State Activities
AEM is monitoring activities taken by governors as they continue to issue closure orders and other guidance, and we are in close contact with their staff to make the case that our industry should be deemed “essential.” Today, we have key updates in Florida. We also have some updates for closure orders in Illinois, Louisiana, Massachusetts, and Minnesota. For more information, please visit our dedicated State-by-State tracker.

On March 28, the Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency issued updated guidance on its list of “Critical Essential Infrastructure.”

The updated guidance expands the types of industries deemed critical to manufacturing to include the manufacturing of mining “equipment and other infrastructure necessary for mining production and distribution.” The updated guidance continues the inclusion of companies critical to the supply chain of essential businesses. At AEM’s urging, CISA also enumerated the critical role the landscaping industry plays in protection of public health and public safety.

The revised guidance ensures certain construction projects to continue to allow for the resiliency of U.S. infrastructure. Now, construction projects related to the energy industry (e.g. pipeline construction), residential & housing industry, and COVID-19 response, are directly allowed to continue operations. AEM continues to work directly with CISA to express the key role all construction projects play in ensuring essential business activity.

Many states have implemented initiatives that halt various economic activities
Business-related state mitigation strategies


*States with localities that have stay-at-home advisories*
Alabama
Alabama State Health Officer Scott Harris ordered the closure of all non-essential businesses, effective March 28 until April 17. The order directly lists what businesses must close, and only orders certain retail businesses to close. As such, this order has no direct impact on manufacturers or distributors.

Alaska
Alaska Governor Mike Dunleavy issued a Health Mandate ordering certain personal care businesses to close and prohibiting all gatherings of more than 10 people, unless the individuals can be greater than 6-feet apart. The order is set to take effect, March 24, at 5:00 pm Alaska time. Notable, the Governor’s mandate does not exempt regular business activities, therefore, manufactures and other businesses will be required to comply with the social distancing requirement.

Arizona
Arizona Governor Doug Ducey ordered residents to stay home, and all non-essential businesses to close, effective March 31 at 5:00 pm through April 30. The new order adopts the Governor’s earlier definition in essential businesses, allowing manufacturing companies, distributors, and supply chain companies to continue operations to continue operations.

On March 23, Arizona Governor Doug Ducey issued an order prohibiting local governments from ordering the closure of essential businesses. The order’s definition of essential businesses closely mirrors DHS’s CISA guidelines, but does not directly adopt it. Governor Ducey lists manufacturing companies, their distributors, and supply chain companies as essential. The order also exempts construction workers engaged in projects necessary for the safety and operation of residences, other essential activities, and other essential businesses and operations.

Colorado
Colorado Governor Jared Polis issued a stay at home order for all residents, and non-critical businesses to close, effective March 26 until April 11. The order does not apply to critical businesses, and the Department of Health has published the list of critical businesses. The list of critical businesses closely mirrors DHS’s CISA guidance on critical sectors, but does not directly incorporate the federal guidance.

Connecticut
Connecticut Governor Ned Lamont has ordered all residents to shelter in place, and all non-essential businesses to fully telework or close entirely, effective Monday, March 23 at 8:00 pm ET. Governor Lamont adopted the Department of Homeland Security CISA guidelines on “essential businesses” and explicitly included critical manufacturing, both industrial and agriculture, and construction. For additional information please see DHS’s CISA guidelines on critical infrastructure. The Governor’s office has provided an online form for businesses to apply for a waiver. For other questions, please contact the DECD at COVID19.JIC@ct.gov, or call the small business hotline at 860-500-2333.

Delaware
Governor John Carney ordered all residents to stay in place and all non-essential businesses to close, effective March 24, 2020 at 8:00am EDT. While the order does not directly follow DHS’s CISA guidance, it closely mirrors it. The order provides broad exemptions for all manufacturers of “materials, goods, products, or similar distribution,” and their workers. For more information, the Governor’s office also published a detailed list of businesses that are allowed to continue.
Florida
On April 1, Florida Governor Ron DeSantis issued an order requiring residents with prior health conditions and those 65+ to stay at home. The order also tells residents to limit their movements outside, except for essential activities or obtaining / providing essential services. The order directly adopts DHS’s CISA guidance in defining essential services. The order requires the Florida Division of Emergency Management to post a detailed list of essential services. The Governor’s order supersedes any local order that would not allow essential services or activities to operate.

On March 30, Florida Governor Ron DeSantis previously issued a closure of non-essential businesses and stay at home order for residents of Miami-Dade, Broward, Palm Beach and Monroe Counties. The order adopts the definition of essential business in Miami-Dade county’s earlier stay in place order. Miami-Dade’s order allows “factories, manufacturing facilities, or other industries uses” to continue operations. Also, open construction sites are allowed to continue, regardless of what of what they are building.

Georgia
Georgia Governor Kemp issued a stay at home order for only vulnerable populations (those with chronic lung conditions, cancer patients or those in a nursing home assisted living facilities), effective March 24 through April 6. The order also restricts businesses to fewer than 10 people if they cannot practice social distancing policies. The order does not provide any other exemptions for businesses to operate.

Hawaii
Hawaii Governor David Ige ordered all residents to stay in place and all non-essential businesses to close, effective March 25 at 12:01 am Hawaii time. The order explicitly adopts DHS’s CISA guidance for critical sectors that are allowed to continue to operate. Businesses that “sell, manufacture, or supply other essential businesses” are defined as essential and allowed to continue operations.

Idaho
Idaho Governor Brad Little ordered all residents to stay at home, and non-essential businesses to close, effective until April 15. The order provides exemptions for essential businesses as outlines by DHS’s CISA guidance. The Governor’s office published a detailed FAQ and detailed list of essential services that are allowed to continue to operate.

Illinois
On March 31, Illinois Governor JB Pritzker announced he would be extending the state’s stay at home order until April 30.

Illinois Governor JB Pritzker previously ordered has all residents to stay at home and all non-essential business to close starting Saturday, March 21 at 5:00 pm CT close until April 20, 2020. The order provides broad exemptions for essential infrastructure items (including food production and construction) and essential business to allow them to continue to operate. The order is explicitly left broad to avoid unnecessary impacts. A footnote clarifies that “the definition of Essential Business and Operations is meant to encompass the workers identified” in the DHS-CISA order.
The order allows individuals who are providing and work for essential infrastructure to continue to work. This includes (but not limited to) individuals in the construction, roads, highways, railroads, and public transportation space. Governor Pritzker deems allowing manufacturing companies, their distributors, and supply chain companies as essential, and may continue to work. While the order identifies a number of industries, such as agriculture, steel & steel products, mining, and construction, it does not explicitly exclude other industries.

Indiana
Indiana Governor Eric Holcomb ordered all residents to stay at home, and close all non-essential businesses, effective March 24, at 11:59 pm ET. The Governor’s order adopts DHS’s CISA guidelines on defining essential businesses and workers. The order also broadly exempts “essential infrastructure” workers, including, but not limited to, construction workers, road, highway, and railroad workers. The Governor’s order notes in numerous place it is explicitly left broad to avoid unnecessary impacts. The Governor’s office set up a hotline to help businesses if they have questions, please call 877-820-0890 or email covidresponse@iedc.in.gov.

Kansas
Kansas Governor Laura Kelly issued an order requiring all residents to stay at home and closing all businesses not deemed essential as per the Kansas Essential Function Framework (KEFF). The order and KEFF define the types of essential businesses that mirrors DHS’s CISA guidance but does not adopt the guidance. The Governor’s office notes it developed KEFF with reference to Federal critical function guidelines, and its definitions mirror CISA guidance.

KEFF as a framework for identify critical functions that must continue during a “stay at home” order, and has four main pillars: Connect, Distribute, Manage, and Supply. KEFF lists a number of components of manufacturing, that are allowed to operate, including those involved in:

- Maintaining Supply Chains for Essential Functions and Critical Infrastructure (as defined by DHS)
- Providing and Maintaining Critical Infrastructure, including: constructing or repairing roads; Constructing, maintaining, or cleaning buildings; Producing or distributing construction materials; Maintaining specialized manufacturing or industrial equipment
- Manufacturing Equipment Used for Essential Functions or Critical Infrastructure (as defined by DHS)
- Producing and Providing Agricultural Products and Services - Manufacturing or maintaining agricultural equipment; Manufacturing or distributing agricultural supplies such as seeds and chemicals

Businesses who are uncertain about whether they fall within the framework should email KEFF@ks.gov.

Governor Kelly previously issued an order prohibiting local jurisdictions from issuing their own shelter-in-place order if it does not provide adequate exemptions for the KEFF.

Kentucky
Kentucky Governor Andy Beshear published his order requiring all non-life-sustaining businesses to close, effective March 26, at 8:00 pm. The Governor’s order exempts all businesses deemed essential
from DHS’s CISA guidance. The order also exempts life-sustaining retail businesses, including agriculture supply and equipment stores, and businesses that supply “life-sustaining businesses.”

**Louisiana**
Louisiana Governor John Bell Edwards announced he would be extending the state’s stay-at-home order until at least April 30.

Louisiana Governor John Bell Edwards previously ordered all residents to stay at home, and all non-essential businesses to close, effective, March 23, 2020 at 5:00 pm. The order prohibits all mass gatherings of more than 10 people, however explicitly exempts factories or manufacturing facilities. The order allows individuals to go and perform essential work as stated in DHS’s CISA guidelines. Finally, the order requires businesses to reduce their operations to minimal amounts necessary, if not required to close and not designated essential by CISA. The Governor’s office has now published examples of critical infrastructure businesses, including different manufacturing industries (food & agriculture, mining, construction, etc.).

**Maine**
Maine Governor Janet Mills has ordered all non-essential businesses to close, and continued her order prohibiting gatherings or more than 10 people, effective March 25 through April 8. The Governor’s order adopts the DHS’s CISA guidance in defining essential businesses and operations. The Governor’s office published additional definitions on what businesses can continue to operate. If you believe your business is essential, but is not listed above, the Governor’s office has an online form to request designation as essential business. If you have more questions, please contact the Governor’s office at business.answers@maine.gov.

**Maryland**
On March 30, Governor Larry Hogan issued a new Executive Order, requiring all residents to stay at home, effective March 30, at 5:00 pm. Governor Hogan had previously ordered all non-essential businesses to fully close effective March 23, 2020, at 5:00 pm ET, and that order remains in effect. Governor Hogan’s order adopts the DHS’s CISA guidelines on defining essential businesses, and explicitly included critical manufacturing, both industrial and agriculture, and construction. The Governor’s Chief Legal Counsel recommends issuing essential employees a letter why they are traveling during the stay at home order. For more information, the Governor’s office continued to publish additional guidance on what businesses can continue to operate.

**Massachusetts**
On March 31, Massachusetts Governor Charlie Baker extended his earlier closure order until May 4. The Governor’s office updated the list of essential businesses to more directly reflect DHS’s CISA guidance, though still does not directly incorporate it. In further guidance published, construction work is considered essential and allowed to continue, and the Massachusetts DOT will issue additional safety guidance as needed.

The Department of Housing & Economic Development published a helpful FAQ to address most questions businesses have relating to the Governor’s essential business guidance.

The Governor’s office has provided an online form for businesses to request an essential service designation. If you have additional questions, companies may direct them to covid19.biz@mass.gov.
Massachusetts Governor Charlie Baker previously ordered all non-essential businesses, effective March 24 at 12:00 pm ET. The order also prohibits all indoor gatherings involving 10 or more people. The Governor’s office has provided an online form for businesses to request an essential service designation.

Michigan
Michigan Governor Gretchen Whitmer ordered all residents to stay at home and all non-essential businesses to close, effective March 24 at 12:01 am through April 13. The order allows critical infrastructure workers to report to work, and adopts DHS’s CISA guidelines in its definition. Notably, the order allows suppliers, distributors, or service providers to designate additional businesses in their supply chain as essential. Businesses are required to notify other businesses they are designating as essential in writing, by electronic message, public website, or other appropriate means.

Minnesota
Minnesota Governor Tim Walz issued an Executive Order ordering all residents to stay at home, and the closure of all non-essential businesses, effective March 27 through April 10. The Governor’s order adopts DHS’s CISA guidance on critical manufacturing and other essential businesses. The order requires exempted businesses to adhere to Department of Health and CDC guidelines on social distancing.

The Minnesota Department of Employment & Economic Development (DEED) published additional guidance on workers considered critical in the Governor’s order. The Minnesota DEED continues to update their guidance with additional clarification for certain sections, and with some specific exemption examples. Businesses may also determine eligibility for at Critical Sector worker exemption by searching by its 4-digit NAICS industry code on DEED’s critical business list. For more information, the Minnesota DEED has set up a dedicated website for businesses.

If you have any questions, the Governor urges business to email CriticalSectors@state.mn.us to review their status.

Mississippi
On March 31, Mississippi Governor Tate Reeves issued a shelter in place for all residents of Lauderdale County, effective March 31 through April 14. The Governor’s order allows essential businesses to continue, and adopts the Governor’s earlier definition of essential businesses.

Governor Reeves ordered all non-essential businesses to close and prohibited all mass gatherings greater than 10 people, until April 17. The Governor’s order defines essential businesses very broadly, and notes that any industry not directly listed but covered by DHS’s CISA guidance is allowed to continue. The order allows the Mississippi Department of Health, Emergency Management Agency, and or other departments to designate other industries as essential.

Montana
Montana Governor Steve Bullock ordered all residents to stay at home and all non-essential businesses to close, effective March 28 at 12:01 am, through April 10. The order references DHS’s CISA guidance for the definition of essential businesses, which may continue to operate while this order is in effect.
**Nevada**
Governor Steve Sisolak ordered all non-essential businesses to close, effective March 20, at 11:59 pm PT until April 16. The order allows certain “essential licenses businesses” to continue operate so long as they follow CDC COVID-19 risk mitigation guidelines. The order explicitly allows the construction, mining, manufacturing, and infrastructure sector labor force to continue to operate (Section 6). The order also adopts DHS’s CISA’s guidance on exempting critical infrastructure workforce.

**New Hampshire**
New Hampshire Governor Chris Sununu ordered all residents to stay at home and all non-essential businesses to close, effective March 27, at 11:59 pm until May 4. The Governor published a list of essential businesses that closely mirrors DHS’s CISA guidance. The order notably allows manufacturing companies, their distributors, and supply chain companies to operate. The New Hampshire Department of Business and Economic Affairs told all businesses to email requests for an essential designation to essential@nheconomy.com and include basic contact information and a brief justification.

**New Jersey**
New Jersey Governor Phil Murphy ordered (Executive Order No. 107) all residents to stay home, unless reporting to work, and the closure of all non-essential retail businesses, effective Saturday, March 21, at 9:00 pm ET. While the order requires businesses to allow their employees to telework, in cases where their workforce cannot, businesses should reduce their in-person workforce to minimal amounts necessary. The order provides example of employees that need to be present to perform their job, including, but not limited to, construction workers. Governor Murphy also invalidated (Executive Order No. 108) any county or municipal restrictions that currently or in the future may conflict with Executive Order No. 107.

On March 30, Governor Phil Murphy expanded the list of business permitted to operate, this new list only focused on retail businesses. On March 25, Governor Phil Murphy expanded the definition of essential businesses allowed to operate to include farm equipment stores.”

**New Mexico**
New Mexico Secretary of Health Kathyleen Kunkel issued an order prohibiting all mass-gatherings and closing all non-essential business. The Secretary’s order defines “essential businesses” mirrors DHS’s CISA guidance, but does not adopt it directly. Specially, the order takes a more limited view in defining manufacturers, and only exempting a limited number of manufacturers, including primary metal manufacturers, and transportation equipment manufacturers. Also exempted from the order are infrastructure operations, including various types of construction. The Department of Health published a list of essential businesses that lists “essential manufacturing” but provides no additional information on that definition. AEM has reached out to the Department of Health for more information.

**New York**
New York Governor Andrew Cuomo issued a new order requiring all non-essential businesses to fully telework, with the exemption of businesses deemed essential, by Sunday, March 22, at 8:00 pm ET. On March 30, Governor Cuomo extended in-person workforce restrictions until April 15.

On March 27, the New York’s Empire State Development Agency has issued updated guidance on what business are considered “essential.” The order provided updated guidance on what construction is considered essential, allowing ONLY emergency and essential projects to continue. Emergency
construction is defined as projects “necessary to protect health and safety of the occupants, or if it would be unsafe to allow to remain undone until it is safe to shut the site.” Essential construction includes roads, bridges, transit facilities, utilities, hospitals or health care facilities, affordable housing, and homeless shelters.

**North Carolina**
North Carolina Governor Roy Cooper ordered all residents to stay at home and all non-essential businesses to close, effective March 30 through April 29. The order adopts DHS’s CISA guidance on essential businesses, and allows manufactures to continue to operate. The order also allows manufacturers, distributors, and supply chain companies to continue if they are for critical products and industries. Businesses that remain open must adhere to social distancing requirements. The order also broadly exempts “essential infrastructure” workers, including, but not limited to, construction workers, road, highway, and railroad workers.

The Governor’s office has published a FAQ list, for businesses with additional questions. North Carolina businesses that believe they are essential, may request a designation as an essential business through an [online form](#) or by email at Essential.Exemption@ncdor.gov.

**Ohio**
Ohio Governor Mike DeWine ordered all residents to stay at home and closure of all non-essential businesses, starting 11:59 pm on March 23 until April 6. Governor DeWine adopted the Department of Homeland Security CISA guidelines on “essential businesses” and explicitly included critical manufacturing, both industrial and agriculture, and construction. The Governor’s order also allows for businesses that sell, manufacture, or supply other Essential businesses to operate. For additional information please see [DHS’s CISA guidelines on critical infrastructure](#).

**Oklahoma**
Oklahoma Governor Kevin Stitt issued a stay at home order for all residents, and closed all non-essential businesses. The Governor’s order exempts businesses that fall under the DHS’s CISA guidance of critical. The Governor also published further guidance that adds healthcare manufactures and distributors to the list of exempted businesses.

**Oregon**
Oregon Governor Kate Brown issued an order closing certain businesses where personal contact is difficult or impossible to avoid, mostly applying to amusement parks, gym and other entertainment businesses. The order also requires, when possible, businesses to allow employees to fully telework. In businesses that cannot telework, the business may remain open, but they must designate an employee to establish, implement, and enforce social distancing policies.

**Pennsylvania**
Governor Tom Wolf announced a delay in the enforcement of his earlier closure order until Monday, March 23, at 8:00 am. Per Governor Wolf’s earlier order, businesses that were non-life sustaining were ordered to close their physical locations on March 19, at 8:00 pm ET. AEM continues to be in constant contact with the Governor’s office to ensure our members are defined as essential. The Governor’s office has provided an [online form](#) for business’s to apply for a waiver.
On March 25, the Governor expanded his earlier to include residents of Erie, Lehigh, and Northampton Counties. This in order to residents of Allegheny, Bucks, Chester, Delaware, Monroe, Montgomery, and Philadelphia counties. The order still allows life-sustaining businesses, as defined by the Governor’s earlier order, to operate, and residents can commute to and from work. The Department of Health has provided additional guidance for residents of those counties.

Governor Wolf and the Department of Community and Economic Development (DCED) continues to issue updated guidance on what businesses are essential (last updated March 24, 2020).

Rhode Island
Rhode Island Governor Gina Raimondo ordered all residents to stay at home order, and non-essential retail businesses to close, effective March 30 until April 13. The order does not require manufacturers to close, but prohibits any gatherings of more than five people in any public or private space.

Tennessee
Tennessee Governor Bill Lee issued an order urging all residents to stay at home, and closing all non-essential businesses from members of the public, effective March 31 through April 14. In an addendum, the Governor’s order adopts the DHS’s CISA guidelines in defining essential businesses. The order also extends an exemption to companies along the supply chain for manufacturing companies, distributors, and other supply chain companies producing and supplying essential products.

Texas
Texas Governor Greg Abbott issued an executive order requiring residents to “limit personal interactions” except when obtaining essential services. The Governor’s definition of “essential services” directly adopts DHS’s CISA latest guidance. During his press conference, Governor Abbott stated this order was not a shelter in place order for residents. The Texas Division of Emergency Management (TDEM) has created an online form and an email inbox, EssentialServices@tdem.texas.gov, for businesses that would like to request a designation as an essential service.

Utah
Utah Governor Gary Herbert issued a stay home directive for all residents, but the order specifies the order is not a “shelter in place” order. The order encourages businesses to adopt full telework policies, if possible. If a business cannot fully telework, they must adopt policies to enhance social distancing and ensure workers can stay home if sick, even without a positive COVID-19 test.

Vermont
Vermont Governor Phil Scott issued a stay at home order, and closure of all non-critical businesses, effective March 25, until April 15. The order exempts critical manufacturing from the closure order, but takes a narrower view in what manufactures are allowed to continue. The order defines critical manufacturing as “food and animal feed manufacturing, processing and supply, pharmaceuticals and other manufacturing necessary to support the COVID-19 response as well as economic and national security.” The order only allows construction projects to continue if they are “necessary to support the COVID-19 response and maintain critical Infrastructure”.

The other charges the Vermont Agency of Commerce and Community Development (ACCD) to develop additional guidance on what other businesses should be defined as critical to economic and national
security (Section 7). Once the ACCD develops the guidance, the order will allow businesses to request an exemption from the order.

Virginia
Virginia Governor Ralph Northam issued a new Executive Order, ordering all residents to stay home unless traveling for work, effective March 30 until June 10. The new order keeps in place businesses closures, as previously ordered, and only impacts non-essential retail businesses. Other businesses are allowed to continue to operate so long as they follow CDC requirements on “social distancing,” and adopt telework standards, if possible.

West Virginia
West Virginia Governor Jim Justice ordered all residents to stay at home and the closure of all non-essential businesses, effective March 24, at 8:00 pm ET. The order adopts DHS’s CISA’s guidelines on essential businesses. The order also allows essential infrastructure workers, engaged in construction, to continue to operate and work. Notable, the order also allows manufactures, distributors, and their supply chain companies to continue to operate.

Washington
Governor Jay Inslee ordered all residents to stay at home and required all non-essential businesses to close, except for preforming basic minimum activities, effective March 25 at midnight. The Governor’s issued guidance on the definitions of essential businesses, and it mirrors the DHS’s CISA guidelines on critical infrastructure. Essential businesses are required to adopt OSHA’s guidelines on preparing the workplace for COVID-19. If you have any questions, or believe your business is essential please email the Governor’s office at business@mil.wa.gov.

Wisconsin
Wisconsin Governor Tony Evers issued a stay at home order, requiring all residents to stay at home and all non-essential businesses to close. The order adopts DHS’s CISA guidance in defining essential businesses. Also exempted are other manufacturers, distributors, and supply chain companies for essential businesses. The order also broadly exempts “essential infrastructure” workers, including, but not limited to, construction workers, road, highway, and railroad workers. The Wisconsin Economic Development Corporation has provided this online form for businesses, if not listed on the CISA list, to request a designation as essential.