



# COVID-19 Impact on Construction Services

## Government Orders – May 18, 2020

(updated weekly)



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In determining what businesses or services are considered essential and can continue to operate, many states reference or incorporate the *Advisory Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response* by the Cybersecurity and Infrastructure Security Agency (CISA). The [CISA Guidance is summarized](#) at the end of this chart.

Orders and Effective Dates	Impact on Construction Projects	Sources
<b>ALABAMA</b>		
<b>Alabama State Health Officer Stay-at-Home Order</b> <i>(Effective April 4 through April 30)</i>	<ul style="list-style-type: none"> <li>On April 3, the Alabama State Health Officer issued its <b>Stay-at-Home Order</b>, which amended prior orders suspending certain public gatherings statewide) to direct its residents to shelter in place. Under Alabama’s Stay-at-Home Order, residents were required to stay home except under limited circumstances, including performing work certain types of construction. <b>Alabama’s Stay-at-Home Order expired April 30.</b></li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Amended Safer-at-Home Order</a></li> <li><a href="#">“Guidelines for Safeguarding All Businesses”</a></li> </ul>
<b>Alabama State Health Officer Safer-At-Home Order</b> <i>(Effective April 30 through May 15)</i>	<ul style="list-style-type: none"> <li>On April 28, the Alabama State Health Officer issued its <b>Safer-at-Home Order</b>, which lifted many restrictions on individuals and businesses. The order suggests certain protections that businesses must provide to employees such as maintaining six feet separation and facilitating working from home. The order does not expressly mention or otherwise directly impact construction.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Safer-at-Home Order</a></li> </ul>
<b>Alabama State Health Officer Amended Safer-At-Home Order</b> <i>(Effective May 8 through May 22)</i>	<ul style="list-style-type: none"> <li>On May 8, the Alabama State Health Officer issued an <b>Amended Safer-at-Home Order</b>. The amended order removed any limitation of gatherings to 10 persons. The order also added that employers are “strongly encouraged to read an implement” certain guidelines issued by the Alabama Depart of Public Health.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Stay-at-Home Order (expired)</a></li> <li><a href="#">Alabama COVID-19 News and Resources</a></li> </ul>

Orders and Effective Dates	Impact on Construction Projects	Sources
<b>ALASKA</b>		
<b>Public Health Disaster Emergency Declaration</b> <i>(signed on March 11)</i>	<ul style="list-style-type: none"> <li>The State of Alaska issued a Public Health Disaster Emergency Declaration on March 11, 2020, which authorized the issuance of Health Mandates. Health Mandate No. 10 was issued on March 23 ordering individuals to self-quarantine after international and interstate travel. This mandate included an “Attachment A” of critical infrastructure workers that were exempted from the self-quarantine requirements.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Emergency Declaration</a></li> </ul>
<b>Health Mandate 010 – Order for Self-Quarantine</b> <i>(Effective March 25 through April 21; Alaska Essential Services and Critical Workforce Infrastructure Order (formerly Attachment A) updated May 5)</i>	<ul style="list-style-type: none"> <li>On March 27, the State of Alaska issued the “Alaska Essential Services and Critical Workforce Infrastructure Order” (formerly Attachment A), which it subsequently amended multiple times, the most recent being on May 5. Under the Order, all businesses within Alaska, except those specifically exempted, are required to cease all activities at facilities located within the state. Critical Infrastructure includes public works construction, essential construction, commercial construction, renovation or repair, including construction of housing.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Alaska Essential Services and Critical Workforce Infrastructure Order (formerly Attachment A)</a></li> <li><a href="#">All COVID-19 Health Mandates</a></li> </ul>
<b>Health Mandate 016</b> <i>(Effective April 24 until rescinded or modified)</i>	<ul style="list-style-type: none"> <li>On April 24, Alaska issued Health Mandate 16: Reopen Alaska Responsibility Plan – Phase 1-A. Health Mandate 16 superseded Health Mandate 11, Social Distancing. Health Mandate 16 “seeks to balance the ongoing need to maintain diligent efforts to slow and disrupt the rate of infection with the corresponding critical need to resume economic activity in a reasonable and safe manner.” Although the mandate superseded Health Mandate 011 and lifted many restrictions on individuals and businesses, social distancing, such as maintaining six feet separation when possible, is required. The mandate does not expressly mention or otherwise directly impact construction.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Alaska Dept. of Health and Social Services COVID website</a></li> </ul>
<b>Reopen Alaska Responsibility Plan</b> <i>(Effective April 24 until rescinded or modified)</i>	<ul style="list-style-type: none"> <li>Phase 2 of the Reopen Alaska Responsibility Plan started on May 8. Phase 2 does not expressly mention or otherwise directly impact construction.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Reopen Alaska Responsibility Plan</a></li> </ul>
<b>ARIZONA</b>		
<b>Declaration of Emergency *COVID-19*</b> <i>(Effective March 11)</i>	<ul style="list-style-type: none"> <li>Governor Doug Ducey declared a State of Emergency on March 11 and on March 23, the Governor issued Executive Order 2020-12, which prohibits any county, city or town to issue orders or regulations restricting or prohibiting any person from performing an essential function.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Declaration of Emergency</a></li> </ul>
<b>Executive Order 2020-12 Prohibiting the Closure of Essential Services</b> <i>(March 23)</i>	<ul style="list-style-type: none"> <li>Under the Arizona Order, “Essential Infrastructure Operations” includes “<b>construction</b> (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, and housing construction). The Order further notes that “Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.”</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Arizona Executive Orders</a></li> </ul>
<b>Executive Order 2020-18 – Stay Home, Stay Healthy, Stay Connected Order</b> <i>(rescinded by EO 2020-36)</i>	<ul style="list-style-type: none"> <li>Moreover, “Essential Business and Operations” includes “Critical trades: Building and Construction Tradesmen and Tradeswomen and other trades”</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Arizona Department of Health COVID-19 website</a></li> </ul>
<b>Executive Order 2020-33 – Returning Stronger: Amending the Stay Home, Stay Healthy, Stay Connected Order</b> <i>(rescinded by EO 2020-36)</i>	<ul style="list-style-type: none"> <li><b>UPDATE:</b> On May 12, the Governor issued Executive Order 2020-36, Stay Healthy, Return Smaller, Return Stronger, which rescinded Arizona’s stay-at-home orders, Executive Orders 2020-18 and 2020-33. The order continues to promote physical distancing while encouraging social connectedness and allowing businesses to gradually and safely open in compliance with federal guidelines. The order does not expressly mention or otherwise directly impact construction.</li> </ul>	
<b>Executive Order 2020-36 – Stay Healthy, Return Smarter, Return Stronger</b> <i>(Effective May 12 until further notice)</i>		

ARKANSAS		
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<p><b>Governor’s Executive Order 20-03 Declaration of State of Emergency</b> <i>(Effective for 45 days from May 5, amended by Executive Order 20-25)</i></p>	<ul style="list-style-type: none"> <li>On March 11, under Order 20-03, Governor Asa Hutchinson declared a state of emergency and delegated the authority to certain state agencies to handle the state response. The Governor also prohibited any regulations of commerce or travel by any place, city, town or county unless authorized by the State Secretary of Health.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">EO 20-03</a></li> </ul>
<p><b>Governor’s Executive Order 20-13 for the Purpose of Imposing Further Restrictions</b> <i>(superseded EO 20-10) (Effective April 6 until further notice)</i></p>	<ul style="list-style-type: none"> <li>On April 4, the Arkansas Governor issued Executive Order 20-13, which superseded Order 20-10, and which continued the closure of certain businesses and imposed additional restrictions.</li> <li>EO 20-13 restricts gatherings of 10 or more people, but specifically states that “This directive does not apply to businesses, manufacturers, <b>construction companies</b>...; however, these entities are advised to limit person-to-person contact, maintain appropriate social distancing of at least six (6) feet, and adhere to the social distancing protocols mandated by this order.”</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">EO 20-13</a></li> <li><a href="#">EO 20-25</a></li> <li><a href="#">Arkansas Department of Health Social Distancing Protocols</a></li> </ul>
<p>No Statewide Stay-at-Home Order</p>	<ul style="list-style-type: none"> <li>EO 20-13 also requires that construction companies implement the following social distancing protocols (developed by the Arkansas Department of Health): <ul style="list-style-type: none"> <li>Limit the number of people who can enter into the facility at any one time to ensure that people in the facility can easily maintain a minimum six-foot distance from one another;</li> <li>If lines form at a facility (inside or outside), facilities shall mark off six-foot increments at a minimum, establishing where individuals should stand to maintain adequate social distancing;</li> <li>Provide hand sanitizer, soap and water, or effective disinfectant at or near the entrance of the facility and in other appropriate areas for use by the public and employees, and in locations where there is high-frequency employee interaction with members of the public;</li> <li>Retail businesses shall provide contactless payment systems or provide for disinfecting all payment portals, pens, and styluses after each use;</li> <li>Regularly disinfect any high-touch surfaces;</li> <li>Post a sign at the entrance of the facility informing all employees, customers, and congregants that they should: avoid entering the facility if they have a cough or fever; maintain a minimum six-foot distance from one another; sneeze and cough into one's elbow; not shake hands or engage in any unnecessary physical contact.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><a href="#">State of Arkansas COVID-19 website</a></li> </ul>



Orders and Effective Dates	Impact on Construction Projects	Sources
<b>CALIFORNIA</b>		
<b>Proclamation of a State of Emergency</b> <i>(March 4)</i>	<ul style="list-style-type: none"> <li>On March 4, 2020, Governor Gavin Newsom declared a State of Emergency and on March 19, he issued Executive Order N-33-20.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Proclamation</a></li> </ul>
<b>Executive Order N-33-20</b> <i>(Effective March 19 until further notice)</i>	<ul style="list-style-type: none"> <li>Under Order N-33-20, all individuals living in California were ordered to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, as outlined in the <a href="#">CISA Guidance</a>. The Order also allowed for the designation of additional sectors as critical.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order N-33-20</a></li> <li><a href="#">CA Essential Critical Infrastructure Workers</a></li> </ul>
<b>Essential Critical Infrastructure Workers List</b> <i>(March 22)</i>	<ul style="list-style-type: none"> <li>On March 22, the State Public Health Officer designated a list of “Essential Critical Infrastructure Workers,” which (in addition to the CISA Guidance sectors) included as a part of the “Essential Workforce”: <ul style="list-style-type: none"> <li>Construction Workers who support the construction, operation, inspection, and maintenance of construction sites and construction projects (including housing construction)</li> <li>Workers such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, construction material sources, and essential operation of construction sites and construction projects (including those that support such projects to ensure the availability of needed facilities, transportation, energy and communications; and support to ensure the effective removal, storage, and disposal of solid waste and hazardous waste)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><a href="#">California State Executive Orders</a></li> <li><a href="#">California’s COVID-19 website</a></li> </ul>
<b>California’s Roadmap to Modify the Stay-at-Home Order</b> <i>(April 14)</i>	<ul style="list-style-type: none"> <li>It is important to note that while all construction work is exempted from this California’s statewide “Stay-at-Home” Order, various California counties and cities have issued their own shelter-in-place orders that are more restrictive and only exempt certain types of construction, including “essential infrastructure”, public works, health care, and residential construction.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">California’s Roadmap to Modify the Stay-at-Home Order</a></li> <li><a href="#">Western States Pact</a></li> </ul>
<b>Western States Pact</b> <i>(April 13)</i>	<ul style="list-style-type: none"> <li>On April 13, California, Oregon, and Washington announced a western states pact, which is an agreement on a shared vision for reopening the states’ economies and also controlling COVID-19 into the future.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Bay Area Stay-at-Home Orders – May 4</a></li> </ul>
<b>Bay Area Counties’ Updated Stay at Home Orders</b> <i>(Effective May 4 through May 31)</i>	<ul style="list-style-type: none"> <li>On April 13, California, Oregon, and Washington announced a western states pact, which is an agreement on a shared vision for reopening the states’ economies and also controlling COVID-19 into the future.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Safer at Home Order for Control of COVID-19, Revised</a></li> </ul>
<b>LA County Safer at Home Order for Control of COVID-19</b> <i>(Effective March 16 until further notice; extended by May 13 Order)</i>	<ul style="list-style-type: none"> <li>On April 14, Governor Newsom outlined California’s 6 indicators for modifying the Stay-at-Home Order: <ul style="list-style-type: none"> <li>The ability to monitor and protect our communities through testing, contact tracing, isolating, and supporting those who are positive or exposed;</li> <li>The ability to prevent infection in people who are at risk for more severe COVID-19;</li> <li>The ability of the hospital and health systems to handle surges;</li> <li>The ability to develop therapeutics to meet the demand;</li> <li>The ability for businesses, schools, and child care facilities to support physical distancing; and</li> <li>The ability to determine when to reinstitute certain measures, such as the stay-at-home orders, if necessary.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><a href="#">LA County Guidance on Construction Sites</a></li> </ul>
	<ul style="list-style-type: none"> <li>By a joint statement issued on April 27, the six Bay Area counties (Alameda, Contra Costa, Marin, San Francisco, San Mateo and Santa Clara) and the City of Berkeley have now published updated stay-home orders, effective May 4. The updated orders extend the shelter-in-place requirements for most individuals and businesses through May 31, with limited expansions to the definitions of essential business and essential activities. The expanded definition of essential business now allows all construction projects to resume, as long as the projects comply with the construction safety protocols (incorporated as Appendices B-1 (small construction) and B-2 (large construction) to the orders. For more information about the Bay Area Stay-at-Home Orders, see <a href="#">Pillsbury’s client alert</a>.</li> </ul>	
	<ul style="list-style-type: none"> <li>On May 4, LA County issued <a href="#">guidance for construction sites</a>, which was developed in response to the need for work on construction projects that is now permissible under the Health Officer’s Safer at Home Orders to continue in a safe manner. Under the Safer at Home Orders, construction is considered an Essential Business and is exempted from the Order’s requirements that all businesses cease in-person operations and remain closed to the public.</li> </ul>	

**COLORADO**

<p><b>Executive Order D 2020 003 Declaring a Disaster Emergency</b> <i>(Effective for 30 days from April 8; amended by Order D 2020 058)</i></p>	<ul style="list-style-type: none"> <li>On March 11, Governor Jared Polis issued Executive Order D 2020 003 declaring a disaster emergency.</li> <li>On March 25, the Governor issued a stay-at-home order (D 2020 017), which was later amended and extended (D 2020 024). The order also ordered that all businesses other than those deemed “Critical businesses” under Public Health Order 20-24 to close.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">EO D 2020 044</a></li> <li><a href="#">Public Health Order 20-28 Safer at Home</a></li> </ul>
<p><b>Executive Order D 2020 017 Stay-at-Home Order</b> <i>(superseded by EO 044)</i></p>	<ul style="list-style-type: none"> <li>Under the Fourth updated Public Health Order 20-24 Implementing Stay-at-Home Requirements, Critical Businesses include:</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Public Health and Executive Orders</a></li> </ul>
<p><b>Fourth Updated Public Health Order 20-24 Implementing Stay-At-Home Requirements</b> <i>(superseded by PHO 20-28)</i></p>	<ul style="list-style-type: none"> <li>“<b>Construction</b>, Including but not Limited To:             <ul style="list-style-type: none"> <li>Housing and housing for low-income and vulnerable people;</li> <li>Skilled trades such as electricians, plumbers;</li> <li>Other related firms and professionals who provide services necessary to maintain the safety, sanitation, and critical operation of residences and other Critical Businesses or Critical Government Functions, and other essential services.”</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Colorado’s COVID-19 website</a></li> </ul>
<p><b>Executive Order D 2020 044 Safer at Home</b> <i>(Effective for 30 days from April 27)</i></p>	<ul style="list-style-type: none"> <li>Critical Businesses also include Critical Government Functions, including “critical road <b>construction</b> and maintenance.”</li> </ul>	
<p><b>Public Health Order 20-28 Safer at Home</b> <i>(Effective April 27 through May 26; Third Amended PHO issued on May 14)</i></p>	<ul style="list-style-type: none"> <li>The Critical Businesses, including Construction, must comply with the Social Distancing Requirements and all directives from the Colorado Department of Public Health and Environment. The Social Distancing Requirements from PHO 20-24 include: “individuals shall maintain at least a six-foot distance from other individuals, wash hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, cover coughs or sneezes (into the sleeve or elbow, not hands), regularly clean high-touch surfaces, and not shake hands.</li> <li>On April 26, the Governor issued a Safer at Home order (D 2020 044), which continued “stay at home requirements for vulnerable individuals and permitting the limited reopening of postsecondary institutions and certain business operations due to the presence of coronavirus disease 2019 (COVID-19) in Colorado” until May 27. Regarding Critical Businesses, which includes construction, the order directed the issuance of an amended Public Health Order to “[p]ermit all Critical Businesses and Critical Government Functions to continue to operate with mandatory Social Distancing Requirements and cleaning protocols.”</li> </ul>	

**CONNECTICUT**

<p><b>Governor’s Executive Order No. 7H</b> <i>(Effective March 23 through May 20; extended by Order dated April 10)</i></p> <p><b>Department of Economic and Community Development Business Exemptions</b> <i>(March 20)</i></p>	<ul style="list-style-type: none"> <li>• Under Executive Order 7H, Governor Ned Lamont implemented restrictions on nonessential businesses. The Governor directed the Connecticut Department of Economic and Community Development (DECD) to issue “lawfully binding guidance” as to what businesses are essential. Notably, the Governor also provided a list in Order 7H and “construction” was included. Executive Order 7X extended Executive Order 7H through May 20.</li> <li>• The DECD issued its Business Exemptions, which determined that construction is essential, including: <ul style="list-style-type: none"> <li>○ all skilled trades such as electricians, HVAC, and plumbers;</li> <li>○ general construction, both commercial and residential;</li> <li>○ other related construction firms and professionals for essential infrastructure or for emergency repair and safety purposes; and</li> <li>○ planning, engineering, design, bridge inspection, and other construction support activities.</li> </ul> </li> <li>• The DECD’s Business Exceptions also includes “Essential workers in the 16 Critical Infrastructure Sectors.” Notably, the DECD does not link to the CISA Guidance that has been updated twice, but rather links to a broad list from early March.</li> <li>• The DECD has also published Safe Workplace Rules for Essential Employers, which includes additional rules specific to construction sites: <ul style="list-style-type: none"> <li>○ Clean portable bathrooms no less than every two days.</li> <li>○ Require employees to travel separately to and from, and within, worksites.</li> <li>○ Reschedule work to maximize the amount of work being performed outdoors, limit indoor or work lacking significant fresh air.</li> <li>○ Shift work to limit the size of the crews on the jobsite, especially indoors.</li> <li>○ Rotate lunch and coffee break shifts, requiring workers to follow the CDC social distancing guidelines during meals or breaks.</li> <li>○ Follow all safety and health protocols when using an elevator.</li> <li>○ Provide an adequate supply of PPE, including but not limited to cloth face masks, gloves, hand sanitizer or soap and water.</li> </ul> </li> <li>• On April 30, 2020, Governor Lamont signed Executive Order 7GG which, for any contract entered into on or after March 10, 2020, allows the head of any state contracting agency to waive the competitive solicitation requirements imposed by Connecticut laws and regulations, if he or she deems such waiver necessary to expedite the provision of construction or construction-related services in order to respond to emergency needs created by the COVID-19 pandemic.</li> <li>• <b>UPDATE:</b> Certain businesses are permitted to reopen on May 20, including restaurants (outdoor seating only), retail and nail/hair salons. The DECD <a href="#">published guidance for these and other businesses that may reopen</a>.</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">EO 7H</a></li> <li>• <a href="#">EO 7X</a></li> <li>• <a href="#">EO 7GG</a></li> <li>• <a href="#">DECD Business Exemptions</a></li> <li>• <a href="#">Connecticut FAQs</a></li> <li>• <a href="#">Safe Workplace Rules for Essential Employers</a></li> </ul>
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Orders and Effective Dates	Impact on Construction Projects	Sources
<b>DELAWARE</b>		
<p><b>Declaration of a State of Emergency, Modification #4</b> <i>(Effective March 24 through May 15)</i></p> <p><b>Second Extension of Declaration of a State of Emergency</b> <i>(Effective through May 31)</i></p>	<ul style="list-style-type: none"> <li>On March 22, through Modification #4 to the Declaration of a State of Emergency, Governor John Carney designated businesses as “Essential Businesses” and “Nonessential Businesses” and ordered all Nonessential Businesses in Delaware to close.</li> <li>Modification #4 includes the following as Essential Businesses: Construction:               <ol style="list-style-type: none"> <li>Workers who are engaged in the construction of residential, non-residential structures, or infrastructure, and any workers who provide critical maintenance to residential or non-residential structures.</li> <li>Businesses that supply materials and hardware to those engaged in the construction of residential or non-residential structures.</li> <li>Workers involved in activities related to the design and apportionment of residential and non-residential structures.</li> </ol> </li> <li>Governor Carney’s Second Extension of the Declaration of a State of Emergency extended Delaware’s designations of essential and nonessential business and restrictions on activities through May 31. Governor Carney also issued Modifications to the State of Emergency, but none of the changes affected the construction industry which was already considered essential.</li> <li><b>UPDATE:</b> On Friday, May 15, Governor Carney announced that Delaware will begin a phased reopening of its economy starting June 1, and <a href="#">issued guidance for the first phase</a>.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Modification #4 of State of Emergency</a></li> <li><a href="#">Second Extension of Declaration of a State of Emergency</a></li> <li><a href="#">All Delaware State of Emergency Declarations</a></li> <li><a href="#">List of Essential and Nonessential Businesses</a></li> </ul>
<b>DISTRICT OF COLUMBIA</b>		
<p><b>Mayor’s Order 2020-053 Closure of Nonessential Businesses</b> <i>(Effective March 25 through June 8; extended by Order 2020-066)</i></p> <p><b>Mayor’s Order 2020-054 Stay-at-Home Order</b> <i>(Effective April 1 through June 8; extended by Order 2020-066)</i></p>	<ul style="list-style-type: none"> <li>Under Order 2020-053, Mayor Muriel Bowser ordered that all businesses in DC except “Essential Businesses” cease activities.           <ul style="list-style-type: none"> <li>Essential Businesses includes: “<b>Construction and Building Trades</b>, including plumbers; pipefitters; steamfitters; electricians; boilermakers; exterminators; roofers; carpenters; bricklayers; welders; elevator mechanics; businesses that sell supplies and materials for maintenance of commercial and residential buildings and homes, including ‘big box’ supply stores, plumbing distributors, electrical distributors, and HVAC distributors; and other businesses that provide services that are necessary to maintaining the safety, sanitation, and operation of residences and Essential Businesses.”</li> </ul> </li> <li>Mayor Bowser also issued a Stay-at-Home Order (No. 2020-054), mandating all DC residents must stay home unless engaged in certain allowed activities including “Essential Activities” or going to work at “Essential Businesses,” both of which include construction.</li> <li>D.C.’s Office of Occupational Safety and Health has issued Guidelines for Construction Sites within the District of Columbia.</li> <li><b>Reopening:</b> On April 23, Mayor Bowser announced the initiative ReOpen DC, which focuses on working together as a community to reopen Washington DC in a way that is safe and sustainable. Mayor Bowser established a ReOpen DC Advisory Group as well committees. The <a href="#">Real Estate and Construction Committee</a> “will focus on supporting our ongoing housing, affordable housing, retail, commercial, and neighborhood-level real estate needs, while ensuring safety for workers and residents alike in this new economic and public health environment.”</li> <li><b>UPDATE:</b> On May 13, issued Order 2020-66, which extended the Closure of Nonessential Businesses Order and the Stay-at-Home Order until June 8. Order 2020-66 also implemented a mandatory requirement for face masks for all essential businesses.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 2020-053 (Business Closure Order)</a></li> <li><a href="#">Order 2020-054 (Stay at Home Order)</a></li> <li><a href="#">Order 2020-066</a></li> <li><a href="#">Occupational Safety and Health Guidelines for construction sites</a></li> <li><a href="#">ReOpen DC Real Estate and Construction Committee</a></li> <li><a href="#">District of Columbia Coronavirus website</a></li> </ul>

Orders and Effective Dates	Impact on Construction Projects	Sources
<b>FLORIDA</b>		
<p><b>Executive Order No. 20-91 Safer at Home Order</b> (Effective April 3 through May 4; extended by EO No. 20-111)</p>	<ul style="list-style-type: none"> <li>Under the <b>Safer at Home</b> Order (No. 20-91), Governor Ron DeSantis mandated the closure of all nonessential businesses. <ul style="list-style-type: none"> <li>Essential businesses include: all businesses operating in the federal critical infrastructure sectors, as outlined by the <a href="#">CISA Guidance</a>; all “essential services” defined in Miami-Dade County Emergency Order 07-20 and its amendments; and other essential services approved by the State Coordinating Officer, who shall maintain a list online.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Florida Executive Order No. 20-112 (Phase I Reopening)</a></li> </ul>
<p><b>Executive Order No. 20-112 Phase I Reopening</b> (effective May 4)</p>	<ul style="list-style-type: none"> <li>The State Coordinating Officer’s online list generally follows the CISA Guidance and includes various types of construction. Notably, Miami-Dade Order 07-20, which is specifically incorporated into the State’s Order No. 20-91, more broadly includes “<b>Open construction sites, irrespective of the type of building</b>” as essential businesses.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Florida Executive Order No. 20-91 (Safer at Home)</a></li> </ul>
	<ul style="list-style-type: none"> <li><b>Reopening:</b> On April 29, Governor DeSantis issued Executive Order No. 2020-112 “<a href="#">Phase I</a>” of Florida’s plan for recovery. As it pertains to construction, the Phase I Order simply says that all services and activities allowed under previous orders (including 20-91 and the CISA Guidance) may continue. Through subsequent orders, the Governor added Palm Beach County (EO 2020-120) and Broward and Miami-Dade Counties (EO 2020-122), which had been excluded from the initial Phase I order. On May 14, the Governor issued a “Full Phase I” order, which further loosened restrictions on, among other things, restaurants, gyms, museums and professional sports venues.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Essential Services List</a></li> </ul>
		<ul style="list-style-type: none"> <li><a href="#">Florida Executive Orders</a></li> </ul>
		<ul style="list-style-type: none"> <li><a href="#">Florida Coronavirus Website</a></li> </ul>
<b>GEORGIA</b>		
<p><b>Executive Order No. 04.02.20.01 - Shelter in Place</b> (Effective April 3 through June 12; extended by <b>Executive Order No. 04.30.20.02</b>)</p>	<ul style="list-style-type: none"> <li>Under the <b>Shelter-in-Place</b> Executive Order, Governor Brian Kemp ordered certain businesses to cease in-person operations but allowed other businesses to continue subject to restrictions. Construction is not among the list of businesses ordered to close.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Georgia Executive Orders</a></li> </ul>
<p><b>Executive Order No. 04.23.20.02 – Guidance on reviving a healthy Georgia</b> (Effective May 1 through May 13)</p>	<ul style="list-style-type: none"> <li>Restrictions on construction projects will vary. If the construction project is being provided in support of Critical Infrastructure (based on the <a href="#">CISA Guidance</a>), then the GA Order encourages implementation of 17 requirements to mitigate the spread of COVID-19.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Business Guidance on COVID-19</a></li> </ul>
<p><b>Executive Order No. 05.12.20.02 – Additional guidance on reviving a healthy Georgia</b> (Effective May 14 through May 31)</p>	<ul style="list-style-type: none"> <li>If the construction project is not in support of Critical Infrastructure, then the GA Order mandates the business implement 21 requirements to mitigate the spread of COVID-19 and limits the business to engaging in “Minimum Basic Operations,” which includes “minimum necessary activities to maintain the value of the business.”</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Statewide Shelter-In-Place Handout</a></li> </ul>
	<ul style="list-style-type: none"> <li><b>Reopening:</b> On April 23, Governor Kemp issued an Executive Order, which provides “guidance for reviving a healthy Georgia in response to COVID-19.” As it relates to “Critical Infrastructure,” the April 23 Order updated incorporation of the CISA Guidance to include versions 1.0, 2.0, and 3.0.</li> </ul>	
	<ul style="list-style-type: none"> <li>The April 23 Order also stated “that in instances where persons are working outdoors without regular contact with other persons, such as ... contractors ... such persons <b>shall</b> only be required to practice Social Distancing and implement sanitation processes in accordance with the guidelines published by the Centers for Disease Control and Prevention.” (Emphasis in original.)</li> </ul>	
	<ul style="list-style-type: none"> <li>On May 12, Governor Kemp issued an order “Providing additional guidance for reviving a healthy Georgia in response to COVID-19.” As it pertains to Critical Infrastructure (which includes construction), the May 12 Order states that companies “<b>shall</b> implement measures to mitigate the exposure and spread of COVID-19” and includes a list of 17 measures that “shall be implemented to the maximum extent practicable.”</li> </ul>	



Orders and Effective Dates	Impact on Construction Projects	Sources
<b>HAWAII</b>		
<b>Emergency Proclamation for COVID-19</b> <i>(Effective March 5 through April 29)</i>	<ul style="list-style-type: none"> <li>On March 5, Governor David Ige issued an Emergency Proclamation for COVID-19, declaring an emergency or disaster, and has issued multiple supplementary proclamations since then.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Seventh Supplementary Proclamation</a></li> </ul>
<b>Third Supplementary Proclamation</b> <i>(Effective March 25 through May 31; extended by Seventh Supplementary Proclamation)</i>	<ul style="list-style-type: none"> <li>Under the Third Supplementary Proclamation, all businesses or operations must cease unless identified as federal critical infrastructure sectors in the <a href="#">CISA Guidance</a>, listed as essential in the Proclamation, or designated by the Director of the Hawai'i Emergency Management Agency (HIEMA). Furthermore, all persons in Hawaii were ordered to stay at home, except under certain exceptions, including working at allowed businesses or operations.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">All Emergency Proclamations</a></li> </ul>
<b>Seventh Supplementary Proclamation</b> <i>(Effective May 5 to May 31)</i>	<ul style="list-style-type: none"> <li>Included in this work exception are "Critical trades," which includes "<b>Building and Construction Tradesmen and Tradeswomen</b>, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, essential activities, and essential businesses and operations."</li> <li>The Governor issued the Seventh Supplementary Proclamation on May 5, 2020, which further extended the prior supplementary proclamations. No changes were made to construction-related activities as outlined above in the Third Supplementary Proclamation.</li> </ul>	
<b>IDAHO</b>		
<b>Order to Self-Isolate</b> <i>(Effective March 25 through April 30; extended on April 15; amended by the Stay Healthy Order)</i>	<ul style="list-style-type: none"> <li>Governor Brad Little ordered the Director of the Idaho Department of Health and Welfare to issue this Order to Self-Isolate, directing all individuals living in Idaho to self-isolate at their place of residence.</li> <li>Under the Order, all businesses except Essential Businesses are required to cease activities. The Order defines Essential Businesses to include, among other things, Essential Infrastructure, which includes but is not limited to: "public works construction, commercial construction and the transfer and selling thereof, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness)."</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Stay-at-Home Order (amended)</a></li> <li><a href="#">Stay Healthy Order – Stage 2</a></li> </ul>
<b>Stay Healthy Order</b> <i>(Effective May 1 until amended in writing; superseded by Stay Healthy Order – Stage 2)</i>	<ul style="list-style-type: none"> <li>Under the order, "individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of 'Essential Infrastructure.'"</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">List of Essential Services</a></li> <li><a href="#">Idaho COVID-19 website</a></li> </ul>
<b>Stay Healthy Order – Stage 2</b> <i>(Effective May 16 until further notice)</i>	<ul style="list-style-type: none"> <li>The order also incorporates by reference the <a href="#">CISA Guidance</a>.</li> <li><b>UPDATE:</b> Idaho issued the Stay Healthy Order – Stage 2 on May 16, 2020, which rescinded the May 1 order. Under the order, businesses and governmental agencies may continue to resume operations at physical locations, except for bars, nightclubs, and large venues. The order continued to advise that gatherings of more than 10 people should be avoided. The order does not expressly mention construction, so construction can continue as long as projects adhere to the social distancing and sanitation requirements.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Idaho Construction Contracting (Division of Public Works)</a></li> </ul>

Orders and Effective Dates	Impact on Construction Projects	Sources
<b>ILLINOIS</b>		
<p><b>Executive Order 2020-10 (Stay-at-Home Order)</b> <i>(Effective March 21 through May 30; extended by Executive Orders 2020-18 and 2020-32)</i></p> <p><b>Executive Order 2020-32 (New Stay-at-Home Order (effective April 30 through May 30, 2020)).</b></p>	<ul style="list-style-type: none"> <li>• Under Order 2020-18, Governor J. B. Pritzker ordered that all businesses and operations must cease unless they are considered “Essential Businesses and Operations” as defined by the Order. In addition, all residents were ordered to stay home, with certain exceptions, including performing work for Essential Businesses and Operations.</li> <li>• “Essential Business and Operations” includes “Essential Infrastructure,” which includes “<b>construction</b> (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, and housing construction).”</li> <li>• “Essential Business and Operations” also includes Critical trades such as “<b>Building and Construction Tradesmen and Tradeswomen.</b>”</li> <li>• Under Order 2020-32, essential businesses 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. This will include occupancy limits for essential businesses and precautions such as staggering shifts.</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Executive Order 2020-10</a></li> <li>• <a href="#">Executive Order 2020-18 (Extension)</a></li> <li>• <a href="#">Executive Order 2020-32 (New Stay at Home Order)</a></li> <li>• <a href="#">Illinois COVID-19 website</a></li> </ul>
<b>INDIANA</b>		
<p><b>Governor’s Executive Order 20-22</b> <i>(Effective March 24 through May 1)</i></p> <p><b>Governor’s Executive Order 20-26</b> <i>(Effective through May 23)</i></p>	<ul style="list-style-type: none"> <li>• Governor Eric Holcomb issued Executive Order 20-22, which superseded his previous Order 20-18, and ordered that all businesses and operations must cease unless they are considered “Essential Businesses and Operations” as defined by the Order. In addition, all residents were ordered to stay home, with certain exceptions, including performing work for Essential Businesses and Operations.</li> <li>• “Essential Business and Operations” includes “Essential Infrastructure,” which is to be defined broadly, and includes, but is not limited to: <ul style="list-style-type: none"> <li>○ “<b>construction</b> (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, school construction, essential business construction, and housing construction)”</li> <li>○ “Essential Business and Operations” also includes Critical trades such as “<b>Building and Construction Tradesmen and Tradeswomen.</b>”</li> <li>○ Further, Indiana’s definition of “Essential Businesses and Operations” includes workers identified in <a href="#">CISA Guidance</a>.</li> </ul> </li> <li>• Executive Order 20-18 replaced Executive Order 20-08 and continued all restrictions to April 20, 2020. The Order does not make any material changes to construction but references the updated CISA memorandum dated March 28, 2020 to define “Essential Businesses and Operations.” Executive Order 20-22 also references CISA’s March 28 guidance, although CISA updated its guidance on April 17.</li> <li>• Executive Order 20-22 further defined “Critical Trades” to include building, construction, and other trades, including plumbers, electricians, exterminators, operating engineers, cleaning and janitorial staff for commercial and governmental properties, security staff, HVAC, painting, moving and relocation services, and other service providers who provide services necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations.</li> <li>• Executive Order 20-26 extended Executive Order 20-22 through May 23, but set forth a phased plan to reopen Indiana businesses. As it relates to construction and infrastructure businesses, there is no change and those businesses may continue to operate consistent with OSHA standards and Indiana safeguards.</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Order 20-26</a></li> <li>• <a href="#">Order 20-22</a></li> <li>• <a href="#">Order 20-18</a></li> <li>• <a href="#">Order 20-08</a></li> <li>• <a href="#">Indiana Essential Business and Operations List</a></li> </ul>

Orders and Effective Dates	Impact on Construction Projects	Sources
<b>IOWA</b>		
<b>Iowa Presidential Disaster Declaration #2020-40</b> <i>(Effective April 7 through May 27)</i>	<ul style="list-style-type: none"> <li>The State of Iowa issued multiple Proclamations of Disaster Emergency, ordering the closure of various businesses in the state. However, none of the proclamations included construction companies or construction projects.</li> <li>Iowa has not issued a statewide stay-at-home order.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">2020-40</a></li> <li>Extension: <a href="#">Part 1</a>, <a href="#">Part 2</a>, <a href="#">Part 3</a></li> <li><a href="#">Iowa Guidance</a></li> <li><a href="#">Iowa Public Health Proclamation</a></li> </ul>
<b>KANSAS</b>		
<b>EO 20-16 Stay-at-Home Order</b> <i>(Effective March 30 through May 3; extended by EO 20-24)</i>	<ul style="list-style-type: none"> <li>Under EO 20-16, all residents were ordered to stay home unless performing an essential activity, which included, among other things, performing work or other essential functions identified in the “Kansas Essential Functions Framework” (KEFF). KEFF essential functions include performing government contracts and providing and maintaining critical infrastructure, which includes: <ul style="list-style-type: none"> <li>Construct or repair roads</li> <li>Construct, maintain, or clean buildings</li> <li>Produce or distribute construction materials</li> <li>Maintain specialized manufacturing or industrial equipment</li> </ul> </li> <li>Kansas has published “Ad Astra: A Plan to Reopen Kansas,” which provides a phased reopening for all businesses. All businesses are subject to social distancing restrictions, including the wearing of masks. Business must also avoid instances in which groups of more than 10 individuals are in one location and unable to maintain social distancing restrictions.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">EO 20-16 (expired)</a></li> <li><a href="#">EO 20 24 (extension) (expired)</a></li> <li><a href="#">Kansas COVID Announcements</a></li> <li><a href="#">Revised COVID Guidance 20-16-1: Essential Activities and Essential Functions</a></li> <li><a href="#">Ad Astra: A Plan to Reopen Kansas</a></li> <li><a href="#">EO- 20-29: Phase One of Ad Astra</a></li> </ul>
<b>KENTUCKY</b>		
<b>Executive Order 2020-257 Healthy at Home Order</b> <i>(Effective March 26 until rescinded or State of Emergency ends)</i>	<ul style="list-style-type: none"> <li>In March, Governor Andy Beshear issued a <b>Healthy at Home Order</b>, which required that all businesses that are not “Life-Sustaining” to cease operations. Life-Sustaining Businesses include all businesses operating in the federal critical infrastructure sectors, as outlined by the <a href="#">CISA Guidance</a> as well as other listed businesses, including: <ul style="list-style-type: none"> <li><b>“Housing, Buildings and Construction.</b> To ensure Kentuckians can remain Healthy at Home, businesses providing <b>construction</b> or maintenance of residential, commercial, or governmental structures, including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff, security staff, operating engineers, HVAC, painting, landscaping, moving and relocation services, necessary for sustaining the safety, sanitation and operation of structures.</li> <li><b>Manufacture, distribution, and supply chain for critical products and industries.</b> Manufacturing companies, distributors, and supply chain companies producing and supplying critical products and services in and for industries such as ... <b>construction.”</b></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Executive Order 2020-257 (Healthy at Home)</a></li> <li><a href="#">Executive Order 2020-323 (Healthy at Work)</a></li> <li><a href="#">May 11 Order (Industries)</a></li> <li><a href="#">Overview of “Healthy at Work” initiative</a></li> <li><a href="#">Requirements for Construction Businesses</a></li> <li><a href="#">Kentucky orders and actions</a></li> </ul>
<b>Executive Order 2020-323 Healthy at Work Order</b> <i>(Effective May 11 until rescinded or State of Emergency ends)</i>	<ul style="list-style-type: none"> <li><b>Manufacture, distribution, and supply chain for critical products and industries.</b> Manufacturing companies, distributors, and supply chain companies producing and supplying critical products and services in and for industries such as ... <b>construction.”</b></li> <li><b>Reopening:</b> On April 28, Kentucky began Phase I of its reopening and on April 29, <a href="#">Gov. Beshear outlined</a> the state’s plan to gradually reopen.</li> <li>On May 8, Governor Beshear issued Kentucky’s <b>Healthy at Work Order</b>. Although construction was considered “Life-Sustaining” under the Healthy at Home Order, Kentucky’s Healthy at Work Order imposes certain requirements on all businesses, including construction. Under the Healthy at Work Order (and the subsequent May 11 Order of the Cabinet for Health and Family Services), construction businesses must implement certain Minimum Requirements as well as industry-specific requirements. The <a href="#">“Requirements for Construction Businesses”</a> include social distancing requirements, cleaning and disinfecting requirements, PPE requirements, and training and safety requirements.</li> </ul>	
<b>May 11 Order of the Cabinet for Health and Family Services</b>		

Orders and Effective Dates	Impact on Construction Projects	Sources
<b>LOUISIANA</b>		
<p><b>EO No. 33 JBE 2020 Stay-at-Home Order</b> (Effective March 23 through May 15; extended by <b>EO No. 41 JBE 2020</b> and <b>EO 52 JBE 2020</b>)</p> <p><b>EO 58 JBE 2020</b>, State of Emergency for COVID-19 Phase 1 of Resilient Louisiana (Effective May 15 through June 5)</p>	<ul style="list-style-type: none"> <li>On March 22, Governor John Bel Edwards ordered that all residents are to stay home unless performing an essential activity and all nonessential businesses are to be closed to the public.</li> <li>Under the Order, essential businesses are those deemed critical under the <a href="#">CISA Guidance</a>.</li> <li>More information about Louisiana’s stay-at-home order can be found in the Pillsbury Alert: <a href="#">Stay at Home Louisiana: Certain Nonessential Businesses Temporarily Closed</a>.</li> <li>EO 58 JBE 2020 requires that CISA business owners and employees must maintain strict social distancing and wear face coverings at all times if interacting with the public.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">EO No. 33 JBE 2020</a></li> <li><a href="#">EO No. 41 JBE 2020</a></li> <li><a href="#">EO No. 52 JBE 2020</a></li> <li><a href="#">EO No. 58 JBE 2020</a></li> <li><a href="#">Louisiana COVID Guidance</a></li> </ul>
<b>MAINE</b>		
<p><b>Governor’s Executive Order 19</b> (Effective March 25 through April 30; extended by <b>EO 19-A</b>)</p> <p><b>Governor’s Executive Order 28</b> (Effective April 2 through April 30)</p> <p><b>Governor’s Executive Order 49</b> (Extends previous Orders through May 31)</p>	<ul style="list-style-type: none"> <li>Under Executive Order 19, Governor Janet Mills closed public facing nonessential businesses, but did not close “Essential Businesses and Operations,” which includes all businesses identified in the <a href="#">CISA Guidance</a>, plus construction and maintenance of critical infrastructure and essential home repair. The Order also designates Maine’s Department of Economic &amp; Community Development (DECD) as the lead agency to interpret and apply the Order.</li> <li>Executive Order 28 is Maine’s stay-at-home order, which provides certain rules for essential businesses. Executive Order 28 also refers to the DECD.</li> <li>On April 3, the DECD published a comprehensive list as to what constitutes essential and nonessential business pursuant to Executive Order 28. Construction is listed as essential business (although pool construction is not essential).</li> <li>Note that cities and towns have the right to create more restrictive orders.</li> <li><b>UPDATE:</b> Executive Order 49 announces Maine’s plan for reopening businesses (“Restarting Plan”), and extends Executive Orders 19 and 28 through May 31. The Order instructs the DECD to implement and issue guidance for the Restarting Plan. As construction was already listed as essential business, the Order does not affect construction companies. However, the DECD does recommend that construction firms deploy additional Personal Protective Equipment and other safety measures on job sites.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 19</a></li> <li><a href="#">Order 19-A</a></li> <li><a href="#">Order 28</a></li> <li><a href="#">Order 49</a></li> <li><a href="#">DECD Guidance</a></li> </ul>

**MARYLAND**

<p><b>Order No. 20-03-30-01 Stay at Home Order</b> <i>(superseded)</i></p>	<ul style="list-style-type: none"> <li>On March 30, Governor Larry Hogan issued a <b>Stay-at-Home Order</b> (superseding his previous Order No. 20-03-23-01), which mandated the closure of all “Nonessential Businesses.”</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">May 13 Order</a></li> </ul>
<p><b>Order No. 20-05-06-01 Amended Stay at Home Order</b> <i>(superseded)</i></p>	<ul style="list-style-type: none"> <li>Nonessential Businesses include those that are not part of the critical infrastructure sectors in the <a href="#">CISA Guidance</a>. The Order also includes a list of other businesses that must close and leaves open that the Governor or any other political subdivision may order additional businesses to close.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">May 6 Order (superseded)</a></li> <li><a href="#">March 30 Order (superseded)</a></li> </ul>
<p><b>Order No. 20-05-13-01 Amending and Restating the Order of May 6, 2020, Allowing Reopening of Certain Businesses and Facilities, Subject to Local Regulation</b> <i>(Effective May 13 until further notice)</i></p>	<ul style="list-style-type: none"> <li>Maryland’s Office of Legal Counsel published Interpretive Guidance No. COVID19-04, which states that “<b>commercial and residential construction companies</b>” are not required to close. Later guidance added “<b>engineering, surveying, architectural, and interior design firms</b>” to the list of companies allowed to remain open.</li> <li>On May 6, Governor Hogan issued an <b>Amended Stay-at-Home Order</b>, which superseded previous Stay-at-Home orders. In large part, the Amended Stay at Home Order loosens restrictions on outdoor activities. The May 6 order includes the same language defining nonessential businesses and the Interpretive Guidance COVID19-04, allowing construction, remains in place.</li> <li><b>Reopening:</b> On May 13, Governor Hogan issued an order regarding the Reopening of Certain Businesses and Facilities. The order does not expressly mention or otherwise directly impact construction and Interpretive Guidance COVID19-04, allowing construction, remains in place</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Maryland orders and guidance</a></li> <li><a href="#">Interpretive Guidance COVID19-04 - Businesses That May Remain Open</a></li> </ul>

**MASSACHUSETTS**

<p><b>COVID-19 Order 21</b> <i>(Effective March 23 through May 4)</i></p>	<ul style="list-style-type: none"> <li>Under COVID-19 Order 21 (which extended COVID-19 Order 13), Governor Charlie Baker ordered all nonessential businesses closed. Exhibit A to the Order identifies various types of construction that are considered essential, including: work to maintain safety and operation of health care facilities and temporary construction to support COVID response; public works facilities and infrastructure; public schools, colleges and universities; residential construction; energy services; internet and telecommunication; and state facilities.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order No. 21</a></li> </ul>
<p><b>COVID-19 Order 30</b> <i>(rescinded)</i></p>	<ul style="list-style-type: none"> <li>COVID-19 Order 30 went into effect on April 28, and extended Order 13 through May 18. Exhibit A to the Order contains a list of the types of construction considered essential and does not appear to make any changes to the Governor’s previous order.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order No. 30 and Exhibit A</a></li> <li><a href="#">Order No. 32</a></li> </ul>
<p><b>COVID-19 Order 32</b> <i>(Effective until May 19)</i></p>	<ul style="list-style-type: none"> <li>However, some cities have banned or substantially limited construction despite the Governor’s Order. Boston, for example, has a moratorium on nonessential construction, <a href="#">which was extended indefinitely, although Boston will review requests for exemptions on a case-by-case basis.</a></li> <li>More information about Massachusetts’ Order can be found in the Pillsbury Alert: <a href="#">Stay at Home Massachusetts: Nonessential Services Closed.</a></li> <li><b>UPDATE:</b> Gov. Baker temporarily extended closure of nonessential business until 12:00 a.m. on May 19. On May 18, Governor Baker will issue an order extending and modifying the closure, and is expected to unveil a four-phase approach to reopening the state.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Massachusetts Guidance</a></li> <li><a href="#">Mass. Construction Enforcement Procedures</a></li> <li><a href="#">Boston Announcement Pausing Nonessential Construction</a></li> </ul>



Orders and Effective Dates	Impact on Construction Projects	Sources
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## MICHIGAN

<p><b>Governor’s Executive Order No. 2020-42</b> (superseded)</p>	<ul style="list-style-type: none"> <li>On April 24, 2020, Governor Gretchen Whitmer issued Executive Order 2020-59, which superseded her previous Order No. 2020-42 and extended Michigan’s stay-at-home requirements through May 15. All in person work that is not necessary to sustain or protect life is prohibited. Workers that are necessary to sustain or protect life include “critical infrastructure workers,” which consists of, among other things, some workers in the health care, energy, water and wastewater, transportation, public works, manufacturing, hazardous materials and chemical supply chains.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 2020-42 (superseded)</a></li> </ul>
<p><b>Governor’s Executive Order No. 2020-59</b> (rescinded)</p>		<ul style="list-style-type: none"> <li><a href="#">Order 2020-42 FAQs</a></li> <li><a href="#">Order 2020-59 (rescinded)</a></li> </ul>
<p><b>Governor’s Executive Order 2020-70</b> (rescinded)</p>	<ul style="list-style-type: none"> <li>Interestingly, Michigan has adopted the definition of critical infrastructure workers described in the original <a href="#">CISA Guidance</a> (March 19, 2020 memorandum) <u>but not</u> any updated CISA guidance.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 2020-59 FAQs</a></li> <li><a href="#">Order 2020-70 (rescinded)</a></li> </ul>
<p><b>Governor’s Executive Order 2020-77</b> (Effective through May 28)</p>	<ul style="list-style-type: none"> <li>The FAQ to Executive Order 59 states that only limited forms of construction are permissible, including construction to maintain and improve roads, bridges, telecommunications infrastructure, and public health infrastructure (such as the creation or expansion of hospitals or other medical facilities to provide or support the provision of necessary care during the emergency).</li> <li>On May 1, 2020, Governor Whitmer rescinded Order 2020-59 and replaced it with Order 2020-70, allowing certain businesses to open as of May 7, including construction, real-estate activities, and work that is traditionally and primarily performed outdoors. Specifically, workers in the construction industry, including workers in the building trades (plumbers, electricians, HVAC technicians, and similar workers) are permitted to resume work on May 7, subject to enhanced social distancing rules as set forth in the Order.</li> <li><b>UPDATE:</b> On May 7, 2020, Governor Whitmer rescinded Order 2020-59 and replaced it with Order 2020-77, allowing additional businesses in the manufacturing industry to resume operations as of May 11. There was no change to work in the construction industry that Governor Whitmer permitted in accordance with Order 20-59.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 2020-77</a></li> </ul>

## MINNESOTA

<p><b>Emergency Executive Order 20-20 – Stay-at-Home Order</b> <i>(Effective March 27 through May 18, 2020 extended by <b>Emergency Executive Orders 20-33 and 20-48</b>)</i></p>	<ul style="list-style-type: none"> <li>Through Order 20-20, Governor Tim Walz ordered all residents to stay at home except to engage in Activities and Critical Sector work described in the order, which include all categories in the <a href="#">CISA Guidance</a> as well as: <ul style="list-style-type: none"> <li>Workers engaged in roadway construction, maintenance, and utility projects.</li> <li>[C]onstruction material suppliers and workers providing services necessary to maintain construction material sources.</li> <li><b>Construction and critical trades.</b> This category includes workers in the skilled trades such as electricians, plumbers, HVAC and elevator technicians, and other related construction of all kind.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 20-20</a></li> <li><a href="#">Order 20-33</a></li> <li><a href="#">Order 20-48</a></li> </ul>
<p><b>Emergency Executive Order 20-56</b> <i>(Effective May 17 through May 31)</i></p>	<ul style="list-style-type: none"> <li>Order 20-48 relies and adopts the April 17, 020 Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response, Version 3.0.</li> <li>Order 20-56 rescinds Order 20-48 strongly encourages masks and face coverings.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 20-56</a></li> <li><a href="#">Minnesota COVID Guidance</a></li> </ul>

Orders and Effective Dates	Impact on Construction Projects	Sources
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**MISSISSIPPI**

<p><b>Governor’s Executive Order No. 1463 - Shelter-in-Place Order</b> <i>(Effective March 24 through May 11; extended by EO 1473 and EO 1477)</i></p>	<ul style="list-style-type: none"> <li>Under Order No. 1463, Governor Tate Reeves ordered that all residents avoid groups of 10 or more, but excepted “Essential Businesses and Operations,” which includes “<b>Construction and construction related activities including</b> building and construction, lumber, building materials and hardware, electricians, plumbers, exterminators, cleaning and janitorial, HVACR and water heating industry, painting, moving and relocating services, other skilled trades, and other related construction firms and professionals for maintaining essential infrastructure.”</li> <li>Under Order No. 1463, any order, rule, regulation or action by any governing body, agency or political subdivision of the state that conflicts with the Order is unenforceable.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 1463</a></li> <li><a href="#">Order 1473</a></li> <li><a href="#">Order 1477</a></li> <li><a href="#">Mississippi Coronavirus website</a></li> <li><a href="#">Mississippi State Dept. of Health</a></li> </ul>
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**MISSOURI**

<p><b>Stay-at-Home Order</b> <i>(Effective April 3 through May 3; extended by Stay-at-Home Order Extension)</i></p> <p><b>Economic Reopening Order</b> <i>(Effective May 4 through May 31)</i></p>	<ul style="list-style-type: none"> <li>Missouri Governor Parson initially declared a state of emergency in Missouri on March 13 (through Executive Order 20-02). On April 24, Governor Parson extended the state of emergency through June 15, 2020 (through Executive Order 20-09).</li> <li>On April 3, the Missouri Director of the Department of Health and Senior Services issued an order directing residents to stay at home (with certain exceptions). The Stay-Home Order also directs any entity that does not employ individuals listed in the <a href="#">CISA Guidance</a> to adhere to certain limitations including no gatherings of 10 people or more and all individuals must remain six feet apart. The businesses do not have to close. The Order notes that nonessential businesses may request a waiver on social gather limitations from the Director of the Department of Economic Development.</li> <li>On April 27, the Director issued an Economic Reopening Order, also called the “Show Me Strong Recovery Order,” which allowed the stay-at-home order to expire and provided guidance to individuals and businesses as Missouri reopened its economy. In particular, the order required “every person and business” to follow social distancing guidelines. The state has published “General Guidelines for Business” that it urged all businesses to adopt. The recovery order remains in effect through May 31 but cannot extend beyond the duration of the state of emergency.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Stay-at-Home Order (expired)</a></li> <li><a href="#">Stay Home Missouri FAQ for Businesses</a></li> <li><a href="#">Missouri Department of Economic Development Guidance</a></li> <li><a href="#">Missouri Statewide Orders</a></li> <li><a href="#">Economic Reopening Order</a></li> <li><a href="#">Show Me Strong Recovery Plan FAQs</a></li> </ul>
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Orders and Effective Dates	Impact on Construction Projects	Sources
<b>MONTANA</b>		
<p><b>Executive Order No. 2-2020</b> (March 12)</p>	<ul style="list-style-type: none"> <li>On March 12, Governor Steve Bullock issued Executive Order No. 2-2020, declaring a State of Emergency. On March 26, the Governor issued a Directive Implementing the State of Emergency and providing measures to stay at home and designating certain essential functions.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order No. 2-2020</a></li> </ul>
<p><b>Stay-at-Home Directive</b> (Effective March 28 through April 24; extended by April 7 Directive; superseded by April 22 Directive)</p>	<ul style="list-style-type: none"> <li>Under the Directive, all businesses and operations must cease unless they are considered “Essential Businesses and Operations.” In addition, all residents were ordered to stay home, with certain exceptions, including performing work for Essential Businesses and Operations.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Directive on Phased Reopening of Montana and Establishing Conditions for Phase One</a></li> <li><a href="#">Reopening the Big Sky – Phased Approach</a></li> </ul>
<p><b>Directive on Phased Reopening of Montana and Establishing Conditions for Phase One</b> (Effective April 22)</p>	<ul style="list-style-type: none"> <li>“Essential Business and Operations” includes “Essential Infrastructure,” which includes “...<b>construction</b> (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, and housing construction).”</li> <li>“Essential Business and Operations” also includes Critical trades such as “<b>Building and Construction Tradesmen and Tradeswomen.</b>”</li> <li>The Directive also incorporates by reference the <a href="#">CISA Guidance</a>.</li> <li>On April 22, the Governor issued a Directive, implementing Executive Orders 2-2020 and 3-2020 and providing guidance for the phased reopening of Montana and establishing conditions for Phase One. This Directive superseded the Stay-at-Home Directive.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Montana COVID-19 website</a></li> <li><a href="#">FAQ</a></li> </ul>
<b>NEBRASKA</b>		
	<ul style="list-style-type: none"> <li>Nebraska has not issued a statewide Stay-at-Home Order.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Nebraska Guidance</a></li> </ul>



**NEVADA**

<p><b>Declaration of Emergency</b> <i>(March 12)</i></p>	<ul style="list-style-type: none"> <li>On March 12, Governor Steve Sisolak issued a proclamation declaring a state of emergency in response to COVID-19 and on March 20, the Governor Issued Directive 003, which ordered the closure of nonessential businesses. Directive 003 incorporates by reference the <a href="#">CISA Guidance</a>, and also expressly allows construction:</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Declaration of Emergency</a></li> </ul>
<p><b>Declaration of Emergency – Directive 003 (Essential Businesses)</b> <i>(Effective March 20 through April 16)</i></p>	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>“The <b>construction</b>, mining, manufacturing, and infrastructure sector labor force may continue operations, but shall maintain strict social distancing practices to facilitate a minimum of six feet of separation between workers, and to adopt policies and practices that ensure minimum contact between the workforce and the general public. This social distancing restriction shall not be construed to supersede any safety practices imposed on the industry by state or federal law. Business sectors operating under this authority must comply with any applicable COVID-19 risk mitigation policies, as further defined in regulations promulgated under this Directive, and any precautionary measures and guidance that shall be promulgated by Nevada Department of Business and Industry.”</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Directives and Declarations</a></li> </ul>
<p><b>Declaration of Emergency - Directive 010 (Stay-at-Home Order)</b> <i>(Effective March 31 through May 15; amended and extended by Directives 016 and 018)</i></p>	<ul style="list-style-type: none"> <li>The Guidance on Directive 003, published on March 27, confirmed that construction is considered an Essential Business, and construction includes housing construction.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Nevada COVID-19 website</a></li> </ul>
<p><b>Declaration of Emergency – Directive 016</b> <i>(Effective April 29 through May 15; amended and extended by Directive 018)</i></p>	<ul style="list-style-type: none"> <li>Directive 010 ordered all Nevadans, with limited exceptions, to stay in their residences: “Individuals may leave their residences to provide services or perform work necessary to the operations of Essential Infrastructure operations (as defined by Section 1(b) of the March 20, 2020 Emergency Regulations).”</li> </ul>	
<p><b>Declaration of Emergency – Directive 018 Phase One Reopening Plan</b> <i>(Effective May 7 through May 30)</i></p>	<ul style="list-style-type: none"> <li>On April 29, the Governor issued Directive 016. The directive extended the Stay at Home orders from previous directives to May 15 and continued Nevadans to stay at home except for necessary outings, including going to work as an essential employee.</li> <li>On May 7, the Governor issued Directive 018, outlining the Phase One Reopening Plan. Phase One addresses modifications to the stay-at-home order but does not expressly mention or otherwise directly impact construction. All employers, however, must take proactive measures to ensure compliance with the social distancing and sanitation guidelines.</li> </ul>	

**NEW HAMPSHIRE**

<p><b>Governor’s Emergency Order 17</b> <i>(Superseded)</i></p>	<ul style="list-style-type: none"> <li>Pursuant to Emergency Order 17, all businesses and organizations that do not provide essential services must close. In accordance with Exhibit A to the Emergency Order, construction workers who support the construction, operation, inspection, and maintenance of construction sites and construction projects (including housing construction) are considered essential.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 17</a></li> <li><a href="#">Exhibit A List of Essential Services</a></li> </ul>
<p><b>Governor’s Emergency Order 40</b> <i>(Effective through May 31)</i></p>	<ul style="list-style-type: none"> <li>Emergency Order 40 supersedes and terminates Emergency Order 17. However, there were no material changes to the list of construction that is considered essential.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 40</a></li> </ul>

Orders and Effective Dates	Impact on Construction Projects	Sources
<b>NEW JERSEY</b>		
<b>Governor’s Executive Order 107 - Stay at Home</b> <i>(Effective March 21 until further notice)</i>	<ul style="list-style-type: none"> <li>Pursuant to Executive Order 107, all New Jersey residents must stay home unless engaged in certain allowed activities including reporting to, or performing, their job. Construction workers are listed as employees who need to be physically present at their work site in order to perform their duties.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 107</a></li> <li><a href="#">Order 122</a></li> </ul>
<b>Governor’s Executive Order 122</b> <i>(Effective April 10 until further notice)</i>	<ul style="list-style-type: none"> <li>Pursuant to Executive Order 122, <a href="#">physical operations of all nonessential construction projects shall cease</a> as of April 10 at 8 pm. <a href="#">Essential construction projects</a> may proceed and includes: health care and pharmaceutical manufacturing facilities, transportation and infrastructure projects, pre-K to 12th grade and higher education facilities, data centers, utility projects, affordable housing, essential social services, facilities that manufacture and distribute goods and products sold online, projects supporting first responders, government projects, emergency work and work required for safety reasons, and smaller residential projects already underway with a crew of five or fewer.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 138</a></li> <li><a href="#">Order 142</a></li> </ul>
<b>Governor’s Executive Order 138</b> <i>(Effective May 6 until further notice)</i>	<ul style="list-style-type: none"> <li>Of note, unlike some states, <a href="#">the state of New Jersey prohibits local mandates or regulations</a>.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">New Jersey Executive Orders</a></li> </ul>
<b>Governor’s Executive Order 142</b> <i>(Construction provisions effective May 18 until further notice)</i>	<ul style="list-style-type: none"> <li>On May 6, Governor Murphy signed Executive Order 138, which extends the restrictions in Executive Order 122 until at least June 5.</li> <li>On May 13, Governor Murphy signed Executive Order 142, which <i>permits physical operations of all construction projects that were not designated as essential</i> in Executive Order No. 122, subject to several COVID-19 safety conditions and limitations as set forth in Order 142, which will apply to all construction projects. The provisions of Governor Murphy’s Order that pertain to construction are effective as of 6:00 a.m. on Monday, May 18.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">List of Construction Deemed Essential</a></li> </ul>
<b>NEW MEXICO</b>		
<b>Executive Order 2020-004 State of Emergency Declaration</b> <i>(Effective March 11 through May 16; extended by Orders 2020-022, 2020-026, and 2020-030)</i>	<ul style="list-style-type: none"> <li>On March 11, Governor Michelle Lujan Grisham declared a state of public health emergency, which directed the state agencies to oversee the response to COVID-19 and directed that all political subdivisions of the state must comply with and enforce the order.</li> <li>On March 24, the New Mexico Department of Health issued a Public Health Emergency Order closing all businesses and nonprofit entities except for those deemed essential and providing additional restrictions on mass gatherings due to COVID-19.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">New Mexico Executive Orders</a></li> <li><a href="#">New Mexico Public Health Orders</a></li> </ul>
<b>March 23 Public Health Order</b> <i>(Effective March 24 through May 31; extended by May 15 Public Health Order)</i>	<ul style="list-style-type: none"> <li>The Public Health Order defines “Essential business” to include “Infrastructure Operations,” which includes the following construction-related activities: public works construction; commercial and residential construction and maintenance; utilities, including their contractors and suppliers, involved in power generation, fuel supply and transmission, water and waste-water supply; and road highway repair and construction.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Guidance on Essential Businesses</a></li> </ul>
<b>Executive Order 2020-026 Renewing the State of Public Health Emergency Initially Declared in Executive Order 2020-004</b> <i>(Effective April 30 through May 31; extended by EO 2020-030)</i>	<ul style="list-style-type: none"> <li>New Mexicans should continue to stay in their homes for all but the most essential activities and services.</li> <li>On April 30, the Governor renewed and extended Executive Orders 2020-04 and 2020-22 through May 16 and continued to require New Mexicans to stay in their homes for all but the most essential activities and services.</li> </ul>	
<b>Executive Order 2020-030 Renewing the State of Public Health Emergency Initially Declared in Executive Order 2020-004</b> <i>(Effective May 15 through May 31)</i>	<ul style="list-style-type: none"> <li><b>UPDATE:</b> On May 15, the Governor issued Executive Order 2020-030, renewing and extending Executive Orders 2020-004, 2020-022, and 2020-026 through May 31.</li> </ul>	

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<b>NEW YORK</b>		
<p><b>Governor’s Executive Order 202.13</b> (Effective March 28 through May 15; extended by <b>Order 202.18</b>)</p>	<ul style="list-style-type: none"> <li>Executive Order 202.13 modified Executive Order 202.6 (which considered construction “essential” and not subject to the in-person work restrictions) to clarify only certain construction is considered exempt from the in-person restrictions as of March 28, 2020. Executive Order 202.13 also empowered the Empire State Development Corporation (ESDC) with the authority to determine which construction projects are “essential.”</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">EO 202.13</a></li> <li><a href="#">EO 202.31</a></li> </ul>
<p><b>Governor’s Executive Order 202.31</b> (Effective May 15)</p>	<ul style="list-style-type: none"> <li>The ESDC issued updated guidance on April 19 defining essential vs. nonessential construction. Emergency construction (for the safety of occupants or if uncompleted work would be dangerous) may continue until it is safe to suspend work. Essential construction may proceed if it supports infrastructure, utilities, transit facilities, hospitals or health care facilities, homeless shelters, affordable housing (under certain circumstances), public or private schools, state and local government projects, certain projects in the energy industry, existing projects of an essential business, and projects where there is only a single worker performing the work.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">New York Executive Orders</a></li> <li><a href="#">ESDC Updated Guidance</a></li> </ul>
<p><b>Empire State Development Corporation Determination of Essential Construction</b> (Updated April 19)</p>	<ul style="list-style-type: none"> <li><a href="#">Governor Cuomo outlined a plan to reopen business in New York, as of May 15</a>. The first phase is expected to include restarting construction and manufacturing functions with low risk for areas that have experienced a two-week decline in hospitalizations.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Essential Employer FAQ</a></li> </ul>
<p><b>UPDATE:</b> On May 14, Governor Cuomo issued Executive Order 202.31, extending New York’s stay-at-home order through May 28. However, Governor Cuomo, as expected, ordered that the restrictions on the in-person workforce at nonessential businesses or other entities no longer apply as of May 15 to Phase One industries, <i>including construction</i>, for the following areas: Finger Lakes, Central New York, Mohawk Valley, Southern Tier and the North Country regions comprising the counties of: Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, Yates Cayuga, Cortland, Madison, Onondaga, Oswego, Fulton, Herkimer, Montgomery, Oneida, Otsego, Schoharie, Broome, Chemung, Chenango, Delaware, Schuyler, Steuben, Tioga, Tompkins Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis, and St. Lawrence.</p>		
<ul style="list-style-type: none"> <li>Per Order 202.31, any additional regions that meet the criteria after such date will be deemed to be incorporated into Order 202.31 without further revision and will be permitted to reopen phase one industries, subject to the same terms and conditions.</li> </ul>		
<ul style="list-style-type: none"> <li>For a discussion of pertinent legal issues in response to New York’s modified order, see Pillsbury alert: <a href="#">So the Government Shut Down Your Construction Project – What’s Next?</a></li> </ul>		
<b>NORTH CAROLINA</b>		
<p><b>Executive Order No. 121 – Stay-at-Home Order</b> (Effective March 30 through May 8; extended by <b>Executive Order 135</b>)</p>	<ul style="list-style-type: none"> <li>Under North Carolina’s <b>Stay-at-Home-Order</b>, Governor Roy Cooper ordered that all business and operations must cease, unless deemed a “COVID-19 Essential Business and Operations.” The Stay-at-Home-Order included a robust list of services that would be considered exceptions to the closure mandate, including any services under the <a href="#">CISA Guidance</a> as well as various types of construction – all of which could continue.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Executive Order No. 121</a></li> <li><a href="#">Executive Order No. 135 (extension)</a></li> </ul>
<p><b>Executive Order No. 138 – Phase I Reopening</b> (Effective May 8 through May 22)</p>	<ul style="list-style-type: none"> <li><b>Reopening:</b> On May 5, Governor Cooper issued the <b>Phase I Reopening</b> Executive Order, Easing Restrictions on Travel, Business Operations, and Mass Gatherings: Phase I. The Phase I Order takes a different approach and states that “Most Businesses and Organizations Can Be Open” other than those listed in Section 5 of the Order. Some business, such as restaurants, bars, childcare facilities, and long-term care facilities must operate under restrictions. The Order does not prohibit or restrict construction, although it does “strongly encourage” all businesses to adopt health and safety measures, as described in the order.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Executive Order No. 138</a></li> <li><a href="#">North Carolina Executive Orders</a></li> </ul>
<ul style="list-style-type: none"> <li><a href="#">North Carolina Department of Revenue guidance on Essential Businesses</a></li> </ul>		
<b>NORTH DAKOTA</b>		
<ul style="list-style-type: none"> <li>North Dakota has not issued a statewide Stay-at-Home Order.</li> </ul>		
<ul style="list-style-type: none"> <li><a href="#">North Dakota Guidance</a></li> </ul>		

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<b>OHIO</b>		
<p><b>Department of Health Amended Stay-at-Home Order</b> <i>(Effective April 6 through May 1, but superseded to the extent it conflicts with Stay Safe Ohio Order dated April 30)</i></p>	<ul style="list-style-type: none"> <li>On April 2, the Director of the Department of Health issued an Amended Stay-at-Home Order. Among other things, the Order excepts work for “Essential Infrastructure,” which includes “<b>construction</b> required in response to [COVID-19], hospital construction, construction of long-term care facilities, public works construction, school construction, essential business construction, and housing construction.”</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Amended Stay-at-Home Order</a></li> <li><a href="#">Stay Safe Ohio Order</a></li> </ul>
<p><b>Department of Health Stay Safe Ohio Order</b> <i>(Effective April 30 through May 29)</i></p>	<ul style="list-style-type: none"> <li>On April 30, the Director of the Department of Health issued an Order reopening certain businesses, with exceptions. Effective May 4, construction businesses that were ordered to cease activities pursuant to the April 2 Order may reopen, subject to a sector-specific safety checklist contained in the Order. As a part of “Responsible RestartOhio,” the Department of Health published mandatory and recommended best practices for Manufacturing, Distribution and Construction services, which can be <a href="#">found here</a>.</li> <li>More information about Ohio’s Stay Safe Order can be found in the Pillsbury Alert: <a href="#">Ohio Begins Reopening</a></li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Ohio Public Health Orders</a></li> <li><a href="#">Responsible Restart Ohio for Manufacturing, Distribution &amp; Construction</a></li> </ul>
<b>OKLAHOMA</b>		
<p><b>Seventh Amended Executive Order 2020-07</b> <i>(Effective March 25 through April 30)</i></p>	<ul style="list-style-type: none"> <li>On April 1, Governor Kevin Stitt issued Executive Order 2020-907, which mandates the closure of all business not identified as critical infrastructure under the <a href="#">CISA Guidance</a> or defined as essential by the Oklahoma Department of Commerce.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 2020-07</a></li> <li><a href="#">Dept. of Commerce Essential Industries List</a></li> </ul>
<p><b>Fourth Amended Executive Order 2020-13</b></p>	<ul style="list-style-type: none"> <li>The Oklahoma Essential Industries List broadly includes: <b>Construction and Infrastructure</b>, including, “Construction, Contractors and Heavy and Civil Engineering Construction.”</li> <li>On April 24, Governor Stitt issued the Fourth Amended Executive Order 2020-13, which provides guidance for essential businesses and includes a list of “Essential Industries,” which includes “Construction, Contractors and Heavy and Civil Engineering Construction.” Amended Executive Memorandum 2020-01 adds additional critical infrastructure sectors to “essential industries,” including “Construction Workers” in both residential and commercial sectors.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Oklahoma Dept. of Commerce COVID-19 website</a></li> <li><a href="#">Order 2020-13</a></li> <li><a href="#">Oklahoma Essential Industries List</a></li> <li><a href="#">Amended Executive Memorandum 2020-01</a></li> </ul>

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<b>OREGON</b>		
<p><b>Executive Order No. 20-03 Declaration of Emergency</b> <i>(Effective March 8 through July 6; extended by Executive Order 20-24)</i></p>	<ul style="list-style-type: none"> <li>Under EO No. 20-03, Governor Kate Brown issued a declaration of emergency due to COVID-19 outbreak in Oregon.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Oregon Executive Orders</a></li> </ul>
<p><b>Executive Order No. 20-12</b> <i>(rescinded by EO 20-25)</i></p>	<ul style="list-style-type: none"> <li>On March 23, the Governor issued EO No. 20-12 Ordering Oregonians to stay at home, closing specified retail businesses, requiring social distancing measures for other public and private facilities, and imposing requirements for outdoor areas and licensed childcare facilities.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Rules and Resources for Construction Workers</a></li> </ul>
<p><b>Framework for Reopening Oregon</b> <i>(April 14)</i></p>	<ul style="list-style-type: none"> <li>Construction is not included on the list of businesses that must close during the emergency. However, the order mandates that all businesses follow social-distancing guidelines.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Social Distancing Handout</a></li> </ul>
<p><b>Western States Pact</b> <i>(April 13)</i></p>	<ul style="list-style-type: none"> <li>On April 13, California, Oregon, and Washington announced a western states pact, which is an agreement on a shared vision for reopening the states' economies and also controlling COVID-19 into the future.</li> </ul>	
<p><b>Executive Order No. 20-24 Extending COVID-19 State of Emergency From 20-03</b> <i>(Effective May 1 through July 6)</i></p>	<ul style="list-style-type: none"> <li>On April 14, Governor Kate Brown introduced the framework for reopening Oregon. Once the prerequisites of slowing the growth of COVID-19 and acquiring the necessary PPE to protect health care workers and first responders are met, Oregon can begin to reopen by:             <ul style="list-style-type: none"> <li>Ramping up COVID-19 testing capacity in every region of Oregon;</li> <li>Developing robust contact tracing systems to track and contain COVID-19 cases;</li> <li>Establishing a quarantine and isolation program for new cases.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Framework for Reopening Oregon</a></li> </ul>
<p><b>Executive Order No. 20-25 A Safe and Strong Oregon: Maintaining Essential Health Directives in Response to COVID-19, and Implementing a Phased Approach for Reopening Oregon's Economy</b> <i>(Effective May 14 until terminated)</i></p>	<ul style="list-style-type: none"> <li><b>UPDATE:</b> On May 14, the Governor issued Executive Order 20-25. The order does not expressly mention or otherwise directly impact construction. However, employers, employees, and the public must continue to adhere to the public health, safety, and physical distancing measures. The order outlined certain baseline requirements as essential protective measures and the phased reopening process to allow Oregon's social and economic life to gradually reopen.</li> </ul>	

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<b>PENNSYLVANIA</b>		
<p><b>Governor’s March 19 Executive Order</b> <i>(Effective March 19 through May 8; extended by Order dated April 20)</i></p>	<ul style="list-style-type: none"> <li>On March 19, Governor Tom Wolf issued an order requiring non-life-sustaining businesses to close. Incorporated into the Order is a list of industries, which states that construction (both commercial and residential) is not life-sustaining, and therefore bans construction, with the exception of emergency repairs and the construction of health care facilities. Governor Wolf’s April 1 Order superseded the March 19 Order and extended the closure through April 30, and on April 20, Governor Wolf extended the April 1 Order through May 8.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">March 19 Order</a></li> </ul>
<p><b>Governor’s Amendment to Stay at Home Order</b> <i>(Effective May 7 through June 4)</i></p>	<ul style="list-style-type: none"> <li>The Commonwealth of Pennsylvania website, asserts that the Pennsylvania guidance is aligned with the <a href="#">CISA Guidance</a>. However, the Pennsylvania is substantially more restrictive than the CISA Guidance in the construction context.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">April 1 Order</a></li> </ul>
	<ul style="list-style-type: none"> <li>On April 23, Governor Wolf stated that all business in the construction industry in the Commonwealth will be permitted to commence in-person operations as of May 1. However, there are various restrictions and requirements, particularly on the number of workers that can be in an enclosed space at the same time and all companies should review the <a href="#">Governor’s Guidance for Business in the Construction Industry Permitted to Operate During COVID-19</a>.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">April 20 Order</a></li> </ul>
	<ul style="list-style-type: none"> <li>On May 7, Governor Wolf issued an Amendment, extending Pennsylvania’s Stay at Home Order through June 4. On May 8, Governor Wolf issued a “Yellow Phase Order,” which suspends closure of certain non-life-sustaining businesses for certain counties: Bradford, Cameron, Centre, Clarion, Clearfield, Clinton, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, Lycoming, McKean, Mercer, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga, Union, Venango, and Warren. For these counties, construction may resume in-person operations, subject to the Guidance issued by the Department of Health to the Construction Industry. Governor Wolf also announced that the following counties will move into the “Yellow Phase” as of May 15: Allegheny, Armstrong, Bedford, Blair, Butler, Cambria, Fayette, Fulton, Greene, Indiana, Somerset, Washington and Westmoreland.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">May 7 Amendment</a></li> </ul>
	<ul style="list-style-type: none"> <li><b>UPDATE:</b> On May 14, Governor Wolf issued an Amendment, adding the following counties to the “Yellow Phase Order”: Allegheny, Armstrong, Bedford, Blair, Butler, Cambria, Fayette, Fulton, Greene, Indiana, Somerset, Washington, and Westmoreland. Governor Wolf also announced that <a href="#">12 additional counties will move into the Yellow Phase on May 22</a>.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Yellow Phase Order</a></li> </ul>
		<ul style="list-style-type: none"> <li><a href="#">May 14 Amendment to Yellow Phase Order</a></li> </ul>
		<ul style="list-style-type: none"> <li><a href="#">Governor’s List of Businesses (updated May 11)</a></li> </ul>
		<ul style="list-style-type: none"> <li><a href="#">Guidance for Businesses in the Construction Industry</a></li> </ul>
		<ul style="list-style-type: none"> <li><a href="#">Proposed Legislation</a></li> </ul>
<b>RHODE ISLAND</b>		
<p><b>Governor’s Executive Order 20-14</b> <i>(Effective March 28 through May 8; extended by Order 20-23)</i></p>	<ul style="list-style-type: none"> <li>On March 28, Governor Gina Raimondo issued Executive Order 20-14, requiring non-critical retail businesses to cease in-person operations. The Order provided a list of critical retail businesses and gave the Rhode Island Department of Business Regulation (RIDBR) authority to determine what additional businesses were critical.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 20-14</a></li> </ul>
<p><b>Governor’s Executive Order 20-32</b> <i>(Effective May 9 through May 23)</i></p>	<ul style="list-style-type: none"> <li>In response, the RIDBR published a list of critical and non-critical retail businesses. The RIDBR clarified that the Governors’ Order applied only to retail business and not to service-based businesses. Specifically, “all construction related activities” are not considered retail operations and construction may proceed in Rhode Island.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 20-32</a></li> </ul>
	<ul style="list-style-type: none"> <li>Governor Raimondo issued Executive Order 20-32, which lifts Rhode Island’s stay-at-home restrictions and allows certain non-critical retail businesses to open with restrictions. This Order does not affect construction, which had always been permitted in Rhode Island.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">RIDBR List of Critical Businesses</a></li> </ul>
		<ul style="list-style-type: none"> <li><a href="#">Rhode Island Executive Orders</a></li> </ul>

Orders and Effective Dates	Impact on Construction Projects	Sources
<b>SOUTH CAROLINA</b>		
<p><b>Executive Order No. 2020-18 Closure of Businesses</b> (Effective April 6 for the duration of the state of emergency)</p>	<ul style="list-style-type: none"> <li>On March 13, Governor Henry McMaster declared a State of Emergency because of COVID-19 effective for a period of 15 days. He subsequently issued orders every 15 days renewing the State of Emergency. The latest State of Emergency order (2020-35) was issued on May 12 and will expire on May 27.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order No. 2020-18</a></li> </ul>
<p><b>Executive Order No. 2020-21 Home or Work Order</b> (Effective April 6 for the duration of the state of emergency)</p>	<ul style="list-style-type: none"> <li>Governor McMaster also issued a <b>Closure of Businesses</b> Executive Order (No. 2020-18), which is effective for the duration of the State of Emergency and which superseded Order No. 2020-17. Under the Closure of Businesses Order, the Governor mandated the closure of nonessential businesses and services, which included certain entertainment venues and facilities, recreational and athletic facilities, close-contact service providers, and certain retail stores. The Governor also authorized the SC Department of Commerce to issue guidance and make determinations as to what businesses are deemed nonessential. <b>Construction is not listed among any of the businesses or services deemed nonessential and ordered to cease.</b></li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order No. 2020-21</a></li> <li><a href="#">Order No. 2020-31</a></li> <li><a href="#">South Carolina Executive Orders</a></li> <li><a href="#">COVID Guidance for Nonessential Businesses</a></li> </ul>
	<ul style="list-style-type: none"> <li>Governor McMaster’s “Home or Work” order (No. 2020-21) stated that individuals were limited from leaving their homes unless engaging in Essential Business, Essential Activities, or Critical Infrastructure Operations. “Essential Businesses” track those in the Closure of Businesses Order and “Critical Infrastructure Operations” are defined by the <a href="#">CISA Guidance</a>.</li> </ul>	
	<ul style="list-style-type: none"> <li>On May 3, through Order 2020-31, Governor McMaster began to ease restrictions on his Home or Work order as it pertains to individuals.</li> </ul>	
<b>SOUTH DAKOTA</b>		
<p><b>Executive Order 2020-04 Declaration of State of Emergency</b> (Effective March 13 through May 31; extended by <b>Order 2020-15</b>)</p>	<ul style="list-style-type: none"> <li>Governor Kristi Noem has declared a state of emergency and issued multiple Executive Orders, including EO 2020-12, which places restrictions on “enclosed retail businesses that promote public gatherings.”</li> <li>Order EO 2020-12 also orders local and municipal governments to protect the critical infrastructures from the <a href="#">CISA Guidance</a>.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">South Dakota Executive Orders</a></li> </ul>
<p><b>Executive Order 2020-12</b> (Effective April 6 through May 31)</p>	<ul style="list-style-type: none"> <li>South Dakota has not expressly addressed construction, nor has it issued a statewide stay-at-home order.</li> </ul>	
<b>TENNESSEE</b>		
<p><b>Executive Order No. 22 – Stay-at-Home Order</b> (Effective March 31 through April 30; extended through <b>Order No. 27</b>)</p>	<ul style="list-style-type: none"> <li>On March 30, Governor Bill Lee issued a <b>Stay-at-Home Order</b> (Order No. 22), mandating that Tennesseans are required to stay at home unless engaging in an Essential Activity or Essential Services. “Essential Services” under the Tennessee order included multiple types of construction services. The language of Order No. 22, which said residents are “urged” to stay home, was changed by Order No. 23 to say residents are “required” to stay home.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order No. 30</a></li> <li><a href="#">Access Guidelines for Construction Worksites</a></li> </ul>
<p><b>Executive Order No. 23 (amended Order No. 22)</b></p>	<ul style="list-style-type: none"> <li><b>Reopening:</b> On April 28, Governor Lee issued a <b>Safer-at-Home Order</b> (Order No. 30) allowing Tennesseans to return to work safely, which <b>superseded and repealed Executive Orders 22 and 23</b>. Under the new Safer-at-Home order, employers and businesses are “strongly encouraged” to take steps to protect employees including following guidance from the Governor’s Economic Recovery Group (ERG). The ERG has issued “<a href="#">Access Guidelines for Construction Worksites</a>” as a part of Tennessee Pledge to ensure a safe work environment.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order No. 22 (superseded)</a></li> <li><a href="#">Order No. 23 (superseded)</a></li> </ul>
<p><b>Executive Order No. 30 – Safer-at-Home</b> (effective April 29 through May 29)</p>		<ul style="list-style-type: none"> <li><a href="#">Tennessee Executive Orders</a></li> </ul>

Orders and Effective Dates	Impact on Construction Projects	Sources
<b>TEXAS</b>		
<b>Executive Order No. GA14</b> <i>(Effective April 2 through April 30)</i>	<ul style="list-style-type: none"> <li>On March 31, Governor Greg Abbott issued Order No. GA-14 relating to statewide continuity of essential services and activities during the COVID -19 disaster. The Order directed that “every person in Texas shall, except where necessary to provide or obtain <b>essential services</b>, minimize social gatherings and minimize in-person contact with people who are not in the same household.” Essential Services include everything listed in the <a href="#">CISA Guidance</a> and any other essential services that the Texas Division of Emergency Management (TDEM) adds.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order GA-14</a></li> </ul>
<b>Executive Order No. GA-18</b> <i>(Effective April 28 through May 15)</i>	<ul style="list-style-type: none"> <li>More information about Texas’s stay-home order can be found in the Pillsbury Alert: <a href="#">Texas: State and Local COVID-19 Social Distancing Measures</a>.</li> <li>Governor Abbott has issued Order No. GA-18 relating to the expanded reopening of services, which requires essential services to “implement social distancing, work from home if possible, practice good hygiene, environmental cleanliness, and sanitation . . . . Individuals are required to wear appropriate face coverings, but no jurisdiction can impose a civil or criminal penalty for failure to wear a face coverage.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order GA-18</a></li> <li><a href="#">TDEM Essential Services Information</a></li> </ul>
<b>UTAH</b>		
<b>March 27 Stay Safe Stay Home Directive</b> <i>(Effective March 27 through May 1; extended by Directive April 17)</i>	<ul style="list-style-type: none"> <li>On March 27, Governor Gary Herbert issued a directive to stay home as much as possible but clarified his directive should not be confused with a shelter-in-place order. The Governor specifically stated that “local authorities may impose more stringent directives and orders” in consultation with the State.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">April 29 Executive Order</a></li> <li><a href="#">May 6 Executive Order</a></li> </ul>
<b>April 29 Executive Order – Moving the State COVID-19 Public Health Risk Status From Red (High Risk) to Orange (Moderate Risk)</b> <i>(Effective May 1 through May 15)</i>	<ul style="list-style-type: none"> <li>The Governor did not define “essential” businesses, but he directed for-profit organizations to follow the directives outlined in the “Stay Safe Stay Home” Directive, which ask businesses to “consider how best to decrease the spread of COVID-19 and lower the impact in the workplace.”</li> <li>The updated “Stay Safe Stay Home” Directive includes specific directives for for-profit organizations, including enhancing social distancing by grouping employees into cohorts of no more than ten individuals that have limited contact with other cohorts.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">May 16 Executive Order</a></li> <li><a href="#">Phased Guidelines for the General Public and Businesses</a></li> </ul>
<b>May 6 Executive Order – Updating the State COVID-19 Public Health Risk Status Phased Guidelines to Version 4.1</b>	<ul style="list-style-type: none"> <li>On April 29, the Governor issued an executive order moving the state COVID-19 public health risk status from red (high risk) to orange (moderate risk). This order rescinded the Stay Safe, Stay Home Directive. The order referenced the Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation. On page 13, guidelines for Construction, General Contractors &amp; Manufacturing are listed, which includes general social distancing and sanitation requirements.</li> </ul>	
<b>May 16 Executive Order – Moving the Utah COVID-19 Public Health Risk Status to Yellow With Certain Exceptions</b> <i>(Effective May 16 through May 29)</i>	<ul style="list-style-type: none"> <li>On May 6, the Governor issued an executive order clarifying guidelines in the moderate and low-risk phases of the Utah Leads Together plan. The order addresses guidelines impacting social gathering, outdoor recreation, personal services, and gyms and fitness centers.</li> <li><b>UPDATE:</b> On May 15, the Governor issued an executive order moving the Utah COVID-19 public health risk status to yellow, with certain exceptions. The order does not expressly mention or otherwise directly impact construction.</li> </ul>	



Orders and Effective Dates	Impact on Construction Projects	Sources
<b>VERMONT</b>		
<p><b>Executive Order 01-20 Declaring State of Emergency</b> (Effective March 13; extended by Addendum 14 through June 15)</p>	<ul style="list-style-type: none"> <li>On March 13, Governor Phil Scott declared a state of emergency and on March 24 issued Addendum 6 to Executive Order 01-20, which suspended in-person operations for all businesses and not-for-profit entities, except for businesses and entities providing services or functions deemed critical to public health and safety. Services deemed critical include: construction necessary to maintain critical infrastructure, including utilities, telecommunication, airports and transportation infrastructure; and construction necessary to support the COVID-19 response.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 01-20</a></li> <li><a href="#">Addendum 6</a></li> <li><a href="#">Addendum 9</a></li> </ul>
<p><b>Addendum 6 to Executive Order 01-20</b> (Effective March 24 through May 15; extended by <b>Addendum 9</b>)</p>	<ul style="list-style-type: none"> <li>Addendum 10 announced a phased approach to reopening Vermont’s economy, starting with Phase 1, effective April 20. The Addendum directs the ACCD (in consultation with the VDH and DPS/VEM to issue guidance which authorizes “micro-crews,” or no more than two (2) persons per location/job, to perform outdoor work and construction work in unoccupied structures. Supporting operations may resume with the minimum number of employees necessary to support curbside pick-up and delivery services, and in accordance with the guidance issued by ACCD.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Addendum 10</a></li> <li><a href="#">Addendum 11</a></li> <li><a href="#">Addendum 12</a></li> </ul>
<p><b>Addendum 10 to Executive Order 01-20</b> (Effective April 17 through May 15)</p>	<ul style="list-style-type: none"> <li>Addendum 11 was issued on April 24, 2020. Effective Monday April 27, Vermont will allow “micro-crews,” or no more than <b>five (5)</b> persons per location/job, to perform outdoor work and construction work in unoccupied structures. Those construction activities permitted pursuant to Addendum 6 may continue to operate. All businesses must follow Vermont Department of Health and CDC guidelines.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Addendum 14</a></li> </ul>
<p><b>Addendum 11 to Executive Order 01-20</b></p>	<ul style="list-style-type: none"> <li>In accordance with Addendum 11, the ACCD issued further guidance, and as of April 27, will allow interior construction in uninhabited structures, adhering to social distancing standards, with no more than 5 (five) workers maintaining social distance between them whenever possible. It should also be noted that workers from out-of-state must quarantine for 14 days upon arrival to Vermont.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">ACCD New Work Safe Additions Memo (updated May 15)</a></li> </ul>
<p><b>Addendum 12 to Executive Order 01-20</b> (Effective May 1 through May 15)</p>	<ul style="list-style-type: none"> <li>On May 1, 2020 Governor Scott signed Addendum 12. Effective May 4, small crews of no more than 10 persons per location/job may perform outdoor work and construction in unoccupied job sites, including a single unit in a commercial or residential structure, and sites that are vacant for the duration of construction. Additionally, effective May 11, construction may restart with as few employees as necessary to permit full operations while continuing to maintain health and safety. The ACCD’s New Work Safe Additions Memo was updated on May 1 to provide further clarification of Addendum 12 and its impact on construction work.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Vermont Executive Orders</a></li> </ul>
	<ul style="list-style-type: none"> <li>Addendum 14 to Executive Order 01-20 dated May 15 extended Vermont’s State of Emergency through June 15.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Vermont Guidance</a></li> </ul>

Orders and Effective Dates	Impact on Construction Projects	Sources
<b>VIRGINIA</b>		
<p><b>Amended Executive Order No. 53</b>  <b>Temporary restrictions on certain businesses</b>  <i>(Effective March 24 through May 7 for most businesses/services)</i></p>	<ul style="list-style-type: none"> <li>Under Executive Order No. 53, Governor Ralph Northam implemented restrictions on, among other things, nonessential Retail Businesses. The Order, which did not specifically restrict professional services, states in relevant part:  <p>“Although <b>business operations offering professional rather than retail services may remain open</b>, they should utilize teleworking as much as possible. Where telework is not feasible, such business must adhere to social distancing recommendations, enhanced sanitizing practices on common surfaces, and apply the relevant workplace guidance from state and federal authorities.”</p> </li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order No. 53</a></li> <li><a href="#">Order No. 55</a></li> <li><a href="#">Order No. 61</a></li> <li><a href="#">Virginia Executive Orders</a></li> </ul>
<p><b>Executive Order No. 55 Stay at Home Order</b>  <i>(Effective March 30 through June 10)</i></p>	<ul style="list-style-type: none"> <li>Under Executive Order No. 55, (<b>Stay-at-Home Order</b>) Virginia extended Executive Order No. 53 such that all nonessential businesses must remain closed through June 10, 2020. Executive Order No. 55 also mandated that all Virginia residents stay at home, except under limited circumstances, including travel to and from work.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Virginia Department of Labor and Industry Guidance on Executive Order No. 53</a></li> </ul>
<p><b>Executive Order No. 61 Safer at Home Phase I</b>  <i>(Effective May 15 through June 10)</i></p>	<ul style="list-style-type: none"> <li><b>Reopening:</b> On May 8, Governor Northam issued a <b>Safer-at-Home Order</b> (No. 61), Phase One Easing of Certain Temporary Restrictions Due to Novel Coronavirus (COVID-19). Like the Stay-at-Home Order, the Safer-at-Home Order also focuses on retail. The order does advise that all businesses not listed in the order should adhere to certain best practices, which are <a href="#">published here</a>. Subsequently, at the request of local officials from various counties in Northern Virginia and Richmond, Governor Northam issued orders that those counties were still subject to Orders 53 and 55, and not reopening under Order 61.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Commonwealth of Virginia COVID-19 website</a></li> </ul>

Orders and Effective Dates	Impact on Construction Projects	Sources
<b>WASHINGTON</b>		
<b>Proclamation by the Governor 20-05 Declaring State of Emergency</b> <i>(February 29)</i>	<ul style="list-style-type: none"> <li>On February 29, Governor Jay Inslee proclaimed that a State of Emergency exists in all counties in the state of Washington as a result of COVID-19.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Proclamation 20-05</a></li> </ul>
<b>Proclamation by the Governor 20-25 - Stay Home – Stay Healthy</b> <i>(Effective March 25 through May 31; extended by Proclamation 20-25.3)</i>	<ul style="list-style-type: none"> <li>The Governor later issued Proclamation 20-25, which ordered residents to stay at home (with certain exceptions) and prohibited all nonessential businesses in Washington State from conducting activities and operations except basic minimum operations. Residents are allowed to leave their homes “to conduct or participate in (1) essential activities, and/or (2) employment in providing essential business services.”</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Proclamation 20-25</a></li> <li><a href="#">Appendix to Proclamation 20-25 – Essential Critical Infrastructure Workers List</a></li> </ul>
<b>Western States Pact</b> <i>(April 13)</i>	<ul style="list-style-type: none"> <li>Employment in essential business services means an employee performing work for an essential business as identified in the “Essential Critical Infrastructure Workers” list, which is attached as an appendix to Proclamation 20-25 and which includes the following construction-related workers: <ul style="list-style-type: none"> <li>Workers who support...construction of critical or strategic infrastructure;</li> <li>Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables;</li> <li>Construction workers who support the construction, operation, inspection, and maintenance of construction sites and construction projects (including housing construction) for all essential facilities, services and projects included in this document, and for residential construction related to emergency repairs and projects that ensure structural integrity; and</li> <li>Workers such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of construction sites and construction projects (including those that support such projects to ensure the availability of needed facilities, transportation, energy and communications; and support to ensure the effective removal, storage, and disposal of solid waste and hazardous waste).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Proclamation 20-25.3</a></li> <li><a href="#">Washington Proclamations</a></li> </ul>
<b>Proclamation by the Governor 20-25.3 – Adjusting and Extending Stay Home – Stay Healthy to May 31, 2020</b> <i>(Effective May 5 through May 31)</i>	<ul style="list-style-type: none"> <li>Workers who support...construction of critical or strategic infrastructure;</li> <li>Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables;</li> <li>Construction workers who support the construction, operation, inspection, and maintenance of construction sites and construction projects (including housing construction) for all essential facilities, services and projects included in this document, and for residential construction related to emergency repairs and projects that ensure structural integrity; and</li> <li>Workers such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of construction sites and construction projects (including those that support such projects to ensure the availability of needed facilities, transportation, energy and communications; and support to ensure the effective removal, storage, and disposal of solid waste and hazardous waste).</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Guidance on Essential Business</a></li> </ul>
	<ul style="list-style-type: none"> <li>On April 13, California, Oregon and Washington announced a western states pact, which is an agreement on a shared vision for reopening the states’ economies and also controlling COVID-19 into the future.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Phase 1 Construction Restart COVID-19 Job Site Requirements</a></li> </ul>
	<ul style="list-style-type: none"> <li><b>UPDATE:</b> On May 5, the Governor issued Proclamation 20-25.3 Adjusting and Extending Say Home – Stay Healthy to May 31, 2020. The order does not expressly mention or otherwise directly impact construction.</li> </ul>	
<b>WEST VIRGINIA</b>		
<b>Executive Order No. 9-20 (Stay-at-Home Order)</b> <i>(Effective March 24 until further notice)</i>	<ul style="list-style-type: none"> <li>Between March 18 and March 24, Governor Jim Justice issued multiple orders closing or restricting businesses such as casinos, restaurants, and bars (Order No. 2-20), gyms and recreational facilities (Order No. 3-20), barbershops and salons (Order No. 6-20), state park lodges and the Hatfield McCoy Trail (Order No. 8-20).</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order No. 9-20</a></li> <li><a href="#">West Virginia COVID-19 Actions and Orders</a></li> </ul>
	<ul style="list-style-type: none"> <li>Under Executive Order No. 9-20, in addition to aforementioned businesses ordered to close, the West Virginia Governor ordered all businesses to close other than those considered “Essential Businesses and Operations,” which included those described in the <a href="#">CISA Guidance</a> and also other listed businesses, including various types of construction.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">West Virginia Strong: The Comeback</a></li> </ul>
	<ul style="list-style-type: none"> <li>On April 27, Governor Justice unveiled “<a href="#">West Virginia Strong: The Comeback</a>,” his phased plan for reopening West Virginia. Under West Virginia Strong, on a weekly basis, the Governor will announce businesses that are allowed to reopen. <b>As of now, Executive Order No. 9-20, limiting operations of certain businesses remains in place.</b></li> </ul>	<ul style="list-style-type: none"> <li><a href="#">West Virginia Department of Health and Human Resources COVID-19 website</a></li> </ul>

Orders and Effective Dates	Impact on Construction Projects	Sources
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<p><b>Emergency Order #12 Safer-at-Home Order</b> <i>(Effective March 25 through May 26; extended by Order #28)</i></p>	<ul style="list-style-type: none"> <li>On March 23, the State of Wisconsin issued Executive Order #12, which directed that all nonessential businesses to cease and all individuals to stay at home unless certain exceptions apply, including working at “Essential Businesses and Operations.”</li> <li>“Essential Business and Operations” is defined in Order #12 to include “Essential Infrastructure,” which includes “<b>construction</b> (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care and assisted living facilities, public works construction, school construction, Essential Business and Operations construction, construction necessary for Essential Governmental Functions, and housing construction, except that optional or aesthetic construction should be avoided).”</li> <li>“Essential Business and Operations” also includes all workers identified in the <a href="#">CISA Guidance</a> as well as critical trades such as “<b>Building and Construction Tradesmen and Tradeswomen.</b>”</li> <li>Executive Order #12 also mandates that the Order supersedes any local order that is in conflict.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order #12</a></li> <li><a href="#">Order #28</a></li> <li><a href="#">Safer-at-Home FAQ</a></li> <li><a href="#">Wisconsin COVID-19 website</a></li> </ul>
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**WYOMING**

<p><b>Order 2020-2</b> <i>(Effective March 13 until further notice)</i></p> <p><b>Public Health Order #2</b> <i>(Effective April 3 through May 15; extended by Fourth Continuation)</i></p>	<ul style="list-style-type: none"> <li>On March 13, 2020, Governor Mark Gordon declared a State of Emergency and a Public Health Emergency. The Wyoming Department of Health has issued three statewide orders: Public Health Order #1 (closing bars, restaurants, theaters, gymnasiums and schools), Public Health Order #2 (prohibiting gatherings of 10 or more people); and Public Health Order #3 (restricting certain personal services such as salons, massage services, and tattoo, body art, and piercing shops). Construction is not mentioned in any of the Orders.</li> <li>In Public Health Order #2, the Department of Health prohibited gatherings of ten or more people, but it is unclear if construction projects would fall within the prohibition and the State has not issued any guidance.</li> <li>The Public Health Orders also note that “to the extent any county order is more restrictive, the more restrictive provisions of the county order shall continue to apply.”</li> <li>Wyoming has not issued a statewide Stay-at-Home Order.</li> <li><b>UPDATE:</b> On May 15, the Governor issued Fourth Continuation, and Modification, of Statewide Public Health Order #2: Forbidding Gatherings of More than Twenty-Five (25) People. The order does not expressly mention or otherwise directly impact construction.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Order 2020-2</a></li> <li><a href="#">Public Health Order #2 (Fourth Continuation)</a></li> <li><a href="#">Wyoming Department of Health Public Health Orders</a></li> <li><a href="#">Wyoming Executive Orders</a></li> </ul>
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## CISA GUIDANCE

The U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) issued an [Advisory Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response](#). The two-page CISA memorandum attached guidance from CISA, which provides an advisory list of "Essential Critical Infrastructure Workforce" ("CISA Guidance"). The CISA Guidance was originally issued on March 19, 2020, but updated on March 28, 2020, and again on April 17, 2020. The CISA Guidance notes that its "list is advisory in nature" and should not be considered a federal directive or standard since "State, local, tribal, and territorial governments are responsible for implementing and executing response activities."

The cover memorandum states that the attached advisory list identifies workers and services "typically essential to continued critical infrastructure viability", and recites examples of those services, which broadly includes **working construction**. The advisory list identifies essential workers across 17 industries: (1) health care/public health; (2) law enforcement, public safety, and first responders; (3) food and agricultural; (4) energy; (5) water and wastewater; (6) transportation and logistics; (7) public works and infrastructure support services; (8) communications and information technology; (9) other community -or government-based and operation and essential functions; (10) critical manufacturing; (11) hazardous materials; (12) financial services; (13) chemicals; (14) defense industrial base; (15) commercial facilities; (16) residential/shelter facilities and services; and (17) hygiene products and services.

[CISA's latest advisory list](#) includes construction tied to various industries such as:

- [Energy] "Workers supporting the energy sector, regardless of the energy source...including those who support **construction**..."
- [Transportation and Logistics] "Workers supporting or enabling transportation and logistics functions, including ...workers that **construct**, maintain, rehabilitate, and inspect infrastructure..."
- [Public Works and Infrastructure Support] "Workers who support the **construction**, maintenance, or rehabilitation of critical infrastructure."
- [Communications...] "Workers responsible for **infrastructure construction and restoration**, including but not limited to engineers, technicians, and contractors for construction and engineering of fiber optic cables, buried conduit, small cells, other wireless facilities, and other communications sector-related infrastructure. This includes **construction of new facilities** and deployment of new technology as these are required to address congestion or customer usage due to unprecedented use of remote services.
- [Other Community or Government-Based Operations and Essential Functions] "Workers supporting essential maintenance, manufacturing, design, operation, inspection, security, and **construction** for essential products, services, supply chain, and COVID-19 relief efforts.
- [Residential/Shelter Facilities and Services] Workers performing **housing and commercial construction related activities**, including those supporting government functions related to the building and development process, such as inspections, permitting, and plan review services that can be modified to protect the public health, but **fundamentally should continue and enable the continuity of the construction industry** (e.g., allow qualified private third-party inspections in case of federal government shutdown).

The above is not an exhaustive list of workers performing construction-related activities that may be considered an "Essential Critical Infrastructure Worker." Moreover, as seen throughout this chart, various states have adopted modified versions of the CISA Guidance or implemented their own restrictions with no reference to the CISA Guidance.