



Hawaii Announces Stay-At-Home Order And Mandatory Self-Quarantine Period

Insights

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Beginning on March 25, 2020, all persons in the State of Hawaii have been ordered by Governor Ige to stay at home through April 30, 2020 to reduce the spread of COVID-19, except to the extent necessary to maintain continuity of operations of federal critical infrastructure sectors. Notably, Governor Ige's order permits individuals to travel for health and safety reasons, to obtain goods and services from essential business, and allows non-essential businesses to engage in minimum basic operations. The order further permits travel to care for the elderly, minors, dependents, persons with disabilities, and other high-risk individuals. Additionally, the order allows travel from a person's place of residence to the nearest airport and any travel required by law enforcement. Outdoor exercise including surfing, swimming, and walking pets is allowed, so long as social distancing requirements are met.

Businesses Affected By The Order

Gatherings of 10 or more people are largely prohibited. Fitness centers, locations with amusement rides, carnivals, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and social clubs are closed to the public. Additionally, all businesses not identified in the governor's order, federal guidance, or designated by the Director of the Hawaiian Emergency Management Agency (HIEMA) as essential, shall be closed.

Businesses That May Remain Open Under The Order

- **Businesses in Federal Critical Infrastructure Sectors:** These businesses are outlined in a [memorandum](#) issued by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA).
- **Healthcare services and facilities:** Hospitals, clinics, physician offices, assisted living facilities, and other healthcare facilities and services.
- **Stores that sell groceries and medicine:** This includes establishments that sell groceries, medicine, including medication not requiring a medical prescription, supplies for children under the age of five and that sell other non-grocery products, and products necessary to maintain the safety, sanitation, health and essential operation of residences and essential businesses.
- **Food, beverage, cannabis production and agriculture:** Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, hunting, gathering, fishing,

baking, and other agriculture, including marketing, production, cultivation and distribution of animals and goods for consumption; licensed cannabis cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities.

- **Education institutions:** Educational institutions – for purposes of implementing appropriate learning measures, performing critical research, or performing essential functions, provided that social distancing requirements are maintained to the greatest extent possible.
- **Organizations that provide charitable and social services:** Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance because of this emergency, and people with disabilities.
- **Media:** Newspapers, television, radio, and other media services.
- **Gas stations and businesses needed for transportation:** Gas stations and auto-supply, auto-repair, and related facilities and bicycle shops and related facilities.
- **Financial Institutions:** Financial institutions, currency exchanges, consumer lenders, including but not limited to payday lenders, pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial 4 of 8 products.
- **Hardware and supply stores:** Hardware stores and businesses that sell electrical, plumbing and heating material.
- **Critical trades:** Building and construction trades, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving services, and other service providers who provide services necessary to maintain the safety, sanitation, and essential operation of residences and essential businesses and operations.
- **Mail, post, shipping, logistics, delivery, and pick-up services:** Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services.
- **Laundry services:** Laundromats, dry cleaners, industrial laundry services, laundry rooms in hotels, condominiums, townhomes, apartments, and other multi-unit dwelling structures, and laundry service providers.
- **Restaurants for consumption off-premises:** Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out.
- **Supplies to work from home:** Businesses that sell, manufacture, or supply products needed for people to work from home.

- **Supplies for essential businesses and operations:** Businesses that sell, manufacture, or supply other essential businesses and operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; 5 of 8 electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security.
- **Transportation:** Airlines, taxis, transportation network providers, vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for essential activities.
- **Home-based care and services:** Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery.
- **Residential facilities and shelters:** Residential facilities and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness.
- **Professional services:** Professional services, such as legal services, accounting services, insurance services, real estate services.
- **Child care services for employees exempted by the order:** Child care services, licensed or authorized under the law, for the children of employees exempted by the order.
- **Manufacture, distribution, and supply chain for critical products and industries:** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by essential businesses and operations.
- **Critical labor union functions:** Labor Union essential activities including the administration of health and welfare funds and personnel checking on the 6 of 8 well-being and safety of members providing services in essential businesses and operations.
- **Hotels and motels:** Hotels and motels, to the extent used for lodging and delivery or carry-out food services.
- **Funeral services:** Funeral, mortuary, cremation, burial, cemetery, and related services.
- **Government functions:** All first responders, emergency management personnel, emergency dispatchers, health workers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and

shelter personnel, national guard, and other governmental employees working for or to support essential businesses and operations are exempt.

Notably, essential business and individuals engaged in permitted operations are required to abide by social distancing protocols, including using appropriate signage and markings, making sanitizing products readily available to employees and customers, implementing separate operating hours for the elderly and high-risk populations, and publicizing hours of operation online.

Mandatory Self-Quarantine Period

Beginning on March 26, 2020, all travelers who enter the State of Hawaii will be required to self-quarantine for a period of 14 days in their homes or hotels to prevent the spread of COVID-19. During the self-quarantine, all food or other necessities shall be delivered to their rooms and visitors are prohibited. The self-quarantine does not extend to family members who did not engage in travel, unless they begin to develop symptoms related to COVID-19. Out of state travelers can return home before the end of their 14-day quarantine.

Conclusion

Fisher Phillips and the Fisher Phillips Essential Business Task Force 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. You can also review our nationwide [Comprehensive and Updated FAQs for Employers on the COVID-19 Coronavirus](#) and our [FP Resource Center For Employers](#). For further information, contact your Fisher Phillips attorney or any member of our [Essential Business or COVID-19 Taskforce](#).

This Legal Alert provides an overview of a specific state law. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.

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