

Colorado Governor Issues Statewide ‘Stay at Home’ Order

March 26, 2020

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COVID-19

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The Governor Jared Polis has issued a [“stay at home” order](#) in an effort to slow the spread of the coronavirus (COVID-19) and provide an opportunity for the healthcare system to prepare for the expected increase in demand.

The order directs individuals to restrict their movements outside of their homes, except for essential needs. Permissible activities include:

- Health and safety activities;
- Outdoor activities;
- Obtaining necessary supplies and services;
- Essential and interstate travel;
- Caring of others, such as caring for a family member, friend, or pet in another household
- Displacement;
- Relocation to ensure safety; and
- Tribal activities and lands.

Individuals who leave their homes are encouraged to continue to practice social distancing measures, including staying six feet apart from others.

The order identifies various categories of “essential” businesses that may remain open.

Additionally, the order provides an exemption for “critical service” workers based on federal guidance from the Cybersecurity and Infrastructure Security Agency (CISA) identifying individuals deemed necessary to ensure the maintenance of critical infrastructure and services. Critical service workers who cannot work from home are permitted to continue traveling to their place of work or, when necessary, throughout the performance of their work duties.

Critical service workers include, but are not limited to:

- Healthcare and public health;
- Law enforcement, public safety, and first responders;
- Childcare providers;
- Emergency shelters;
- Homeless shelters;
- Food and agriculture;
- News media;
- Energy;
- Water and wastewater;
- Critical manufacturing; and
- Financial services.

Nothing in the order restricts telework for non-critical service workers, but it encourages individuals who are able to work from home to continue to do so.

Employers are also encouraged to follow the guidance of Colorado Department of Public Health and Environment (CDPHE). Although not required, the CDPHE recommends that employers conduct employee health screening, in which each employee is screened for COVID-19 symptoms, both before and after the employee's shift. This screening would include employee temperature checks, which should be measured by a contracted healthcare professional or, if unavailable, a human resource professional. Any medical information that is collected should be kept in a separate, confidential employee file.

Please contact a Jackson Lewis attorney with any questions or to discuss any potential implications of this order. Jackson Lewis has established a dedicated [COVID-19 Task Force](#) that is continually assessing risks, preparing employee communications, and providing practical advice on the workplace compliance issues.

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