

March 20, 2020

# **Executive Order 202.6 – Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency**

In further response to the Coronavirus or COVID-19, on March 18, 2020, Governor Andrew Cuomo signed Executive Order 202.6, mandating that all non-essential businesses reduce their in-person workforce by 50% by March 20, 2020 at 8:00 p.m.

On March 19, 2020, Governor Cuomo announced an adjustment to that mandate, increasing the reduction to 75% in order to keep more workers home. The Executive Order provides the following:

- Effective March 20, 2020 at 8:00 p.m., all businesses and not-for-profit entities in New York must utilize, to the maximum extent possible, telecommuting or work from home procedures;
- By no later than March 20, 2020 at 8:00 p.m., employers must reduce their in-person workforce at any location by 50% (expected to be 75%), with the exception of essential businesses.
- Essential businesses, which are not subject to the restrictions, include:
  - Essential health care operations (i.e., research and laboratory services)

- Essential infrastructure (i.e., utilities, telecommunication, airports and transportation infrastructure)
- Essential manufacturing (i.e., food processing, pharmaceuticals)
- Essential retail (i.e., grocery stores, pharmacies)
- Essential services (i.e., trash collection, mail, shipping services)
- News media
- Banks and related financial institutions
- Providers of basic necessities to economically disadvantaged populations
- Construction
- Vendors of essential services necessary to maintain safety, sanitation and essential operations of residences and essential business
- Vendors of essential services that provide essential services or products, including logistics and technology support, child care and services needed to ensure the continuing operation of government agencies and provide for the health, safety and welfare of the public
- Other businesses deemed essential after requesting an opinion from the Empire State Development Corporation.
  - The Empire State Development Corporation will make such determinations by March 19, 2020 at 5:00 p.m.

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If you have any questions concerning this alert, please do not hesitate to contact us.

**[PUTNEY, TWOMBLY, HALL & HIRSON LLP](#)**