

Wisconsin Issues “Safer at Home” Executive Order for All Non-Essential Business to Cease Operations

UPDATE: [Wisconsin’s “Safer at Home” Executive Order Goes Into Effect Wednesday, March 25](#)

On Monday, March 23, Wisconsin Gov. Tony Evers announced that he is issuing a "Safer at Home" executive order requiring all non-essential businesses in Wisconsin to cease operations. The specific details of the order are scheduled to be issued on Tuesday, March 24, and this alert will be updated once the order is published.

While we do not yet have the details of the Wisconsin order, the comparable orders issued in other states ([including Illinois](#)) generally close businesses and require people to stay in their homes, subject to key exceptions. We expect the Wisconsin order to generally track the orders in other states.

These orders contain exceptions that allow "Essential Businesses" to remain open as long as they continue only "minimum basic operations." Most orders are also clear that they do not prevent employers from requiring their employees to work from home.

The following is a list of businesses that, under other state orders, are considered "essential." This is not a comprehensive list, so if your business does not fall clearly within one of the following categories but you believe your business may be essential, we can help evaluate further.

- Providers and producers of medical services and products
- Stores that sell groceries and medicine
- Food, beverage and agriculture
- Gas stations and businesses needed for transportation
- Financial institutions
- Hardware and supply stores
- Critical trades, including plumbers and electricians, among others

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- Laundry services
- Telecommunication and internet providers
- Restaurants for off-site consumption
- Businesses that supply products that individuals need to work from home
- Businesses that sell, manufacture or supply other Essential Businesses with the support and materials needed to operate

In other states, there has been no process to register or obtain pre-clearance with any government authority as an "Essential Business." Rather, businesses need to self-evaluate whether they fall within the definition and can continue operations. We would expect the same in Wisconsin and will confirm when the order is issued.

In addition, the requirement to maintain only "minimum basic operations" in the workplace means that even businesses that are "essential" should reduce the number of personnel on-site. This means that employees of Essential Businesses who can reasonably work from home should do so.

If your business can remain open under the order, consider communicating to your main vendors that you remain open, why you are an essential business and that your vendor may also be an essential business. You may also consider a similar correspondence to your employees to provide them with assurance that they can and should continue to travel to work.

If you have any questions about the Wisconsin order, please contact a member of the [Corporate Law Practice](#), or your Reinhart attorney.

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