



Frequently Asked Questions for North Carolina's Stay At Home Order March 27, 2020

On Friday, March 27, 2020 Governor Roy Cooper signed Executive Order 121, ordering North Carolinians to remain in their homes except for performing essential work and essential activities such as taking care of others, obtaining necessary supplies, and for health and safety purposes.

This Stay at Home Order will help slow the spread of COVID-19 and prevent the medical system from being overwhelmed by keeping individuals from being exposed to the virus and keeping those who have the virus from spreading it to others.

Below are frequently asked questions and answers. In addition, individuals should check with local governments to determine whether additional restrictions have been imposed in their local jurisdictions to limit the spread of COVID-19. Please note that Executive Order 121 modifies some sections of previous Executive Orders, but sections not modified are still in effect.

This information is subject to change in light of new CDC guidance and additional Executive Orders or local government declarations.

FAQs for Stay at Home Order

This Order permits the following businesses to remain open:

- Restaurants that provide take-out, drive-thru, or delivery
- Grocery stores
- ABC stores and beer and wine stores
- Doctors and other healthcare providers
- Pharmacies
- Hardware stores
- Post offices
- Office supply stores
- Gas stations and convenience stores
- Veterinarians and pet supply stores
- Hotels, airlines, buses, taxis, and rideshare services
- Places of worship

- Child care providers (that are following the required NCDHHS procedures)

For a full list of essential businesses, please see the Order.

What does “Stay at Home” mean?

It means people should stay at their residence and limit social interactions and travel for essential activities or essential business purposes.

When does the Order take effect?

The Order takes effect on Monday, March 30 at 5:00 PM.

When will this Order be lifted?

This Order is valid for 30 days through April 29, 2020 but can be revised or extended.

Is this Executive Order mandatory or is it just guidance?

This Order is mandatory. All persons and other entities are required to comply if they do not fall within the exemptions that are specified in the Order.

How will this Executive Order be enforced?

Governor Cooper is seeking voluntary cooperation from all state residents and businesses to ensure the health and safety of our communities. If voluntary cooperation is not achieved, state and local law enforcement officers have the authority to enforce the Order.

Various local counties and cities have issued their own shelter in place orders. How do the state and local orders correlate with one another?

People in North Carolina must abide by this statewide Order. To the extent that a local order contains more restrictive requirements, the more restrictive local Order must be followed.

Can I leave my home to visit friends or family members?

Individuals may leave their homes to care for a family member or friend, or to help their family member or friend get essential goods or receive necessary health care. Individuals should not visit with friends or family members if there is no urgent need.

What if I require medical attention?

Individuals may leave their homes to receive necessary medical care. If you have symptoms of COVID-19, please follow [guidance \(https://www.ncdhhs.gov/divisions/public-health/coronavirus-disease-2019-covid-19-response-north-carolina/what-covid-19\)](https://www.ncdhhs.gov/divisions/public-health/coronavirus-disease-2019-covid-19-response-north-carolina/what-covid-19) provided by the North Carolina Department of Health and Human Services. If you have mild symptoms, stay home and call your doctor.

Can I leave my home to exercise?

People are encouraged to maintain healthy lifestyles, including outdoor recreational activity, such as walking pets and jogging. While exercising, individuals should maintain social distancing and continue to take protective measures to maintain their personal health and wellbeing.

Does this Order prohibit outside group exercise?

As long as the group abides by the mass gatherings provision in the Order (no more than 10 people) and maintains adequate social distancing, this activity is not prohibited, but it is strongly discouraged.

What if my home is not a safe environment?

Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternate location, which can include a hotel or shelter.

Can I take my kids to the park?

Unless your local jurisdiction has closed parks, people may go to public parks and open outdoor recreation areas while following social distancing and mass gathering guidelines. Public playgrounds and their equipment are closed for use statewide.

Are the entertainment, personal care, and grooming businesses that are closed under Executive Order 120 supposed to remain closed?

Businesses prohibited from operating under Executive Order 120 shall remain closed.

What businesses may remain open?

Essential businesses as defined in the Order may remain open. Other non-essential businesses must remain closed unless permitted by the Secretary of Revenue.

Establishments required to close under previous executive orders must remain closed.

Does my business need any documentation to continue operating?

Businesses and not-for-profit organizations that are deemed essential as defined by the Order do not need any documentation from the State to continue operations. Employees are not required to have specific documentation to report to work under this Order.

What if my business is not listed as essential and I cannot conduct business operations and maintain social distancing between employees?

If your business is not included in the list of Essential Businesses and Operations and you believe it is essential, you can submit an application to the North Carolina Department of Revenue (NCDOR). NCDOR will review applications to determine whether the business is necessary to properly respond to this COVID-19 pandemic. NCDOR will post on its website a point of contact and procedures for businesses seeking an essential designation.

What if my business does not fall within an exception and must close?

Businesses that are required to cease all activities are still allowed to continue Minimum Basic Operations. These operations include activities necessary to maintain the value of the business's inventory; preserve the condition of the business's physical plant and equipment; ensure security; process payroll and employee benefits, or related functions; and, activities to support employees who are working remotely. However, employees must comply with social distancing requirements, to the extent possible, while carrying out such operations.

If my business was previously required to close under an Executive Order or a local Stay at Home order, are there any circumstances under this Order that would allow me to re-open?

No.

Does this Order prohibit operations of child care centers and other child care providers?

No. Although child care providers are urged to remain open for first responders and essential employees, they are also open to the general public. All open child care providers must follow the NCDHHS emergency child care operations and financing guidance.

Are religious functions allowed?

Religious gatherings are subject to the mass gathering ban and may not have more than 10 people. Participants should practice social distancing.

Are weddings allowed?

Weddings are subject to the mass gathering ban and may not have more than 10 people. Participants should practice social distancing.

Are funerals allowed?

Funerals are time-sensitive events and may not have more than 50 people. Participants should practice social distancing.

Can I still attend religious services?

The Order allows individuals to attend their places of worship if they follow the mass gathering ban and do not have more than 10 people assembled. Social distancing should be practiced. Places of worship are encouraged to stream their services online to accommodate people complying with the Order.

Are car dealerships open during the emergency?

Car dealerships, and other places that sell automobiles, are essential businesses that may provide relief for those who have transportation issues during the emergency and are permitted to remain open.

Can I still mail items and get deliveries?

Yes. The postal service and private mail and delivery services are essential businesses and will remain open.

Can I still go to my substance abuse treatment groups (e.g. Alcoholics Anonymous or Narcotics Anonymous) or other group counseling sessions?

Group counseling sessions are subject to the mass gathering ban and may not have more than 10 people. Participants attending in person should practice social distancing. Group counseling services are urged to conduct meetings remotely if they are equipped to do so. Groups should make accommodations for remote support to the maximum extent feasible.

Can I visit loved ones in the hospital, nursing home, skilled nursing facility, or other residential care facility?

You may visit a hospital or other healthcare facility only to obtain health care services and supplies. Do not visit a nursing home, skilled nursing facility, residential care facility or any other long term care facility unless it is an end-of-life visit.

Can I carry out a court-ordered visit with my kids?

Yes. To the extent possible, maintain social distancing with individuals other than your child and limit meetings to places and activities that are permitted under this Order, such as outdoor parks.

What if I still have to go to work?

Businesses have been encouraged to implement remote working policies for their employees. If you have been designated essential by your employer, you should continue to go to work and practice social distancing to the extent possible.

Where can I report a business that is operating in violation of the Order?

Governor Cooper is seeking voluntary cooperation from all state residents and businesses to ensure the health and safety of our communities. If voluntary cooperation is not achieved, state and local law enforcement officers have the authority to enforce the Order.

Are gun stores allowed to operate?

Gun stores implementing social distancing requirements for employees and customers as defined in the order may remain open.

Are golf courses allowed to stay open?

Golf courses implementing social distancing requirements for employees and customers as defined in the order may remain open.

What is the current number of people that can gather under the mass gathering requirements?

A mass gathering is defined as no more than ten (10) people.

What are social distancing requirements?

- Maintaining at least a six foot distance from other individuals;
- Washing hands using soap and water for at least twenty seconds as frequently as possible or the use of hand sanitizer;

- Regularly cleaning high-touch surfaces;
- Facilitating online or remote access by customers if possible.



**Frequently Asked Questions ("FAQ") for
Executive Order No. 118 and Order of Abatement
March 19, 2020**

During a state of emergency, the Governor has the constitutional authority to perform and exercise functions, powers, and duties as are necessary to promote and secure the safety and protection of the civilian population. This FAQ provides guidance for the implementation of Executive Order No. 118 (Order <https://files.nc.gov/governor/documents/files/EO118.pdf>) and the Order of Abatement of Imminent Hazard issued by the Secretary of the NC Department of Health and Human Services (Order of Abatement <https://files.nc.gov/ncdhhs/documents/files/covid-19/Abatement-Order--Final-3-17-19.pdf>). Individuals should check with local governments to determine whether additional restrictions have been imposed in local jurisdictions to limit the spread of COVID-19.

The COVID-19 emergency is rapidly evolving. Please continue to get information from reliable sources such as the DHHS webpage <https://www.ncdhhs.gov/divisions/public-health/coronavirus-disease-2019-covid-19-response-north-carolina> and the CDC webpage <https://www.cdc.gov/coronavirus/2019-ncov/community/index.html> for up to date guidance and information.

In light of new information today regarding the presence of community spread of COVID-19 in North Carolina, local jurisdictions should enforce the more stringent Order of Abatement of Imminent Hazard issued by the Secretary of the NC Department of Health and Human Services, which states that "seating areas of restaurants and bars constitute an imminent hazard for the spread of COVID-19." **Restaurants shall close all seating areas immediately and bars are directed to close immediately.** Restaurants are restricted to carry-out, drive-through, and delivery to ensure food is available while maintaining social distancing. Restaurant staff are not permitted to serve patrons indoors or in the outdoor seating area, and all areas of North Carolina are subject to mass gathering restrictions and social distancing guidelines. If a restaurant has outdoor seating, onsite consumption in the outdoor seating area is not permitted pursuant to the Order of Abatement.

Local law enforcement agencies and district attorneys are generally responsible for enforcement of the Order (N.C. Gen. Stat. § 166A-19.30(a)(2)) and the Order of Abatement. Pursuant to N.C. Gen. Stat. §§ 130A-18 and 130A-25, failure to comply with the Order of Abatement issued by the Secretary of the NC Department of Health and Human Services may result in injunctive relief against the establishment in question or prosecution for a misdemeanor offense. Violations of the Order are subject to prosecution pursuant to N.C. Gen. Stat. § 166A-19.30(d) and are punishable as a Class 2 misdemeanor in accordance with N.C. Gen. Stat. § 14-288.20A.

FAQs related to the Order and Order of Abatement

- 1) How long will restaurants and bars have to remain closed?

March 31, 2020 or until the Order and Order of Abatement are rescinded or replaced.

- 2) How does this affect country clubs, American Legion Posts, Moose Clubs, Elks Lodges and other similar clubs?

The Order and Order of Abatement define restaurants to include private or members-only clubs where food and beverages are permitted to be consumed on premise. Therefore, these clubs are restricted to offering carry-out, drive-through and delivery service only.

- 3) How does this affect hospital cafeterias that provide on-site dining facilities for employees?

Cafeterias and on-site dining facilities can provide only carry-out, drive through and delivery meals. Employees are encouraged to take their food to smaller settings to prevent large gatherings of people in one location.

- 4) How does this affect assisted living, senior living facilities, skilled nursing, and long term care facilities?

These facilities should continue to serve residents and employees only and should comply with mass gathering restrictions and social distancing guidelines.

- 5) How does this affect colleges and universities providing food service in campus cafeterias?

Cafeterias and on-site dining facilities at colleges and universities can provide only carry-out, drive through and delivery meals to students and employees. Students and employees are encouraged to take their food to smaller settings to prevent large gatherings of people in one location.

- 6) How does this affect day cares providing food service to children in their care?

These facilities should continue to serve children and employees only and should comply with social distancing guidelines.

- 7) Can airport food service facilities continue to serve food?

Yes, as long as it is carry-out or delivery. Dining areas in the airport should comply with mass gathering restrictions and social distancing guidelines. Restaurant staff are not permitted to serve patrons in the dining area.

- 8) Can I still purchase alcohol at the ABC Store and other retail establishments?

Yes, as long as it is for off-premises consumption.

- 9) Several restaurant groups have offered restaurant space as a hub for school nutrition operations, community internet access, and for storage/mustering areas. Does the Order or Order of Abatement prohibit or limit such use?

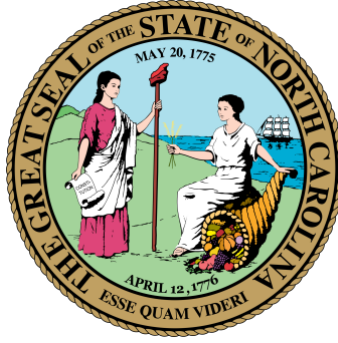
These restaurants can serve as school nutrition hubs, internet service access points and storage and muster areas. However, these operations are subject to mass gathering restrictions and social distancing guidelines. In addition, these restaurants are allowed to provide carry-out, drive-through and delivery options. Restaurant staff are not permitted to serve patrons indoors or in an outdoor seating area.

For guidance on the broadening of unemployment insurance benefits, please visit the North Carolina Department of Commerce, Division of Employment Security website:

<https://des.nc.gov/need-help/covid-19-information>

For guidance on the limiting of operations of restaurants and bars with respect to alcoholic beverages, please visit the North Carolina Alcoholic Beverage Control Commission website:

<https://abc.nc.gov/PublicResources/LegalAnnouncement/261>



Frequently Asked Questions for Executive Order No. 131

April 9, 2020

This Frequently Asked Questions (“FAQ”) document provides guidance for the implementation of Executive Order No. 131 (“Order”). On Thursday, April 9, 2020, Governor Roy Cooper issued an Executive Order that provides new required and recommended policies for retail establishments, addresses COVID-19 mitigation measures for long-term care facilities, and expedites the processing of unemployment insurance claims by expanding availability of the attached claims process.

This information is subject to change in light of new CDC guidance and additional Executive Orders or local government declarations.

Required and Recommended Policies for Retail Establishments

Which retail businesses are covered by this Executive Order?

This Executive Order (“the Order”) applies to any business in which customers enter to purchase goods or services, including, but not limited to, grocery stores, big box retail stores, pharmacies, ABC stores, banks, hardware stores, and vehicle dealerships. The Order does not apply to outdoor farmers markets. Retail businesses that have been closed by previous Executive Orders or by orders of their local governments are not permitted to reopen.

What is the occupancy limit imposed on retail establishments by the Order?

The Order limits retail establishments to no more than 20 percent of the business’s stated fire capacity, counting customers but not employees, or five customers for every one thousand square feet of the retail location’s total square footage. Retail locations may choose which of the two calculations on which they base their maximum occupancy. For the square footage calculation, it includes the full footprint of the interior building, and all retail- and non-retail space.

What other requirements does the Order place on retail establishments?

The Order requires retail establishments to clearly mark six feet of spacing in lines at cash registers and in other high-volume areas to ensure proper social distancing. It also requires businesses to perform frequent and routine cleaning of high-touch areas.

What recommendations does the Order make for retail establishments?

The Order recommends that all open retail establishments:

- Supply and encourage the use of cloth face coverings for employees if it is not possible to stay at least 6 feet apart, and provide education for employees on the use of cloth face coverings.
- Place hand sanitizer at entry and exit points, and to have wipes or sprays available to sanitize carts and baskets, and have their employees wash their hands or use hand sanitizer between each customer interaction;
- Designate exclusive shopping times for seniors and other high-risk groups;
- Post signs to remind customers and employees about social distancing; and
- Establish systems for online, email or phone ordering, no-contact curbside or drive-through pickup or home delivery, and contact-free checkout.

The Order also recommends that high-volume retail establishments use shields at cash registers, clearly mark designated entry and exit points, and provide store routing guidance.

Who will enforce the Order?

The Governor expects retail establishments will comply with the Order to ensure the safety of their employees and customers and believes that most of them will. If necessary, the Order will be enforced by local law enforcement.

Does this executive order preempt similar orders put in place by local jurisdictions?

Where local emergency prohibitions or restrictions directly contradict the Order in regard to maximum occupancy requirements, social distancing markings, and cleaning and disinfection, the Executive Order amends any prohibitions or restrictions imposed by local emergency declarations by amending any language that directly conflicts with this Section (Section 1, A-C) of the Executive Order. For these three areas specifically, the Order creates a statewide standard for retail establishments. Local emergency prohibitions or restrictions that regulate other aspects of retail establishments are not affected by this Order.

Long Term Care Risk Mitigation Measures

At what point can a sick staff person come back to work?

Long-term care facilities must remind staff to stay home while they are sick. Employees should follow CDC guidelines on returning to work, including: having no fever for three full days without the use of medicine that reduces fevers; other symptoms that have improved; and at least 7 days having passed since symptoms first appeared. The CDC guidelines can be found at <https://www.cdc.gov/coronavirus/2019-ncov/hcp/return-to-work.html>.

Employers may also consider requesting that employees who have tested positive for COVID-19 obtain a note from a qualified healthcare professional indicating that the employee is fit to return to work and that it is safe for that person to be in the workplace.

What if my facility runs out of face masks?

If you do not have a face mask, the CDC recommends wearing cloth face coverings in areas of significant community-based transmission such as long-term care facilities. Please refer to the CDC's guidance on wearing cloth face coverings at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>.

Do I have to wear a face mask at all times even when I am on break or not in the presence of residents?

Yes. Skilled Nursing Facility staff should always wear a face mask.

I just discovered that an employee/resident is suspected of having COVID-19. What should I do?

Contact your local health department immediately. Your health department will provide guidance regarding what action to take next.

I work in an independent living apartment complex, correctional facility, or another facility that is not listed in the Order. Does this Order apply to me?

These provisions only apply to the long-term care facilities listed explicitly in the Order. However, other facilities must abide by the applicable directives in other COVID-19 statewide executive orders. In addition, these facilities are encouraged to follow the COVID-19 guidance issued by the North Carolina Department of Health and Human Services at <https://www.ncdhhs.gov/divisions/public-health/covid19/covid-19-guidance>.

Are visitors allowed in long-term care facilities?

Consistent with Executive Order Nos. 120 and 121, no one should visit a nursing home, skilled nursing facility, residential care facility, or any other long-term care facility unless it is an end-of-life visit.

Expediting Processing of Certain Unemployment Insurance Claims

How will this Order assist North Carolinians who have lost their jobs as result of the COVID-19 pandemic?

This Order enables the North Carolina Division of Employment Security, the division of the North Carolina Department of Commerce which processes unemployment claims (the "Division"), to more quickly process certain claims filed by North Carolina employers as a result of the COVID-19 pandemic and to expedite the availability of financial relief to employees.

Which unemployment claims does this Order apply to?

The Order applies to those claims submitted through the “attached claims” process. This Order applies to those attached claims which are filed by an employer on behalf of an employee in the event of the employee’s partial unemployment and which are submitted through the Division’s automated process.

This Order enables the Division to exercise more flexibility with respect to processing and issuing relief for attached claims filed by employers on behalf of their employees who have suffered partial unemployment as a result of the COVID-19 pandemic.

What flexibility does this Order give to the Division with regard to processing attached claims?

Under normal circumstances, the attached claims process is only available to employers if they meet certain conditions, including that the employer have a positive credit balance with the Division at the time the claim is filed, and that the employer immediately pay to the Division the full amount of the benefit payable to the employee at the time the claim is filed. In addition, benefits issued by the attached claims process are only available for six weeks a year and an employer may only utilize the attached claims process with respect to an employee once per benefit year.

The Governor recognizes that many North Carolinians have felt the economic consequences of the COVID-19 pandemic, and wishes to lift barriers to the attached claims process to more quickly get unemployment insurance checks into the hands of North Carolinians in need.

Accordingly, the Order will enable the Division to not require that an employer filing an attached claim pay the full amount of the benefit payable to the employee at the time the claim is filed, and the Order will also enable the Division to accept those claims by employers who do not have a positive credit balance at the time the claim is filed. In addition, the Order will enable the Division to not reject claims if they are in excess of six weeks and if they are filed on behalf of employee more than once in a benefit year.

What other actions has the Division taken to get much-needed financial relief into the hands of North Carolinians more quickly?

The Division has taken a number of steps to more expediently process unemployment claims. These actions include:

- Hiring 50 new staff;
- Adding 100 staff from Division of Workforce Solutions Career Centers;
- Contracting with an additional 200-person call center;
- Adding computer servers to ensure capacity for large number of people filing online;
- Doubling printing and mail capacity to ensure timely delivery of documents; and
- Purchasing more than 500 new computers and other equipment so employees in the office and at home can work to process claim.

For more information, visit: <https://des.nc.gov/news/press-releases/2020/04/03/des-working-immediately-expand-capacity-response-surge-covid-19>.

I am a North Carolina employer seeking to file an attached claim on behalf of my employees. How do I get more information on the process and begin a claim?

To obtain information on how file an attached claim on behalf of your employees, visit: <https://des.nc.gov/need-help/covid-19-information/covid-19-information-employers>. This page will be updated with the new process following the signing of the Order.

I am a North Carolina employer seeking to file attached claims on behalf of my employees; how will this impact my 2020 first quarter unemployment payment to the Division?

The Order allows for employers seeking to file attached claims to submit their claims in advance of their 2020 first quarter unemployment payment. The 2020 first quarter unemployment payment remains due and payable to the Division.