



Ordering Colorado Employers To Reduce In-Person Workforce by Fifty Percent Due to the Presence of COVID-19 in the State

On Sunday March 22nd, Governor Polis issued Executive Order D2020-013 ordering Colorado non critical-workplaces to reduce in-person workforce by fifty percent due to the presence of COVID-19 in the State. The order directs all Colorado employers to implement tele-work capabilities to the greatest extent possible. If tele-work is not practical or possible, the Governor encourages employers to stagger work schedules to reduce the proximity of workers during work hours and to keep employees on payroll as we endure this temporary disruption to commerce together. Colorado Department of Public Health and Environment's (CDPHE) issued a public health order defining critical emergency personnel, infrastructure, government functions, and other activities that are exempt from the directives in this Executive Order. For more information on what this order means for you, please see below.

About the Order

When does the order take effect?

The order will take effect Tuesday, March 24rd at 8:00AM

When does the order end?

The order is set to last through 11:59 PM on Friday, April 10th, 2020 unless extended, rescinded, superseded, or amended in writing.

Why is the Order necessary?

On March 5, 2020, CDPHE's public health laboratory confirmed the first presumptive positive COVID-19 test result in Colorado. Since then, the number of confirmed cases has continued to climb. We all need to take these precautions for the preservation of public health and safety throughout the entire State and to ensure our healthcare delivery system can serve those who are sick.

The intent of this Order is to reduce the amount of people congregating in workplaces at one time in order to reduce the proximity of people in the workplace, while enabling the services, businesses, and travel necessary to protect public health and safety, and for the continuity of social and commercial life pursuant to the public health goal of saving lives.

Where does the 50% order apply?

The Governor's executive order includes the entire state.

- Does not apply to critical business. Although this order does not apply to critical business they are encouraged to observe social distancing to the extent possible.
- Does not apply to any employer that can certify that employees are no closer than six feet from one another during any part of their work hours. Governor Polis directed CDPHE to develop and

issue a certification method, with appropriate penalties for supplying false information, that allows employers to demonstrate that they are in compliance with this directive.

Is this mandatory or just guidance?

This order is mandatory.

What does the 50% order do?

For Businesses:

- Directs Colorado employers to reduce their in-person work forces by fifty percent. This can be done through multiple strategies such as enabling telecommuting, rotating shifts, and staggering work schedules.
- Directs all Colorado employers to implement tele-work capabilities to the greatest extent possible.
- If tele-work is not practical or possible, the Governor encourages employers to stagger work schedules to reduce the proximity of workers during work hours and to keep employees on payroll as we endure this temporary disruption to commerce together.

For Employees:

- Encouraged to practice social distancing outside of their employment and to only engage in activities or perform tasks critical to their health and safety, or to the health and safety of their family or household members.
- People at high risk of severe illness from COVID-19 and people who are sick should not leave their residence except as necessary to receive medical care
- Individuals experiencing symptoms of COVID-19 must self-isolate until their symptoms cease or until they have a negative test result.

Enforcement

How will this order be enforced?

This EO makes this the law, therefore breaking this is breaking the law. We all must do our part. Success depends on all of us doing our part. This calls upon voluntary compliance by all affected. Enforcement of public health orders has been given to Local Law enforcement and State Law enforcement has plans in place to assist and support in any way requested, but the idea is to gain compliance voluntarily. That is something that is reserved only for the most aggravated circumstances. This is a measure that we all must do our part to achieve to save lives.

Will the Colorado National Guard be enforcing this order?

No. The Colorado National Guard will be supporting logistics, transportation, and medical response efforts. The Guard will not be enforcing this order.

What is a Critical Business or Operation Under the Order? These are the businesses that will be open:

1. Healthcare Operations, Including:

- hospitals, clinics, and walk-in health facilities
- medical and dental care, including ambulatory providers
- research and laboratory services
- medical wholesale and distribution
- home health care companies, workers and aides
- pharmacies
- pharmaceutical and biotechnology companies
- behavioral health care providers including crisis services
- veterinary care and livestock services
- nursing homes, residential health care, or congregate care facilities
- medical supplies and equipment manufacturers and providers, including durable medical equipment technicians and suppliers
- This does NOT include health clubs as defined in C.R.S. § 6-1-102(4.6), fitness and exercise gyms, and similar facilities

All medical, dental and veterinary care provided pursuant to this Order must comply with the directives set forth in Executive Order D 2020 009.

2. Critical Infrastructure, Including:

- utilities including power generation, fuel supply and transmission
- oil and gas production field operations
- public water and wastewater
- telecommunications and data centers
- transportation and infrastructure necessary to support authorized businesses
- hotels, and places of accommodation
- businesses and organizations that provide food, shelter, social services, and other necessities of life for economically disadvantaged, persons with access and/or functional needs, or otherwise vulnerable individuals
- food and plant cultivation, including farming crops, livestock, food processing and manufacturing, animal feed and feed products, rendering, commodity sales, and any other work critical to the operation of any component of the food supply chain

3. Critical Manufacturing, Including:

- food processing, manufacturing agents, including all foods and beverages
- chemicals
- medical equipment supplies or instruments
- pharmaceuticals

- sanitary products
- telecommunications
- microelectronics/semiconductor
- agriculture/farms
- household paper products
- any business that produces products critical or incidental to the processing, functioning, development, manufacture, or delivery of any of the categories of products included in this part 3.

4. Critical Retail, Including:

- grocery stores including all food and beverage stores
- farm and produce stands
- gas stations and convenience stores
- restaurants/bars (for take-out/delivery only as authorized under Public Health Order 20-22, as amended)
- marijuana dispensary, but only for the sale of medical marijuana or curbside delivery pursuant to Executive Order D 2020 011
- hardware, farm supply, and building material stores
- establishments engaged in the retail sale of food and any other household consumer products (such as cleaning and personal care products)

5. Critical Services, Including:

- trash and recycling collection, processing and disposal
- mail and shipping services, and locations that offer PO boxes
- laundromats and drycleaning services
- building cleaning and maintenance
- child care services (following the requirements outlined in Exemptions below)
- auto supply and repair (including retail dealerships that include repair and maintenance, provided that retail activity ceases)
- warehouse/distribution and fulfillment
- funeral homes, crematoriums, and cemeteries
- in-person pastoral services for individuals who are in crisis or in need of end of life services provided social distancing is observed to the greatest extent possible
- storage for critical businesses
- animal shelters, animal rescues, zoological facilities, animal sanctuaries, and other related facilities

6. News Media

- newspapers

- television
- radio
- other media services

7. Financial Institutions, Including:

- Banks and credit institutions
- Insurance, payroll, and accounting services
- services related to financial markets

8. Providers of Basic Necessities to Economically Disadvantaged Populations, Including:

- homeless shelters and congregate care facilities
- food banks
- human services providers whose function includes the direct care of patients in state-licensed or funded voluntary programs; the care, protection, custody and oversight of individuals both in the community and in state-licensed residential facilities; those operating community shelters and other critical human services agencies providing direct care or support

9. Construction, Including:

- especially for housing and housing for low-income and vulnerable people
- skilled trades such as electricians, plumbers
- other related firms and professionals for who provide services necessary to maintain the safety, sanitation, and critical operation of residences

10. Defense

- defense and security-related operations supporting the State of Colorado, local government, the U.S. Government or a contractor to either or all.

11. critical Services Necessary to Maintain the Safety, Sanitation and critical Operations of Residences or Other critical Businesses, Including:

- law enforcement
- fire prevention and response
- building code enforcement
- security
- emergency management and response
- building cleaners or janitors
- general maintenance whether employed by the entity directly or a vendor
- automotive repair
- Disinfection

- Snow removal

12. Vendors that Provide Critical Services or Products, Including Logistics and Technology Support, Child Care and Services:

- logistics
- technology support for online and telephone services
- child care programs and services
- government owned or leased buildings
- critical government services

13. “Critical Government Functions” means providing, operating, and supporting:

- a. Critical services, including
 - i. public safety (police stations, fire and rescue stations, correctional institutions, emergency vehicle and equipment storage, and, emergency operation centers);
 - ii. emergency response;
 - iii. judicial branch operations
 - iv. emergency medical (hospitals, ambulance service centers, urgent care centers having emergency treatment functions, and non-ambulatory surgical structures but excluding clinics, doctors offices, and non-urgent care medical structures that do not provide these functions);
 - v. designated emergency shelters;
 - vi. communications (main hubs for telephone, broadcasting equipment for cable systems, satellite dish systems, cellular systems, television, radio, and other emergency warning systems, but excluding towers, poles, lines, cables, and conduits);
 - vii. Public utility plant facilities for generation and distribution (hubs, treatment plants, substations and pumping stations for water, power and gas, but not including towers, poles, power lines, buried pipelines, transmission lines, distribution lines, and service lines); and
 - viii. transportation lifelines (public transportation, transportation infrastructure, airports (municipal and larger), helicopter pads and structures serving emergency functions, and associated infrastructure (aviation control towers, air traffic control centers, and emergency equipment aircraft hangars);
 - ix. hazardous material safety;
 - x. services to at-risk and vulnerable populations;;
 - xi. any government service required for the public health and safety, government functionality, or vital to restoring normal services.

What will be open during the duration of the order?

Will grocery stores be open?

Yes, essential services will still be operational including, but not limited to:

- Grocery stores
- Gas stations
- Pharmacies
- Police stations
- Fire stations
- Hospitals, clinics and healthcare operations
- Garbage/sanitation
- Public transportation
- Public benefits (i.e. SNAP, Medicaid) hotlines

Can I order food/groceries?

Yes, grocery delivery will be available as well as meal-delivery, drive through, and take-out options.

Will liquor and cannabis stores be open?

Yes. Items will on be for sale only for off-site consumption and while purchasing social distancing should be practiced.

Healthcare

How can I get medical care if I need it?

If you are feeling sick, call your doctor, a nurse hotline, any telehealth hotline set up specifically for COVID-19 (check with your insurance company) or an urgent care center. If you are experiencing symptoms or are currently in isolation, you should stay at home and follow the guidelines provided by your physician. Do not go to an emergency room unless necessary. Nonessential medical care like eye exams and teeth-cleaning should be postponed. When possible, healthcare visits should be done remotely. Contact your healthcare provider to see what tele-health services they provide.

Can I get a prescription filled or other healthcare needs?

Yes. Pharmacies and other medical services will remain open. You should request for your prescriptions to be delivered to your home if that is possible.

Transportation

Will public transportation and ridesharing be available?

Public transportation and ridesharing should be used for essential travel only. When possible, walk or drive yourself.

Will roads be closed?

No, the roads will not be closed. You should only travel if it is essential to your work or health.

Can I take a flight out of state?

Planes and any other form of travel should only be used for essential purposes.

What if my home is not a safe environment?

If it is not safe for you to remain home, you are able and urged to find another safe place to stay during this order. Please reach out so we can help. You may call the domestic violence hotline at 1-800-799-7233 or contact your local law enforcement.

What About Vulnerable and Children Populations

What about homeless people who can't stay at home?

The administration wants to protect the health and safety of all Coloradans, regardless of where they live. State agencies are partnering with community organizations to provide funding and resources to ensure our homeless population has safe shelter.

The Department of Local Affairs is working on getting a list of Cold Weather Shelters in the Balance of State Continuum of Care with; Contact info, Locations, Bed counts, Closing Dates.

In addition DOLA is working with state and local partners who provide services to our unhoused Coloradans through a statewide homeless taskforce. The first meeting is Monday, March 23, 2020 1-2pm.

HUD has also developed an Infectious Disease Toolkit for Continuums of Care (CoC) to prepare for and manage the spread of infectious disease in shelters.

Finally, DOLA, CDPHE and other partner agencies have created guidance for homeless care providers that is posted on the COVID-19 website.

Can I leave home to take care of an elderly or sick family member or friend?

Yes. Please be sure to practice social distancing and wash your hands frequently. Elderly people and people with suppressed immune systems are at heightened risk for contracting COVID-19.

Does this order mean I can't take my kids to the park?

State parks will be open. Families will still be able to go outside, including to local parks and outdoor spaces that remain open, and take a walk, run, or bike ride but should continue to practice social distancing by remaining 6 feet away from other people. Playground equipment should be avoided.

Is child care open?

Licensed child care remains open under specific guidance from public health. We are working to ensure all essential workers have access to childcare services so are licensing new centers and those that may have closed, on an emergency basis, to ensure there are enough spots for the children of essential workers. For urgent child care needs, contact 2-1-1.

Can I pick up meals being provided by my child's school?

Yes. Schools that provide free food services to students will continue on a pick-up and take-home basis.

Pets

What about my pet?

Pet supply stores and veterinary services will remain open. You are allowed to walk your dog and seek medical care for your pet should they require it. Be sure to practice social distancing while out on walks, maintaining at least 6 feet from other neighbors and their pets.