

Legal Update Article

Pennsylvania: Closure of Non-Life-Sustaining Businesses Delayed to March 23, 8:00 a.m.

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Meet the Authors



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Pennsylvania has delayed enforcement of Governor Tom Wolf's March 19 Executive Order requiring all non-life-sustaining businesses to close their physical locations to *8:00 a.m. on Monday, March 23* (previously, 8:00 p.m. on March 19).

The [announcement states](#) that the high volume of waiver requests from businesses seeking an exemption had prompted the move. The March 19 Order provided, "No person or entity shall operate a place of business in the Commonwealth that is not a life sustaining business regardless of whether the business is open to members of the public." (For more on the March 19 Order, see our article, [Pennsylvania Governor Orders All Non-Life-Sustaining Businesses To Close.](#))

The Governor's office also issued [updated information on life-sustaining and non-life-sustaining businesses](#), as defined by the Order, which contains additional detail to guide Pennsylvania employers.

Following announcement of the March 19 Order, the Wolf Administration was overwhelmed with requests from businesses seeking clarification and exemptions. On the afternoon of March 20, many businesses received automated replies from the Department of Community and Economic Development (DCED), but without any guidance on whether they would be able to keep their doors open. The automated replies state:

Thank you for your message.

The governor has taken the drastic measure to close non-life-sustaining businesses in PA to further mitigate the spread of COVID-19 and protect all Pennsylvanians. Our team from DCED and Department of Health will review the many requests for exemption and will be in touch as soon as possible for further information to make a determination for your business.

In the meantime, know that we understand the hardship you are experiencing and will do our best to respond quickly.

Businesses requesting clarification or waiting for a response from the DCED regarding their exemption status must remain closed until a decision is made about their application. Those businesses requesting an exemption will be notified by email on whether their operations may re-open.

Businesses granted exemption status from the Governor's Order may remain open, but they must maintain all prior social distancing directives issued.

Businesses may submit an exemption request by email to ra-dcexemption@pa.gov. Additional information can be obtained by emailing ra-dcedcs@pa.gov.

The Governor's office also has published [FAQs for Pennsylvania businesses](#).

Jackson Lewis has a dedicated team tracking and responding to the developing issues facing employers in this difficult time. If you need guidance in handling the complicated issues pertaining to COVID-19, contact a Jackson Lewis attorney.

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