Ohio’s Statewide Stay At Home Order: What Employers Need to Know

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Ohio issued a Stay at Home Order that goes into effect at 11:59 p.m. on March 23, 2020. It will remain in effect until 11:59 p.m. on April 6, 2020, unless rescinded or modified. The Order is set forth here. Like many other states, the Order generally includes the following directives:

- All public and private gatherings of any number of people outside a single household or living unit are prohibited, unless exempted by the Order.
- Individuals may only leave their residence to perform Essential Activities, including: for health and safety (e.g., visiting a health care professional), for necessary supplies and services (e.g., groceries and food), for outdoor activity so long as individuals comply with six-foot social distancing, for certain types of work at Essential Businesses and Operations or to perform permitted Minimum Basic Operations.
- All businesses and operations in Ohio, except Essential Businesses and Operations, are required to cease all activities except for Minimum Basic Operations.
- The Order generally identifies numerous business sectors that are Essential Businesses and Operations, that may continue operating:
  - Healthcare and public health operations
  - Human service operations
  - Essential infrastructure
  - Essential government functions
  - Stores that sell groceries and medicine
- Food, beverage and licensed marijuana production and agriculture
- Organizations that provide charitable and social services
- Religious entities
- Media
- First amendment protected speech
- Gas stations and businesses needed for transportation
- Financial and insurance institutions
- Hardware and supply stores
- Critical trades
- Mail, post, shipping, logistics, delivery and pick-up services
- Educational institutions
- Laundry services
- Restaurants for consumption off-premises
- Supplies to work from home
- Supplies for essential businesses and operations
- Transportation
- Home-based care and services
- Residential facilities and shelters
- Professional services
- Manufacturing, distribution, and supply chain for critical products and industries
- Critical labor union functions
- Hotels and motels
- Funeral services
- A non-exhaustive list of types of businesses and workers is detailed by category.


Businesses may continue to engage in Minimum Basic Operations including: (a) the minimum necessary activities to maintain the value of the business’s inventory, preserve the condition of the physical plant and equipment, ensure security, process payroll and employee benefits, and related functions; and (b) minimum necessary activities to facilitate employees of the business to continue to work remotely from their residences.

All Essential Businesses and Operations and businesses engaged in Minimum Basic Operations must take proactive measures to ensure compliance with Social Distancing Requirements, including: (a) designating six-foot distances with signage, tape, or other means; (b) having hand sanitizer and sanitizing products available; (c) implementing separate operating hours for elderly and vulnerable customers; and (d) posting online whether a facility is open and how to reach the facility by phone or remote means.

Businesses are also to: (a) allow as many employees to work from home as possible by implementing teleworking policies; (b) actively encourage sick employees to stay home and do not require a healthcare provider’s note to validate the illness or return
to work; (c) ensure sick leave policies are up to date, flexible, and non-punitive; (d) send home employees who appear to have acute respiratory illness symptoms; (e) reinforce key hygienic messages and provide protective supplies such as soap, hand sanitizer, etc.; (f) frequently perform enhanced environment cleaning; (g) be prepared to change business practices if needed to maintain critical operations.

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