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EMPLOYMENT LAWSCENE ALERT: WISCONSIN EXTENDS SAFER AT HOME ORDER

Today, April 16, 2020, the State of Wisconsin has extended the statewide Safer at Home Order through May 26, 2020, with some minor changes. The full text of the Extended Order can be found here and an updated FAQ can be found here. The changes to the Safer at Home Order implemented by the Extended Order will go into effect on April 24, 2020 and will remain in effect until May 26, 2020 or until a superseding order is issued. During today's press conference, the Governor's Chief Legal Counsel, Ryan Nilsestuen, stated that, although the Governor needs the legislature's permission to extend the public health emergency, the Extended Order is legally permitted under the Governor's statutory authority.

Under the Extended Order, some businesses will be allowed to increase their services, including:

- Public libraries may now provide curb-side pickup of books and other materials.
- Golf courses may open, although scheduling and payment must be done online or by phone, and clubhouses and pro shops must remain closed.
- The "Minimum Basic Operations" that Non-Essential Businesses are allowed to perform are expanded to include deliveries, mailings, and curb-side pickup. Non-Essential Businesses must notify workers whether they are necessary for the Minimum Basic Operations.
- Arts and crafts stores may offer expanded curb-side pickup of materials necessary to make face masks and other personal protective equipment.
- Aesthetic or optional lawn care and construction is allowed as long as it can be done by one person.

The Extended Order also includes additional safety practices for Essential Businesses and Operations, including:

- Essential Businesses and Operations must increase cleaning and disinfection practices, ensure that only necessary workers are present, and adopt policies to prevent workers exposed to COVID-19 or symptomatic workers from coming to work.
- Retail stores that remain open as Essential Businesses and Operations must limit the number of people in the store at one time, must provide proper spacing for people waiting to enter, and large stores (i.e., those with more than 50,000 square feet) must offer at least two hours per week of dedicated shopping time for vulnerable populations.
- Essential Businesses and Operations that are essential because they supply,

> manufacture, or distribute goods and services to other Essential Businesses and Operations can only continue operations that are necessary to those businesses they supply. All other operations must continue only as Minimum Basic Operations.

Additionally, the governors of Illinois, Michigan, Ohio, Wisconsin, Minnesota, Indiana, and Kentucky announced today that they will "work in close coordination to reopen the economy in the Midwest region." These governors stated that they would consider four factors when determining when to reopen the economy: 1) sustained control of the rate of new infections and hospitalizations; 2) enhanced ability to test and trace; 3) sufficient health care capacity to handle resurgence; and 4) best practices for social distancing. The governors indicated that reopening may occur in phases and that, although they will be coordinating, each state may take a different approach.

O'Neil Cannon remains open during this time and is here to help. We encourage you to reach out with any questions, concerns, or legal issues you may have, including those related to coronavirus.