



CORONAVIRUS EXECUTIVE ORDER — OUTLINE SUMMARY

Executive Order 20-12, issued March 23, 2020

Jordan Ramis PC, legal counsel for the Oregon Association of Nurseries, has provided the following outline to help businesses and individuals understand the requirements for operating and interacting under Executive Order No. 20-12 (“Stay Home, Save Lives”), which was signed by Oregon Gov. Kate Brown on March 23, 2020.

- **Closes certain businesses**
 - Certain identified businesses, for which close personal contact is difficult or impossible to avoid, must close completely by 12:01 a.m. March 24, 2020.
 - Exception: Executive Order No 20-07 remains in effect, food/drink businesses (restaurants, bars, etc.) can continue to provide take-out or delivery service.¹
- **Imposes social distancing requirements on all other retail businesses**
 - Retail businesses, except grocery, health care, medical or pharmacy services are prohibited from operating unless they designate an employee or officer to establish, implement and enforce social distancing policies consistent with OHA guidance.
 - Retail businesses that fail to comply with the above bullet point will be closed until they demonstrate compliance.
- **Imposes workspace restrictions on all businesses and nonprofit entities**
 - All businesses and nonprofit entities must facilitate telework and work-at-home by employees to the maximum extent possible.
 - Work in offices is prohibited whenever telework and work-at-home options are available, in light of position duties, availability of teleworking equipment, and network adequacy.

¹ Note per March 22, 2020 OLCC press release, cannabis retail licensees are allowed to provide curbside delivery (outside store, 150 feet from licensed premises). The OLCC deemed this to align with the Governor’s executive order.

- Where telework and work-at-home options are not available, businesses and nonprofit entities must:
 - Designate an employee or officer to establish, implement, and enforce social distancing policies, consistent with OHA guidance.
 - Address in the social distancing policies how the business or non-profit will maintain social distancing protocols for business-critical visitors.
 - Businesses and non-profits that fail to comply with the above bullet points will be closed until they demonstrate compliance.

- Imposes restrictions on **individuals**
 - Bans non-essential social and recreational gatherings of any size outside home or place or residence, if a distance of at least 6 feet cannot be maintained.
 - Prohibits individuals from patronizing businesses that are closed pursuant to the Executive Order.
 - Prohibits individuals from engaging in conduct prohibited by prior Executive Orders or that is inconsistent with OHA guidance.
 - Requires that where individuals need to leave their homes or residences that they at all times, to the greatest extent possible, maintain social distancing of at least 6 feet from any person not a member of their immediate household and otherwise comply with OHA social distancing requirements guidance.
 - Prohibits outdoor activities where it is not possible to maintain appropriate (6 feet or more) social distancing between individuals. Allows non-contact outside recreational activities where 6 foot social distancing can be maintained.
 - Penalties for violation = Class C misdemeanor.

The OAN's legal counsel, Jordan Ramis PC, is closely tracking local, state, and federal developments related to COVID-19. Jordan Ramis is advising the OAN on issues of general interest, and the OAN is circulating that information to our members. Unlike many industry legal issues which fall under the OAN's Legal Access program, in this case, specific legal advice regarding workforce issues needs to be handled on a case-by-case basis under an attorney-client relationship. Jordan Ramis lawyers are available to set up new client matters to assist our members during these difficult times. To retain the firm, please contact Peter Hicks at peter.hicks@jordanramis.com or Steve Shropshire at steve.shropshire@jordanramis.com.