

## WASHINGTON – COVID-19 – Proclamation 20-25 - Stay Home – Stay Healthy

Proc 20-25: <https://www.governor.wa.gov/sites/default/files/proclamations/20-25%20Coronavirus%20Stay%20Safe-Stay%20Healthy%20%28tmp%29%20%28002%29.pdf>

Appendix A: Essential Critical Infrastructure Workers (“App. A”)  
<https://www.governor.wa.gov/sites/default/files/WA%20Essential%20Critical%20Infrastructure%20Workers%20%28Final%29.pdf>

| GENERAL TOPIC                 | SUMMARY  | SECTION #<br>EO 20-25                       |
|-------------------------------|--|---|
| Effective Period              | Proc 20-25: 3/23/20 “immediately” through midnight on April 6, 2020, unless extended beyond that date. Has been further amended and extended through 5/31/20 by <a href="#">Proc 20-25.3</a> (see separate summary).   | p. 3 §1                                     |
| Stay at Home Mandate          | <p>“All people in Washington State shall immediately cease leaving their home or place of residence except: (1) to conduct or participate in essential activities, and/or (2) for employment in essential business services.”</p> <p><u>EXCEPT THAT:</u> Individuals who are unsafe in their homes or residences (i.e., victims of domestic violence) or who are experiencing homelessness may leave their homes or residences (if applicable) but are encouraged to seek (alternative) shelter.</p> | <p>p. 3 §1</p> <p>p. 3 §1c<br/>p. 3 §1d</p> |
| Failure to Comply             | <p>Failure to comply constitutes a gross misdemeanor. RCW 43.06.220(5). The maximum penalty for a gross misdemeanor is:</p> <ul style="list-style-type: none"> <li>• Imprisonment in county jail for up to 364 days;</li> <li>• A fine of up to \$5,000; or</li> <li>• Both.</li> </ul> <p>RCW 9A.20.021(2).</p>   | p. 5  |
| Essential Businesses          | <p>Are encouraged to stay open and maintain operations, and</p> <ul style="list-style-type: none"> <li>• Must establish and implement social distancing measures per DOL and WDH guidelines</li> <li>• Must establish and implement sanitation measures per DOL and WDH guidelines</li> </ul>  | p. 4 §3b                                    |
| Nonessential Businesses       | <p>Must cease all operations other than basic minimum operations by midnight on March 25, 2020.</p> <p><u>EXCEPT THAT:</u> Business that can be conducted remotely without engaging in in-person contact may be conducted.</p>   | <p>p. 4 §3a<br/>p. 4 §3c</p>                |
| Restaurants and Food Services | <p>May provide delivery and take-out services so long as,</p> <ul style="list-style-type: none"> <li>• Proper social distancing measures are established and implemented;</li> <li>• Necessary sanitation measures are established and implemented.</li> </ul>   | p. 5  |

Disclaimer: The information provided in this handout is general information and not designed to be and should not be relied on as your sole source of information when analyzing and resolving a specific legal issue. Each fact situation is different; the laws are constantly changing. If you have specific questions regarding a particular fact situation, we urge you to consult with legal counsel.

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# Holland & Knight

| GENERAL TOPIC                             | SUMMARY  | SECTION #<br>EO 20-25 |
|---|--|-----------------------|
| Public and Private Gatherings             | <p>All public and private gatherings and multi-person activities, regardless of size, are canceled including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Community, civil, public, leisure, faith-based, and sporting events;</li> <li>• Parades;</li> <li>• Concerts;</li> <li>• Festivals;</li> <li>• Conventions;</li> <li>• Fundraisers;</li> <li>• Weddings;</li> <li>• Funerals; and</li> <li>• Similar activities.</li> </ul> <p><u>EXCEPT THAT:</u> Persons may gather or participate in activities with persons who are members of the same household or residential living unit.</p>   | p. 4 §2               |
| Essential Critical Infrastructure Workers | <p>Persons who perform specific functions for state, local, or tribal governments, communities, and/or industrial partners in the following fields:</p> <ul style="list-style-type: none"> <li>• Healthcare and Public Health Sector (“HPH”);</li> <li>• Emergency Services Sector (“ESS”);               <ul style="list-style-type: none"> <li>○ Law Enforcement, Public Safety, and First Responders</li> <li>○ Public Works</li> </ul> </li> <li>• Food and Agricultural Sector (“FA”)</li> <li>• Energy Sector               <ul style="list-style-type: none"> <li>○ Electricity</li> <li>○ Petroleum</li> <li>○ Natural and propane gas</li> </ul> </li> <li>• Water and Wastewater</li> <li>• Transportation and Logistics</li> <li>• Communications and Information Technology               <ul style="list-style-type: none"> <li>○ Communications</li> <li>○ Information Technology</li> </ul> </li> <li>• Community-based Government Operations and Essential Functions</li> <li>• Critical Manufacturing</li> <li>• Hazardous Materials</li> <li>• Financial Services</li> <li>• Chemical</li> <li>• Defense Industrial Base</li> </ul> <p>These fields and the essential workers in these fields are further defined in Appendix A.</p> | App. A                |
| DEFINITIONS (SUMMARY)                     |  |                       |
| Essential activities                      | <ul style="list-style-type: none"> <li>• Obtaining necessary supplies and services for family or household members and pets</li> </ul>   | p. 3 §1a              |

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| GENERAL TOPIC                  | SUMMARY  | SECTION #<br>EO 20-25        |
|--------------------------------|--|------------------------------|
|                                | <ul style="list-style-type: none"> <li>○ Groceries, food, and supplies for household consumption and use</li> <li>○ Supplies and equipment needed to work from home</li> <li>○ Products necessary to maintain safety, sanitation, and essential maintenance of the home or residence</li> <li>• Engaging in activities essential to the health and safety of family, household members and pets               <ul style="list-style-type: none"> <li>○ Seeking medical or behavioral health or emergency services</li> <li>○ Obtaining medical supplies medication</li> </ul> </li> <li>• Caring for a family member, friend, or pet in another household or residence               <ul style="list-style-type: none"> <li>○ To transport a family member, friend, or their pet for essential health and safety activities</li> <li>○ To obtain necessary supplies and services</li> </ul> </li> <li>• Engaging in outdoor exercise activities so long as social distancing practices are used               <ul style="list-style-type: none"> <li>○ Walking</li> <li>○ Hiking</li> <li>○ Running</li> <li>○ Biking</li> </ul> </li> </ul> |                              |
| Homes or Residences            | Includes, but is not limited to: <ul style="list-style-type: none"> <li>• Hotels</li> <li>• Motels</li> <li>• Shared rental units</li> <li>• Shelters</li> <li>• Similar Facilities</li> </ul>   | p. 4 §1e                     |
| Minimum Basic Operations       | Minimum activities necessary to: <ul style="list-style-type: none"> <li>• Maintain the value of the business' inventory;</li> <li>• Preserve the condition of the business' physical plant and equipment;</li> <li>• Process payroll and employee benefits;</li> <li>• Facilitate employees of the business being able to continue to work remotely from their residences; and</li> <li>• Related functions.</li> </ul>  | p. 5 §3d                     |
| Social Distancing Requirements | Staying at least 6 feet away from one another.   | <a href="#">WDH Guidance</a> |

**DISCLAIMER:** This information is provided for convenience only, and should not be relied upon in making decisions for your business. As this is a rapidly changing area, reference should always be made to the official order and related interpretative guidance. If you have specific questions about how any particular jurisdiction's Order affects your business, or other COVID-19 topics, please contact a member of the Holland & Knight's COVID-19 Response Team – State and Local Orders and Regulations.

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