

STAY HOME – WORK SAFE

ORDER 20200324-007

BY

THE MAYOR OF THE CITY OF AUSTIN

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Whereas, on March 6, 2020, a Declaration of Local Disaster was issued by Mayor Steve Adler to allow the City of Austin to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Austin residents; and

Whereas, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Abbott to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

Whereas, the COVID-19 virus is contagious and spreads through person-to-person contact, especially in group settings; and

Whereas, on March 15, 2020, the Centers for Disease Control and Prevention (“CDC”) recommended that organizers (whether groups or individuals) cancel or postpone in-person events that consist of 50 people or more throughout the United States; and

Whereas, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people’s interactions, including that Americans should avoid groups of more than 10 people; and

Whereas, on March 19, 2020, Governor Abbott issued Executive Order GA 08 Relating to COVID-19 Preparedness and Mitigation stating people shall avoid social gatherings in groups of more than 10 people and closed all schools until April 3, 2020; and

Whereas, on March 20, 2020, and March 21, 2020 due to the substantial risks to the public, Mayor Steve Adler issued an order deeming it in the public interest to prohibit anywhere in the City of Austin, Social Gatherings of more than 10 people; and also to prohibit gatherings of more than 10 people for other than social purposes, unless social distancing could be maintained and controlled; and to identify critical infrastructure;

Whereas, further restriction of movement of persons is necessary to reduce the substantial risk of harm to the public and, therefore, as long as this Order is in effect, all individuals anywhere in the City of Austin are required to shelter in place, except to perform certain essential activities, or to perform work in or obtain services from an Essential Business, Essential Government Service, or in Critical Infrastructure.

NOW THEREFORE, I, MAYOR OF THE CITY OF AUSTIN, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER THAT:

SECTION 1. Stay at Home or Place of Residence. Effective as of 11:59 p.m. on March 24, 2020, and continuing until April 13, 2020, unless terminated or modified by a subsequent Order, the Mayor of the City of Austin, Texas, deems it in the public interest to issue this Order and **ORDERS** that all individuals currently living within the City of Austin shelter at their place of residence except as allowed by this Order. To the extent individuals are using shared or outdoor spaces, they shall, to the greatest extent feasible, maintain social distancing of at least six feet from any other person, consistent with the Social Distancing Requirements, as defined in Section 6 below, and as is set out in the Austin/Travis County Health Authority Requirements in Exhibit A, incorporated in this Order by reference. All persons may leave their residences only to perform certain Essential Activities, to perform work in or obtain services from an Essential Business, Essential Government Service, or in Critical Infrastructure, or to engage in Essential Travel or Minimum Basic Operations all as defined in Section 6 below.

SECTION 2. Non-Essential Business and Operations Must Cease. All businesses or operations with a facility in the City of Austin, except Essential Businesses and Essential Government Functions as defined in Section 6 below, are required to cease all activities at facilities located within the City except Minimum Basic Operations as defined in Section 6 below. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

All Essential Businesses Essential Government Service, and Critical Infrastructure. are strongly encouraged to remain open, especially those that provide the basic necessities for food, water, and shelter. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 6 below.

This Order shall not be construed to hinder the ability of the industries identified in the U.S. Department of Homeland Security Cyber and Infrastructure Security Agency's ("CISA") Essential Critical Infrastructure Workforce Memorandum dated March 19, 2020 to continue their operation appropriately modified to account for CDC workforce and consumer protection guidance, and the list of industries identified on that memorandum is incorporated in this Order by reference.

SECTION 3. Prohibited Activities. All public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited, except for the limited purposes as expressly permitted by this Order. Nothing in this Order prohibits the gathering of members of a household or dwelling unit.

SECTION 4. Travel. All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, is prohibited except for purposes of Essential Travel, performing Essential Activities or going to work in an Essential Business, Government Facility, or Critical Infrastructure. as defined in Section 6 below. To the greatest extent feasible, people riding on public transit shall comply with Social Distancing Requirements as defined in Section 6 below.

SECTION 5. Prior Order. That the findings and recitations set out in the preamble to this ORDER are found to be true and correct and they are hereby adopted by the Mayor and made a part hereof for all purposes. This Order rescinds and replaces prior Order No. 20200321-006.

SECTION 6. Definitions and Exemptions.

- a. **Individuals experiencing homelessness** are exempt from this Order except that, to the extent individuals are using shared or outdoor spaces, they shall, to the greatest extent feasible, maintain social distancing of at least six feet from any other person, consistent with the Social Distancing Requirements, as defined in this Section, below. Individuals experiencing homelessness are strongly urged to obtain shelter. Governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable and to use COVID-19 risk mitigation practices in their operation.
- b. **Essential Activities.** For purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities.” But people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.
 - i. **For Health and Safety.** Individuals may engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), to work for or obtain services at any “Healthcare Operations,” as defined in Section 6.f.i., below;
 - ii. **For Necessary Supplies and Services.** Individuals may obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, including pet supplies and food, supplies they need to work from home, household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;
 - iii. **For Outdoor Activity.** Individuals may engage in outdoor activity, such as, by way of example and without limitation, walking, hiking, bicycling, or running provided the individuals comply with Social Distancing Requirements as defined in this Section;
 - iv. **For Certain Types of Work.** Individuals may perform work providing essential products and services at an Essential Business, Government Service, or Critical Infrastructure, or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations; or
 - v. **To Take Care of Others.** Individuals may care for a family member or pet in another household.

- c. **Critical Infrastructure.** As defined in Exhibit B, incorporated in this Order by reference.
- d. **Essential Government Functions.** All sworn Police Department, Fire Department, and Emergency Medical Services personnel, emergency management personnel, and emergency dispatchers; all court personnel, child protection and child welfare personnel; all military personnel; all personnel working for companies (including their subcontractors) who perform under contract to the Department of Defense providing materials and services to the Department of Defense; all personnel working for companies (including their subcontractors) who perform work under contract to State or Federal Governmental Entities for which they are required under state or federal law to remain open; and all law enforcement personnel, housing and shelter personnel, and others working for or to support Essential Businesses or Critical Infrastructure are categorically exempt from this Order. This Order does not apply to the Federal or State Government.

For purposes of this Order, “Essential Government Functions” means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public and all agencies that provide for the health, safety and welfare of the public. Each governmental body shall determine its Essential Government Functions and identify employees and/or contractors necessary to perform those functions. To the extent feasible, all Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined this Section,

- e. **Businesses Covered by this Order.** For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.
- f. **Essential Businesses.** For the purposes of this Order, “Essential Businesses” means:
 - i. **Healthcare Operations.** Healthcare Operations and Critical Infrastructure, including but not limited to caregivers, hospital and laboratory personnel, and pharmacy employees, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, and related retail sales or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare and life-saving services provided to animals. This shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness and exercise gyms or other similar facilities and does not include retail outlets that specialize in the selling of electronic cigarette products or cannabidiol products;
 - ii. **Stores that sell Groceries and Certain Other Essential Supplies.** Grocery stores, supermarkets, big-box stores, farmers’ markets, food banks, convenience stores, liquor stores and other establishments engaged in the retail

sale of canned food, dry goods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;

- iii. **Food Cultivation.** Food cultivation, including farming, livestock, and fishing;
- iv. **Social Services and Charitable Organizations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- v. **News Media.** Newspapers, television, radio, and other news media services;
- vi. **Gas Stations and Businesses Needed for Transportation.** Gas stations, automobile dealerships, auto-manufacturing and assembly, auto-supply, auto-repair, and other related facilities;
- vii. **Financial Institutions.** Banks and related financial institutions, consumer lenders, sales and finance lenders, credit unions, appraisers, title companies, pawnshops, entities that issue bonds, insurance companies, underwriters, agents, brokers, and related insurance claims and agents;
- viii. **Hardware and Supply Stores.** Hardware stores and businesses that sell electrical, plumbing, and other material necessary to support Essential Businesses, Critical Infrastructure, and Essential Government Functions;
- ix. **Critical Trades.** Plumbers, electricians, exterminators, pool cleaners, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, essential activities, Essential Businesses, Essential Government Functions, or Critical Infrastructure, including but not limited to utilities such as electricity, gas, water and wastewater, and other public works;
- x. **Mail and Delivery Services.** Businesses providing mailing and shipping services, including post office boxes;
- xi. **Laundry Services.** Laundromats, dry cleaners, and laundry service providers;
- xii. **Restaurants for Consumption Off-Premises.** Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;

- xiii. **Supplies to Work from Home.** Businesses that supply products needed for people to work from home;
- xiv. **Supplies for Essential Businesses, Critical Infrastructure and Essential Government Functions.** Businesses that supply other Essential Businesses, Critical Infrastructure, and Essential Government Functions with the support, supplies, or components necessary to operate including but not limited to computers, audio and video electronics, microelectronics, semiconductors, hardware, paint, electrical and plumbing material, sanitary equipment, medical equipment, and food and beverages;
- xv. **Food Delivery Services.** Businesses that ship or deliver groceries, food, goods or services directly to residences;
- xvi. **Transportation.** Aircraft, taxis, and other private transportation providers (such as Uber and Lyft) that provide transportation services necessary for the performance of essential activities, Essential Businesses, Critical Infrastructure, Essential Government Functions, or Essential Travel;
- xvii. **Home-Based Care and Services.** Home-based care for seniors, adults, or children, including caregivers who may travel to provide care;
- xviii. **Residential Facilities and Shelters.** Residential facilities and shelters for seniors, adults, children, and animals;
- xix. **Professional Services.** Professional services, such as legal or accounting services, insurances services, and real estate services when necessary to assist in compliance with legally mandated activities or to further Essential Businesses, Essential Government functions, or Critical Infrastructure;
- xx. **Information Technology Services.** IT and IT services and their essential services vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, web-based services, and critical manufacturing as well as telecommunications services, internet access, and broadband/communications services;
- xxi. **Moving Supply Services.** Businesses that provide residential and/or commercial moving services and necessary moving supplies;
- xxii. **Hotels and Motels.** Hotels and motels, to the extent used for lodging or delivery or carry-out food services;
- xxiii. **Funeral Services.** Funeral, mortuary, cremation, burial, cemetery, and related services, provided that social distancing of six feet per person is maintained to the greatest extent possible;

- xxiv. **Educational Institutions.** Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning, performing critical research, or performing other essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible; and
- xxv. **Childcare Facilities.** Childcare facilities providing services that enable individuals exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:
 - 1. Childcare must be carried out in stable groups of 10 or fewer (“stable” means that the same 10 or fewer children are in the same group each day).
 - 2. Children shall not change from one group to another.
 - 3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
 - 4. Childcare providers shall remain solely with one group of children.
- g. **Minimum Basic Operations.** For the purposes of this Order, “Minimum Basic Operations” include the following, provided that employees comply with Social Distancing Requirements as defined in this Section, to the extent possible, while carrying out such operations:
 - i. The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions; or
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- h. **Essential Travel.** For the purposes of this Order, “Essential Travel” includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.
 - i. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, Critical Infrastructure, or Minimum Basic Operations;
 - ii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons;
 - iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, or any other related services;
 - iv. Travel to return from or to a place of residence from outside the jurisdiction (e.g., returning home from a closing university);
 - v. Travel required by law enforcement or court order;

- vi. Travel by church staff/clergy for the purpose producing of remote delivery of religious services or other ministries requiring travel; or
 - vii. Travel required for non-residents to return to their place of residence outside the City. Individuals are strongly encouraged to verify that their transportation out of the City remains available and functional prior to commencing such travel.
- i. **Residences.** For purposes of this Order, residences include hotels, motels, shared rental units, and similar facilities.
 - j. **Social Distancing Requirements.** For purposes of this Order Social Distancing Requirements include maintaining at least a six-foot distance from other individuals, washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

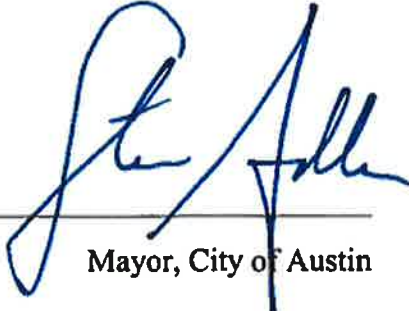
SECTION 7. The City of Austin SUSPENDS all deadlines imposed by City Code, ordinance, rule, or other regulation until May 1, 2020.

SECTION 8. Enforcement. Peace officers, City of Austin Code Department inspectors, and the Office of the Austin Fire Marshal, are hereby authorized to enforce this order. Persons who violate this Order violate Austin City Code section 2-6-24. A violation of this order may be punishable through criminal or civil enforcement. A violation is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. A violation of this order may be enforced by the filing of a probable cause affidavit alleging the criminal violation with the appropriate court or by issuing a citation to the person violating, that contains written notice of the time and place the person must appear before a magistrate of this state, the name and address of the person charged, and the offense charged.

SECTION 9 Posting of this Order. The Austin Public Health Department will post this Order on its website.

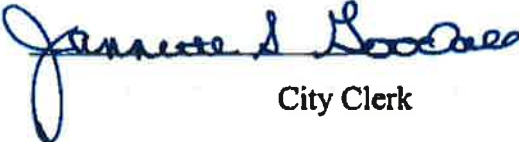
SECTION 10. Savings Clause. If any provision of this Order or its application to any person or circumstance is held by a court of competent jurisdiction to be invalid or unconstitutional, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

ORDERED this the 24th day of March, 2020, in the City of Austin, Travis County, Texas, in witness whereof I subscribe my name and cause to be affixed the seal of the City of Austin.



Mayor, City of Austin

Filed with me, the City Clerk of the City of Austin, this 24th day of March, 2020, by Mayor Steve Adler, whose signature I hereby attest under my hand and the seal of the City of Austin.



City Clerk

Exhibit A

Austin/Travis County Health Authority Requirements

- 1) **COVID-19 Positive Individuals, Suspected Positives, those being tested, and Household Members**
 - COVID-19 Positive Individuals, Suspected Positives, those currently being tested, and Untested Individuals with cough and/or fever:
 - Prohibited from leaving residence without a surgical or similar mask to prevent the spread to others.
 - The following activities are permitted while wearing a mask:
 - Seeking emergency medical care related or unrelated to COVID-19. In doing so, you shall notify first responders at the time of the call to 911 or prior to presentation to other healthcare resources.
 - Walking or exercising alone in the immediate vicinity of your residence.
 - Prohibited from leaving Travis County without prior notification to Austin Public Health at APH.Preparedness@austintexas.gov.
 - Shall practice social distancing within the residence, observe hygiene practices for prevention of household spread in accordance with CDC guidelines
 - Shall notify Austin Public Health at APH.Preparedness@austintexas.gov if the residence does not allow for physical separation from other household contacts (separate room)
 - Shall notify Austin Public Health at APH.Preparedness@austintexas.gov if a member of your household is over the age of 60 and/or if they have underlying medical conditions identified by the CDC of increasing the risk of complications from COVID-19
 - Shall remain in home quarantine for no less than 7 days following the onset of their illness and at least three days (72 hours) after the conclusion of their illness (resolution of fever without medications and improvement in cough and shortness of breath).
 - Household Members of COVID-19 Positive Individuals, Suspected Positives, those currently being tested, or Untested Individuals with cough and/or fever.
 - Prohibited from leaving residence without a surgical or similar mask to prevent the spread to others.
 - The following activities are permitted while wearing a mask:
 - Seeking emergency medical care related or unrelated to COVID-19. In doing so, you shall notify first responders at the time of the call to 911 or prior to presentation to other healthcare resources.
 - Walking or exercising alone in the immediate vicinity of your residence.
 - Prohibited from leaving Travis County without prior notification to Austin Public Health at APH.Preparedness@austintexas.gov.
 - Shall practice social distancing within the residence, observe hygiene practices for prevention of household spread in accordance with CDC guidelines
 - Shall notify Austin Public Health at APH.Preparedness@austintexas.gov if the residence does not allow for physical separation from other household contacts (separate room)

- Shall notify Austin Public Health at APH.Preparedness@austintexas.gov or your Primary Care Provider if you develop symptoms consistent with COVID-19 as defined by the CDC.
- Shall remain in home quarantine for no less than 14 days following the last exposure to individuals with confirmed or suspected COVID-19.

2) Vulnerable Populations Shall Limit Outings

- Vulnerable populations include people who:
 - Are 60 years old and older; or
 - Have certain health conditions such as heart disease, lung disease, diabetes, kidney disease, Human Immunodeficiency Virus (HIV), Acquired Immune Deficiency Syndrome (AIDS) and weakened immune systems.
- For vulnerable populations, don't go to group gatherings unless it is essential. If you can telecommute, you should. Avoid people who are sick.

3) Workplace and Businesses, if allowed, shall Minimize Exposure

- Suspend nonessential employee travel.
- Prohibit employees working within six (6) feet of one another, unless necessary to provide continuity of Essential Activities, including minimizing or canceling in-person meetings and conferences.
- Require employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Permit sick employees to stay home without providing a doctor's note.
- Utilize telecommuting options to minimize person-to-person interaction.
- Alter schedules for employees so not all employees are present at one time but are present at alternative days and times, unless necessary to provide continuity of Essential Activities.
- Shall ensure that queuing inside and outside of the business, facility or workplace can maintain and control six (6) feet of separation between customers.

4) Essential Activities and Gatherings

- Except as permitted by the Order, all other private or public gatherings are prohibited while this Order is in effect and should be postponed to the future.
- At a minimum for all Essential Activities, the following is required during the entire duration of the activity:
 - Do not attend any activity if sick;
 - Have hand washing capabilities, hand sanitizers, and tissues available;
 - Frequently cleaning high-touch surface areas like countertops, doorknobs, and handrails; and
 - Physical space (minimize of six (6) feet between people) must be maintained to minimize close contact as much as possible.

5) Schools and Daycare: Safety First

- Do not have your child attend school or childcare if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school and childcare attendance.

- Frequent re-education of students and staff regarding personal hygiene measures (handwashing, etc.) and ensuring that appropriate signs are posted.
- Schools and childcares shall equip all rooms with hand sanitizers and tissues.
- Reschedule or cancel events that are not essential, even if the events would otherwise comply with the Order.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures and families should prepare accordingly, including preparation for the possibility of closure.

6) Grocery Stores, Pharmacies and Liquor Stores shall:

- Establish controls to require a minimum of six feet of distance between patrons in lines queuing outside and inside stores. Controls may include, but are not limited to, requiring each person to take a shopping cart or placing markers on the floor.
- Increase the use and capability of drive-thru, curbside, or delivery services.
- Limit or restrict the number of customers permitted in a store at one time.
- Minimize the number of employees working within six (6) feet of one another.
- Provide hand washing capabilities, hand sanitizers, and tissues.
- Frequently clean high-touch surface areas like countertops, doorknobs, and handrails.

EXHIBIT B

Critical Infrastructure Designations and Obligations

1. "Critical Infrastructure" is defined as all public and private facilities and assets, including both physical and cyber systems, and other functions and sectors vital to the security, governance, public health, safety, and economic continuity of the City of Austin.
2. Critical Infrastructure, includes but is not limited to the following:
 - a. banking and financial institutions;
 - b. transit and transit facilities, transportation services, equipment and facilities;
 - c. power, water, telecommunications, natural gas, and public utilities;
 - d. critical manufacturing including components for primary metals, machinery, electrical equipment and components, health and safety products and equipment, and transportation equipment;
 - e. auto and vehicle parts manufacturing and assembly plants;
 - f. technology manufacturing companies;
 - g. information and communications, including press;
 - h. emergency services;
 - i. public health and medical services;
 - j. fire and law enforcement;
 - k. public works;
 - l. agriculture and food;
 - m. airport facilities and operations;
 - n. sanitation services;
 - o. other City government buildings or facilities, as designated by the City Manager;
 - p. Construction, including public works construction, and construction of affordable housing or housing for individuals experiencing homelessness, social services construction, and other construction that supports essential uses, including essential businesses, government functions, or critical infrastructure, or otherwise as required in response to this public health emergency; and
 - q. Personnel and industries identified in the U.S. Department of Homeland Security Cyber and Infrastructure Security Agency's ("CISA") Essential Critical Infrastructure Workforce Memorandum dated March 19, 2020, to continue their operation appropriately modified to account for CDC workforce and consumer protection guidance.
3. **Recommendations for Employees:**
 - a. Employees who work in and around Critical Infrastructure should refrain from reporting to work when falling within any of the following criteria and should

follow the initial self-quarantine recommendations:

- i. Has signs or symptoms of a respiratory infection, such as a cough, shortness of breath, or sore throat;
- ii. Has a fever greater than 99.6°F;
- iii. In the previous 14 days has had contact with someone with a confirmed diagnosis of COVID-19 and did not have the appropriate personal protective equipment designated by the Centers for Disease Control and Prevention (CDC); is under investigation for COVID-19; or is ill with a respiratory illness; or
- iv. has traveled to an area the World Health Organization or CDC considers a "Hotspot."

4. REQUIREMENTS FOR EMPLOYERS:

- a. Employers include public and private employers located and operating in and out of Critical Infrastructure. To prevent stigma and discrimination in the workplace, employers shall only adhere to the recommendations described in this Order to determine risk of COVID-19. Employers should contact their own human resources advisors and shall not make determinations of risk based on race, color, religion, sex, sexual orientation, gender identity, age, familial status, disability, marital status, student status, creed, national origin. To the extent possible, employers should maintain confidentiality of people with suspected or confirmed COVID-19.
- b. Employers shall follow the Requirements in Exhibits A and B, as applicable.
- c. Employers shall only allow persons in and around Critical Infrastructure that are: (1) employees not subject to any of the criteria in 3.a. above, (2) customers or members of the public to the extent Social Distancing can be maintained and the Requirements in Exhibit A are followed, and (3) persons with legal authority to enter such as law enforcement.
- d. Prior to allowing employees into its facility, employers shall ask all employees if they meet any of the criteria in 3.a. above, and shall direct employees to return home if the employee is exhibiting symptoms and presenting a threat of infecting other employees at the Critical Infrastructure facility.
- e. Employers shall immediately separate an employee who becomes sick or demonstrates a temperature greater than 99.6°F while at work from other employees and send that employee home.
- f. Human resources departments at Critical Infrastructure facilities shall create alternate work plans to help employees remain productive while keeping the workforce safe and healthy.

- g. Employers are strongly encouraged to require employees (either those exhibiting symptoms or all employees) to undergo non-invasive temperature readings prior to entering a Critical Infrastructure facility; however, **employers are not mandated to take the temperature of employees prior to entrance to its facility.** If the employer does take employees' temperatures and/or has first-hand knowledge that the employee's temperature exceeds 99.6°F, then the employer shall prohibit the employee from entering the facility or property.
- h. Employers shall create and implement an infectious disease response plan.

5. FUTURE REQUIREMENTS FOR TEMPERATURE SCREENING OF CRITICAL INFRASTRUCTURE EMPLOYEES.

When there are sufficient supplies and a need is determined by the Health Authority, it may be ordered that employers screen the temperature of all employees entering facilities. Notice of this requirement will be posted on Austin/Travis County Public Health Authority and the Travis County websites. Whenever possible, the Health Authority will attempt to provide written notice by email to impacted entities