

## HR Tracker, ¶46,770, Ohio issues “Stay at Home” Order — STATE LAW, (Mar. 25, 2020)

Ohio Governor Mike DeWine, Lt. Governor Jon Husted, and Ohio Department of Health Director Amy Acton, M.D. MPH, on March 22, 2020, announced that Ohio will be under a “Stay at Home” order.

The Director’s Order is in effect as of Monday, March 23, 2020, at 11:59 p.m. and will remain in effect until 11:59 p.m. on April 6, 2020, unless the order is rescinded or modified.

“We haven’t faced an enemy like we are facing today in 102 years—we are at war. In the time of war, we must make sacrifices, and I thank all of our Ohio citizens for what they are doing and what they aren’t doing. You are making a huge difference, and this difference will save lives,” said Governor DeWine. “Right now, we are in a crucial time in this battle. What we do now will slow this invader so that our healthcare system will have time to treat those who have contracted COVID-19 and also have time to treat those who have other medical problems. Time is of the essence.”

Under Section 2 of the Order, all non-essential business and operations must cease. According to the directive, “All businesses and operations in the State, except Essential Businesses and Operations, are required to cease all activities within the State except Minimum Basic Operations. For clarity, businesses, including home-based businesses, may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).”

“All essential Businesses and Operations are encouraged to remain open. Essential Businesses and Operations shall comply with Social Distancing Requirements as defined in this Order, including by maintaining six-foot social distancing for both employees and members of the public at all times, including, but not limited to, when any customers are standing in line.”

Businesses and workers can now access all of these resources related to COVID-19 in one place at [coronavirus.ohio.gov/BusinessHelp](https://coronavirus.ohio.gov/BusinessHelp).

The portal includes information on unemployment benefits, the Small Business Administration’s Economic Injury Disaster Loan Program, the Liquor Buyback Program, modified rules for trucking to help ship critical supplies into the state, the delay of BWC Premiums, etc.

Essential Businesses and Operations means Healthcare and Public Health Operations, Human Services Operations, Essential Government Functions, and Essential Infrastructure, as outlined in the Order.

The Order includes a checklist for employers and businesses, including:

- a. Allow as many employees as possible to work from home by implementing policies in areas such as teleworking and video conferencing.
- b. Actively encourage sick employees to stay home until they are free of fever (without use of medication) for at least 72 hours (three full days) AND symptoms have improved for at least 72 hours AND at least seven days have passed since symptoms first began. Employers are **not** to require a healthcare provider’s note to validate the return to work of employees sick with acute respiratory illness.
- c. Ensure that sick leave policies are up to date, flexible, and non-punitive to allow sick employees to stay home to care for themselves, children or other family members. Consider encouraging employees to do a self-assessment each day to check if they have any COVID-19 symptoms (fever, cough, or shortness of breath).
- d. Separate employees who appear to have acute respiratory symptoms from other employees and send them home immediately. Restrict access to the business until they have recovered.
- e. Reinforce key messages—stay home when sick, use cough and sneeze etiquette and practice hand hygiene—to all employees, and place posters in areas where they are most likely to be seen. Provide protection supplies such as soap and water, hand sanitizer, tissues, and no-touch disposal receptacles for use by employees.

f. Frequently perform enhanced environmental cleaning of commonly touched surfaces, such as workstations, countertops, railings, door handles, and doorknobs. Use the cleaning agents that are used in those areas and follow the directions on the label. Provide disposable wipes so that commonly used surfaces can be wiped down by employees before each use.

g. Be prepared to change business practices if needed to maintain critical operations (e.g., identify alternative suppliers, prioritize customers, or temporarily suspend some of your operations).

The Ohio Department of Health has also issued FAQs on the “Stay at Home Order.”

**Source:** State of Ohio, Office of the Governor, News Release, March 22, 2020.