



Ohio Department of Health's Stay at Home Order Summary for Businesses

On Sunday, March 22, 2020, the Director of the Ohio Department of Health, Amy Acton, M.D., under the direction of Ohio Governor Mike DeWine, issued an order requiring all Ohio residents to stay in their homes to prevent the spread of COVID-19. The order prohibited gatherings of any size and closed all nonessential businesses. A general summary of Director Acton's order is below, but if you have any questions or want additional information contact one of our attorneys.

HOW LONG IS THE ORDER EFFECTIVE?

Director Acton's order took effect at 11:59 PM on Monday, March 23, 2020 and does not expire until 11:59 PM on April 6, 2020. However, the order may be extended or amended in the future.

WHO DOES THE ORDER APPLY TO?

The order applies to all people and businesses in the State of Ohio.

WHAT DOES THE ORDER DO?

The order indicates that all persons living in Ohio must stay at home or at their place of residence, and prohibits all public and private gatherings, except for engaging in essential activities or doing essential business or operations. The order indicates that all non-essential business and operations must cease all activities, subject to several exceptions.

WHAT ARE ESSENTIAL ACTIVITIES?

Individuals may leave their residences to perform essential activities. Essential activities are limited to the following:

- Health and safety
- Necessary supplies and services
- Outdoor activity
- Certain types of work
- Taking care of others

WHAT ARE ESSENTIAL BUSINESSES AND OPERATIONS?

The list of essential businesses and operations is expansive and includes all businesses identified in the Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response that the U.S. Department of Homeland Security issued on March 19, 2020. However, without being exhaustive, the following are the categories of essential businesses and operations:

- Healthcare and Public Health Operations
- Human Services Operations
- Essential Infrastructure
- Essential Government Functions
- Other Essential Businesses and Operations
 - Stores that sell groceries or medicine
 - Food, beverage, and licensed marijuana production and agriculture
 - Organizations that provide charitable and social services
 - Religious entities
 - Media
 - Gas stations and businesses needed for transportation
 - Financial and insurance institutions
 - Hardware and supply stores
 - Critical trades such as building and construction
 - Mail, post shipping, logistics, delivery and pick-up services
 - Educational institutions
 - Laundry services
 - Restaurants for consumption off-premises
 - Supplies to work from home
 - Transportation
 - Home-based care and services
 - Residential facilities and shelters
 - Professional services such as legal services, accounting services and real estate services
 - Manufacturing, distribution, and supply chain companies for critical products and industries
 - Hotels and motels
 - Funeral services

As is evident, the list of essential businesses and operations is broad. Thus, unless it is clear, contact one of our attorneys to assist you in determining whether your business is essential under Director Acton's order.

WHAT OPERATIONS MAY NON-ESSENTIAL BUSINESSES CONDUCT?

Non-essential businesses, under Director Acton's order, may only conduct Minimum Basic Operations. Minimum Basic Operations are the following:

- The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
- The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

In addition, non-essential businesses may continue to operate as long as all employees are working from home.

SOCIAL DISTANCING REQUIREMENTS

All essential businesses and operations, and all Minimum Basic Operations for non-essential businesses, must follow Social Distancing Requirements. Social distancing requirements include maintaining at least six-feet social distancing from other individuals, washing hands with soap and water, or using hand sanitizer, as frequently as possible, covering coughs and sneezes, regularly cleaning high-touch surfaces, and not shaking hands. Additionally, businesses must designate six-foot distances for employees and customers where people congregate, make soap and hand sanitizer available for employees and customers, and separate operating hours for vulnerable populations.

ENFORCEMENT

The order is enforced by State and local law enforcement and also by local health departments. Fines up to \$750 may be levied against anyone violating this order, and businesses may also face serious administrative and civil penalties.