All Non-Life Sustaining Businesses In Pennsylvania Ordered To Cease Physical Operations

3.20.20

Governor Tom Wolf just ordered all non-life sustaining businesses in Pennsylvania to close until further notice. Any businesses that fail to comply with the governor’s order by March 21, 2020 at 12:01 a.m. will be subject to enforcement actions including citations, fines, license suspensions, administrative actions, imprisonment, the forfeiture of disaster relief funds, and the termination of state loan or grant funding.

According to guidance provided by the governor’s office, only the below industry groups may continue physical operations. In extenuating circumstances, special exemptions may be provided to businesses that supply or service health care providers. All other businesses may continue to operate remotely. Notably, Pennsylvania’s Lt. Governor has noted that the list of permitted industry groups is fluid and may be changed to address the needs of Pennsylvania’s residents.

- **Natural Resources And Mining** – Crop and animal farmers [along with the businesses that support these industry groups], fishers, hunters, trappers, and oil and gas extractors may continue physical operations.

- **Manufacturing** – Manufacturers specializing in food, beverages, paper, petroleum, coal, certain chemicals [excluding paints, coatings, and adhesives], plastic, rubber, cement, concrete, iron, steel, ferroalloy, alumina, aluminum, agricultural machinery, HVAC, engines, turbines, and power transmission, electrical components, control instruments,
and medical equipment and supplies are not required to cease physical operations.

- **Wholesale Trade** – Durable and non-durable good wholesalers (excluding furniture, lumber, construction, apparel and electronic wholesalers) may continue operations.
- **Retail Trade** – Automotive stores, grocery stores, beer, wine, and liquor stores, gas stations, general merchandise stores, electronic and mail order houses may keep their physical locations open.
- **Transportation And Warehousing** – All transportation and warehousing businesses (excluding charter bus and scenic and sightseeing firms) may continue to operate.
- **Utilities** – All utilities may remain open during the duration of the governor’s order.
- **Information** – Newspaper, periodical, book, and directory publishers, radio and television broadcasters, cable programmers, telecommunication carriers, cable and other program distributors, and data processing and hosting services may continue operations.
- **Financial Activities** – Monetary authorities, credit intermediation businesses, and equipment and vehicle rental and leasing services are not required to cease physical operations.
- **Professional And Business Services** – Scientific research and development organizations, facilities support services, investigation and security services, building and dwelling services, and waste management services may operate during the order.
- **Health Services** – All health care and social assistance services, aside from child care services, may remain open. Ambulatory health care services and hospitals, however, are prohibited from performing elective procedures.
- **Accommodation And Food Services** – RV parks, camp grounds, rooming and boarding houses, as well as full-service restaurants and limited-service eating places may continue physical operations. Under the order, however, restaurant service is limited to takeout and delivery service.
- **Other Services** – Repair and maintenance services, death care services, and religious, grantmaking, social advocacy, civil and social organizations may also maintain their physical operations.

**Conclusion**

For now, we will continue to monitor the rapidly developing COVID-19 situation and provide updates as appropriate. Make sure you are subscribed to Fisher Phillips’ Alert System to get the most up-to-date information. For further information, contact your Fisher Phillips attorney, any attorney in our Philadelphia or Pittsburgh offices, or any member of our COVID-19 Taskforce. You can also review our nationwide Comprehensive and Updated FAQs for Employers on the COVID-19 Coronavirus and our FP Resource Center For Employers, maintained by our Taskforce.
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