

Connecticut Clarifies Reopening Rules Apply to Essential Businesses, Issues General Business Rules

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Connecticut Governor Ned Lamont has issued [Order No. 7PP](#), which authorizes implementation of the “[Sector Rules](#)” issued by the Department of Economic and Community Development (DECD). This order clarifies that the Sector Rules are intended to apply to all businesses that come within their scope, including [essential businesses](#) that had been allowed to remain open under previous Orders.

The DECD had stated that its intent was that the Sector Rules do not apply to businesses that have remained open for business, and essential businesses that are not currently subject to the Sector Rules (such as manufacturing and hospitals) are permitted to continue operations in accordance with the [Safe Workplace Rules for Essential Employers](#). Order No. 7PP explains that the Sector Rules will be expanded as additional businesses are phased into Connecticut’s reopening plans.

The first expansion includes [General Business Rules](#), which is applicable to university research and outdoor activities. These rules mirror the general guidance applicable in the Sector Rules, including cleaning protocols, employee training, required signage, and mandatory social distancing. The General Business Rules do not suggest appointment of a Program Administrator or expressly require certification with the DECD. However, both steps are recommended as DECD has indicated that all business that are reopening are subject to the certification requirements.

Order No. 7PP also details the manner in which the Sector Rules (in both their current form and in any subsequent expansions) will be enforced. Authority to enforce Sector Rules pertaining to “Public Health Facilities” (including hair salons, barbershops, beauty shops, nail salons, spas, tattoo or piercing establishments, restaurants, eating establishments, and private clubs) is delegated to the Local Health Director, while all other locations are subject to the authority of the municipal Chief Executive Officer. Accordingly, violation of the applicable Sector Rules will be deemed a public nuisance, and the respective authority may order the closure of the business until the nuisance is abated.

By way of clarification, Order No. 7PP states that the prohibition on gatherings in excess of five people includes groups that may be eating at a restaurant or engaging in any other group activity permitted by the Sector Rules. By inference, this extends to group meetings in an office setting.

Finally, the Order extends the closure of other businesses not subject to the Sector Rules or otherwise open as essential employers until June 20, 2020. Day camps have been permitted to resume beginning June 22, 2020, under anticipated guidance from the Commissioner of Early Childhood regarding enhanced health procedures. However, overnight resident camps are prohibited. Public summer school is prohibited from beginning until July 6, 2020, subject to additional guidance from the Commissioner of Education; private and other non-public schools are “encouraged” to follow this schedule

and guidance.

Reopening orders contain extensive requirements creating compliance issues that can vary significantly depending on the specific state or local jurisdiction. Jackson Lewis attorneys are closely monitoring updates and changes to legal requirements and guidance and are available to help employers weed through the complexities involved with [state-specific or multistate-compliant plans](#).

If you have questions or need assistance, please reach out to the Jackson Lewis attorney with whom you regularly work, or any member of our [COVID-19 team](#).

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