

COVID-19: MASSACHUSETTS EXTENDS NON-ESSENTIAL BUSINESS CLOSURES AND GATHERING RESTRICTIONS

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Labor, Employment and Workplace Safety Alert

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On March 31, 2020, Massachusetts Governor Charles D. Baker issued COVID-19 order No. 21 (the "March 31 Order") extending his original March 23, 2020 emergency executive order requiring all businesses and organizations in Massachusetts that do not provide "COVID-19 Essential Services" to close their physical workplaces and facilities to workers, customers, and the public until May 4, 2020.

The March 31 Order also updated the list of designated businesses and other organizations that provide essential services and workforces related to COVID-19 and can continue to operate during this time. Among other things, the new list:

Adds health care providers, such as chiropractors and optometrists;

Provides clarity around the supply chain that supports other essential services; and

Expands the types of workers providing disinfectant and sanitation services.

The new list reflects the revised Guidance on the Essential Critical Infrastructure Workforce issued by the Federal Cybersecurity and Infrastructure Security Agency ("CISA") on March 28, 2020 and includes additional services and functions Governor Baker identified as essential to promote the public health and welfare of the Commonwealth of Massachusetts. The Executive Office of Housing and Economic Development also updated its COVID-19 Essential Services FAQs (the "EOHED FAQs") to provide further guidance associated with the March 31 Order. Governor Baker's and the CISA's lists of essential services, as well as the EOHED FAQs, may continue to change given the rapidly developing circumstances.

The March 31 Order not only extends the closure of non-essential services but also the prohibition against gatherings of more than 10 people until May 4, 2020. Likewise, the Department of Public Health's ("DPH") Stay-at-Home Advisory remains in effect, and the DPH continues to urge all Massachusetts residents to limit activities outside of the home and to practice social distancing at all times to limit the spread of COVID-19.

The updated list of essential businesses and workforces that can continue to operate in Massachusetts can be found [here](#), the updated CISA Guidance can be found [here](#), and the updated EOHED FAQs can be found [here](#). The DPH Stay-at-Home Advisory can be found [here](#).

K&L Gates is advising clients on the parameters of the emergency executive order and is continuing to monitor COVID-19 developments.

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