation, energy, communications, food and agriculture, chemical manufacturing, water and wastewater treatment, emergency services, and the defense industrial base;
23. Legal and critical financial services, including banks, and property services, including supportive activities such as appraisals, title searches, and inspections;
24. Lawn and landscaping services and grass, weed, and vegetation removal;
25. Building supply stores;
26. Laundromats, dry cleaners and laundry service providers;
27. Residential care facilities, including nursing homes and group homes;
28. Mailing and shipping services, including post office boxes;
29. Educational activities to support distance learning activities;
30. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare should be carried out in stable groups, preferably with 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day); children should not change from one group to another; if more than one group of children is cared for at one facility, each group should be in a separate room. Groups should not mix with each other; and childcare providers should remain solely with one group of children;
31. Religious activity to support distance and/or virtual services provided fewer than 10 persons are in;
32. "Minimum Basic Operations" of otherwise non-essential businesses, provided that employees comply with Physical Distancing Requirements as defined herein to the extent possible while carrying out such operations and which shall be limited to the following:
  - a. The minimum necessary activities to maintain the value of the business's inventory and facilities, ensure security, process payroll and employee benefits, or for related functions; and
  - b. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences, place of rest, or elsewhere;
33. Direct support services necessary to ensure an essential business activity will not have to cease operation.

**Does this Order require that schools shut down?**

This Order requires that all schools stop holding classes at physical locations within the County. However, schools may provide distance learning to their students. Employees of schools may go to work for the purpose of providing distance learning to their students. Schools can also continue to offer students free and reduced-price lunches for takeaway or delivery, which many schools are doing.

**I am in the business of manufacturing food that I supply to grocery stores and other food retailers. Am I required to shut down?**

No. All suppliers of essential businesses are allowed (and encouraged) to continue operating. This includes businesses that supply food goods and prepared meals to grocery stores and other food retailers.

**Does the Order require that businesses stop work that is necessary to our health care system?**

No. The Order exempts any business that is performing work related to the delivery of health care.

**Can my company continue construction on a health care facility?**

Yes, the Order exempts any business that is performing work related to the delivery of health care.

**Can my company tend to its labs under this Order?**

You and your employees are allowed to perform “Minimum Basic Operations” on site at your work place, so long as employees maintain a distance of six feet from one another to the greatest extent feasible. If tending to the company’s labs is necessary to maintaining the value of inventory, the Order allows for this work to continue. Other than that, your lab may only operate if it performs work exempted in the Order.

**My business principally manufactures, supplies, or repairs cell phones. Can it operate?**

Yes. If your business is primarily engaged in supply or repair of cell phones or other telecommunications devices, then it is essential and may continue to operate under the Order.

**Can landscaping services continue?**

Landscaping services may continue with no limitations

### **Are non-profit organizations allowed to continue operating?**

If they provide essential services as described in the Order, then yes they can and should continue providing those services. This would include non-profits operating food pantries, providing housing for homeless residents, and providing other critical services.

### **What if some of the work my business does at its facility is essential and some is non-essential?**

Your business can continue to operate its facility to carry out its essential business functions. You must maximize remote work and comply with social distancing requirements at the facility. The facility cannot continue to carry out non-essential business functions.

### **I operate a “big box store” that sells some clothing in addition to groceries, electronics, and hardware. Do I need to shut down the part of my store that sells non-essential supplies?**

No. You may keep your entire store open if it primarily sells essential goods and supplies like food and telecommunication supplies.

### **What if I have a cafeteria at my worksite. Can it continue to operate to serve workers who are carrying out work exempted in the Order?**

The Cafeteria can operate like other food facilities. It can serve food to the remaining employees, so long as the employees take the food away and do not eat it in the cafeteria. The cafeteria should follow the social distancing requirements in the Order.

### **Is the local government shutting down?**

No, essential government functions will continue, including first responders, emergency management personnel, emergency dispatchers, and law enforcement. Other government functions or offices may be subject to reduced schedules or may be closed as part of the effort to fight the spread of COVID-19.

### **I work for the government—Can I continue to go to work?**

Government employees can continue to go to work if they are designated as essential employees by their employer. Each government entity is responsible for determining which of its workers are essential workers.

### **What do I do if my employer requires me to go to work?**

Many businesses are not allowed to operate under this Order. Essential Businesses, as defined in the Order, are allowed (and encouraged) to continue operating. If your work is not an Essential Business, you are not allowed to go to work and your employer is not allowed to require you to attend except to sustain Minimum Basic Operations, as that term is defined in the Order. You may work from home if your work allows.

**I work in a hospital or medical clinic, but I'm not sure I'm essential. Should I continue to work? What if I'm over 60?**

ALL employees of hospitals, clinics, and other organizations that provide healthcare, provide services to healthcare organizations, provide needed supplies to healthcare organizations, or otherwise maintain healthcare operations of all kinds may continue working.

Both the County's Order and the Governor's recent guidance allows essential workers over 60 to continue working, even though others in that age group are being directed to stay home.

**What do I do about my kids? I have to work.**

If you work for an Essential Business, as described in the Order, you can and should continue to work. Certain employers, schools, and community organizations will be providing childcare for employees of essential businesses. You may also employ a nanny or babysitter to provide home-based care for your kids.

**Can bike repair shops continue to operate?**

Yes, bike repair shops are treated as an essential business (the same as auto repair shops) because they are necessary to facilitate essential travel.

**Can my company continue to provide janitorial services?**

Yes, janitorial services are allowed as necessary to health and sanitation.

**Can grocery stores, farmers markets, and other food retailers remain open?**

Yes. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and similar food retail establishments are encouraged to remain open to provide food and pet supplies to the public. When visiting these establishments, please help retailers maintain at least six feet minimum distance between patrons, including by providing ample space while shopping and waiting in line.

**If my child's school is providing food or meals, can I leave home to go to the school to pick up the food or meals?**

Yes.

**I operate a food facility-- what practices should I follow to keep my patrons safe?**

Consult the [Public Health Department's website](#) for additional up to date information.

**Can warehouses and distribution centers that supply businesses that ship and deliver stay open?**

Yes.

**I work for an essential infrastructure organization—can I leave home to go to work?**

Yes. You can go to work to maintain and operate essential infrastructure, including public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

**I run a construction company that builds affordable and market rate housing. Can we continue to build new units?**

Yes. Creation of new housing units, including both market rate and affordable housing units, is essential. The Order allows construction projects to proceed and new ones to begin if they contribute new residential housing stock to meet the County's critical need for additional housing supply.

**I am midway through a remodel. Can my construction project continue?**

Yes. Residential renovation projects of any kind that are currently underway may continue if necessary to a safe, sanitary, and functional home. Likewise, residential remodeling projects that are partly completed may continue if delaying completion would pose a safety, security, or sanitation risk to residents or impact the habitability of the residence.

**I have a construction project that will sustain damage if I do not continue work on it. Can I complete the project if it is not related to provision of healthcare, housing, or other essential infrastructure?**

The Order allows for minimum basic operations at non-essential construction sites. You may send employees to the construction site to secure the site and to ensure that it does not sustain damage. You may **only** continue construction on the project to the extent it is necessary to prevent damage to the project, e.g. completing a roof or ensuring that there is proper drainage after grading has been completed.

**Is general commercial construction allowed?**

This is considered an essential business and may continue

### **What if I want to go to work at a physical location in the County and I'm not sick?**

Unless your work is exempted in the Order, you cannot go to work at a physical location in the County. You may work from home for any business if your employer allows it.

### **Can I operate a business that sells things that can be delivered to people's homes? Can I shift more of my business to a delivery model?**

Deliveries can continue to be sent to people's homes, and you may adjust your business model accordingly while this Order is in place.

### **My business provides critical services and products for the federal government that we are required to provide on a time-certain basis--can we continue to manufacture these products or perform these services?**

Employees and contractors of any governmental entity may continue to provide the services and products if the governmental entity determines that they are necessary to carry out an essential governmental function.

### **Are daycare facilities allowed to operate?**

Daycare facilities may operate, but only if they comply with the mandatory conditions set forth below and only to provide daycare to the children of employees who are exempted under the Order. This includes employees of essential businesses, employees who are providing for minimum basic operations of non-essential businesses, and governmental employees providing essential governmental functions.

- To operate, daycare facilities should comply with the following mandatory conditions:
- Childcare should be carried out in stable groups of 10 or fewer children (meaning that the same 12 or fewer children are in the same group each day);
- Children should not change from one group to another;
- If more than one group of children is cared for at one facility, each group should be in a separate room. Groups should not mix with each other.
- Childcare provided should remain solely with one group of children. They should not rotate between groups.

### **Can home service workers continue to provide their services?**

Home service workers may provide services to residences if essential to health, safety, sanitation, or the necessary operation of the residence. Generally, this will mean that plumbing, maintenance (to, for example, fix an interior or exterior water leak), pest control, or similar services necessary to maintain a safe and sanitary household are permissible. Purely cosmetic and other non-essential home services should be deferred to minimize risk of transmission. Home based childcare is also allowed under the Order.

### **If I operate a non-essential business with a retail storefront, am I allowed to re-configure my business to deliver products to people's homes?**

Yes.

**I operate a store that primarily sells non-essential goods, but that also sells a small fraction of essential goods like food, or products that allow people to work from home. Can I continue to sell products to customers at my storefront?**

No. Your store may deliver items directly to customers' residences. Other than that, you may only maintain minimum basic operations, such as security and safeguarding of your inventory.

**I am a nanny. Will I get in trouble if I go to work?**

The Order allows nannies and babysitters caring for a child in the child's own home to continue working.

**Can notaries public continue to operate?**

Yes.

**Can title insurance companies continue to operate?**

Yes.

**Can auto dealerships sell cars online and deliver them to people's homes?**

Yes. The Order allows businesses to deliver products to people's residences.

**My retail shop is not exempt -- can we deliver existing stock to people's homes?**

Yes. The Order allows businesses to deliver products to people's residences.