March 23, 2020

Massachusetts Governor Issues COVID-19 Order No. 13 Identifying Essential Services to Remain Open

On Monday, March 23, Massachusetts Governor Charles Baker issued executive order COVID-19 Order No. 13, effective at noon Tuesday, March 24, until noon on April 7, requiring all businesses and organizations that do not provide "COVID-19 Essential Services" to close physical locations to workers, customers and the public. Businesses and organizations providing "COVID-19 Essential Services" may continue to operate brick-and-mortar facilities, though they are strongly encouraged to practice social distancing protocols set forth in Department of Public Health guidance.

The administration has issued a list of designated businesses considered COVID-19 Essential Services, required to promote the public health and welfare of the Commonwealth covering the following industry categories:

- Health Care & Public Health
- Law Enforcement, Public Safety & First Responders
- Food & Agriculture
- Critical Manufacturing
- Transportation
- Energy
- Water & Wastewater
- Public Works
- Communications and Information Technology
- Financial Services
- Defense Industry Base
- Chemical Manufacturing & Hazardous Materials
- Other Designated Community Based Essential Function & Government Operations

    News Media

Businesses not listed as COVID-19 Essential Services are encouraged to maintain remote operations. Restaurants and bars may continue to provide take-out and delivery services provided that they follow social distancing protocols set forth in Department of Public Health guidance. On-site consumption of food or drink is prohibited. Churches and other places of worship are not required to close their bricks and mortar locations to workers or the public so long as they comply with the limitations on gatherings described below.

The order does *not* apply to any municipal legislative body or the judiciary.

The order also updates the current Assemblage Guidance, further restricting gatherings to no more than 10 people, a reduction from the previous 25 person limit. This does not apply to COVID-19 Essential Services or activities in unenclosed, outdoor spaces.

Governor Baker has directed the Department of Public Health to issue "a stay at home advisory outlining self-isolation and social distancing protocols."

For more Day Pitney alerts and articles related to the impact of COVID-19, as well as information from other reliable sources, please visit our COVID-19 Resource Center.

COVID-19 DISCLAIMER: As you are aware, as a result of the COVID-19 pandemic, things are changing quickly and the effect, enforceability and interpretation of laws may be affected by future events. The material set forth in this document is not an unequivocal statement of law, but instead represents our best interpretation of where things stand as of the date of first publication. We have not attempted to address the potential impacts of all local, state and federal orders that may have been issued in response to the COVID-19 pandemic.

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