



UPDATED MARCH 21, 2020

# Health Officer Order to Shelter in Place

## *Frequently Asked Questions for businesses*

The [order effective 12:00 am, Tuesday March 17, 2020](#) limits activity, travel and business functions to only the most essential needs. The guidance comes after substantial input from the U.S. Centers for Disease Control and Prevention (CDC) and best practices from other health officials around the world. This order is in effect until April 7.

## Why are these city and county Public Health Officers issuing an order that shuts down so many businesses in my community?

The seven Public Health Officers in the six largest counties in the Bay Area have been closely monitoring the rapidly accelerating situation with COVID-19 and it is clear that if we do not take very strong and aggressive action to slow down the spread of the disease, our hospitals and particularly our intensive care units will be overwhelmed with patients.

We are taking this action to save the lives of people in our community, especially those who are particularly susceptible to severe illness from COVID-19, and are at heightened risk of severe illness or death if infected.

The Order also protects everyone's ability to seek emergency health care when needed by preventing health care facilities from being more overwhelmed than they already are.

## Will all business offices and stores be required to close? What are "Essential Businesses"?

No, "Essential Businesses" may stay open and their employees may leave home to go to work.

The Order includes the following list of essential businesses:

- i. Healthcare Operations and Essential Infrastructure;
- ii. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
- iii. Food cultivation, including farming, livestock, and fishing;
- iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;

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- v. Newspapers, television, radio, and other media services;
- vi. Gas stations and auto-supply, auto-repair, bicycle repair, and related facilities;
- vii. Banks and related financial institutions;
- viii. Hardware stores;
- ix. Plumbers, electricians, exterminators, 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;
- x. Businesses providing mailing and shipping services, including post office boxes;
- xi. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
- xii. Laundromats, drycleaners, and laundry service providers;
- xiii. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- xiv. Businesses that supply products needed for people to work from home;
- xv. Businesses that supply other essential businesses with the support or supplies necessary to operate;
- xvi. Businesses that ship or deliver groceries, food, goods or services directly to residences;
- xvii. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- xviii. Home-based care for seniors, adults, or children;
- xix. Residential facilities and shelters for seniors, adults, and children;
- xx. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
- xxi. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:
  - 1. Childcare must be carried out in stable groups of 12 or fewer (“stable” means that the same 12 or fewer children are in the same group each day).
  - 2. Children shall not change from one group to another.

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3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
4. Childcare providers shall remain solely with one group of children.

### What if my business is not considered an Essential Business? Does this Order require that I shut down my business facility?

You and your employees are allowed to perform “Minimum Basic Operations” on site at your work place, so long as employees maintain a distance of six feet from one another to the greatest extent feasible.

Minimum Basic Operations include:

- i. The minimum necessary activities to maintain the value of the business’s inventory, ensure security, or for related functions.
- ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

Your employees can also work from home if their jobs are ones that can be performed remotely.

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

Many businesses are not permitted to operate under this Order. Essential Businesses, as defined in the Order, are allowed (and encouraged) to continue operating.

If your work is not an Essential Business, you are not permitted to go to work and your employer is not permitted to require you to attend except to complete Minimum Basic Operations, as that term is defined in the Order.

You may work from home if your work permits.

### I work for Apple, Google, or another large technology company that provides products and services that the public needs to access critical services. Is my company being completely shut down?

No. However, most employees of such companies will need to work from home.

Anyone who must work onsite to maintain “Essential Infrastructure” for the community or to maintain “Minimum Necessary Operations” as described in the Order may continue to work in the workplace so long as they are maintaining social distancing.

### Will this order prevent companies working on vaccines and testing for COVID-19 from continuing to do that work?

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No. The Order specifically excludes all healthcare related functions, including not just hospitals, clinics, and healthcare providers, but also all of the companies that supply them with goods and services.

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

If they provide essential services as described in the order, then yes they can and should continue providing those services.

This would include non-profits operating food pantries, providing housing for homeless residents, and many, many other critical services.

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

Yes. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and similar food retail establishments are encouraged to remain open to provide food and pet supplies to the public.

When visiting these establishments, please help retailers maintain at least six feet minimum distance between patrons, including by providing ample space while shopping and waiting in line.

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

Follow the best practices for allowable food facility operations included in the California Department of Public Health's Guidance on this issue:

- <https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Coronavirus%20Disease%202019%20and%20Food%20Industry.pdf>

As events change, consult the state site for updated guidance:

- <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/ncov2019.aspx>

### Can big box stores that sell groceries and essentials stay open?

Yes.

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

Yes.

### Can I operate a business that can or does sell things that can be delivered to people's homes; can I continue doing that and shift more of my business to a delivery model?

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

### **Are bike repair shops permitted to operate?**

Yes, bike repair is considered an essential business.