

# MISSOURI'S STATEWIDE "STAY AT HOME" ORDER

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Effective April 6, 2020, the entire State of Missouri became subject to a "Stay at Home" Order. Some key points of interest to subcontractors include:

- The Order requires individuals to practice social distancing when outside their homes when they are (a) working, (b) accessing food, prescriptions, health care, and other necessities, or (c) engaging in outside activities.
- The Order does not require all businesses to shut down.
- Local authorities may issue and enforce more restrictive health requirements.
- The Order references "guidance" issued by the U.S. Department of Homeland Security (Cybersecurity & Infrastructure Security Agency "CISA") to assist in determining whether particular work is considered as "essential" during the COVID-19 response period. With respect to the construction industry, these guidelines are not totally clear and unambiguous, but some highlights include:
  1. Residential housing, public works, and medical projects are essential.
  2. Other essential projects include agriculture, energy (electrical, petroleum, and natural gas);
  3. Infrastructure for transportation, public works, support services, communication, and information technology are included as "essential".
  4. Workers who support the operation, inspection, and maintenance of essential public work facilities and operations, such as bridges, water and sewer main breaks, traffic signal maintenance, and emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works;
  5. Other "essential" projects are chemical plants, critical manufacturing and supply chain;
  6. With respect to "commercial" projects the guidelines are less clear. E-commerce and call centers are considered as essential. Others mentioned as essential are workers such as plumbers, electricians, exterminators, builders, contractors, HVAC technicians, landscapers and other service providers *who provide services necessary to*

***maintaining the safety, sanitation, and essential operation of residences, businesses, and buildings such as hospitals, senior living facilities, and any temporary construction required to support COVID-19 support.***

The list issued by CISA is ***“advisory in nature. It is not, nor should it be considered a federal directive or standard.”*** Per the federal guidelines, “Individual jurisdictions should add or subtract essential workforce categories based on their own requirements and discretion.” Under the Missouri Order, any entity that does not meet the federal guidelines may apply for a waiver at

<https://ded.mo.gov.businesswaiver>

The guidelines allow for the reality that some workers engaged in activity determined to be “essential” may be unable to perform those functions because of health-related concerns.

ASA and its industry partners are working to clarify these guidelines to the extent possible. ASA-Midwest Council is here to support you in any way we can. Stay safe!!!!

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