



# **New COVID-19 Restrictions Placed On North Carolina Employers**

Insights

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As cases of COVID-19 continue to spike across the country, North Carolinians must abide by more stringent restrictions under a [Modified Stay-at-Home Order](#) released yesterday. While the Order continues requirements for face coverings and social distancing, as well as limitations on gatherings, it also increases restrictions on certain businesses. What do North Carolina employers need to know about this latest development?

## **New Restrictions On North Carolina Employers**

Effective December 11 at 5:00 p.m., North Carolinians must generally stay at home between 10:00 p.m. and 5:00 a.m. under the new restrictions. The good news for employers? These new limitations do not apply if the individual is traveling for work purposes (or to obtain essential materials). The restrictions are set to remain in place through January 8, 2021, although they may be extended depending on the state of the pandemic in the state at that point. Law enforcement officials are directed to cite individuals who willfully or repeatedly violate the order.

While the new restrictions do not apply to grocery stores, health care facilities, pharmacies, or gas stations, many other businesses must close to the public by 10:00 p.m. and may not reopen until 5:00 a.m.

The order places significant restrictions on bars and restaurants in North Carolina. Restaurants and bars may not sell alcoholic beverages for on-site consumption between 9:00 p.m. and 7:00 a.m. Indoor seating areas and amenities in bars, like pool tables, must be closed, and bars may not serve alcohol for on-site consumption in any indoor area of the premises. Indoor seating areas may be open, but they are restricted to 25 guests. The outdoor areas of bars are limited to 100 guests for the total facility or 30% of the stated outdoor occupancy. Restaurants, breweries, distilleries, and wineries may continue to offer take-out options after 10:00 p.m.

Most entertainment performances or events, including movies, must end by 10:00 p.m. Professional and college sporting events may continue later.

## **What Does the Order Mean For North Carolina Employers?**

First and foremost, employers in the state should continue to assess remote work policies and enforce social distancing and mask mandates.

If employees are working outside of their homes, you are required to make “good-faith efforts” to provide employees with either a one-week supply of reusable face coverings or new disposable face coverings daily for employees to use at work. If you have clients or guests who claim an exemption to the face covering requirements, you may consider accommodating the client by offering curbside service, home delivery, or other reasonable measures. Law enforcement is authorized to cite individuals who fail to comply with the face covering requirements, as well as businesses that fail to enforce it – so you have a significant incentive to ensure these measures are followed at your place of business.

You should also consider providing employees with a travel authorization letter, identifying your organization and the need for the employee to travel to or from work or for other work-related purposes.

We will continue to monitor this rapidly developing situation and provide updates as appropriate. Make sure you are subscribed to [Fisher Phillips’ alert system](#) to gather the most up-to-date information. For further information or advice on how to satisfy notice requirements as an employer, contact your Fisher Phillips attorney or any attorney in [our Charlotte office](#), or any member of our [Post Pandemic Strategy Group Roster](#). You can also review our [FP BEYOND THE CURVE: Post-Pandemic Back-To-Business FAQs For Employers](#) and our [FP Resource Center for Employers](#).

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