

Connecticut Broadly Mandates Telecommuting, Restricts Operations of Non-Essential Businesses

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Connecticut Governor Ned Lamont of Connecticut has directed all businesses to use telecommuting “to the maximum extent possible.”

Even “essential” businesses are advised to have employees telecommute if the employees’ duties are not critical to an essential business function.

“Non-essential” businesses, however, are required to reduce the in-person workforce at any Connecticut location by 100 percent beginning at 8:00 p.m. on March 23, 2020. The orders nonetheless provide that “non-essential” businesses may have on-site workers “to the minimum extent necessary,” such as to retrieve mail and provide security.

The Governor issued Executive Orders on March 20 and 22, 2020, setting forth these directives. Related guidance was issued on March 22, 2020.

Essential Businesses

Pursuant to these Orders, a critical distinction is whether a Connecticut employer is “essential” or “non-essential.” “Essential” businesses are defined as those identified within the 16 critical infrastructure sectors [defined by the Department of Homeland Security](#), along with numerous others. Connecticut’s designation of “essential business” also includes entities in:

1. Healthcare and related operations;
2. Infrastructure (such as airports, hotels, and public transportation);
3. All manufacturing and corresponding supply chains, including aerospace, agriculture, and related support businesses;
4. Certain retail operations, such as gas stations, hardware and grocery stores, and liquor stores;
5. Food and agriculture (such as farmer’s markets, nurseries, and certain restaurants and bars, subject to the Governor’s previous orders limiting restaurants and bars to takeout and delivery);
6. Certain professional services (such as accounting, auto and bicycle repair, and legal services);
7. Providers of basic necessities to economically disadvantaged populations;
8. Construction;
9. Services necessary to maintain the safety, sanitation, and essential operations of all residences and other buildings (such as pest control, building maintenance, and landscaping);
10. Vendors that provide essential services or products, including logistics and technology support, childcare, and services needed to ensure the continuing operation of government agencies and provide for the health, safety and welfare of the public; and
11. The defense industry.

Connecticut's directives require that "essential business" operations follow state and federal guidance intended to restrict the further spread of COVID-19, including implementing rules that help facilitate social distancing of at least six feet. Moreover, the orders clarify that non-essential retailers may be staffed on site, provided they offer only remote ordering and delivery or curbside pick-up.

Non-Essential Businesses Can Apply for Redesignation

Connecticut permits a business that is not deemed "essential" under these Executive Orders to apply to the Department of Economic and Community Development for such designation, using a [Business Information Request for Designation as an Essential Business](#)

If you need guidance on these or any other issues pertaining to COVID-19, please contact a Jackson Lewis attorney.

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