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As more cities, states and counties issue and revise emergency orders to stop the spread of COVID-19, the National Association of Manufacturers is working to help manufacturers nationwide assess and understand the implications of these orders and emphasize the essential

The following resource is intended as a snapshot to help navigate this rapidly-changing environment. Please consult with regulators within the appropriate jurisdiction and your own stakeholders including legal counsel before making a determination on how to best proceed with your company's operations.

MAY 1 UPDATE:

With the critical support of the NAM's state partners, states are beginning to understand the essential role manufacturers play in the coronavirus response effort. Key updates include, extensions of orders in IL and MN. Information is now available on relaxed restrictions in OH, FL, AZ, AL, MO and TN

Key state updates this week include:

- Ohio issued a phased reopening plan beginning on May 1
- In Indiana, Gov. Holcomb announced phase II of the state's reopening to play out during the first part of May
- In Illinois, Gov. Pritzker's stay at home extension is published with suggested best practices for manufacturers
- Florida Gov. DeSantis outlined business guidelines under a partial reopening set to begin on May 4
- Minnesota extended its stay at home order through May 18, while loosening restrictions to allow curbside pickup from retail businesses
- Arizona moved to partially reopen nonessential retail businesses in a new order on April 29

Other resources:

- The last page here includes a chart of expiration dates on state orders as we currently understand them, subject to amendment by governors
- The NAM has created an example letter that employers can provide to employees helping to describe their essential role to others.
- The NAM has prepared a document on the implications of foreign governments' stay in place orders — including Canada and Mexico
- Manufacturers' toolkit to show state and local officials how your business qualifies as essential (Click here to download this resource.)
- Template letter to governors self-declaring or declaring a supplier as "essential" (Click here to download)

Please email NAM Assistant Vice President, Advocacy Michael O'Brien for company-specific support to address disruptions caused by state and local guidance.

External Resources:

- [MultiState tracker](#) of state and local stay in place and mass gathering restrictions; MultiState has this [additional rundown](#) on essential operations of state and local stay in place and mass gathering restrictions; MultiState has this [additional rundown](#) on essential operations
- [Analysis](#) of state “essential” designations prepared by Bracewell LLP
- Council of State Government [library](#) of state COVID-19 orders
- The industrial solutions company Thomas has prepared an operations resource [center](#) for manufacturers

FEDERAL:

The Department of Homeland Security Cybersecurity and Infrastructure Security Agency updated its list of “Critical Essential Infrastructure” on Friday, April 17 to include the latest updates suggested by the NAM over the course of the last month.

[Click here to find the latest CISA guidance](#)

The section explaining “Critical Manufacturing” [can be found here](#). Continue working to shape this guidance by emailing CISA.CAT@cisa.dhs.gov and CISAGuidance@nam.org with redailed examples of why manufacturing and and supply chain is an essential critical infrastructure. If you have changes to offer, **please give REDLINE suggestions** accompanied by supporting examples. Contact NAM Vice President for Energy and Resources [Rachel Jones](#) for more on this issue.

Alabama:

On April 28, Gov. Ivey rolled out Alabama’s [safer at home order](#) which will replace at the Stay at Home Order. The Safer at Home order to be applied Statewide. It will be effective Thursday, April 30, 2020 at 5:00 p.m. and will expire on Friday, May 15, 2020 at 5:00 p.m.

More information on this order can be found in the [safer at home info sheet](#).

On April 3, Alabama’s State Public Health Officer issued a [stay at home](#) order that lasts until April 30, but which allows individuals to leave their homes to work at “essential” businesses including manufacturing, along with those industries identified by federal CISA guidance — see Section 2(s). Section 2(d) designates the following manufacturing as essential:

Manufacturing facilities, including food processing and production; companies that produce pharmaceuticals, food additives, medical equipment, medical devices and supplies, technology, biotechnology, chemical products, telecommunications products; automotive production and suppliers, airplane, ship, and space vehicle or rocket manufacturers; companies involved in healthcare, energy, steel and steel products, fuel and petroleum exploration and production, lubricants, greases and engine oils, mining, national defense, sanitary and cleaning products, household products, personal care products, products used by any other Essential Business or Operation;

Section 3 clarifies that essential employers may issue credentials to their employees to describe their work at an essential facility, but are not required to do so.

Alaska:

On April 22, Gov. Dunleavy issued Health Order [16](#), allowing the limited reopening of nonessential businesses and in-person retail establishments as soon as April 24. The order pre-empts any local restrictions and requires reopening businesses to practice social distancing, sanitization and other operational limitations as part of this phase.

On April 9, Gov. Dunleavy extended the effect of previous health orders enforcing social distancing and closing non-essential businesses until April 21. (Expand the text associated with Health Mandate 12 [here](#).)

On April 9, Alaska initiated a new requirement that businesses defined as essential by Alaska must by email must submit a travel plan or protocol for maintaining critical infrastructure to akcovidplans@ak-prepared.com

Alaska also requires those arriving to the state to self-quarantine for 14 days upon arrival and to complete this [form](#). Those traveling to the state for critical infrastructure must provide a travel plan or plan for supporting critical infrastructure under the parameters described above.

Arizona:

Arizona is operating under a partial reopening after Gov. Ducey issued an order on April 29 implementing a “Stay Home, Stay Healthy, Stay Connected” policy. This [order](#) is effective through May 15.

The current structure allows essential businesses to continue operating, but allows a number of non-essential retail businesses to resume curbside operations on May 4 and limited in-person services beginning May 8. Businesses that resume operations must implement a number of mitigation practices spelled out by the order.

March 30, Governor Ducey issued [executive order](#) 2020-18 “Stay Home, Stay Healthy, Stay Connected” going into effect March 31 at 5:00 pm and expiring on April 30. The order in Section 11(c) defines essential businesses exempt from the stay in place order as being those previously defined in the executive order described below that prohibited local governments from closing essential businesses. That order designated manufacturing businesses as essential.

NEW: On April 7, Gov. Ducey [imposed](#) a mandatory self-quarantine for those arriving in Arizona from New York, New Jersey, and Connecticut (and any other places further identified by the Arizona Department of Public Health) for 14 days, exempting from that requirement in Section 2 those arriving to Arizona for essential infrastructure operations. The order advises those who fall into this category to follow CDC guidelines to minimize risk of contagion, such as wearing non-surgical masks.

The March 30 order requires that businesses that continue functioning implement social distancing and follow CDC guidelines for sanitizing areas. Section 15, again clarifies that “no county, city or town may make or issue any order, rule or regulation that restricts or prohibits any person from performing any function designated by either the Governor.”

Related to the previous order, on March 23, Ducey signed an [executive order](#) prohibiting the closure of essential business by local governments. The order pre-empts local or municipal orders closing manufacturers:

Manufacture, distribution and supply chain for critical products and industries:

Manufacturing companies, distributors and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportations, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications as well as products used by other Essential Businesses and Operations.

For more, contact [Allison Gilbreath](#) with the Arizona Chamber of Commerce.

Arkansas

A March 25 executive [order](#) by Gov. Hutchinson restricts mass gathering to no more than 10 people, with a specific exception in Section 1(c) for “businesses, manufacturers, and construction companies.”

California

On April 13, a series of Western states (CA-OR-WA) announced their intention to work as a group on lifting stay at home orders and reopening commerce. CA Gov. Newsom outlined factors that will shape those states’ thinking. [Find that information here.](#)

On April 29, seven counties in the San Francisco Bay area (Alameda, Contra Costa, Marin, San Francisco, San Mateo, Sonoma and Santa Clara Counties) [extended](#) a local stay in place order through May 31. Individuals may leave their homes to participate in essential functions as defined by the order. Notably, the order loosens some stringent restrictions on construction as long as safety protocols (linked within the order) are followed.

Still in effect statewide is Gov. Newsom’s March 19 [executive order](#) that functionally adopts a “shelter in place” ruling for much of the state of California. The order exempts from the order manufacturers identified as contributing to “critical infrastructure” within the [federal guidance](#) referenced above. Given that the order essentially adopts this federal guidance, manufacturers may refer to the DHS critical infrastructure list in interpreting the California order.

⇒ Following a call with business leaders on Thursday night, the governor’s office asked that questions be referred to this address: LegislativeAffairs@CalOES.ca.gov

The governor’s office had proposed this rule to create “[consistency](#)” across the state amid the many county or city shelter-in-place orders that have popped up in California throughout the week.

The NAM’s state partner in California, California Manufacturers and Technology Association, has been maintaining a rolling update on how these orders affect manufacturers. [Visit and bookmark this link for more.](#) CMTA also [wrote](#) to the governor’s Office of Emergency Services on Thursday emphasizing the essential role manufacturers play in the response to coronavirus.

Colorado

Regional State Partnership: Western States Pact. (California, Colorado, Nevada, Oregon & Washington State).

On April 26, Gov. Polis issued a [new executive order](#) lifting some restrictions on businesses in the state as part of the ["back to work" plan](#) outlined last week.

The order, in Section H(6), allows critical businesses to continue operations with social distancing and mitigation policies. (Previous guidance issued at the outset of Colorado's stay at home order listed a variety of manufacturing sectors as [essential](#).)

The order asks the Colorado Department of Public Health and Environment to issue additional guidance to prohibit gatherings of 10 or more people (even in private establishments), and advise Coloradans to wear masks outside the home. The public health order hasn't yet been published, and the NAM is tracking its language.

The new order allows non-critical retail businesses to offer curbside or delivery services beginning May 1, and for non-critical businesses to resume up to 50% of their in-person activities beginning May 4, as long as they follow mandatory social distancing requirements.

The order stays in effect through May 26.

Connecticut

On April 30, Gov. Lamont outlined [plans](#) for a phased reopening to begin on May 20 following the expiration of the current stay at home order, which envisions some restaurant services and in-person retail businesses to resume operations at that point with mitigation practices.

On April 17, Gov. Lamont signed an executive [order](#) requiring individuals to wear face coverings in public, including places of work, when unable to maintain a safe social distance. The order charges Connecticut's Department of Economic and Community Development to issue guidance on face coverings, which is posted [here](#).

That guidance says that employers must issue face coverings to employees, provide them with materials and a CDC tutorial on how to make their own mask, or "compensate employees for the reasonable and necessary costs employees expend on such materials to make their own masks or cloth face covering."

The requirement takes effect on Monday, April 20 and lasts for the duration of the state of emergency.

On April 10, Gov. Lamont [issued](#) an order extending closures, distancing, and safety measures through May 20, 2020.

On March 20, Gov. Lamont signed a "stay in place" [order](#), adopting the Department of Homeland Security's CISA guidance as its list of "essential" programs and explicitly including "manufacturing, including food processing, pharmaceuticals, and industries supporting the essential services required to meet national security commitments to the federal government and U.S. Military; the defense industrial base, including aerospace, mechanical and software

engineers, manufacturing/production workers, aircraft and weapon system mechanics and maintainers.”

Per [news reports](#), the Connecticut Department of Economic and Community Development is responsible for identifying exemptions to the shelter in place order. The department has set up these accounts to respond: COVID19.JIC@ct.gov, or call the DECD small business hotline at 860-500-2333. You can find a list of individual contacts [here](#). Connecticut has added resources clarifying that businesses only need to apply to be designated as essential if they do not believe existing guidance covers their operations. [See the DECD's page for more](#).

On April 7, Gov. Ned Lamont [issued](#) an executive order granting power to the Commissioner of Economic and Community Development to issue legally binding statewide rules for essential employees prescribing additional workplace protective measures. The Safe Workplace for Essential Employees guidance [can be viewed here](#).

Following additional guidance from the state, the NAM's state partner [has produced this resource](#) for employers on how to implement protective measures for the workplace.

For more, contact [Joe Brennan](#) from the Connecticut Business and Industry Association. Please see the analysis and resources prepared by CBIA [here](#).

Delaware

On April 6, Gov. Carney [issued a modification](#) to his order, extending the expiration of his order requiring non-essential businesses to be closed until at least May 15.

On March 31, Gov. Carney issued [travel restrictions requiring](#) visitors from out of state to self-quarantine for 14 days upon entry to the state, clarifying the order “shall not apply to individuals commuting into Delaware to work for an Essential Business.”

Gov. John Carney issued a “stay in place” [order](#) on March 22 with broad exemptions for manufacturers. Section 6(j) offers this exemption for manufacturers as “essential” businesses:

Manufacturing: Workers necessary for the manufacturing of materials, goods, products, or similar distribution

The order does not touch on the federal CISA guidance except to order the state's Division of Small Business to consider that guidance when making any clarifications to the order. On April 1, the governor issued additional [guidance](#) restricting business operations for companies that permit customers on their premises.

The state offered a prescriptive yes/no industry list that tracks closely with the problematic structure in Pennsylvania except, in Delaware, all manufacturing industries are approved on this listing as essential industries.

Florida

On April 29, Florida has entered Phase 1 of “Safe. Smart. Step-by-Step.” reopening plan for Florida's, beginning Monday, May 4. The [order](#) continues to permit essential businesses under the federal CISA definitions of critical infrastructure, and allows the partial reopening of

nonessential retail or in-person businesses at a reduced capacity. Under the most recent order, Miami-Dade, Broward, Palm Beach and Monroe counties remain in a "stay at home" posture, and local municipalities may implement their own stay at home order as they deem appropriate.

April 1 Gov. DeSantis issued a clarification [executive order](#) stating the statewide Stay at Home order of earlier in the day, supersedes all local orders.

On April 1, Gov. DeSantis issued a stay at home [order](#) that requires those in Florida to limit movements outside the home to only essential activities. The order defines "essential" activities exempt from the order as those defined in the federal CISA guidance (Section 2A) as well as those identified in an earlier, partial-state stay at home order which adopted Miami-Dade County's own [order](#) (07-20), which mostly focused on closing non-essential [retail](#) businesses, but established in Section 2(ee) that "Factories, manufacturing facilities, bottling plants, or other industrial uses" were permitted as essential. No subsequent order appears to do anything to affect that essential designation. The new executive order extends until April 30, and a clarifying [order](#) emphasizes that the statewide order supersedes any conflicting local order.

DeSantis has also issued some restrictions for out-of-state travelers from [New York, New Jersey or Connecticut](#) and [Louisiana](#) to self-quarantine for 14 days upon entering the state. In Section 1(A) of the order it clarifies that the self-quarantine requirement "shall not apply to ... persons involved in any commercial activity."

A number of additional counties in Florida covering the state's largest metropolitan areas had issued stay in place orders in the absence of any statewide declaration. For updated list of individual city, county and other orders, [click here](#).

Georgia

On April 20, Gov. Kemp issued an [order](#) lifting some of the stay at home requirements for Georgia beginning March 27 to allow minimum basic operations at some in-person retail locations in the state. The order continues to exempt from effect of the order essential businesses defined under the federal CISA guidelines.

On April 8, Gov. Kemp [extended](#) until April 30 his previous executive [order](#) prohibiting mass gatherings of 10 or more people and ordering Georgians to stay in place, with exemptions for "essential" businesses as defined by the federal CISA guidance, along with "suppliers which provide essential goods and services to the critical infrastructure workforce."

Companies that continue in-person operations are required to implement mitigation efforts, including telework, sanitization and *optional* health screenings including temperature checks for employees.

The order empowers the Georgia Department of Economic Development to issue clarity as needed. Significantly, the order also supersedes orders issued by cities or counties in Georgia, including a problematic order as written by the city of Atlanta.

Hawaii

On April 26, Gov. Ige [extended](#) until May 31 Hawaii's stay at home [order](#) shuttering businesses in the state except for those determined to be "essential" under the federal CISA guidance. The order includes additional exemptions for manufacturers:

Manufacture, distribution, and supply chain for critical products and industries.

Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by essential businesses and operations;

Businesses that remain in operation must practice social distancing, maintain separate operating hours for high-risk populations and make "readily available" hand sanitizers and sanitizing products.

On April 1, Gov. Ige also [issued](#) travel restrictions requiring inter-island travelers in Hawaii to self-quarantine for 14 days upon arrival, with exemptions for those considered essential under the federal CISA guidance. All interisland travelers must complete this [form](#).

Idaho

On April 15, Gov. Little issued a new [order](#) extending Idaho's stay in place order until April 30. The order also imposes a required, 14-day quarantine for visitors to the state unless that individual is traveling to the state for an essential purpose as defined by the CISA guidance.

On April 23, Idaho issued its "Idaho Rebounds" [plan](#) with a staged reopening protocol that would allow some non-essential businesses to resume service during the first half of May and charge non-essential businesses with developing plans toward reopening in the back half of May if certain public health criteria are met.

On March 25, Idaho Gov. Brad Little issued a stay in place [order](#) for the state of Idaho, with exemptions for "essential" businesses as defined by the federal CISA guidance. It makes no additional mention of manufacturing, though adds to essential businesses identified in section 3(f).

Idaho has also issued [enforcement guidance](#) to clarify the effect of the order, this [information](#) about essential services and businesses, and an [FAQ page](#) about the order.

For more, contact [Alex LaBeau](#) with the Idaho Association of Commerce and Industry.

Illinois

On April 23, Gov. Pritzker said he would extend Illinois's stay in place order through May 30 and introduced new restrictions on manufacturers, including requirements to provide face coverings to employees who cannot practice social distancing, and limiting operations to "essential" lines of production. A press release associated with the announcement can be found [here](#). Language regarding manufacturing includes:

ESSENTIAL BUSINESSES AND MANUFACTURING: Essential businesses and manufacturers will be required to provide face-coverings to all employees who are not able to maintain six-feet of social distancing, as well as follow new requirements that maximize social distancing and prioritize the well-being of employees and customers. This will include occupancy limits for essential businesses and precautions such as staggering shifts and operating only essential lines for manufacturers.

The [order](#) lists safety requirements manufacturers may follow as part of the order, including:

- providing face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
- staggering shifts;
- reducing line speeds;
- operating only essential lines, while shutting down non-essential lines;
- ensuring that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing; and
- downsizing operations to the extent necessary to allow for social distancing and to provide a safe workplace in response to the COVID-19 emergency.

On April 13, Illinois Workers' Compensation Commission (IWCC) issued a [proposed emergency rule](#) allowing employees of essential businesses who are diagnosed with COVID-19 to apply for workers' compensation benefits. The rule would pose challenges for employers to prove that infected individuals contracted the illness outside of the workplace. The NAM's state partner, the Illinois Manufacturers' Association, has objected to the order on the grounds that it violates Illinois's open meetings laws, and also requires legislative approval.

April 1, Gov. Pritzker signed an [executive order](#) extending the state's stay in place order through April 30. No additional changes to the language from the March 20 [order](#), which defines a number of essential infrastructure items (including food production and construction) and essential businesses — including manufacturing companies and their supply chains. (See section 12(t).) A footnote additionally clarifies that “the definition of Essential Business and Operations is meant to encompass the workers identified” in the DHS-CISA order.

Specifically, the following manufacturing facilities, distribution, and supply chains are considered essential and may continue to operate. Employees are considered essential and may continue working in your facilities.

Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.

For more, contact [Mark Denzler](#) with the Illinois Manufacturers' Association.

Indiana

Gov. Holcomb announced a Phase 2: Back on Track Guidance for the State of Indiana to go into effect on Monday, May 4. Manufacturing facilities not currently open may resume work on May 4. Note there is a Guidelines for Manufacturing that should be followed including having social distancing, employee checks and overall safety. The following counties will remain in a Stay at Home order: Lake, Marion and Cass.

- Guidelines for Manufacturing – [Click Here](#)
- General State Overview – [Click Here](#)
- What's Open, What's Closed – [Click Here](#)

Indiana previously imposed a stay at home order on March 28 and adopted the federal CISA guidelines for essential business in the state.

The Indiana Economic Development Corporation is now offering a Critical Industries Hotline to field industry questions. Call (877) 820-0890 or email covidresponse@iedc.in.gov with questions.

Businesses that remain operational are to practice social distancing and function at minimum basic operations and encourage telework where possible.

Iowa

On April 27, Gov. Reynolds signed a series of [proclamations](#) loosening social distancing requirements in most Iowa counties beginning May 1 and lasting through May 15. Under those orders, restaurants and fitness facilities (among other businesses) may reopen under limited capacity. Recreational mass gatherings of more than 10 people are prohibited under Iowa's current order.

Kansas

On April 15, that Gov. Kelly [extended](#) until May 3 her stay at home [order](#) that closes companies except for those defined as essential under the Kansas Essential Functions Framework (KEFF).

Kansas defines a variety of “essential” businesses in a way that is meant to model the federal CISA guidance, though it does not necessarily adopt the CISA framework.

In the most recent order, the KEFF list issues a number of elements of manufacturing, [details of which can be found here](#).

The order supersedes any local stay in place order, but also notes (in Section 2) that the Kansas Secretary of Health and Environment is able to promulgate additional restrictions as necessary in response to COVID-19.

The order notes in Section 9(b) that “no prior approval is required for individuals or entities to perform essential functions” as defined by the KEFF framework. Individuals or entities who are uncertain about whether they fall within the framework should email KEFF@ks.gov.

On March 31, the Kansas Dept. of Health and Environment instituted new [rules](#) mandating travelers from certain states and jurisdictions (including New York, Connecticut, New Jersey, Illinois, Louisiana, California, Washington and Colorado) self-quarantine for 14 days upon arrival in the state. The order exempts travelers for essential purposes as established by the federal CISA guidelines. The state has posted FAQs about the travel restrictions [here](#).

Kentucky

On April 23, Gov. Beshear rolled out a “Healthy at Work” [platform](#) to engage businesses in the state to help shape the phased reopening of business there. Industry groups can submit reopening proposals [here](#), while individual businesses who want to submit plans can do so [here](#). **Note:** Businesses that are currently open do not need to submit proposals to remain open.

On March 31, Gov. Beshear issued an [Executive Order](#) instructing Kentuckians not to leave the state and for any visitor to the state to self-quarantine for 14 days upon arrival, with several exceptions including “when required by employment” in Section 1(a).

On March 25, Gov. Beshear issued an [Executive Order](#) that adopts the federal CISA guidance to designate “Life Sustaining Businesses” and builds upon that to include broad exemptions for manufacturing, including:

I. Supplies for Life Sustaining Businesses. Business that sell, manufacture, or supply other Life-Sustaining Businesses with the support of materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment: optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security.

p. Manufacture, distribution, and supply chain for critical products and industries. Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Life Sustaining Businesses or products that could be used to treat or prevent Covid-19.

Notably, the governor has also established an [online portal](#) and hotline to report individuals or establishments not in compliance with the order.

Louisiana

On March 22, Gov. John Bel Edwards [issued a “stay at home” order](#) restricting mass gatherings to no more than 10 people. The order clarifies that the restrictions do not apply to “factories or manufacturing facilities” (Section 2), and continues in Section 3(C) to emphasize that individuals are allow to go to and from work to perform essential functions as defined by the federal CISA

guidelines. In Section 5, it also orders businesses not designated essential by CISA or explicitly ordered to close by Section 4 to reduce to minimal possible operations at their facilities.

On April 27, Gov. Edwards [extended](#) the order through May 15.

In a follow-up message to clarify the executive order, the governor's office also provided [examples of critical infrastructure businesses](#).

Maine

On April 1, Gov. Mills issued a stay in place [order](#) that adopted as its standard for exempt "essential" activity the definition established by his March 24 [order](#) to close all non-essential to businesses close operations. The order adopts by reference CISA guidance on essential businesses, and adds additional exemptions in Section B(2) for "industrial manufacturing" and "construction and maintenance of essential infrastructure, among other industrial segments. The order extends until April 30.

The Maine Department of Economic and Community Development has posted additional resources to clarify essential businesses in the state, including a [list](#) of essential industries (which includes manufacturing), an essential service designation [request form](#), a FAQ [document](#), and this email address to ask questions: business.answers@maine.gov.

The order is operative until April 8, and requires businesses to practice maximum possible telework, enact social distancing policies, and specifies that businesses that continue operating should "not allow customer, vendor or other visitor in-person contact."

Maryland

On April 27, Gov. Hogan introduced his "[Roadmap to Recovery](#)" outlining the steps and conditions for gradually reopening Maryland's businesses.

Gov. Larry Hogan on March 30 updated his stay in place [order](#) in a way that continues to adopt the federal CISA guidance for "essential" businesses exempted from the order (Section III-a). Additional [guidance](#) from the governor's Office of Legal Counsel clarifies that barring curbside pickup for non-essential businesses is a major impact of this order. The Maryland stay at home order is in effect for the duration of its emergency declaration, which Gov. Hogan [extended](#) on April 10 (still with no conclusion date specified).

The governor's spokesman clarified [via Twitter](#) that employers should determine for themselves whether they should continue operations, and if necessary produce letters for employees explaining their activities.

The previous order on March 23 had similarly adopted the federal CISA guidance regarding essential business operations. In regard to that order, the governor's office had also issued [accompanying guidance](#) from the its Office of Legal Counsel related to businesses determined to be essential, which includes a listing of a variety of manufacturing sectors, adding that that list is not intended to be exhaustive. A note adds: "The fact that a particular business, organization, or facility is not included in the list does not mean it is excluded from the federal critical infrastructure sectors."

A state government official, [Rick Neudorff](#), was a primary point of contact in the development of this order in case your organization has clarifying questions. For more, contact [Whitney Harmel](#) with the Maryland Chamber of Commerce.

Massachusetts

On April 28, Gov. Baker [extended](#) his stay in place [order](#) through May 18. In its previous extension, Massachusetts also updated its [essential business list](#) to conform with the updated federal CISA guidance, though it does not formally incorporate that guidance as its own. The list does list a number of manufacturing sectors as part of its lengthy list of essential businesses.

The order specifies how companies seeking an exemption or clarification can seek recourse. Companies can either [fill out this form](#), or direct questions to covid19.biz@mass.gov.

[An FAQ page](#) published alongside the guidance clarifies that companies defined as essential businesses do not need to apply to be formally designated as essential.

On March 27, travelers from outside of Massachusetts are required to self-quarantine for 14 days upon arrival, though the state's Department of Public Health [says](#) that "designated essential workers are exempt from this requirement."

On March 18, Massachusetts had their request approved by SBA for a declaration of economic injury in Massachusetts to assist businesses impacted by the COVID-19 public health emergency. Businesses can now apply for low-interest federal disaster loans.

Michigan

On April 23, Gov. Whitmer [extended](#) Michigan's stay in place order through May 15, while also outlining a series of "renewed activities" allowed under alternative arrangements.

Most significantly, the order only defines as essential business those functions identified under the [first](#) set of CISA guidelines in Michigan, issued March 19. Those guidelines, which have been subsequently updated by the Dept. of Homeland Security, can be found [here](#).

As with the previous orders, Michigan's new order expands upon the CISA guidance to consider as essential "suppliers, distribution centers, or service providers whose continued operation is necessary to enable, support, or facilitate the work of its critical infrastructure workers," along with suppliers, distributors or service providers of those businesses and "suppliers, distribution centers, or service providers further down the supply chain."

With that said, the previous guidance had posed difficulties for manufacturers, especially some which sell business-to-consumer products through homegood and hardware store retailers.

Section 10 of the order lists a series of "resumed activities" permitted under the order, including:

- c. Workers for garden stores, nurseries, and lawn care, pest control, and landscaping operations, subject to the enhanced social-distancing rules described in section 11(h) of this order.

- e. Workers for moving or storage operations, subject to the enhanced social-distancing rules described in section 11(h) of this order.

That section describes a number of precautions required for those businesses, including:

- Barring gatherings of any size in which people cannot maintain six feet of distance from one another.
- Limiting in-person interaction with clients and patrons to the maximum extent possible, and barring any such interaction in which people cannot maintain six feet of distance from one another.
- Providing personal protective equipment such as gloves, goggles, face shields, and face masks as appropriate for the activity being performed.
- Adopting protocols to limit the sharing of tools and equipment to the maximum extent possible and to ensure frequent and thorough cleaning of tools, equipment, and frequently touched surfaces.

Moreover, Section 3(d) of the order gives latitude to these resumed businesses to operate for curbside sales if they continue to be closed to the public:

Any business or operation that employs workers who perform resumed activities under section 10(a) of this order, but that does not sell necessary supplies, may sell any goods through remote sales via delivery or at the curbside. Such a business or operation, however, must otherwise remain closed to the public.

Though the latest extension supersedes a previous stay at home orders in the state.

The governor has issued [this FAQ document](#) regarding implementation of the *initial* order. For more information, please contact [John J. Walsh](#) with the Michigan Manufacturers' Association.

Minnesota

On April 30, Gov. Walz [extended](#) the state's stay at home order through May 18, allowing for expanded curbside pickup from nonessential manufacturing businesses. Find additional guidance on the order [here](#).

On April 24, Gov. Walz issued an updated [order](#) to allow some non-essential businesses to resume operations, including manufacturers in the state who might not have previously fallen into the "critical manufacturing" definition previously put forth by the state. Businesses that intend to reopen must implement a Preparedness Plan covering how the company will keep sick employees at home, promote telework, enforce social distancing, support hygiene and approach disinfection if necessary.

According to the order, senior management responsible for implementing these plans must sign and certify their company's plan, and share it to company employees. A template plan is available [here](#).

This order takes place while the state's stay at home [order](#) remains in effect. That order exempts from enforcement "essential" manufacturing, though it imposes stricter language regarding the extent of that exemption.

The order, which will remain in effect until May 4, adopts in Section 4 the federal CISA guidelines as definitions for “critical” businesses, and adds additional critical manufacturing exemptions in Section 6(j):

- Critical manufacturing.** This includes the critical manufacturing workers listed in the Updated CISA Guidance and the following:
- i. Workers supporting iron ore mining and processing operations and supplier/vendor industries essential to such mining and processing operations.
 - ii. Workers supporting printing operations that supply other Critical Sectors. Other printing workers are not exempted.

The order was accompanied by [additional guidance](#) from the state about critical businesses, and directs companies with outstanding questions about whether their company is essential to email the following address: CriticalSectors@state.mn.us.

The order also adds language in Section 6 to narrowly define the extent of the exemption for the stay in place order for individual company personnel:

These critical services exemptions apply only to travel to and from an individual’s home or residence and place of work and an individual’s performance of work duties that cannot be done at their home or residence. Travel may include transportation to and from child care or school settings as necessary to ensure the safe care of children.

The Minnesota Chamber of Commerce, the NAM’s state partner in the state, and other state-based partners had worked proactively to help guide this order. The MN Chamber has a broader COVID-19 toolkit for businesses available [here](#).

Mississippi

On April 24, Gov. Tate Reeves signed a “safer at home” [order](#) lifting some restrictions in the state, allowing for businesses to continue operating as “essential” under the purposes of the order.

The safer at home order encourages those in Mississippi to stay home, and requires the cancellation of mass gatherings of more than 10 people. Businesses that continue operating should practice social distancing, close common spaces “to the extent possible,” and practice sanitization. Non-essential retail businesses are permitted under the new order to operate on a curbside or delivery basis.

The order is effective through May 11.

Missouri

On April 27, Missouri issued a public health [order](#) allowing for a partial reopening of businesses beginning on May 4 as part of Gov. Parsons’s “Show Me Strong Recovery” plan. The order will stay in effect through May 31 and allow for the reopening of non-essential businesses including retail and dine-in restaurants as long as they enforce social distancing and limit capacity to a proportion of square footage as outlined within the order. A companion [FAQ document](#) says the new order will apply to all Missouri businesses but has the intention of restarting operations for non-essential companies that have been closed during the stay-at-home order.

On April 16, Gov. Parson extended until May 3 his original stay at home [order](#) allowing Missourians to leave their home to work at “essential” businesses as defined by the federal CISA guidance. Companies that continue operations must continue to practice social distancing and sanitization.

On April 15, the Mayors of St. Louis ([news report here](#)) and Kansas City ([report here](#)) extended their cities’ stay at home orders for another month, until May 15. St. Louis had previously issued an order [here](#), with updates available [here](#). The City of St. Louis has created a “economic development update” resource [here](#). Kansas City’s prior order can be found [here](#).

Montana

On April 22, Gov. Bullock issued a [health directive](#) extending the stay at home order just a few days longer, until April 27, with a plan to reopen some non-essential retail businesses thereafter. Employers are asked to keep common areas closed during this phase of reopening and minimize non-essential travel. The order permits bars and restaurants to begin operating again under strict social distancing standards beginning May 4.

Nebraska

On April 9, the state of Nebraska issued a “[Directed Health Measure](#)” prohibiting mass gatherings of more than 10 people. The order in Section 1 says this requirement “does not include typical office environments, factories” or distribution centers. The order applies statewide, though with differing lengths of effect for different counties in Nebraska. Find a rundown of those deadlines – which range from April 30 to May 11 – [here](#).

A series of local health departments in Nebraska have issued additional Directed Health Measures of their own, with restrictions on mass gatherings but exemptions to allow for “continuity” of business operations. Click the following links to find those orders for the [Central District](#) (Hall, Hamilton & Merrick counties), [Douglas County](#), [Lincoln-Lancaster County](#), [Sarpy-Cass Counties](#), and the [Two Rivers Public Health Department](#).

Nevada

On April 29, Gov. Sisolak [extended](#) Nevada’s stay at home order through May 15, though the state will allow curbside operations for some nonessential retail businesses beginning May 1.

Regional State Partnership: Western States Pact. (California, Colorado, Nevada, Oregon & Washington State).

On March 31, Gov. Sisolak issued a stay at home [order](#) for Nevada that exempts from enforcement those leaving their home to work at an “Essential Licensed Business” as established by his March 20 emergency order. That [document](#), in Section 1(b) includes exemptions for “essential infrastructure operations, including ... manufacturing.” Companies that remain in operation must practice social distancing and other mitigation policies. The March 31 order extends the stay in place order until April 30.

On April 8, the governor issued additional [health guidance](#) requiring businesses to enforce social distancing and foot traffic limitations, leaving it to NV OSHA to ensure that businesses practice these standards.

New Hampshire

On March 26, Gov. Sununu [issued](#) a stay-at-home order, accompanied by [list of industry sectors](#) deemed to perform essential services and continue operating while this order is in effect. While the order does not explicitly incorporate CISA guidance, it does provide a broad exemption for manufacturing operations, including a specific manufacturing section:

Manufacturing companies, distributors, and supply chain companies producing and supplying materials and products for industries that include, but are not limited to, pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, construction, gun and related products (including associated retail), operations of dams, water and wastewater treatment, national defense, communications, as well as products used by other essential businesses and operations

If the function of your business is not listed above, but you believe that it is essential or it is an entity providing essential services or functions, you may request designation as an essential business. These requests should be submitted to essential@nheconomy.com and include basic contact information and a brief justification.

New Jersey

On April 8, Gov. Murphy [signed](#) a new executive order tightening rules around New Jersey's stay in place order. The order seeks to halt "non-essential" construction and issues new operational requirements for manufacturers and warehouse facilities in the state.

The order in Section 3 imposes additional business operation for continuing, essential construction projects, manufacturing businesses in New Jersey and warehousing businesses including:

- Prohibiting worksite visits from non-essential visitors
- Limiting onsite meetings to fewer than 10 people
- Requiring social distancing of 6+ feet
- Staggering work start/stop times, lunch breaks and work times "when practicable" to promote operational safety
- Restrict number of people who can access common areas (restrooms, breakrooms) concurrently
- Require infection control practices (hand washing, proper tissue disposal)
- Limit sharing of tools, equipment and machinery
- Providing sanitization materials to workers and visitors
- Require frequent sanitization of "high-touch" areas (restrooms, breakrooms, equipment, machinery)

The order also in Section 3(g) provides extensive requirements for workers and visitors to wear protective coverings. Requirements include:

- Workers and visitors wearing cloth face coverings in accordance with CDC recommendations while on premises (except when doing so would inhibit the individual's health or if the person is under 2-years-old)
- Workers wearing gloves on premises
- Businesses must provide at their expense these face coverings and gloves for employees
- Refusing entry to visitors who refuses to wear a cloth face covering for non-medical reasons
 - Individuals are not required to produce medical documentation if they refuse to comply for stated medical condition

Those business are also required to implement the following protocol, including:

- Separating and sending home workers who present symptoms consistent with COVID-19 upon arrival at work or during the day
- Promptly notifying workers of known COVID-19 exposures on the worksite
- Clean and disinfect affected worksites in accordance with CDC guidance

The order also has extensive restrictions on construction, ordering construction projects sites shut down unless they are defined as "essential" under the order, including:

- Projects necessary for delivering health services, including hospital construction, other health care facilities and pharmaceutical manufacturing facilities
- Transportation projects (including roads, bridges, and mass transit facilities or physical infrastructure, including work done at airports or seaports;
- Utility projects (including energy and electricity production and transmission, or decommissioning of facilities)
- Construction projects of facilities that house the manufacturing, distribution, storage or servicing of goods or products sold by online retail or essential retail businesses
- Residential construction projects that are already underway
- Affordable housing, schools and other education facilities

This order builds upon the two orders issued by Murphy in March establishing a "shelter in place" rule, but with broad exemptions for manufacturers.

[E.O. 108](#) supersedes any state or municipal determination, indicating the statewide ordinance governs all of New Jersey. [E.O. 107](#) provides detail for the shelter in place ruling.

[A FAQ document](#) about E.O. 107 prepared by Business.NJ.Gov, the state's commerce and innovation office, clarifies that manufacturing in the state may continue:

Manufacturing, industrial, logistics, ports, heavy construction, shipping, food production, food delivery, and other commercial operations may continue operating, but as explained above, they should limit staff on site to the minimal number to ensure that essential operations can continue.

E.O. 107 does not mention manufacturing and focuses mostly on restrictions for retail businesses.

Other provisions of E.O. 107 provide exemptions for individuals to leave their residence to “reporting to, or performing, their job” (section 2-5).

Section 10 says that businesses remaining open must accommodate employee “telework” wherever possible, while Section 11 orders businesses to practice social distancing and reduced workforce arrangements wherever possible for employees who cannot telework.

Finally, the order makes clear that the “State Director of Emergency Management, who is the Superintendent of State Police,” is the official “to make additions, amendments, clarifications, exceptions, and exclusions to that list.”

The NAM is working closely with its state partner, the New Jersey Business and Industry Association, to further address member inquiries. For more, please contact [Michele Siekerka](#), Esq. with the New Jersey Business and Industry Association.

New Mexico

On April 23, Governor Lujan-Grisham [said](#) she would further extend until May 15 a [stay in place order](#) that closes all non-essential businesses, with an exemption for manufacturers and other “essential” businesses. The manufacturing exemption for essential businesses in Section 3(h) reads:

Manufacturing operations involved in food processing, manufacturing agents, chemicals, fertilizer, pharmaceuticals, sanitary products, household paper products, microelectronics/semi-conductor, primary metals manufacturers, electrical equipment, appliance, and component manufacturers, and transportation equipment manufacturers.”

Sections 3(g) and 3(n) also offer exemptions for critical utilities and power generation:

Infrastructure operations including, but not limited to, public works construction, commercial and residential construction and maintenance, airport operations, public transportation, airlines, taxis, private transportation providers water, gas, electrical, oil drilling, oil refining, natural resources extraction or mining operations, nuclear material research and enrichment, those attendant to the repair and construction of roads and highways, solid waste collection and removal, trash and recycling collection, processing and disposal, sewer, data and internet providers, data centers, technology support operations, and telecommunications systems;

AND

Utilities, including their contractors and suppliers, engaged in power generation, fuel supply and transmission, water and wastewater supply;

The order does not appear to reference the federal CISA guidance for essential businesses. Businesses seeking clarity on essential or non-essential status may send inquiries to covid.exemption@state.nm.us.

Gov. Lujan-Grisham's executive [order](#) requiring travelers to New Mexico via air travel to self-quarantine for 14 days upon arrival has no clear exemptions for essential businesses such as manufacturers, and the NAM is working to understand the implications of that for companies in the state.

For more, please contact [Larry Sontagg](#) with the New Mexico Business Coalition.

New York

On April 16, Gov. Cuomo [extended](#) New York's order to close non-essential businesses until May 15.

On April 15, Gov. Cuomo [indicated](#) that he would soon sign an executive order requiring New Yorkers to wear masks or face coverings "when out in public and in situations where social distancing cannot be maintained, such as on public transportation."

The [order](#) specifically says:

Effective at 8 p.m. on Friday, April 17, 2020 any individual who is over age two and able to medically tolerate a face-covering shall be required to cover their nose and mouth with a mask or cloth face-covering when in a public place and unable to maintain, or when not maintaining, social distance.

On April 12, Gov. Cuomo [signed](#) an executive order requiring employers to provide masks to essential employees who interact with the public. The order requires "any employees who are present in the workplace shall be provided and shall wear face coverings when in direct contact with customers or members of the public." Also per the order, "Businesses must provide, at their expense, such face coverings for their employees."

On March 22, Gov. Andrew Cuomo issued [guidance](#) through Empire State Development for businesses to reduce their in-office presence by 100% with the exception of those manufacturers considered "essential." This stay in place order was [extended](#) until April 29.

Empire State Development has developed [this listing of businesses](#) considered "essential" for the purpose of this order, including a number of manufacturers, specifically including food processing, all foods and beverages, chemicals, medical equipment/instruments, pharmaceuticals, safety and sanitary products, telecommunications, microelectronics/semi-conductor, agriculture/farms and paper products.

If the function of your business is not included in the list but you believe it should be deemed essential, you may [request designation](#) as an essential business. You can email those applications to covid19designations@esd.ny.gov.

The state has set up a [portal](#) and [FAQ](#) for businesses to submit business-related COVID-19 issues and questions.

North Carolina

On April 23, Gov. Cooper [extended](#) through May 8 his initial stay at home executive [order](#) that closes businesses in the state with exemptions for manufacturers as defined by CISA, added to with additional language for manufacturers.

Section 2(C)(2) incorporates the federal CISA guidelines by reference, while Section 2(C)(26) adds additional language for “Manufacture, distribution and supply chain for critical products and industries”:

Manufacture, distribution and supply chain for critical products and industries. Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, communications, as well as products used or commonly sold by other COVID-19 Essential Businesses or Operations.

The order requires businesses that remain operational to function at minimum basic operations and practice social distancing.

The NC Chamber has produced a [resources page](#) for NC businesses as they respond to COVID-19. The Business Emergency Operations Center in North Carolina remains the main point of contact for NC Business Operation questions. Please contact [Persia Payne-Hurley](#) with NCDPS for more.

North Dakota

On March 27, Gov. Burgum issued an executive [order](#) shutting down bars, restaurants and other public retail businesses with no apparent impact on manufacturers. On April 16, he [extended](#) that through April 30.

The ND Department of Public health updated on April 8 [travel restrictions](#) requiring those traveling from international destinations or other parts of the United States to self-quarantine for 14 days upon arrival in North Dakota. The order exempts critical infrastructure workers as defined by the federal CISA guidance, inclusion of which came at the urging of the North Dakota Chamber.

On April 6, the mayors of Fargo and West Fargo issued a limited “Stay Home, Stay Healthy” [order](#) with no apparent impact on manufacturers. The order reinforces Gov. Burgum’s directives, urges retail businesses to limit occupancy and encourages other businesses that continue operating to practice social distancing, sanitization and telework.

Ohio

On May 1, Mike DeWine announced that the Ohio Department of Health has issued a [Stay Safe Ohio Order](#). The new order, which incorporates the openings of businesses and services announced as part of the Responsible RestartOhio plan, will replace the previous "Stay at Home" order, which expires at 11:59 p.m. on May 1 and will be in effect till May 29.

On April 27, Gov. DeWine rolled out the [Responsible Restart Ohio Plan](#) to implement the reopening the following sectors: Consumer Retail & Services; General Office Environments; and Manufacturing, Distribution & Construction. Information on Manufacturing, Distribution & Construction sector can be found [here](#), which includes requirements for manufacturers including 6-foot social distances or barriers in between employees, mandatory wearing of face coverings, and employee-driven health assessments. **Note:** The stay at home [order](#) will remain in place, prohibiting gatherings of more than 10 people.

On April 2, Ohio Gov. Mike DeWine extended the state's stay at home [order](#) through May 1 and adopted a mandatory self-quarantine for out-of-state visitors. The order provides exemptions from both requirements for "essential" businesses, which the updated order defines as those industries identified by the federal CISA guidance as well as added language for manufacturing:

Manufacture, distribution, and supply chain for critical products and industries. Manufacturing companies, distributors and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.

The order also provides a dispute settlement mechanism for instances where local orders might be in conflict, directing the Ohio Department of Public Health to settle the matter. Businesses that remain operational must enforce six-foot distances in between customers, provide hand sanitizers and provide hours during which vulnerable populations can patronize those businesses.

On March 23, OMA's legal counsel, Bricker & Eckler, has produced [this analysis of Ohio's stay-at-home order](#) and its impact on manufacturers.

The NAM's state partners, the Ohio Manufacturers' Association, [issued this additional guidance from their legal counsel](#). [Click here for the Ohio Manufacturers' Association's resource page](#).

OMA has also joined with the Ohio Hospital Association and the Ohio Manufacturing Extension Program to form the **Ohio Manufacturing Alliance** to combat COVID-19. [Click here](#) for a fact sheet on the alliance, and contact the group [here](#).

Oklahoma

On April 22, Gov. Stitt released an "Open Up and Recover Safely" [plan](#) that calls for reopening some non-essential retail businesses between April 24 and May 1, with a goal of lifting restrictions further by May 15. Employers in Oklahoma are asked to keep common areas closed, practice social distancing and minimize non-essential travel.

Oregon

Regional State Partnership: Western States Pact. (California, Colorado, Nevada, Oregon & Washington State).

A March 23 [order](#) by Gov. Brown orders closed beginning March 24 the closure of businesses “for which close personal contact is difficult or impossible to avoid,” mostly applying to spas, gyms, amusement parks and the like. The order keeps closed bars and restaurants for on-premises service. The restrictions appear only to affect retail businesses and do not affect manufacturing or other industrial operations, except to require businesses to practice maximum possible amounts of telework, and to “designate an employee or officer to establish, implement, and enforce social distancing policies.”

Pennsylvania

On April 27, Gov. Wolf outlined a phased reopening [plan](#) that identifies in broad terms how operations for businesses might be able to resume. If the state’s current status is “red,” requiring all but life-sustaining businesses to close, the next (“yellow”) phase would allow in-person business operations to resume under the guidance of “Business and Building Safety Orders,” which have not yet been published. The NAM will track the development of these orders, and indications as to whether PA may move toward such a phase after its current stay at home order expires on May 8.

On April 20, Gov. Wolf [extended](#) the effect of the mask requirement and Pennsylvania’s stay at home [order](#) through May 8, incorporating the same exemptions for essential business as designated within previous orders. Note that the stay at home order affects individuals rather than direct business operations (orders governing which are outlined below.)

NEW APRIL 15: A new Department of Health [order](#) issued April 15 in Pennsylvania requires businesses that are maintaining operations in Pennsylvania to provide masks for employees to wear during the normal course of daily operations. You can find answers to FAQs [here](#).

Section A(10) of the order says businesses that have been approved to continue operations must:

Provide masks for employees to wear during their time at the business, and make it a mandatory requirement to wear masks while on the work site, except to the extent an employee is using break time to eat or drink, in accordance with the guidance from the Department of Health and the CDC. Employers may approve masks obtained or made by employees in accordance with Department of Health guidance

The order also imposes additional operational requirements of businesses in Pennsylvania, including staggering work and break start and stop times, limiting access to common areas and enforcing social distancing within break spaces, conducting meetings virtually, providing employees with access to regular handwashing, and prohibiting visits by non-essential persons.

The order (in Section A(3)) also offers detailed requirements of businesses that have been exposed to a person with a probable or confirmed case of COVID-19. Requirements include:

- Closing off and ventilating areas visited by an infected person for 24 hours before disinfecting those areas
- Identifying employees who were in close contact with a possibly infected person, notify them of such, monitor them for symptoms and dispatch them from work if they become

sick, and implement [CDC Guidance](#) for employees who interacted with an infected person

- Implement temperature screenings before work or work shifts, and send home employees with a temperature above 100.4 degrees Fahrenheit

Compliance with the order is due by April 19 at 8:00 p.m., and Gov. Wolf has authorized the following agencies to enforce the order:

- Pennsylvania Liquor Control Board
- Department of Health
- Department of Agriculture
- Department of Labor and Industry
- Pennsylvania State Police
- Local officials, using their resources to enforce closure orders within their jurisdictions

Gov. Wolf signed a new executive [order](#) authorizing state agencies to “commandeer and utilize all PPE, pharmaceuticals, and other medical resources required” within the state to respond to COVID-19, seizing these items “from all private, public, and quasi-public health care providers and facilities, as well as manufacturers and suppliers of PPE, pharmaceuticals, and other medical resources located within the Commonwealth of Pennsylvania.”

Companies “are required to submit current inventory quantities of PPE, pharmaceuticals, and other medical resources” to the Pennsylvania Emergency Management Agency by April 13.

Finally, the order pledges to compensate those entities from whom the state commandeers PPE, pharmaceuticals and other medical resources “under terms and conditions agreed upon.” The compensation price of those items “shall be the average price at which the same or similar consumer goods or services were obtainable in the affected areas during the last seven days immediately prior to March 6, 2020.”

Related to the specific items sought by the state of Pennsylvania, its Emergency Management Agency (PEMA) [established a portal](#) for manufacturers, distributors and suppliers to provide information about inventory to the agency. Along with the list below, PEMA published a “[critical medical supplies resource guide](#)” with some additional details about the performance standards required of several of these categories. The input form itself can be found [here](#).

PEMA has established an email account for companies with questions about the procurement or supply needs, found here: RA-procinternet@pa.gov

PEMA has also established an email account for serving legal process information during COVID-19: RA-EMPEMALEGAL@pa.gov

Personal Protection Equipment (PPE)

- Surgical/Procedure Masks
- N95/N99 Form Fitting Respirators
- Face masks with integrated shield
- Powered Air Purifying Respirator, PAPRs
- Alcohol Based Hand Rub

Hospital Supplies

- Ventilators with PEEP Functionality
- Ventilator Circuits
- Endotracheal Tubes
- Hospital Gowns

Lab Supplies

- UVT 3 mL with flocced flex minitip
- Nasopharyngeal (NP) flocced swabs and viral transport media tubes (1-3 mL)

Diagnostics Supplies and Instruments

- Roche MagNA Pure 96 DNA and Viral NA Small Volume Kits
- Roche MagNA Pure 96 System Fluid and Tips
- Roche MagNA Pure 96 External Lysis Buffer
- Biomerieux NuciSENS EasyMAG extraction system and supplies

The NAM's state partner, the Pennsylvania Manufacturers' Association issued [this statement](#) in response to the actions by Gov. Wolf.

April 3: Gov. Wolf closed applications for businesses to be determined as an "essential" business that is exempt from stay in place and business closure laws. The state will continue to review applications that have been made, but no longer accept new applications for a waiver. Please read the section below closely, which makes clear that companies do not necessarily have to apply for an exemption.

While companies will not be able to submit new exemption applications, we have maintained the information below as guidance and context for manufacturers.

Beginning March 21, Gov. Wolf in Pennsylvania [ordered](#) all "non-life sustaining" businesses to close their physical locations. The state's determination of which businesses are considered "life-sustaining" is based on NAICS codes, and [can be found here](#). (Last updated April 1.)

Additional guidance for manufacturers in the state is available via an [updated FAQ](#) document.

That FAQ goes into more detail about how companies should determine whether they are "life-sustaining" under the PA orders, and whether to see an exempt business waiver. Since the current (March 24) yes/no [list](#) is based on NAICS codes, they advise companies to first see whether the NAICS code they use to (for instance) buy insurance or pay taxes matches up with the list provided by the state. If a company's code falls within those categories, they are not required to seek a waiver and may remain open so long as they practice social distancing and other mitigation efforts.

Companies that don't fall within that list of "life-sustaining" businesses should apply for a waiver through the state of PA, determinations on which will be made to align as best as possible with the federal CISA guidance. The updated FAQ about the state's order clarifies that businesses that have applied for a waiver should presume not to operate

under the governor's existing order unless informed explicitly by the state that they have received a waiver to do so. (See [Question 3](#) here.)

While waiver applications are now currently closed to new submissions, Pennsylvania had made available [business waiver application form](#). [According to the governor's office](#), exemptions would be made with an eye toward the federal CISA guidance. The update came after a flood of exemption requests directed into the governor's office by the NAM. We had also directed companies to the following key contacts in Pennsylvania:

- ⇒ Companies should please email RA-dcexemption@pa.gov with the Institute's name, you or another contact person, contact information and DCED will be in touch with details about the process.
- ⇒ The governor's office has set up a hotline and email address for manufacturers to send questions regarding their ability to continue operations: 1-866-466-3972 or ra-dcedcs@pa.gov
- ⇒ Elena Cross in the governor's office is the lead staff contact: elecross@pa.gov

Puerto Rico

The government of Puerto Rico has imposed some of the most severe restrictions on businesses, [ordering](#) most businesses closed including manufacturers. Manufacturers may petition for exemptions under these guidelines issued March 18 by the Puerto Rico Department of Economic Development and Commerce. [Please click here for a copy of that order](#).

The NAM's state partner in Puerto Rico issued [this guidance](#) (in Spanish), and the NAM is working to ensure manufacturers' continued ability to operate in Puerto Rico.

Rhode Island

On April 7, Gov. Raimondo [extended](#) until May 8 Rhode Island's stay in place [order](#) that orders closed only non-essential retail businesses in the state. The order has no apparent impact for manufacturers.

Gov. Raimondo has also [ordered](#) all out-of-state visitors – not just those from New York – who **travel to the state for a non-work reason** to self-quarantine for 14 days.

For more, contact [Deb Cochrane](#) with the Rhode Island Manufacturers Association.

South Carolina

On April 20, Gov. McMaster issued an [order](#) allowing a series of “non-essential” retail establishments to begin reopening in South Carolina, a step toward gradual reopening of the state. Retail businesses that begin reopening for operations must enforce an occupancy limit of no more than 20% of the establishment and practice social distancing and sanitization.

On April 6, Gov. McMaster issued an updated stay at home [order](#) requiring a list of “[non-essential](#)” businesses like entertainment venues, recreational and athletic facilities, and close-contact service providers to close, while also for the first time defining the list of “essential”



activities for which individuals could leave their homes. The order, in Section F(1), defines “essential” businesses as those identified by the federal CISA guidelines. The order will stay in effect through the duration of the state of emergency for South Carolina is in effect, and empowers the South Carolina Department of Commerce to issue additional clarifications. On April 12, Gov. McMaster [extended](#) the state of emergency for another 15 days.

The South Carolina Department of Commerce can be reached at the following contact information: covid19sc@sccommerce.com or at 803-734-2873.

Also on April 3, Gov. McMaster issued an [order](#) affecting rental properties that exempts in Section 1(D)(2) those individuals engaged in operations or services identified by the federal CISA guidance, as well as

Individuals operating commercial vehicles transporting essential goods and products, such as food, water, medicine, medical supplies and equipment, fuels and petroleum products (to include fuel oil, diesel oil, gasoline, kerosene, propane, and liquid petroleum), livestock, poultry, feed for livestock and poultry, and crops and other agricultural products ready to be harvested (to include timber and wood chips); individuals employed by airlines; and individuals otherwise engaged in commercial transportation activities.

Crucially, in Section 1(E), Gov. McMaster also applied these exemptions to his previous executive order that imposed travel restrictions for out-of-state visitors to South Carolina. That [order](#) imposed a mandatory 14-day quarantine for individuals who have traveled to the state from high-risk areas, specifically the states of New York, New Jersey, and Connecticut, as well as the City of New Orleans, Louisiana.

The clarification came after direct advocacy by the NAM's state partner, the SC Chamber, and the NAM urging Gov. McMaster to clarify the travel restrictions to clearly designate manufacturing as essential.

South Dakota

On April 6, Gov. Noem signed two new executive orders, the first (statewide) one [encouraging](#) businesses to modify practices or scale down operations. The [order](#) urges South Dakota businesses to maximize telework and implement social distancing, and strongly encourages enclosed retail establishments to modify or suspend business. Though the order makes no formal requirements of businesses, it references the federal CISA guidance as the guidelines for essential businesses that should not be limited by the order.

A second [order](#) signed by Noem [requires](#) vulnerable individuals (defined by the [order](#) to include adults over the age of 65 and those with underlying medical conditions) in Minnehaha and Lincoln Counties (covering the Sioux Falls area) to stay at home. However, individuals within those categories who are employed in "essential" businesses as defined by the federal CISA guidance are exempt from the order.

Tennessee

On April 28, Gov Lee issued [Executive Order 30](#) which supersedes and repeals Executive Order Nos. 17, 21, 22, 23, 27, and 29, effective Wednesday, April 29. The order allows

Tennesseans and businesses to return to work in all industries where that can be safely accomplished by following health guidelines, while urging employers to allow or require remote work/telework if possible.

All employers and businesses that choose to open are expected to comply with the Governor's Economic Recovery Group (ERG) Guidelines for operating safely, as well as general health guidelines from the CDC and other government entities. You can find general guidelines for all business [here](#).

On April 24, Gov. Lee rolled out the first steps from the [Tennessee Pledge](#) the state's rollout of guidance and best practices for Tennessee businesses in 89 of the state's 95 counties to keep employees and customers safe during the ongoing COVID-19 pandemic.

On April 13, Gov. Lee [extended](#) until April 30 his previous executive [order](#) requiring those in Tennessee to stay in place until April 14, with exemptions for essential business as defined by his earlier [Executive Order No. 22](#).

On April 20, Gov. Lee [indicated](#) that he would lift the stay at home order for much of the state beginning April 27, and not extend the order in its current form past April 30 except for Shelby, Madison, Davidson, Hamilton, Knox and Sullivan counties — where the governor said he would work with local public health officials to indicate their own reopening strategies.

Attachment A specifies essential businesses allowed to continue operating, incorporating the federal CISA guidance in Section 1, and adding additional exemptions for manufacturers in Section 25:

Manufacturing, distribution and supply chain for critical products and industries.

This includes but is not limited to: manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, bio technology, healthcare, chemicals, sanitation, waste pick up and disposal, agriculture and agricultural products, food and beverage, household consumer products, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, Defense and National Defense, and communications, as well as products used by or component parts of other Essential Services.

For more, contact [Kelly Boutwell](#) with the Tennessee Chamber of Commerce.

Texas

On April 27, Gov. Abbott issued an [order](#) allowing a partial reopening of businesses in Texas beginning May 1. The order applies to businesses to the extent that they weren't previously designated as "essential" during the state's previous stay in place orders. The order mostly applies to nonessential retail businesses, which are permitted to reopen at 25% of their listed occupancy.

For employers, Texas has provided [this checklist](#) on safe operations during this stage of the governor's [reopening plan](#).

The governor also [lifted](#) travel restrictions for those traveling from Louisiana, but kept many in place for travelers from other areas of the country affected by COVID-19, including New York, New Jersey, Connecticut, California, Washington state, Atlanta, Chicago, Detroit and Miami.

Utah

On March 28, Gov. Herbert [issued](#) recommendations that Utahns stay at home, but the order specifies that it is not a “stay in place” order.

On April 9, Gov. Herbert signed an [order](#) requiring visitors to Utah to complete a “travel declaration form” that includes information like point of entry, contact information, COVID-19-related health information, travel information prior to arrival, final destination and travel companions. The order applies to air travelers and motorists alike, who are required to complete the form within three hours of arriving in Utah. This order will remain in effect through May 1, and appears to apply to all travelers, including those who arrive for essential business functions. The program is administered by the Utah Dept. of Transportation.

With Utah one of the few states yet to issue a statewide order, six counties covering Salt Lake City and central Utah. While none of the orders explicitly close broad categories of businesses beyond retail establishments like hairdressers or in-person restaurant services, [Salt Lake County](#), [Weber-Morgan Counties](#), and [Wasatch County](#) all incorporate by reference the federal CISA guidance as examples of essential businesses at which persons are permitted to leave their home for work. [Davis](#) and [Tooele](#) Counties encourage businesses to minimize in-person operations, while [Summit County](#) simply extends a state of emergency in response to COVID-19.

Vermont

On April 10, Gov. Scott [extended](#) Vermont’s stay in place order until May 15. The initial [order](#), issued on March 24, closed all non-essential business, including manufacturing among those essential businesses exempted from the order, defined as, “critical manufacturing, including food and animal feed manufacturing, processing and supply, pharmaceuticals and other manufacturing necessary to support the COVID-19 response as well as economic and national security.” The order does not mention the federal CISA guidance.

On March 30, Gov. Scott issued an [order](#) requiring “any person, resident or non-resident, travelling into Vermont for anything other than an essential purpose” to immediately self-quarantine for 14 days or the balance of 14 days dating from the day of arrival. This order, in Section 2, defines as essential purposes those activities outlined in the March 24 order which exempts manufacturers.

The order further charges the Vermont Agency of Commerce and Community Development (ACCD) to develop additional guidance as to what businesses are critical to health and safety, along with a process for responding to questions regarding acceptable continuation of business operations. Secretary Michael Schirling can be emailed here (michael.schirling@vermont.gov) and deputy secretary Ted Brady (ted.brady@vermont.gov) here.

Virginia



On March 30, Gov. Northam issued a stay in place [order](#) that, in Section 2(b), says that its terms do not apply “to the operation of businesses not required to close to the public under Executive Order 53.” The stay in place order is in effect until June 10.

Executive Order 53, [issued](#) by Northam on March 23, imposed mass gathering restrictions that appear to apply [only](#) to retail business establishments. Other businesses “offering professional services” are allowed to remain open, though they are encouraged to adopt social distancing and telework standards wherever possible. On April 15, the governor [extended](#) this order until May 8.

Additional guidance from Gov. Northam’s office is posted [here](#). For more, contact [Kimberly Noonan](#) with the Virginia Manufacturers Association.

Washington

Regional State Partnership: Western States Pact. (California, Colorado, Nevada, Oregon & Washington State).

On April 2, Gov. Inslee [extended](#) until May 4 his “stay at home” [executive order](#) shuttering all non-essential businesses in Washington State until April 6. The order, in Section 1(b), incorporates by reference the federal CISA guidance as the designation of essential manufacturing businesses. See the “Federal” section above for more detail there. Washington issued a critical infrastructure clarification [document](#) alongside the order, which mirrors the CISA guidance.

Businesses seeking clarification as to whether their business qualifies as essential under this guidance can email business@mil.wa.gov. There is also a form which businesses can fill out [here](#) to “register” as essential.

The NAM’s state partner, the Association of Washington Business, which worked closely with Gov. Inslee to ensure basic essential designations for manufacturers, has posted an extensive resource page regarding the emergency order [here](#). For more, contact [Jason Hagey](#) with the Association of Washington Business.

West Virginia

On April 27, Gov. Justice issued West Virginia’s [plan](#) for partial reopening, including stages for relaxed restrictions on different business types and sizes.

On April 4, Gov. Jim Justice issued executive [orders](#) tightening restrictions on business operations in six counties within West Virginia, covering its eastern panhandle near Washington, D.C. and the area surrounding the state capital of Charleston. The order requires essential businesses that continue operations to implement remote work to the “maximum extent possible,” and empowers local health departments to establish protocols to limit occupancy of businesses on a per-square-foot basis. The NAM’s state partner, the West Virginia Manufacturers Association, understands this order to apply mostly to essential retail businesses, but the NAM will continue to monitor the local health developments to assess impact for manufacturers. On April 8, Gov. Justice [added](#) Marion County to this list.



On March 30, Gov. Justice issued an [executive order](#) that directs people who have traveled to West Virginia from hot spots such as New York, Connecticut, Louisiana, Italy or China to quarantine for 14 days if they travel to the state. anyone traveling into West Virginia from a high-risk area to quarantine for 14 days.

In regards to specific language on travel exemptions, it states:

This measure does not apply to any commercial activity, including without limitation commercial trucking activities and individuals who commute into or out of state for work, persons performing any emergency, health, military, or infrastructure response activities necessitating travel into the state, or persons otherwise engaged in and traveling for Essential Businesses and Operations under terms of executive order 9-20.

That order, issued by Gov. Jim Justice on March 23, imposed a [stay-at-home order](#) that goes into effective **March 24, 2020 at 8:00 PM.**

The order temporarily shuts down all non-essential business, exempting “essential” businesses as defined by the federal CISA guidance, with added exemptions for the “manufacture, distribution, and supply chain for critical products or industries.”

In regards to specify language for exemption for manufacturing it states:

Manufacture, distribution, and supply chain for critical products and industries: *manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services and for industries such as pharmaceutical, technology, bio technology, healthcare chemicals and sanitation, waste pick up in disposal, agriculture, food and beverage, transportation, energy Iron ore, steel and steel products, aluminum and aluminum products, petroleum propane and fuel, mining, construction, national defense, communications, as well as products used by other essential business les is an operations including without limitation filters in filtration products and services. (Here is a [link to the full order.](#))*

In a call with the WVMA, General Jim Hoyer of the West Virginia National Guard indicated the administration is monitoring the orders issued by other states relative to industry and are tuned in to the concerns of WVMA members. He noted the awareness of the need to maintain manufacturing supply chains, and the obvious issues associated with plant shutdowns and the need to maintain essential services in any case. He further advised that companies should continue to take protective measures with regard to safety and hygiene including medical surveillance and modifying work spaces to allow social distancing.

For more, contact [Rebecca McPhail](#) with the West Virginia Manufacturers Association.

Wisconsin

On April 16, Gov. Evers [extended](#) until May 26 his stay in place [order](#) that closes all nonessential businesses in Wisconsin, with exceptions for manufacturers.

Section 13(a) defines as essential those manufacturers include in the federal CISA guidance, specifically noting that this information was updated on March 23 (see the federal information above). Section 13(v) also offers this additional exemption for manufacturers:

Manufacture, distribution, and supply chain for critical products and industries. Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitation, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, and products used by other Essential Governmental Functions and Essential Businesses and Operations. Any business or operation that is considered an

Essential Business or Operation under this section may only perform those business operations which are necessary for the Essential Business and Operations or Essential Governmental Functions to which they are supplying goods or services. Any non-essential goods or services may only continue as Minimum Basic Operations.

If a company is not listed as an essential business or operation, the order directs them to refer to this [resource with the Wisconsin Economic Development Corporation](#) for clarification. Businesses that continue operations are required to practice minimum basic operations and social distancing and telework where possible.

Companies are further encouraged in the order to look to the [Wisconsin Department of Homeland Security](#) for additional guidance.

The NAM's state partner at the Wisconsin Manufacturers and Commerce, has proposed its own "Back to Business" plan [found here](#). WMC has assembled considerable additional resources for manufacturers to help them navigate the response to stay in place orders and state policy to support manufacturers in the state. [Click here](#) for some of those resources.

Wyoming

Governor Gordon extended public health orders #1, 2, and 3, to expire on April 17, 2020. [Order #1](#) relates to the closing of bars, restaurants, theaters, gymnasiums, childcare centers, K-12 schools, colleges, universities, and trade schools statewide. [Order #2](#) prohibits gatherings of 10 or more people. [Order #3](#) directs the closure of nail salons, hair salons, barber shops, massage parlors, tattoo, body art and piercing shops, and cosmetology, electrology, and esthetic services.

Governor Gordon [issued an executive order](#) closing bars and restaurants for on-site consumption, theaters, gymnasiums, childcare facilities, K-12 schools, colleges, universities and trade schools statewide. Governor Gordon [announced the formation](#) of Coronavirus Task Forces.

CURRENT SCHEDULE OF STATE ORDERS

State	Order Enacted	Expiration Date	
Alabama	30-Apr	15-May	Under new "safer at home" order
Alaska	24-Apr	Until further notice	Under new, lesser restriction order
Arizona	29-Apr	15-May	Under new "stay home, stay healthy" partial reopening

Arkansas	27-Mar	Until further notice	
California	19-Mar	Until further notice	
Colorado	25-Mar	26-May	Stay at home lifted; partial restrictions in place
Connecticut	20-Mar	20-May	
Delaware	12-Mar	15-May	
Florida	4-May	Until further notice	Phase I of looser restrictions under reopening
Georgia	14-Mar	30-Apr	
Hawaii	25-Mar	31-May	
Idaho	25-Mar	30-Apr	
Illinois	20-Mar	30-May	
Indiana	23-Mar	24-May	Back to Work partial reopening. Phase 2: May 4 – May 24
Iowa	17-Mar	30-Apr	
Kansas	24-Mar	3-May	
Kentucky	26-Mar	Until further notice	
Louisiana	23-Mar	15-May	
Maine	18-Mar	30-Apr	
Maryland	30-Mar	Until further notice	
Massachusetts	24-Mar	18-May	
Michigan	23-Mar	15-May	
Minnesota	25-Mar	18-May	
Mississippi	27-Apr	11-May	Under revised “safer at home” order
Missouri	4-May	30-May	Looser restrictions begin May 4
Montana	28-Apr	Until further notice	Now under relaxed restrictions order
Nebraska	9-Apr	30-Apr/11-May	
Nevada	20-Mar	15-May	
New Hampshire	27-Mar	4-May	
New Jersey	21-Mar	Until further notice	
New Mexico	23-Mar	15-May	
New York	20-Mar	15-May	
North Carolina	30-Mar	8-May	
North Dakota	N/A	N/A	
Ohio	22-Mar	1-May	
Oklahoma	27-Apr	15-May	Now operating under lesser restriction order
Oregon	24-Mar	Until further notice	
Pennsylvania	19-Mar	Until further notice	
Puerto Rico	15-Mar	Until further notice	



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Rhode Island	23-Mar	8-May	
South Carolina	3-Apr	27-Apr	
South Dakota	23-Mar	2-May	
Tennessee	29-Apr	29-May	Loosened restrictions under phased reopening
Texas	20-Mar	Varies	
Utah	N/A	Until further notice	
Vermont	25-Mar	15-May	
Virginia	30-Mar	10-Jun	
Washington	23-Mar	4-May	
West Virginia	24-Mar	Until further notice	
Wisconsin	24-Mar	26-May	
Wyoming	N/A	Until further notice	