

This post is for general informational purposes only and should not be considered to constitute legal advice.

Employment Update: A Small Slice of Clarity
Posted March 17, 2020

There has been so much confusion surrounding Governor Newsom's March 15th Directive and the various "Shelter in Place" Orders ("Orders") issued yesterday and today. While we wouldn't say everything is now crystal clear, there is some clarity about what all businesses are allowed to do.

"Essential Businesses", as defined in the Orders, can conduct all business as long as employees can comply with "Social Distancing Requirements." All businesses are allowed to have employees work remotely and engage in Minimum Basic Operations. No business is directed to completely shut down.

Minimum Basic Operations are defined in Paragraph 10g of the Orders, to include: (as long as employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations):

1. The minimum necessary activities to maintain the value of the business' inventory, ensure security, process payroll and employee benefits, or for related functions.
2. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

Social Distancing Requirements are defined in Paragraph 10j as:

Maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touched surfaces, and not shaking hands.

A copy of the Sonoma Shelter in Place Order is attached here: [Order of the Health Officer Regarding Shelter in Place \(C19-03\)](#)

Staying home if at all possible and maintaining social distance are the best ways we can fight the spread of COVID 19. We are not encouraging people to leave their homes unnecessarily, but as all of you are aware, there are some services and tasks that need to be done. These Orders recognize that.

We hope that clears up some of the confusion and anxiety from the past few days, although we recognize the larger health and economic concerns continue to loom large. As always, feel free to reach out with any questions. We are here to assist you in navigating the crisis.