



LANCE HASTINGS  
PRESIDENT

## **URGENT UPDATE: COVID-19 Orders in Bay Area Counties**

**March 16, 2020, 5:55pm PDT**

**To: CMTA Members and Manufacturing Community in the San Francisco Bay Area**

**From: Lance Hastings, President**

We have been asked for guidance on how member companies should react to the Orders issued by the Health Officials of the 6 Bay area counties.

As you are probably aware, earlier today “Orders of the Health Officers” of 6 Counties in the San Francisco Bay Area have been issued requiring residents and those working in the counties to Cease Non-Essential Operations at Physical Locations in the County. One example of the virtually identical orders is attached.

An exception to the order to shelter in place is created so that persons may leave home to provide or receive certain essential services or engage in certain essential activities and work for essential businesses, as defined in the orders.

Whether your company is an “Essential Business” or engaged in performing “Essential Activities” will depend on the nature of your manufacturing and technology business and products. You should carefully review the Order that applies to the County in which your business operates. The definition of Essential Activities in paragraph 10 should provide you with guidance. Some CMTA members are clearly engaged in Essential Infrastructure Activities as described in paragraph 10 c. Many of you likely fit the definition of Essential Businesses found in paragraph 10 f, which includes, by way of example, subparts xiv and xv, summarized here:

xiv. Businesses that supply products needed for people to work from home;

xv. Businesses that supply other Essential Businesses (e.g. medical providers, food and essential goods retailers, etc.) with the support or supplies necessary to operate;

Additionally, paragraph 10 g. provides that, “For the purposes of this Order, “Minimum Basic Operations” include the following administrative activities, provided that employees comply with Social Distancing Requirements as defined in this Section, to the extent possible, while carrying out such operations:

i. The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.

ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

Finally, paragraph 10 j. provides that, For purposes of this Order, “Social Distancing Requirements” includes maintaining at least six-foot social distancing from other individuals,

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washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

CMTA recommends that members familiarize themselves with the entirety of these orders that apply in your County and give careful consideration to which, if any, of the exceptions apply to your business.

In any event, if you conclude that your company is an Essential Business as defined, it is recommended that your company adopt a policy on social distancing and safe workplace practices. These policies or practices should be circulated to the members of your team who will continue work during the current health pandemic and they should be encouraged to follow the guidelines. You might also consider whether specific guidelines should be included in your company policy that would apply to employees over 65 or who otherwise may be in a higher risk category. If your employees, their labor unions, local law enforcement, county health officials or anyone else raises questions about whether your company fits within one of the Essential Business exceptions applies, it may be that the adoption and enforcement of company guidelines on social distancing will help persuade anyone who questions your ongoing business activities that your company is taking reasonable care to protect your employees from infection.

CMTA will continue to monitor the rapidly evolving situation, including government orders and policies that may apply to our members. Please contact the CMTA staff if we can answer any questions or assist you in evaluating the applicability of these orders to your business.

If you have any questions, please contact me at [LHastings@cmta.net](mailto:LHastings@cmta.net) or 916-527-4334.