

Governor Evers Issues Emergency Order #12 - Safer At Home

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On March 24, 2020, the State of Wisconsin issued Emergency Order #12, called the [Safer At Home Order](#), closing all non-essential businesses, prohibiting public and private gatherings of any number of people who are not part of a single household, restricting non-essential travel, and mandating that individuals stay at home, with certain exceptions, in an effort to reduce the spread of COVID-19.

This Order is **in effect from 8:00 a.m. March 25, 2020 through 8:00 a.m. April 24, 2020** or until a superseding order is issued.

There are numerous exceptions to the mandatory closures in the Order for **Essential Activities** and for **Essential Businesses and Operations**.

Essential Activities. The Order ALLOWS individuals to leave their residence to engage in Essential Activities, which include seeking medical care, obtaining necessary services and supplies, caring for family members, engaging in outdoor activity subject to social distancing, or engaging in Essential Businesses and Operations.

Essential Businesses and Operations. The order ALLOWS individuals to leave their residence to work in Essential Business Operations, which include but are not limited to, the following:

- Food and beverage production
- Agriculture
- Construction
- Businesses selling groceries and medicine
- Charitable organizations
- Banks, financial institutions, and professional service firms
- Manufacturing, distribution and supply chain for critical products/industries
- Higher education
- Critical labor functions
- Transportation
- Supplies for essential businesses and operations and essential government functions.
- Businesses on the list of essential infrastructure as identified by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA), Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response, [issued March 19, 2020](#)

A complete list of essential businesses listed in the Order can be found [here](#).

If a business/industry is not identified as being “essential” but believes that it should be, go to the [Wisconsin Economic Development Corporation’s website](#) and complete a form to request that your business be designated as “essential.”

NOTE: All Essential Businesses and Operations described in this Order “...shall meet Social Distancing Requirements between all individuals on the premises to the extent possible. Essential Businesses and Operations shall, to the greatest extent possible, use technology to avoid meeting in person, including virtual meetings, teleconference, and remote work (i.e., work from home).” Social distancing requirements includes, but is not limited to, maintaining a distance of six (6) feet between people.

Safer At Home FAQ for Businesses

- 1. Do my employees need an “essential employee” letter from management to travel to and from work?** No. At the March 24, 2020 press conference, Governor Evers’ Chief Legal Counsel, Ryan Nilsestuen, explicitly stated that the order does not require people to have certifications that they are on essential travel or that they work for essential businesses. However, if employees feel more comfortable traveling with such documentation, then employers can certainly provide such letters or statements.
- 2. Do essential businesses need a letter from their vendors stating the vendor is critical to operations of the essential business?** No. But again, if essential businesses feel more comfortable having the assurance that their vendors are also essential, such a letter may be requested.
- 3. Does CISA guidance from the federal government supersede the Safer at Home Order?** Under Wisconsin Emergency Order #12, “essential businesses operations” includes “any business or worker identified in the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) [Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response](#), updated March 23, 2020. As such, the CISA is incorporated by reference.

If you have questions about whether your business is exempt, or regarding any other issues related to the Order, please contact DeWitt’s Government Relations team.