



March 30, 2020

**Client Alert – Employment Law**  
**North Carolina Statewide Stay-Home Order**  
**COVID-19 (Coronavirus)**

The State of North Carolina has issued a Stay-Home Order. Key details are addressed below:

**Executive order no. 121: Stay At Home Order and Strategic Directions for North Carolina in Response to Increasing COVID-19 Cases**

**In addition to state of emergency declared by Executive Order no. 116**

Here are the key provisions of the Order:

1. The Order is effective as of 5:00pm on **Monday, March 30, 2020**.  
The Order will expire after 30 days, or after separate order of the Governor.  
State Order establishes baseline requirements and local orders may place additional requirements, but neither overrides court orders
2. All individuals currently in North Carolina are ordered to **stay at home** unless otherwise exempted by the Order
  - a. Self-isolate in residence to the extent possible
  - b. Maintain a six-foot (6') distance between you and others (Social Distancing requirement) in any shared or outdoor space
3. The following actions are **PROHIBITED** (unless otherwise permitted by the terms of the Order)
  - a. Travel: permitted only for Essential Activities
  - b. Business: Non-essential businesses must close, work from home or home-based businesses may continue
    - i. Non-essential businesses may direct request for exemption to Department of Revenue
  - c. Mass Gatherings: no more than 10 people in same space at same time permitted, doesn't include normal operations of airport, bus, train, medical facilities, libraries, malls
    - i. Funerals may have no more than 50 people attending
4. The following are deemed **Essential Activities** and are **permitted** under the Order:
  - a. Health and Safety: to obtain medical supplies or medication, to visit healthcare provider or veterinarian, to obtain emergency services
  - b. To obtain necessary household supplies and services: groceries/food, household products, items needed to work from home, automotive supplies, to maintain safety, sanitation, and essential operations of home or business
  - c. Outdoor Activity: maintain social distancing in public parks and open areas, playgrounds closed, walking, hiking, running, golfing, biking, etc.
  - d. Permitted Work: Healthcare/Public Health Operations, Human Services Operations, Essential Government Operations, Essential Infrastructure Operations, Minimum Basic Operations of non-essential businesses
  - e. Care for Others: care for or transport a family member, friend, or pet, weddings and funerals exempted
  - f. Place of Worship
  - g. To Receive Goods and Services
  - h. Place of Residence
  - i. Volunteering with Charitable or Service Organization
5. **All businesses other than Essential Businesses and Operations are to cease operations but for Minimum Basic Operations**

- a. Minimum Basic Operations of a non-essential business are considered the following:
  - i. Activities which maintain the value of inventory
  - ii. Activities which provide security for the physical plan
  - iii. Activities which allow for the continuation and processing of payroll
  - iv. Activities which facilitate business employees working from home
  
6. COVID-19 Essential Businesses and Operations those businesses/industries that:
  - a. Already meet social distancing requirements between employees and between employees and customers;
  - b. CISA Sector: critical infrastructure identified by Department of Homeland Security;
  - c. Healthcare and Public Health Operations: hospitals, clinics, laboratories, veterinarians, including manufacturers and distributors of medical equipment;
  - d. Human Services Operations: long-term care, child care, shelters, mental health and substance abuse treatment facilities;
  - e. Essential Infrastructure Operations: food and beverage, constructions, utilities;
  - f. Essential Government Operations: services provided by state or municipality, first responders, military, child protective services, government employees;
  - g. Stores selling groceries and medicine;
  - h. Food and beverage production and agriculture;
  - i. Charitable and social services;
  - j. Religious entities;
  - k. Media;
  - l. Gas Stations and businesses needed for transportation;
  - m. Financial/insurance institutions;
  - n. Home improvement and hardware stores;
  - o. Critical trades: plumbing, electrical, security, HVAC, landscaping;
  - p. Mail, post, shipping, delivery, and pickup services;
  - q. Educational institutions;
  - r. Laundry services;
  - s. Restaurants for off-site consumption;
  - t. Supplies to work from home;
  - u. Supplies for other COVID-19 Essential Businesses and Operations;
  - v. Transportation;
  - w. Home-based care and services;
  - x. Residential facilities and shelters;
  - y. Professional services: legal, accounting, insurance, engineering, real estate;
  - z. Manufacture, distribution, and supply chain for essential products and industries;
  - aa. Defense and military contractors;
  - bb. Hotels and Motels;
  - cc. Funeral Services;
  - dd. Essential Retail businesses: cell phones and technologies, lawn and garden equipment, bookstores selling educational materials, beer/wine/liquor, convenience store, retail within healthcare facilities, pet and feed stores
  
7. Willful violations of the Order are punishable as Class 2 misdemeanor (maximum punishment of 60 days in jail and/or \$1,000 fine)

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