

May The Fourth Be With You: Minnesota Stay-At-Home Order Extended to May 4

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On April 8, 2020, Minnesota State Governor Tim Walz issued [Emergency Executive Order 20-33 Extending Stay at Home Order and Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation](#).

Governor Walz's Order extends two previous executive orders: [20-20, Directing Minnesotans to Stay at Home](#) (initially scheduled to last through 5:00 p.m. on April 10, 2020); and [20-18, Continuing the Closure of Bars, Restaurants, and Other Places of Public Accommodation](#) (initially scheduled to last through 5:00 p.m. on March 27, 2020, later extended to 5:00 p.m. on May 1, 2020). For details of the original restrictions, see our article, [Minnesota Stay at Home Order](#).

All of the restrictions imposed in the earlier orders are extended until 11:59 p.m. on May 3, 2020. However, the new Executive Order clarifies that Minnesotans may leave their homes or residences to move or relocate, vote, and attend funerals (limited to no more than 10 attendees).

Exempt Critical Sector Workers

The Executive Order refines the description of exempt Critical Sector workers based on updated guidance from the U.S. Department of Homeland Security. Significantly, additions include workers in the following categories:

- *Animal Care and Veterinarians*: caring for pets of Critical Sector workers, pets of those who are ill or quarantined, pets whose owners are unable to care for them, and pets currently boarded whose owners cannot retrieve them; pet adoption and animal foster care.
- *Commercial Facilities/Essential Supply Stores*: licensed businesses that sell or service firearms, arts and crafts stores only to the extent they are distributing materials for making personal protective equipment.
- *Construction and Critical Trades* major appliance sales, related parts sales, and service.
- *Food and Agriculture*: agricultural equipment repair service, lawn care and landscaping, garden centers and nurseries, florists for sale of delivery-only plant stock.
- *Healthcare and Public Health*: personal care attendants, paid employees and volunteers of government and non-profit providers, medical cannabis industry.
- *Laundry and Hygiene Products and Services*: cleaning common areas in apartment buildings or similar spaces, providing housecleaning for individuals with disabilities.
- *Transportation and Logistics*: cleaning vehicles used for public transportation, government services, and Critical Sectors.
- *Other Community-Based Government Operations and Essential Functions* critical to facilitating emergency response operations, or necessary to process applications for issuing hunting and fishing licenses.
- *Minimum Basic Operations*: supporting minimum basic operations in businesses and organizations.

Non-Exempt Critical Sector Workers

The Executive Order also lists Critical Sector workers *not* exempted, which include:

- *Healthcare and Public Health*: Workers in adult daycares.
- *Food and Agriculture*: Workers supporting tobacco and vaping-product shops and supporting CBD oil shops.
- *Critical Manufacturing*: Printing workers other than those that supply Critical Sectors.
- *Financial Services*: Debt collection professionals and other workers supporting debt collection.
- *Laundry and Hygiene Products and Services*: Workers doing ordinary residential housecleaning of individual homes.
- *Animal Care and Veterinarians*: Workers supporting pet grooming.

Violations

In addition, the Executive Order provides:

Any business owner, manager, or supervisor who requires or encourages any of their employees to violate this Executive Order is guilty of a gross misdemeanor and upon conviction must be punished by a fine not to exceed \$3,000 or by imprisonment for not more than a year. In addition to those criminal penalties, the Attorney General, as well as city and county attorneys, may seek any civil relief available pursuant to Minnesota Statutes 2019, section 8.31, for violations of this Executive Order, including civil penalties up to \$25,000 per occurrence from businesses and injunctive relief.

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 and related business closures, contact a Jackson Lewis attorney to discuss.

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