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As more cities, states and counties issue and revise emergency orders to stop the spread of COVID-19, the National Association of Manufacturers is working to help manufacturers nationwide assess and understand the implications of these orders and emphasize the essential

The following resource is intended as a snapshot to help navigate this rapidly-changing environment. Please consult with regulators within the appropriate jurisdiction and your own stakeholders including legal counsel before making a determination on how to best proceed with your company's operations

MARCH 24 (PM) UPDATE:

With the critical support of the NAM's state partners, states are beginning to understand the essential role manufacturers play in the coronavirus response effort. Key updates include orders in WI, KS, WA, HI, VT and a problematic ordinance in Atlanta, GA. We continue to monitor states like North Carolina, Florida, Minnesota, Texas and elsewhere for additional developments.

Key state updates within the last 24 hours include:

- Wisconsin, Hawaii and Vermont have issued stay in place orders today that adopts the CISA guidance and adds to it additional exemptions for manufacturers and information about how to seek clarification.
- Kansas adopted a stay in place order with a broad exemption for manufacturers as essential
- Washington state issued an order last night adopting CISA in full.
- Cities in Texas (Ft. Worth and Austin) and North Carolina (Charlotte) have issued stay in place orders with broad exemptions for manufacturers
- The city of Denver has indicated to the NAM it may update its stay in place order to incorporate CISA. We are awaiting confirmation.
- Atlanta has issued a stay and place order with no exemptions for manufacturers. The NAM is examining how best to address this.
- After **DHS made a key update to the CISA guidance**, the NAM continues to work with manufacturers to shape federal "essential" guidance. (See the federal section below.)

The NAM is advocating for states to at least adopt the federal CISA guidelines for essential businesses, specifically by incorporating by reference those guidelines in any executive order or similarly binding declaration. (This helps to strengthen the linkage between state and federal guidance from a legal perspective.) Please review individual state portions for more details about new orders and restrictions as well as added detail on how to seek an exemption in certain states.

Finally, the NAM is working to share manufacturers' capabilities to the administration as part of our **Creators Respond** effort. Click [here](#) to access the current survey.

Other resources:

- Manufacturers' toolkit to show state and local officials how your business qualifies as essential ([Click here to download this resource.](#))
- Template letter to governors self-declaring or declaring a supplier as "essential" ([Click here to download](#))
- NAM current [policy priorities](#) for COVID-19 response

Please [email NAM Assistant Vice President, Advocacy Michael O'Brien](#) for company-specific support to address disruptions caused by state and local guidance.

External Resources:

- [MultiState tracker](#) of state and local stay in place and mass gathering restrictions; MultiState has this [additional rundown](#) on essential operations of state and local stay in place and mass gathering restrictions; MultiState has this [additional rundown](#) on essential operations
- [Analysis](#) of state "essential" designations prepared by Bracewell LLP
- Council of State Government [library](#) of state COVID-19 orders

Navigating Local Restrictions on Operations

Most every state has at this point issued workplace guidance or restrictions that affect manufacturers. Some states have adopted the most restrictive "shelter in place" rules that affect most businesses with limited exceptions for "essential" businesses. Other states restrict mass gatherings in a way that could also affect business operations. We have sought to organize resources as completely as possible to help you understand these rules and channel your questions appropriately.

FEDERAL:

The Department of Homeland Security Cybersecurity and Infrastructure Security Agency [issued federal guidance](#) on Thursday (March 19) categorizing a variety of manufacturers as among "essential" infrastructure. This guidance was updated on March 23 with an important addition to the "critical manufacturing" section, reflected by the highlighted text below:

Workers necessary for the manufacturing of materials and products needed for medical supply chains, **and for supply chains** associated with transportation, energy, communications, food and agriculture, chemical manufacturing, nuclear facilities, the operation of dams, water and wastewater treatment, emergency services, and the defense industrial base. **Additionally, workers needed to maintain the continuity of these manufacturing functions and associated supply chains.**

Manufacturers can help strengthen the CISA guidance that many states are adopting by emailing CISA.CAT@cisa.dhs.gov and CISAGuidance@nam.org with detailed examples of why manufacturing and supply chain is an essential critical infrastructure. If you have changes to offer, **please give REDLINE suggestions** accompanied by supporting examples. We will share those with CISA, but please submit them directly as well.

Alabama:

Gov. Ivey on March 20 issued restrictions prohibiting [all *non-work* gatherings of 25 people](#) or more that cannot maintain a consistent six-foot distance between persons are prohibited throughout the state. This order applies to all events or activities that bring 25 or more persons in a single room or single space at the same time, and the [order](#) specifies that individuals may seek an exemption from the State Health Officer. The order also bans restaurants and bars from serving food and drink on their premises. The order does not distinguish between public gatherings or private business operations.

Alaska:

On March 17, Governor Dunleavy [ordered the closure of all bars](#), restaurants, and other establishments serving food and beverages to public dine-in service. Entertainment facilities are also closed to the public.

Governor Dunleavy also [announced the formation of Alaska Economic Stabilization Team](#), to be led by former Governor Sean Parnell and former Senator Mark Begich.

Anchorage Mayor Berkowitz [limited public transportation](#) capacity to nine riders at a time and announces public transportation will be provided free of charge. Berkowitz [has also banned mass events](#) of over 50 people, though the [order](#) specifically exempts day-to-day business operations.

Arizona:

March 23, Governor Ducey issued an [executive order](#) prohibiting the closure of essential business by local governments, reading in part:

No county, city or town may make or issue any order, rule or regulation that restricts or prohibits any person from performing any function designated by either the Governor, the Director of the Arizona Department of Health Services, or the Division of Emergency Management as an essential function during the COVID-19 public health emergency.

The order pre-empts local or municipal orders closing manufacturers:

Manufacture, distribution and supply chain for critical products and industries:

Manufacturing companies, distributors and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportations, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications as well as products used by other Essential Businesses and Operations.

March 11 state of emergency [declaration](#), and March 16 guidance on limitations for bars and restaurants.

For more, contact [Allison Gilbreath](#) with the Arizona Chamber of Commerce.

Arkansas

All bars and restaurants are closed for dine-in service, as well as gyms and other entertainment facilities.

California

Late on March 19, Gov. Newsom [issued an executive order](#) that functionally adopts a “shelter in place” ruling for much of the state of California. The order exempts from the order manufacturers identified as contributing to “critical infrastructure” within the [federal guidance](#) referenced above. Given that the order essentially adopts this federal guidance, manufacturers may refer to the DHS critical infrastructure list in interpreting the California order.

⇒ Following a call with business leaders on Thursday night, the governor’s office asked that questions be referred to this address: LegislativeAffairs@CalOES.ca.gov

The governor’s office proposed this rule to create “[consistency](#)” across the state amid the many county or city shelter-in-place orders that have popped up in California throughout the week.

The NAM’s state partner in California, California Manufacturers and Technology Association, has been maintaining a rolling update on how these orders affect manufacturers. [Visit and bookmark this link for more](#). CMTA also [wrote](#) to the governor’s Office of Emergency Services on Thursday emphasizing the essential role manufacturers play in the response to coronavirus.

Colorado

A March 22 [executive order](#) by Gov. Polis compels businesses to reduce their workplace presence by at least 50%. The order does not apply to “critical business,” according to a [follow-up document](#) provided by Polis’s office. The list of businesses defined as critical or essential does not incorporate the federal CISA guidance wholesale but closely mirrors that guidance.

A March 23 stay in place [order](#) for the city of Denver orders businesses to cease operations unless they are considered essential under Section 6 of the ruling. [As of now there is no language that specifically includes manufacturing](#); the order touches on “critical infrastructure” but makes no mention of manufacturing beyond medical devices, though noted that guidance is not limited to those industries enumerated in the guidance. The order does not at all mention the federal CISA guidelines. Business that continue operations must function with minimum basic operations and enact social distancing. The order asks manufacturers seeking clarification to call 720-913-1311 for more information. The NAM is working with its partners in Colorado to help understand and update this guidance.

In response to the order, the Colorado Chamber of Commerce and Colorado Advanced Manufacturing Association [wrote](#) Denver’s mayor, asking him to adopt federal CISA guidance and add to it essential designations for manufacturers for the sake of consistent operations statewide and nationally.

Connecticut

On March 20, Gov. Ned Lamont signed a “stay in place” [order](#), adopting the Department of Homeland Security’s CISA guidance as its list of “essential” programs and explicitly including “manufacturing, including food processing, pharmaceuticals, and industries supporting the

essential services required to meet national security commitments to the federal government and U.S. Military; the defense industrial base, including aerospace, mechanical and software engineers, manufacturing/production workers, aircraft and weapon system mechanics and maintainers.”

Per [news reports](#), the Connecticut Department of Economic and Community Development is responsible for identifying exemptions to the shelter in place order. The department has set up these accounts to respond: COVID19.JIC@ct.gov, or call the DECD small business hotline at 860-500-2333. You can find a list of individual contacts [here](#). For more, contact [Joe Brennan](#) from the Connecticut Business and Industry Association. Please see the analysis and resources prepared by CBIA [here](#).

Delaware

Gov. John Carney issued a “stay in place” [order](#) on March 22 with broad exemptions for manufacturers. Section 6(j) offers this exemption for manufacturers as “essential” businesses:

Manufacturing: Workers necessary for the manufacturing of materials, goods, products, or similar distribution

The order does not touch on the federal CISA guidance except to order the state’s Division of Small Business to consider that guidance when making any clarifications to the order.

The state offered a prescriptive yes/no industry list that tracks closely with the problematic structure in Pennsylvania except, in Delaware, all manufacturing industries are approved on this listing as essential industries.

Florida

March 23 Governor DeSantis issued an [executive order](#) requiring individuals entering Florida from the New York Tri-State area (Connecticut, New Jersey and New York) to isolate or quarantine for a period of 14 days from the time of entry in to the state or the duration of the person’s presence in the State of Florida, whichever is shorter. The governor stated he is not ready to issue a stay at home order. [Local municipalities](#) are looking to impose their own stay at home order, in the absence of statewide order.

Governor [ordered](#) closed bars and night clubs on March 17, and limited gathering sizes on beaches and restaurants but no apparent implications for manufacturers.

March 19 Governor closed all public beaches. No direct impact on manufacturing.

Georgia

On March 23, Gov. Kemp issued a stay at home [order](#) that applies only to vulnerable populations (those with chronic lung conditions, cancer patients or those in a nursing home assisted living facilities). Businesses are only restricted to fewer than 10 people if they are unable to practice social distancing policies.

[On March 24](#), Mayor Keisha Lance Bottoms issued an [Executive Order](#) instituting a stay in place law for the territorial jurisdictional limits of the City of Atlanta. The order “prohibits the

gathering of any number of people occurring outside a single household or living unit,” but with no explicit incorporation of the federal CISA guidance or exemptions for manufacturers. The NAM is working to understand the implications of this order.

The NAM’s state partner in Georgia, the Georgia Association of Manufacturers, wrote Gov. Kemp today urging him to adopt broad exemptions for essential manufacturing in any stay in place order.

Hawaii

Effective Friday, March 20, Governor Ige [announced](#) all schools, bars, restaurants, libraries, public buildings, large gatherings and sport events will be closed. The limit on social gathering size is 10.

On March 23, Gov. Ige issued a stay at home [order](#) shuttering businesses in the state except for those determined to be “essential” under the federal CISA guidance. The order includes additional exemptions for manufacturers:

Manufacture, distribution, and supply chain for critical products and industries.

Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by essential businesses and operations;

Businesses that remain in operation must practice social distancing, maintain separate operating hours for high-risk populations and make “readily available” hand sanitizers and sanitizing products.

Idaho

Idaho Governor Brad Little issued an [isolation order](#) for Blaine County, Idaho on March 20, but it exempts business operation.

The State of Idaho [adopted federal guidance](#) to prevent coronavirus spread, though not mandating the closure of schools or other establishments. The City of Boise has [closed all city facilities](#) to the public and recommends the cancellation of any events of 50 or more people. For more, contact [Alex LaBeau](#) with the Idaho Association of Commerce and Industry.

Illinois

A March 20 [executive order](#) by Gov. Pritzker established shelter in place rule beginning Saturday, March 21 and extending through Tuesday, April 7 — but with broad exemptions for manufacturing operations. The relatively favorable declaration comes after dogged work by the Illinois Manufacturers’ Association to frame for Gov. Pritzker the need for essential manufacturing protections.

The [order](#) defines a number of essential infrastructure items (including food production and construction) and essential businesses — including manufacturing companies and their supply



chains. (See section 12(t).) A footnote additionally clarifies that “the definition of Essential Business and Operations is meant to encompass the workers identified” in the DHS-CISA order.

Specifically, the following manufacturing facilities, distribution, and supply chains are considered essential and may continue to operate. Employees are considered essential and may continue working in your facilities.

Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.

The NAM’s state partner, the [Illinois Manufacturers Association](#), offered this analysis: Manufacturers will self-determine if they fall under this guideline. It will not require a special designation or permit from the State of Illinois.

For more, contact [Mark Denzler](#) with the Illinois Manufacturers’ Association.

Indiana

A March 23 [order](#) by Gov. Holcomb orders Indiana residents to stay at home until April 6, defining “essential” business as those identified by federal CISA guidance along with (in section 14-u) “manufacture, distribution, and supply chain for critical products and industries.”

The Indiana Economic Development Corporation is now offering a Critical Industries Hotline to field industry questions. Call (877) 820-0890 or email covidresponse@iedc.in.gov with your questions.

Businesses that remain operational are to practice social distancing and function at minimum basic operations and encourage telework where possible.

Please visit the state of Indiana’s COVID-19 [resources page](#) for more information.

Iowa

March 17 [order](#) by Gov. Reynolds prohibits mass gatherings of more than 10 people, but limits to “social, community, spiritual, religious, recreational, leisure, and sporting gatherings and events.”

Kansas

On March 24, Gov. Kelly issued two executive orders to restrict mass gatherings to no more than 10 people and to superede any local or municipal restrictions along the same lines.

[Order 20-14](#) limits mass gatherings to no more than 10 people and in section 2(w) exempts from the order “Manufacturing, processing, distribution, and production facilities.”

[Order 20-15](#) prohibits local authorities from denying exemptions to industries identified within the “Kansas Essential Functions Framework,” which is detailed within the order.

The order presumably obviates earlier “stay at home” orders in the broader Kansas City suburbs, which included a manufacturing exemption.

Kentucky

The Kentucky Association of Manufacturers is [seeking input from manufacturers](#) to frame essential manufacturing business for Gov. Beshear.

KAM previously sent a [letter](#) to Gov. Beshear on behalf of Kentucky manufacturers asking for official “essential” designations. This recommendation comes directly from the Department of Homeland Security’s Cybersecurity & Infrastructure Security Agency (CISA) guidelines, which recently recommended manufacturers stay open during this time. Kam is offering our assistance to Gov. Beshear and his office in creating Kentucky-specific guidelines and clarifications, and your input is essential in establishing this guideline in Kentucky.

Gov. Beshear on March 17 issued an updated [executive order](#) specifically exempting manufacturers from prohibitions on mass gatherings. He issued a March 22 order affecting business operations only for retail businesses. See that order [here](#).

Louisiana

On March 22, Gov. John Bel Edwards [issued a “stay at home” order](#) restricting mass gatherings to no more than 10 people. The order clarifies that the restrictions do not apply to “factories or manufacturing facilities” (Section 2), and continues in Section 3(C) to emphasize that individuals are allowed to go to and from work to perform essential functions as defined by the federal CISA guidelines. In Section 5, it also orders businesses not designated essential by CISA or explicitly ordered to close by Section 4 to reduce to minimal possible operations at their facilities.

In a follow-up message to clarify the executive order, the governor’s office also provided [examples of critical infrastructure businesses](#), including but not limited to:

- Food production, distribution, and sale
- Construction, 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
- Construction Engineers
- Building management and maintenance
- Airport operations
- Operation and maintenance of utilities, including water, sewer, and gas
- Electrical, including power generation, distribution, and production of raw materials
- Distribution centers
- Oil and biofuel refining
- Roads, highways, railroads, and public transportation
- Ports
- Cybersecurity operations
- Flood control

- Solid waste and recycling collection and removal
- Internet, video, and telecommunications systems

Maine

March 18 order by the governor [prohibits](#) dine-in service at bars and restaurants; bans gatherings more than 10 people & signs emergency legislation to respond to COVID-19. Gatherings subject to this order are those that are primarily social, personal, discretionary events, not work-related events.

Maryland

Gov. Larry Hogan on March 23 announced a stay in place [order](#) that adopts the federal CISA guidance for “essential” businesses exempted from the order (Section III-a).

The governor’s office also issued [accompanying guidance](#) from the its Office of Legal Counsel related to businesses determined to be essential, which includes a listing of a variety of manufacturing sectors, adding that that list is not intended to be exhaustive. A note adds: “The fact that a particular business, organization, or facility is not included in the list does not mean it is excluded from the federal critical infrastructure sectors.”

A state government official, [Rick Neudorff](#), was a primary point of contact in the development of this order in case your organization has clarifying questions. For more, contact [Whitney Harmel](#) with the Maryland Chamber of Commerce.

Massachusetts

On March 23, Gov. Charlie Baker issued a stay in place [order](#) from March 24 through April 7.

The list of essential businesses exempted from the order can be found [here](#), and appears to not incorporate the federal CISA guidance in full but rather makes modifications. (“This list is based on federal guidance and amended to reflect the needs of Massachusetts’ unique economy,” the essential businesses document says.) The list does list a number of manufacturing sectors as part of its lengthy list of essential businesses.

The order specifies how companies seeking an exemption or clarification can seek recourse. Companies can either [fill out this form](#), or direct questions to covid19.biz@mass.gov.

On March 18, Massachusetts had their request approved by SBA for a declaration of economic injury in Massachusetts to assist businesses impacted by the COVID-19 public health emergency. Businesses can now apply for low-interest federal disaster loans.

Michigan



A March 23 [order](#) by Gov. Gretchen Whitmer imposes a “stay in place” restriction beginning March 24 and extending until April 13. The order incorporates by reference the federal CISA guidance as to what manufacturing operations are considered “essential.”

Section 9 of the order expands upon the CISA guidance to allow those businesses to “designate suppliers, distribution centers, or service providers whose continued operation is necessary to enable, support, or facilitate the work of its critical infrastructure workers.” These suppliers, distributors or service providers “may in turn designate additional suppliers, distribution centers, and service providers whose continued operation is necessary to enable, support, or facilitate the work of their critical infrastructure workers.”

The order requires businesses to “make all designations in writing to the entities they are designating, whether by electronic message, public website, or other appropriate means,” allowing oral designations until March 31.

Companies are also required to “determine which of their workers are critical infrastructure workers and inform such workers of that designation ... in writing, whether by electronic message, public website, or other appropriate means.” Business that continue to operate are required to practice social distancing and to practice basic minimum operations on premises.

For more information, please contact [John J. Walsh](#) with the Michigan Manufacturers’ Association.

Minnesota

March 23 Governor Walz not prepared to issue a stay at home order, at this time.

The Minnesota Chamber of Commerce, the NAM’s state partner in the state, is working proactively to define “essential” businesses in Minnesota should the state impose shelter in place or further restrictions on mass gatherings. [Click here to access the MN Chamber’s survey.](#) The MN Chamber has a broader toolkit for businesses available [here](#). Minnesota is also specifically seeking input about the CISA guidance and how it affects businesses in the state.

Meanwhile, the most recent [executive order](#) on March 17 closes bars, restaurants, theaters and so forth but exempts from closure employers whose facilities or accommodations are not normally available to members of the public.

Mississippi

As of March 21, the city of Tupelo is [reportedly](#) considering some shelter in place restrictions.

[On Tuesday, March 24](#), Gov. Reeves calls for halt of gatherings of 10+.

Missouri

The governor has [urged](#) cancellation of public events with more than 50 people, but no formal restrictions. The NAM has been working to urge Gov. Parson to adopt CISA guidance and protect essential manufacturing operations in the case of any further restriction.

St. Louis County has issued a shelter in place [order](#) from March 23 through April 22 but with specific exemptions for manufacturers, their distributors and supply chain. The county has posted additional FAQ responses [here](#). The City of St. Louis issued a similar order [here](#), with updates available [here](#). The City of St. Louis has created a “economic development update” resource [here](#). Jackson County, Missouri (which covers Kansas City) issued a March 22 “stay at home” order matched by other Kansas counties that includes essential designations for the “manufacture, distribution, and supply chain for critical products and industries.” (This is also included in the Kansas section.)

Montana

Governor Bullock [directs closure](#) of K-12 public schools from Mar. 16 to Mar. 27. [Recommended](#) limits on mass gatherings more than 50 people, but no formal restrictions.

Nebraska

[Recommended](#) limits on mass public gatherings to no more than 50 people, but no formal restrictions for manufacturers.

Nevada

On March 17, Governor Sisolak [announced](#) an order shuttering all “non-essential” businesses starting at noon on March 18, including schools, public buildings, hotels, casinos, convention centers, sports arenas, for a 30 day period of time. Nevada Health Response issued [additional guidance](#) including a number of sectors considered broadly within manufacturing but with no specific exemption for manufacturing. The Nevada Independent — a news sources — has some [analysis](#) on “essential” business, but this is not binding or official guidance.

Alameda County, CA (which borders Nevada) [issued](#) a mandatory shelter-in-place notification on March 18 that provides exemptions for a lengthy set of manufacturing functions, but is also being interpreted as possibly affecting manufacturers in the area. If a business is considered nonessential, it is allowed to maintain “minimum basic operations.”

New Hampshire

On March 24, the NAM’s state partner the Business Association of New Hampshire, wrote Gov. Sununu to urge him to designate all manufacturers as “essential” businesses as part of any stay in place order.

March 16 order by the governor specifically [exempts businesses](#) from limits on gatherings of people over 50. Governor [prohibits](#) bars and restaurants from dine-in eating; takeout, delivery, and drive-through are still permitted.

New Jersey

New Jersey issued two executive orders on Saturday establishing a “shelter in place” rule beginning on Saturday evening, but with broad exemptions for manufacturers.

[E.O. 108](#) supersedes any state or municipal determination, indicating the statewide ordinance governs all of New Jersey. [E.O. 107](#) provides detail for the shelter in place ruling.

[A FAQ document](#) about E.O. 107 prepared by Business.NJ.Gov, the state's commerce and innovation office, clarifies that manufacturing in the state may continue:

Manufacturing, industrial, logistics, ports, heavy construction, shipping, food production, food delivery, and other commercial operations may continue operating, but as explained above, they should limit staff on site to the minimal number to ensure that essential operations can continue.

E.O. 107 does not mention manufacturing and focuses mostly on restrictions for retail businesses.

Other provisions of E.O. 107 provide exemptions for individuals to leave their residence to "reporting to, or performing, their job" (section 2-5).

Section 10 says that businesses remaining open must accommodate employee "telework" wherever possible, while Section 11 orders businesses to practice social distancing and reduced workforce arrangements wherever possible for employees who cannot telework.

Finally, the order makes clear that the "State Director of Emergency Management, who is the Superintendent of State Police," is the official "to make additions, amendments, clarifications, exceptions, and exclusions to that list."

The NAM is working closely with its state partner, the New Jersey Business and Industry Association, to further address member inquiries. For more, please contact [Michele Siekerka](#), Esq. with the New Jersey Business and Industry Association.

New Mexico

Governor Lujan-Grisham [prohibited](#) gatherings of 10 or more people; mandates restaurants, bars, breweries, eateries and other food establishments must close to dine-in customers, take-out and home delivery are permitted; indoor shopping malls must close; recreational facilities, health clubs and resort spas must close; theaters must close, including movie theaters; flea markets must close. Hotels shall not operate at more than 50% capacity. Non-essential businesses are advised to limit operates to the greatest extent possible.

For more, please contact [Larry Sontagg](#) with the New Mexico Business Coalition.

New York

On March 20, Gov. Andrew Cuomo ratcheted up [guidance](#) through Empire State Development for businesses to reduce their in-office presence by 100% with the exception of those manufacturers considered "essential."

Empire State Development has developed [this listing of businesses](#) considered "essential" for the purpose of this order, including a number of manufacturers, specifically including food processing, all foods and beverages, chemicals, medical equipment/instruments, pharmaceuticals, safety and sanitary products, telecommunications, microelectronics/semi-conductor, agriculture/farms and paper products.

If the function of your business is not included in the list but you believe it should be deemed essential, you may [request designation](#) as an essential business. You can email those applications to covid19designations@esd.ny.gov.

The state has set up a [portal](#) and [FAQ](#) for businesses to submit business-related COVID-19 issues and questions.

Per the NAM's state partner, the Business Council of New York, suppliers that make material products for essential businesses are included as essential businesses. However, to the extent that these suppliers produce material for both essential and non-essential businesses, it is expected that the suppliers will adhere to the requirements to reduce employees for non-essential lines/production activities to the extent practical. Regardless, employers are strongly encouraged to allow employees to work from home for those employees not needed in the actual manufacture of materials/products that are part of the essential business supply chain (i.e. human resources, accounting, etc.).

Earlier in the week, Governor Cuomo [issued an executive order](#) closing all indoor common areas of shopping centers, restaurants should limit themselves to take-out and delivery orders, and closing all places of public amusement, both indoor and outdoor. Limits on mass gatherings and public spaces [imposed](#) on March 13 with no specific implications for manufacturers in the state.

NYC has also [ordered](#) all establishments that serve food and drink closed until further notice, they may remain open for the sole purpose of carry-out and delivery orders. All entertainment venues ordered closed, commercial gyms closed. A shelter in place order has not yet been imposed.

North Carolina

On March 24, Mecklenburg County (which covers Charlotte) issued a stay in place [order](#) with an exemption (Section 20) for "manufacture, distribution and supply chain for critical products and industries." The county also issued this [FAQ resource](#).

The NAM has been working closely with its state partner the NC Chamber amid rumors that Gov. Roy Cooper could issue "shelter in place" restrictions in the coming days. The NC Chamber on Saturday [wrote Gov. Cooper](#) urging to use shelter in place as a last resort, writing, "Manufacturers in our state are producing goods that we need in our daily lives, as well as resources that are integral to our nation's response to COVID-19."

The Business Emergency Operations Center in North Carolina asks that companies seeking an "essential" designation email beoc@ncdps.gov with the following information:

1. Business name
2. Point of contact (including name, email, phone number and address)
3. Nature of their business and why they are critical to continue operations
4. Business website

Please contact [Persia Payne-Hurley](#) with NCDPS for more.



A March 14 executive [order prohibits](#) gatherings over 100 people, but excludes “normal operations at airports, bus and train stations, medical facilities, libraries, shopping malls and centers, or other places where more than one hundred (100) people are gathered.” It also specifically does not affect office environments. March 17 order by Gov. Cooper extended prohibitions to bars and restaurants.

The NC Chamber has produced a [resources page](#) for NC businesses as they respond to COVID-19.

North Dakota

March 13 Governor Burgum signed an [executive order](#) declaring a state of emergency and closing public schools until March 20 and recommending residents abide by the CDC social gathering limit of 50 people. No direct impact on manufacturing.

For more, contact [Matt Gardner](#) with the North Dakota Chamber.

Ohio

On March 23, OMA's legal counsel, Bricker & Eckler, has produced [this analysis of Ohio's stay-at-home order](#) and its impact on manufacturers.

A March 22 “shelter in place” [order](#) by Gov. Mike DeWine specifically adopts the federal CISA guidance to designate essential businesses and builds upon that to include several broad exemptions for manufacturing, including:

Supplies for Essential Businesses and Operations: “Businesses that sell, manufacture or supply other Essential Businesses and Operations with the support or materials necessary to operate...” (Section 12-g)

Section 12(v): Manufacture, distribution, and supply chain for critical products and industries. Manufacturing companies, distributors and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.

The order asks operating businesses to practice telework, social distancing and minimum basic operations when practicable, and is in effect through April 6.

The NAM's state partners, the Ohio Manufacturers' Association, [issued this additional guidance from their legal counsel.](#)

[Click here for the Ohio Manufacturers' Association's resource page.](#)

Oklahoma

On March 24, Gov. Stitt [issued](#) a limited stay in place order for immune-compromised or vulnerable communities in 19 Oklahoma counties, and which closes non-essential businesses in those 19 counties with exemptions for essential business operations under the federal CISA guidelines. The NAM continues to follow the situation closely as it evolves and is seeking more detailed response.

Oregon

A March 23 [order](#) by Gov. Brown orders closed beginning March 24 the closure of businesses “for which close personal contact is difficult or impossible to avoid,” mostly applying to spas, gyms, amusement parts and the like. The order keeps closed bars and restaurants for on-premises service. The restrictions appear only to affect retail businesses and do not affect manufacturing or other industrial operations, except to require businesses to practice maximum possible amounts of telework, and to “designate an employee or officer to establish, implement, and enforce social distancing policies.”

Pennsylvania

Pennsylvania’s order closing many businesses statewide went into effect on Monday morning despite a [letter](#) from NAM President and CEO Jay Timmons to Gov. Wolf urging for an enforcement delay due to confusion over essential manufacturing exemptions.

On March 23, Gov. Wolf issued a “stay at home” [order](#) to individuals in Allegheny County, Bucks County, Chester County, Delaware County, Monroe County, Montgomery County, and Philadelphia County.” Individuals in those counties are allowed to travel to and from businesses identified as “life-sustaining” by the standards established by Wolf’s March 20 order, according to [this FAQ document](#).

On March 20, Governor Wolf previously [issued](#) a waiver extension and revised the timing of enforcement of his earlier order to not begin until 8:00am Monday, March 23. The order includes [updated business guidance](#), a [FAQ](#) on business guidance, and a [business waiver application form](#). [According to the governor’s office](#), the exemptions list was updated to more closely model the federal CISA guidance. The update came after a flood of exemption requests directed into the governor’s office by the NAM.

The governor previously issued [ordered](#) all “non-life sustaining” businesses to close their physical locations at 8:00 p.m. on March 19, with enforcement action to begin at 12:01 March 21 to those who don’t close. **[A prescriptive listing of “life-sustaining” businesses can be found here, with specific implications for multiple manufacturing sectors.](#)**

- ⇒ The governor’s office has established a waiver process. Companies should please email RA-dcexemption@pa.gov with the Institute’s name, you or another contact person, contact information and DCED will be in touch with details about the process.
- ⇒ The governor’s office has set up a hotline and email address for manufacturers to send questions regarding their ability to continue operations: 1-866-466-3972 or ra-dcedcs@pa.gov
- ⇒ Elena Cross in the governor’s office is the lead staff contact: elecros@pa.gov
- ⇒ The NAM’s state partner in Pennsylvania, the Pennsylvania Manufacturers’ Association, [called on Gov. Wolf](#) to amend this order to include manufacturers as life-sustaining

The City of Philadelphia [has ordered](#) all non-essential businesses to close, section D of the Mayor's order specifically lists manufacturing as an essential business permitted to continue operating.

Puerto Rico

The government of Puerto Rico has imposed some of the most severe restrictions on businesses, [ordering](#) most businesses closed including manufacturers. Manufacturers may petition for exemptions under these guidelines issued March 18 by the Puerto Rico Department of Economic Development and Commerce. [Please click here for a copy of that order.](#)

The NAM's state partner in Puerto Rico issued [this guidance](#) (in Spanish), and the NAM is working to ensure manufacturers' continued ability to operate in Puerto Rico.

Rhode Island

On March 22, Gov Raimondo did an [executive order](#) for public gatherings, close-contact businesses, public recreation and business service providers.

On March 20, Gov. Raimondo [tweeted](#) that Rhode Island was not currently considering a shelter in place order.

March 16 [order](#) prohibits gatherings of more than 25 people, identified as "community, civic, public, leisure, or faith based events, sporting events with spectators, concerts, conventions, fundraisers, parades, fairs, festivals, and any other similar activity."

For more, contact [Deb Cochrane](#) with the Rhode Island Manufacturers Association.

South Carolina

Section 4 of Governor's prohibition of gatherings of 100 or more people [specifically exempts](#) private businesses and employers from this prohibition.

SC Governor [orders](#) restaurants, bars to end dine-in service

South Dakota

Governor Noem [announced](#) additional COVID-19 response efforts including declaring a state of emergency, recommending school closures for the week of March 16, nursing home visitation restrictions, and an executive order for state employee remote work. No direct impact on manufacturing.

Tennessee



On March 22, Tennessee Governor Bill Lee signed [Executive Order 17](#) calling for businesses across the state to utilize alternative business models beginning at midnight CDT on Monday, March 23, 2020 until midnight CDT April 6, 2020. The order also outlines ways businesses and citizens should work to protect vulnerable populations.

Executive Order 17 prohibits social gatherings of 10 or more people and also enacts the following provisions regarding restaurants, bars, and similar food and drink establishments:

- Establishments are to exclusively offer drive-thru, take-out or delivery options to support families, businesses and the food supply chain during this emergency.
- Establishments may sell alcohol by take-out or delivery (with the purchase of food) in closed containers to those who are age 21 and up.
- Businesses are encouraged to enact policies that take extra steps to assist vulnerable populations by considering measures such as shopping hours exclusive from the general public.

On March 23, the city of Memphis issued a “stay at home” [executive order](#) listing as essential and exempt from that order “manufacturing companies, distributors, and supply chain companies producing, storing, and supplying essential products and services...”

For more, contact [Kelly Boutwell](#) with the Tennessee Chamber of Commerce.

Texas

On March 19 [Governor Abbott prohibited](#) gatherings more than 10 and dining in restaurants.

On March 22, the County of Dallas issued a “shelter in place” [order](#) that provides exemptions for businesses identified as “essential” within the federal CISA guidance, along with “any manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing ventilators,” who may apply for an “essential business” exemption.

[On March 24](#), Harris County Judge issued a stay-at home [order](#) until April 3, residents are to stay home except for groceries and errands, or if they work in essential industries. This order applies to unincorporated Harris County as well the city of Houston and other municipalities. The order lists as essential those industries identified by the federal CISA guidance, and makes additional exemptions for manufacturers in Section 2(b)(xi):

Infrastructure, Development, Operation and Construction. For example, public works construction, construction of housing or other types of construction including commercial, manufacturing, airport operations and aircraft manufacturing, maintenance or repair, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

[Workers in the energy industry](#) as well as at the Port of Houston, which Mayor Sylvester Turner said are crucial to the local economy, will be allowed to remain on the job. They must implement social distancing rules.

On March 24, the city of Ft. Worth [issued](#) a stay at home order that adopts the federal CISA guidance as the standard for exemptions as “essential” business operations.

Galveston County issued a [stay-at-home order](#), businesses identified as “essential” within the federal CISA guidance, along with “any manufacturer who retools so that a substantial part of their business is or will be producing medical supplies in response to shall be considered an essential business.

[The city of Austin and Travis county](#) issued a stay-at-home order, while the draft of the orders is not public yet, it’s said to resembles a shelter-in-place directive issued in Dallas County.

Utah

[The state ordered](#) restaurants and bars to suspend dine-in service and limits gatherings to groups of 10.

Vermont

On March 24, Governor Scott [issued a stay in place order](#) closing all non-essential business. The order includes manufacturing among those essential businesses exempted from the order, defined as, “critical manufacturing, including 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 does not mention the federal CISA guidance.

The order further charges the Vermont Agency of Commerce and Community Development (ACCD) to develop additional guidance as to what businesses are critical to health and safety, along with a process for responding to questions regarding acceptable continuation of business operations. Secretary Michael Schirling can be emailed here (michael.schirling@vermont.gov) and deputy secretary Ted Brady (ted.brady@vermont.gov) here.

Virginia

The NAM has been in direct contact with Gov. Ralph Northam’s senior staff to highlight examples of how other states have incorporated federal CISA guidance and expanded upon that to protect essential manufacturing operations in the instance of a “shelter in place” order.

On March 23, Gov. Northam [issued](#) mass gathering restrictions of no more than 10 people and issued restrictions on business operations that appear to apply only to retail business establishments. Other businesses “offering professional services” are allowed to remain open, though they are encouraged to adopt social distancing and telework standards wherever possible. Additional guidance from Gov. Northam’s office is posted [here](#).

For more, contact [Kimberly Noonan](#) with the Virginia Manufacturers Association.

Washington



On March 23, Gov. Inslee issued a “stay at home” [executive order](#) shuttering all non-essential businesses in Washington State until April 6. The order, in Section 1(b), incorporates by reference the federal CISA guidance as the designation of essential manufacturing businesses. See the “Federal” section above for more detail there. Washington issued a critical infrastructure clarification [document](#) alongside the order, which mirrors the CISA guidance.

Businesses seeking clarification as to whether their business qualifies as essential under this guidance can email business@mil.wa.gov. There is also a form which businesses can fill out [here](#) to “register” as essential.

The NAM’s state partner, the Association of Washington Business, which worked closely with Gov. Inslee to ensure basic essential designations for manufacturers, has posted an extensive resource page regarding the emergency order [here](#).

For more, contact [Jason Hagey](#) with the Association of Washington Business.

West Virginia

On March 23, Gov. Jim Justice imposed a [stay-at-home order](#) that goes into effective **March 24, 2020 at 8:00 PM**.

The order temporarily shuts down all non-essential business, exempting “essential” businesses as defined by the federal CISA guidance, with added exemptions for the “manufacture, distribution, and supply chain for critical products or industries.”

In regards to specify language for exemption for manufacturing it states:

Manufacture, distribution, and supply chain for critical products and industries: *manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services and for industries such as pharmaceutical, technology, bio technology, healthcare chemicals and sanitation, waste pick up in disposal, agriculture, food and beverage, transportation, energy Iron ore, steel and steel products, aluminum and aluminum products, petroleum propane and fuel, mining, construction, national defense, communications, as well as products used by other essential business les is an operations including without limitation filters in filtration products and services. (Here is a [link to the full order](#).)*

In a call with the WVMA, General Jim Hoyer of the West Virginia National Guard indicated the administration is monitoring the orders issued by other states relative to industry and are tuned in to the concerns of WVMA members. He noted the awareness of the need to maintain manufacturing supply chains, and the obvious issues associated with plant shutdowns and the need to maintain essential services in any case. He further advised that companies should continue to take protective measures with regard to safety and hygiene including medical surveillance and modifying work spaces to allow social distancing.

For more, contact [Rebecca McPhail](#) with the West Virginia Manufacturers Association.

Wisconsin



On March 24, Gov. Evers issued a stay in place [order](#) that closes all nonessential businesses in Wisconsin, with exceptions for manufacturers.

Section 13(a) defines as essential those manufacturers include in the federal CISA guidance, specifically noting that this information was updated on March 23 (see the federal information above). Section 13(v) also offers this additional exemption for manufacturers:

Manufacture, distribution, and supply chain for critical products and industries.

Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitation, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, and products used by other Essential Governmental Functions and Essential Businesses and Operations

If a company is not listed as an essential business or operation, the order directs them to refer to this [resource with the Wisconsin Economic Development Corporation](#) for clarification. Businesses that continue operations are required to practice minimum basic operations and social distancing and telework where possible.

Companies are further encouraged in the order to look to the [Wisconsin Department of Homeland Security](#) for additional guidance.

[Click here](#) for business resources prepared by the NAM's state partner, Wisconsin Manufacturers and Commerce, including two informational webinars.

Wyoming

Governor Gordo [issued an executive order](#) closing bars and restaurants for on-site consumption, theaters, gymnasiums, childcare facilities, K-12 schools, colleges, universities and trade schools statewide. Governor Gordon [announced the formation](#) of Coronavirus Task Forces.