| **State** | **Date** | **Summary – Executive Action** | **Rail Worker / Contractor Status** | **State Website** |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |
| **Alabama -- Statewide** | 3/27/20204/3/2020Effective until 4/17/2020 | - UPDATE: **a stay-at-home order** except to perform any of “essential activities”:- Allows a person may leave his or her place of residence to perform work at “essential businesses and operations”**.****- Essential businesses and operations includes “**f**reight and passenger rail**,” and “Federally-designated critical infrastructure, defined as workers and related industries identified by the U.S. Department of Homeland Security, **Cybersecurity & Infrastructure Security Agency (CISA) in its “Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response,**” https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19, as **may be amended**.”- Supersedes any locality’s less stringent orders. | - **Rail workers and contractors** may **continue to work**. - **Specifically exempted** as essential businesses and operations – **freight and passenger rail**.- Workers and contractors designated as “**Essential Critical Infrastructure Workers**” by the DHS/CISA guidance are **exempt from the stay-at-home order – and may continue to work**. | <https://governor.alabama.gov/newsroom/covid-19/> |
| **Alabama -- Birmingham** | 3/24/2020Expired as of 4/30/2020 | - Establishes a “**shelter-in-place order**” and requires nonessential businesses to close. - Exempts businesses or persons “**providing any services**, goods or works necessary to build, operate, maintain, or manufacture **essential infrastructure**, including … **public transportation and rail**.” | - **Rail workers and contractors** provide services for **operations of “essential infrastructure.”** - **Specific exemption** from the shelter in place order applies for “**public transportation and rail**.” |  |
| **Alabama – Tuscaloosa** | 3/25/2020Effective until 4/11/2020 | - Establishes a **curfew or stay-at-home order**.- Exempts those persons or businesses “Providing any services, goods, or work necessary to build, operate, maintain or manufacture **essential infrastructure**, including… **Public transportation and rail**.” | - **Rail workers and contractors** provide services for **operations of “essential infrastructure.”** - **Specific exemption** from the shelter in place order applies for “**public transportation and rail**.” |  |
|  |  |  |  |  |
| **Alaska – Statewide Quarantine**  | 3/23/2020Effective until 4/21/2020 | - Requires individuals **arriving in Alaska to quarantine for 14 days** – **unless they work in critical infrastructure**.- **Exempt** from the arrival quarantine includes “airlines, **railroads**, taxis, and **other private transportation providers providing transportation services**.” | - **Rail workers and contractors** provide services for **operations of “essential infrastructure.”** - **Specific exemption** from the shelter in place order applies for “**public transportation and rail**.” | <http://dhss.alaska.gov/dph/Epi/id/Pages/COVID-19/default.aspx> |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker / Contractor Status** | **State Website** |
| **Alaska --** **Statewide Business Closure**  | 3/27/2020Effective until rescinded | - Requires “**All businesses within Alaska, except those specifically exempted** below, are required t**o cease all activities** at facilities located within the state”- **Incorporates by reference the** [Memorandum on Identification of Essential Critical Infrastructure Workers](https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce) during COVID-19 Response issued by the **Cybersecurity and Infrastructure Security Agency** of the United States Homeland Security on March 19, 2020.- Incorporates federal guidance from Treasury Department and Department of Defense.- Order 12 requires submission of a plan to maintain operations and avoid spread of COVID 19 to akcovidplans@ak-prepared.gov. - Order 12 prohibits intrastate travel – except to support critical infrastructure. | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by the DHS/CISA guidance are **exempt from the business closure order and the ban on intrastate travel – and so may continue to work**. |  |
|  |  |  |  |  |
| **Arizona** | 3/23/20203/30/2020Effective until 4/30/2020 | - UPDATE: **Requires residents to limit their time away from home****- Exempts essential activities** for “**Essential Functions**” as defined in prior order.**- No requirement** “**to provide documentation or proof of their activities.”** - Original order **prohibits counties, cities, and counties from issuing orders that restrict performance of an essential function** (**state preemption of local activities**).- Defines as “**Essential Functions**”: “**Essential Infrastructure Operations** … **railroads** **and public transportation**” - “Essential Infrastructure shall be **construed broadly to avoid any impacts** to essential infrastructure, broadly defined.”- Order exempts “Transportation” as essential, encompassing “other **private, public and commercial transportation and logistics providers** necessary for all categories of “Essential Operations.” | - **Rail workers and contractors** provide services defined as “**essential functions**” based on the specific reference to “**railroads**,” which should be “**construed broadly**.”- By operation of the order, **no locality in the State can prohibit movement of railroad workers and contractors**.-Updated order states that **no documentation is needed** to prove performance of essential activities. | <https://az.gov/government-0> |
|  |  |  |  |  |
| **Arkansas** | 3/11/20204/4/2020Effective until terminated | - UPDATE: Declares an **emergency and limits gatherings to 10 or less, but exempts “businesses, manufacturers”****-** Requires social distancing protocols for businesses and manufacturers**-Allows hotels and places of lodging to remain open** but to only admit certain individuals, including **those away from home for work or work-related travel.**- **Prevents city or locality curfew orders** from being interpreted to **prevent** **commerce or travel and shall not prohibit people form going to work**. - Dept of Health issued guidance stating “If you have had close contact with a person who **tested positive for COVID-19 or traveled from New York state or any international location** within the last 14 days, **your medical provider will recommend that you home quarantine. You must remain home for 14 days** after you had last contact with that the person who tested positive or left that country to prevent the spread of the virus**.****Prior Order that preempts locality restrictions remains in effect**: “No quarantine regulations of commerce or travel shall be instituted or operated by any place, city, town or county against another place, city, town, or county in this state or any other state.” | - By operation of the prior executive order that remains effective, **no locality in the State can prohibit movement of railroad workers and contractors**.- **Rail workers and contractors my continue to work**, but businesses must comply with social distancing.-No exemption noted for self-quarantine guidance | <https://govstatus.egov.com/ar-covid-19> |
|  |  |  |  |  |
| **California** | 3/19/2020Effective until further notice | - Requires Californians to **stay at home** – except for performing **essential activities**. - All individuals living in California to stay home or at their place of residence **except as needed to maintain continuity of operations of the federal critical infrastructure sectors**, as outlined at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>– the DHS/CISA guidance on “Essential Critical Infrastructure Workers,” initially issued in March 2020.**- “**Californians working in these 16 critical infrastructure sectors may **continue their work because of the importance of these sectors to Californians' health and well-being**.” | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by the DHS/CISA guidance are **exempt from the stay-at-home order – and may continue to work**. | <https://covid19.ca.gov/> |
|  |  |  |  |  |
| **Colorado -Statewide** | 3/25/20204/1/2020Effective until 4/11/2020 | **- UPDATE:**,a public health order requires all residents to “stay at home whenever possible.” - **Exempts individuals traveling to and from work for “Critical Infrastructure”** which include “Road and **railways** … Transportation and infrastructure necessary to support critical businesses … Any business that produces products critical or incidental to the construction or operation of the categories of products included in this subsection” -Also exempts “Any manufacturing necessary to support a Critical Business.”- Critical businesses must also comply with social distancing  | - **Rail workers and contractors** are covered by the scope of the term **“critical businesses” and the specific “railways” exemption as “transportation and infrastructure”** necessary to **support critical** businesses.- Social distancing guidelines must be met. | <https://covid19.colorado.gov/> |
| **Colorado—Denver Specific** | 3/23/20203/27/2020Effective until 4/10/2020 | - UPDATE: Updated Denver order to align with the Statewide order  | - **Rail workers and contractors** are covered by the scope of the term **“critical businesses” and the specific “railways” exemption as “transportation and infrastructure”** necessary to **support critical** businesses.- Social distancing guidelines must be met. |  |
|  |  |  |  |  |
| **Connecticut** | 3/20/2020Effective until 4/22/2020 | - All non-essential businesses statewide required to shift to 100% teleworking or close.- “Any **essential business or entity providing essential goods, services or functions shall not be subject to these in-person restrictions**.”- Requires issuance of lawfully binding guidance on which businesses are essential. These **businesses include those employing “Essential Critical Infrastructure Workers” as defined by DHS** (<https://www.cisa.gov/criticalinfrastructure-sectors>). - Specifically exempted: companies/institutions involved in **distribution** of health care products, medical supplies, and pharmaceuticals; support for **essential infrastructure**, including utilities, wastewater and **drinking water**, **transportation infrastructure**; and **industries supporting the essential services required to meet national security commitments** to the federal government and U.S. Military; **essential services or products, including logistics and technology support**; and **provision of goods, services or functions necessary for the health, safety and welfare of the public**. | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by the DHS Cybersecurity and Infrastructure Security Agency (CISA) guidance are **exempt from the stay-at-home order – and may continue to work**.- In addition to the CISA guidance, the order provides more **specificity for which railroad workers and contractors would arguably apply**. | <https://portal.ct.gov/Coronavirus> |
|  |  |  |  |  |
| **Delaware** | 3/22/20203/29/2020Effective until further notice | - Governor ordered **non-essential businesses to close as of Tuesday, March 24**. - Order **lists businesses not required to shut down**, which **includes rail transportation**.- Order states “the Division of Small Business shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to this list of ‘Essential Businesses’ and ‘Non-Essential Businesses’ and **should consider information from” DHS/CISA’s Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response**.- The full list of exempted businesses may be accessed at: <https://coronavirus.delaware.gov/wp-content/uploads/sites/177/2020/03/Delaware-list-of-essential-and-nonessential-businesses-March-22-2020.pdf>- **UPDATE – 3/29/2020**: Amends original order and requires that anyone who “enters Delaware from another state, and **who is not merely passing through**, must immediately **self-quarantine for fourteen (14)** days ... This self-quarantine requirement **shall not apply to** ... any other individual providing an **assistance to an Essential Business** ... This self-quarantine requirement **shall not apply to individuals commuting into Delaware to work for an Essential Business** | - Listing of businesses is organized with a column that indicates “**Business May Remain Open**.”- Among these are “**Rail Transportation**,” “**Railroad Rolling Stock Manufacturing**,” and “**Support Activities for Rail Transportation**.” - Each is listed as “**Yes**” for “**Business May Remain Open**” – with **no caveats to the type**, freight or passenger, employee or contractor. - **Self-Quarantine order applies same list of “Essential Businesses**” – and so **does not apply to railroad employees, police, and contractors**. | <https://coronavirus.delaware.gov/><https://governor.delaware.gov/health-soe/> |
|  |  |  |  |  |
| **District of Columbia** | 3/30/2020Effective until 4/24/2020 | -UPDATE: Announced a **stay-at-home order**, effective 4/1/2020; allows for **work to continue at “essential businesses.”**-Requires **all non-essential businesses to cease operations** and shift to telework.- Order is “**based on” the DHS/CISA guidance** on “**Essential Critical Infrastructure Workers**,” – and deems workers in the designated categories and functions as essential. - Additionally included as “**Essential Infrastructure**” that **may remain open** are “**railways**” and “**other private transportation providers** providing transportation services necessary for **Essential Businesses**.” | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by the DHS/CISA guidance are **exempt from the stay-at-home order – to continue to work**.- In addition to the CISA guidance, the order provides **specific exemptions for railways and transportation providers**. | <https://coronavirus.dc.gov/> |
|  |  |  |  |  |
| **Florida – Statewide** **Quarantine Order – People from Substantial Community Spread Areas** | 3/24/2020Effective until emergency ends | - Requires “**all persons who enter the State of Florida** from an area with substantial **community spread, to include the New York Tri-State Area** (Connecticut, New Jersey and New York), to isolate or **quarantine for a period of 14 days** from the time of entry.”- Also applies “retroactively to all persons who have entered Florida afterbeing in any area with substantial community spread within the previous 14 days.”- Excludes from the order **persons employed by the airlines and those performing military, emergency or health response**. | - **No reference to DHS/CISA guidance**.- Per the Florida Department of Transportation, **order does not** apply to persons engaged in **infrastructure response or commercial activities** – which covers rail workers / contractors | <https://floridahealthcovid19.gov/> |
| **Florida – Statewide Stay-at-Home Order** | 4/1/2020Effective until 4/30/2020 | - **Stay-at-home** order direct that “**all persons in Florida shall limit their movements** and personal interactions outside of their home to **only those necessary** to obtain or provide **essential services** **or conduct essential activities**.”- “For purposes of this Order and the conduct it limits, “essential services” means and encompasses the list detailed by the U.S. **Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce**, **v. 2 (March 28, 2020)** … and any subsequent lists published.”- DHS/CISA guidance Version 2.0 is attached to the order | **-Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by the DHS/CISA guidance are **exempt from the stay-at-home order – and can continue to work**. |  |
| **Florida – Broward County** | 3/23/2020Effective until Expiration of local emergency | - Orders non-essential retail and commercial businesses to close.-Exempts “**private transportation providers** providing transportation services via automobile, truck, boat, bus, or **train**.” | - **Rail workers/contractors**, freight and passenger, are within **specific exemption for “private transportation providers” by “train.”** |  |
| **Florida –** **City of Jacksonville** | 4/1/2020End date not specified | - Requires closure of all non-essential retail or commercial businesses. | **- Non-retail and commercial businesses unaffected**. |  |
| **Florida – Miami-Dade** | 3/23/2020Effective until Expiration of local emergency | - Orders **non-essential retail and commercial businesses to close**.- Exempts “shipping services… **private transportation providers** providing transportation services via automobile, truck, boat, bus, or **train**.” | - **Rail workers and contractors** are within the **specific exemption for “private transportation providers” by “train.”** |  |
|  |  |  |  |  |
| **Georgia****Statewide** | 3/23/20204/2/2020Effective until 4/13/2020 | - Requires all residents **shelter in place unless** they are “**part of the workforce for Critical Infrastructure**” and engaged in that work.- **Critical Infrastructure exempt** from screening and **social distancing requirements for businesses, unless doing “in-person business.”**- **Critical Infrastructure** defined consistently with the designated of “**Essential Critical Infrastructure Workers**” in the **DHS/CISA guidance, as updated 3/28/2020**. **- “The operation of Critical Infrastructure shall not be impeded by county, municipal, or local ordinance”** (state preemption). | **- Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by DHS/CISA are **exempt from the shelter-in-place order – and may continue to work****-** State order preempts mandates by local governments impeding critical infrastructure operations. | <https://georgia.gov/covid-19-state-services-georgia> |
| **Georgia-- Atlanta** | 3/23/2020Effective timeframe not stated | - Orders **non-essential businesses to close**.- Exempts “Essential Infrastructure” which includes “**railroads, public transportation**.” | - **Rail workers and contractors** are within **specific exemption for railroads** and public transportation as “**Essential Infrastructure**.” |  |
| **Georgia-- Athens** | 3/19/2020Effective until 4/7/2020 | - Orders **non-essential businesses to close**; urges essential businesses to remain open.- Exempts “shipping services… **private transportation providers** providing transportation services for Essential Activities and other purposes expressly authorized.” | - **Rail workers and contractors** are within **broad exemption for “private transportation providers”** as “Essential Activities.” |  |
|  |  |  |  |  |
|  |  |  |  |  |
| **Georgia – Fulton County** | 3/31/2020Effective until rescinded | - Health director order requires Fulton County residents to **stay-at-home** except for work for essential businesses- Defines as essential businesses “**railroads, public transportation...and each type of essential infrastructure designated in the U.S. Department of Homeland Security’s March 19, 2020, Memorandum On Identification Of Essential Critical Infrastructure Workers During COVID-19 Response from the Cybersecurity and Infrastructure Security – incorporated herein by reference**. | **-Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by DHS/CISA are **exempt from the stay-at-home order – and may continue to work****-** Additionally, definition of essential businesses includes **“railroads.”** |  |
| **Hawaii** | 3/25/2020Effective until 4/30/2020 | - Mandates that “**all persons within the State of Hawaii are ordered to stay at home** … except as necessary to **maintain continuity of operations** of the **federal critical infrastructure sectors**, as identified at <https://www.cisa.gov/identifyingcritical-infrastructure-during-covid-19>” – the DHS/CISA guidance on “Essential Critical Infrastructure Workers.” | - If even applicable, **rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by DHS/CISA are **exempt from the stay-at-home order – and may continue to work**. | <https://hawaiicovid19.com/>  |
|  |  |  |  |  |
| **Idaho** | 3/25/2020Effective until 4/15/2020 | - State Health Department order requires **all residents to “self-isolate”** **unless**, among other things, **going to work for an “essential business.”**- Incorporates by reference the guidance from DHS/CISA on “Essential Critical Infrastructure Workers” as well as memoranda from the Department of Defense on military contractor and the Treasury Department on financial institutions. | **- Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by the DHSCISA guidance are **exempt from the stay-at-home order – and may continue to work**. | <https://coronavirus.idaho.gov/>  |
|  |  |  |  |  |
| **Illinois** | 3/20/20204/1/2020Effective until 4/30/2020 | - Requires all individuals to **stay at home**, unless they are covered by the enumerated exceptions in the executive order.- All businesses that are not essential to cease operations.- But – “**All Essential Businesses and Operations are encouraged to remain open**.”- “**Essential Infrastructure** shall be construed broadly to avoid any adverse impacts to operations and functions.  | - Definition of “**Essential Infrastructure**” includes **railroads and public transportation**. - Continued operations encouraged. | <https://coronavirus.illinois.gov/s/> |
|  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Indiana** | 3/24/2020 4/5/2020Effective until 5/5/2020 | - Requires all individuals to **stay at home** and requires non-essential businesses to cease, unless they are covered by the enumerated exceptions as essential businesses.- **Exempts categories of workers designated in the DHS/CISA guidance**: “The definition of Essential Businesses and Operations in this Executive Order includes all of the workers identified in that Memorandum, which may be found or accessed at the following link: <https://www.cisa.gov/sites/default/files/publications/CISA-Guidance-on-Essential-Critical-Infrastructure-Workers-1-20-508c.pdf>.”- The term “Essential Infrastructure” is defined to include “**railroads and public transportation”**;and “shall be construed **broadly to avoid any impacts to essential infrastructure, broadly defined**.” | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by the DHSCISA guidance are **exempt from the stay-at-home order – to continue to work**.- Definition of “Essential Infrastructure” includes **railroads and public transportation**. - Continued operations encouraged. | <https://coronavirus.in.gov/>  |
|  |  |  |  |  |
| **Iowa** | 3/17/20204/6/2020Effective until 4/30/2020 | - **Not** a **stay-at-home order**.- Orders **non-essential retail and commercial businesses to close**. | **- Non-retail businesses unaffected**.- **No effect** on **railroad workers, police, contractors, or suppliers**. | <https://coronavirus.iowa.gov/> |
|  |  |  |  |  |
| **Kansas—Statewide Stay at Home** | 3/30/2020Effective until 4/19/2020 | - Statewide “**stay-at-home”** order issued on March 28 – taking effect on March 30.- Directs all individuals in the State of Kansas to **stay at home unless performing an essential function** under the **Kansas Essential Functions Framework (KEFF).**- **Supersedes all local orders**.- KEFF includes “**Transport Cargo and Passenger by Rail”; “Manufacture, distribute, sell, or maintain trains or train parts”**; **“Enforce Law”**; “**Manage Hazardous Materials**”; and “**Manufacture Equipment Used for Essential Functions or Critical Infrastructure** (as defined by DHS).”- States that **no individual performing designated essential functions shall be required to carry an identification or justification letter**. - **Law enforcement action** on the order must **consider the totality of circumstances** of the individual’s presence and activities. | - **Rail workers and contractors** are **within functions covered by the KEFF**; therefore, **exempt from any local “stay-at-home order”** issued in Kansas.- Also – the state order supersedes any locally ordered or imposed restrictions on KEFF. | <https://govstatus.egov.com/coronavirus>  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Kansas – Statewide Quarantine** | Updated: 4/6/2020 | - Statewide “**quarantine**” order of the Department of Health and Environment- Individuals from California, Colorado, Florida, New York, New Jersey, Illinois, Louisiana, Washington state, and Connecticut (Updated) must **quarantine for 14 day**s- “These mandates **do not apply to critical infrastructure sectors** needed to continue operations during this pandemic.” | - Broad exception provided for **critical infrastructure sectors**.- Should **not impede entry of rail workers and contractors**. | <https://govstatus.egov.com/coronavirus> |
|  |  |  |  |  |
| **Kentucky --** **Business Order** | 3/24/2020 Effective until rescinded | - Requires **closure of all non-life-sustaining businesses**.- **Exempted** from this closure order are **all businesses covered under the DHS/CISA guidance** on “**Essential Critical Infrastructure Workers**.” | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by DHS CISA guidance are **exempt from the stay-at-home order – may continue to work**. | <https://govstatus.egov.com/kycovid19>  |
| **Kentucky –Quarantine Order** | 3/30/2020Effective until rescinded  | **- Instructs** residents **not to travel** into any other state with an **exception when required by employment**.- Requires residents entering from another state to quarantine for 14 days upon arrival – **unless returning from or for work**. | - **Rail workers and contractors**, freight and passenger, are exempt – as their **travel is for employment purposes**.  | <https://governor.ky.gov/covid19>  |
|  |  |  |  |  |
| **Louisiana** | 3/22/20204/2/2020Effective until 4/20/2020 | -UPDATE: General **stay-at-home order** in effect; residents directed to stay home unless performing an essential activity. Requires closure of nonessential businesses- **Essential activities** include trips to/from workplace for **essential worker functions**.- Among the categories of essential activities are workers delineated in the “**Guidance provided by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) on what workers are essential** is outlined at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>.”  | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by DHS CISA guidance are **exempt from the stay-at-home order – and may continue to work**. | <http://ldh.la.gov/Coronavirus/>  |
|  |  |  |  |  |
| **Maine** | 3/24/20203/31/2020Effective until 4/30/2020 | - **Update:** is a **“stay healthy at home” order** effective from 12:01 am on April 2, 2020-Allows “Workers at Essential Business and Operations that are not required to close pursuant to Executive Orders 19 FY 19/20” to travel for work- EO 19 FY 19/20 directs **all non-essential businesses to close**.- EO 19 FY 19/20 defined “**Essential Business and Operations**” as those designated in the **guidance provided by the DHS/CISA** on “Essential Critical Infrastructure Workers.”.- This guidance is attached to the state order as a reference.  | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by DHS CISA guidance are **exempt from the stay-at-home order – and may continue to work**. | <https://www.maine.gov/governor/mills/covid-19>  |
|  |  |  |  |  |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Maryland** | 3/30/2020 Effective until further notice | - **Update**: Now a **“stay-at-home” order**; closes all non-essential businesses which are defined as those “facilities that are **not part of the critical infrastructure sectors****identified by the U.S. Department of Homeland Security’s Cybersecurity and****Infrastructure Security Agency (currently described at** [**https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19**](https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19) **)**- Cites DHS/CISA guidance on “Essential Critical Infrastructure Workers” as source for what constitutes businesses that may remain open.-Also announced that **no Marylander should be traveling outside of the state unless such travel is absolutely necessary**. -Those who have **traveled outside of the state should self-quarantine for 14 days**. | - References the DHS/CISA guidance.- **Rail workers and contractors** designated as **“Essential Critical Infrastructure Workers”** by **DHS/CISA guidance** support critical infrastructure – **and may continue to work.** | <https://governor.maryland.gov/coronavirus/>  |
|  |  |  |  |  |
| **Massachusetts** | 3/23/20203/31/2020Effective until 5/4/2020 | - **UPDATE**: **Order extended** to apply through **5/4/2020 – reflects updated DHS/CISA guidance issued on March 28, 2020**.- States “All businesses and other organizations **that do not provide COVID-19 Essential Services shall close** their physical workplaces and facilities … to workers, customers, and the public”- Directs that “production and service sectors identified in Exhibit A are hereby designated as ‘COVID-19 Essential Services’… Businesses and other organizations that provide the services and functions identified as COVID-19 Essential Services in Exhibit A are **urged to continue** **operations**…”- “The Administration **updated the “COVID-19 Essential Services” list today, which is based on federal guidance that was updated earlier this week**: -- “Personnel in emergency management, **law enforcement**, Emergency Management Systems, fire, and corrections…” -- “**Hazardous material responders** from government and **the private sector**.” -- “Petroleum product storage, pipeline, marine transport, terminals, **rail** transport, road transport” -- “**Employees supporting or enabling transportation functions**, including dispatchers, maintenance and repair technicians, warehouse workers … and **workers that maintain and inspect infrastructure (including those that require cross-border travel**)” -- “Mass transit and **passenger rail workers**, including contracted vendors providing transportation and maintenance services to public transit authorities” -- “**Workers responsible for operating dispatching passenger, commuter and freight trains and public transportation** and buses and **maintaining rail and transit infrastructure and equipment**” -- “**Employees who repair and maintain vehicles**, aircraft, **rail** **equipment**, marine vessels, and **the equipment and infrastructure that enables operations that encompass movement of cargo and passengers”** -- “**Workers who support the operation, inspection, and maintenance of essential public works facilities and operations**, including roads and bridges, water and sewer main breaks, fleet maintenance personnel, **construction of critical or strategic infrastructure,** …” -- **“Workers – including contracted vendors – involved in the construction of critical or strategic infrastructure including public works construction**, airport operations, water, sewer, gas, electrical, nuclear, oil refining and other critical energy services, roads and highways, **public transportation**, …” -- “**Workers supporting the safe transportation of chemicals**, including those supporting tank truck cleaning facilities and workers who manufacture packaging items.” -- “**Workers who support the production and transportation of chlorine and alkali manufacturing**, single-use plastics, and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine, and other essential products, including glass container manufacturing.” | - Definition of “Essential Services” includes **railroads and public transportation** and several **railroad-related specialties**, such as law enforcement, hazardous materials response, maintenance, and inspection. - **Continued operations encouraged**. | <https://www.mass.gov/resource/information-on-the-outbreak-of-coronavirus-disease-2019-covid-19>  |
|  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Michigan****Statewide** | 3/23/2020 Effective until 4/13/2020 | - Order “**all individuals currently living within the State of Michigan** … to **stay at home or at their place of residence**” and that no businesses shall operate that require workers to leave their home, unless “**workers are necessary to sustain or protect life or to conduct minimum basic operations ... workers who are necessary to sustain or protect life are defined as “critical infrastructure workers**.”- Requires businesses to **inform workers on their designation “in writing,** whether by electronic message, public website, or other appropriate means.” - Order in effect from March 24, 2020, at 12:01 am, through April 13, 2020, at 11:59pm.- “For purposes of this order, **critical infrastructure workers are those workers described by the Director of the U.S. Cybersecurity and Infrastructure Security Agency** in his guidance of March 19, 2020 on the COVID-19 response (available here).”- It is advised to read and conform with the order, found here:[https://content.govdelivery.com/attachments/MIEOG/2020/03/23/file\_attachments/1408152/EO%202020-21%20Stay%20Home,%20Stay%20Safe.pdf](https://content.govdelivery.com/attachments/MIEOG/2020/03/23/file_attachments/1408152/EO%202020-21%20Stay%20Home%2C%20Stay%20Safe.pdf) | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by DHS/CISA guidance are **exempt from the stay-at-home order – may continue to work**.- Order does require critical infrastructure workers to be informed of their status in writing (with a grace period of doing so orally until March 31).- Importantly, businesses that are critical infrastructure may **designate suppliers, distribution centers, and service providers necessary to support as critical infrastructure workers**.  | <https://www.michigan.gov/Coronavirus>  |
| **Michigan – Flint** | 4/1/2020Effective until 5/1/2020 | - Establishes a **curfew “**within the boundaries of the City of Flint from 9 p.m. to 6 a.m. During those hours, all persons are prohibited from travelling on any county or local highway, or gathering outside their homes or places of residence.”- **Exempted from the curfew** are those directly involved “in **providing or obtaining essential services** as described in the Governor’s executive order 2020-21.” | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by DHS/CISA guidance are **exempt from the curfew by reference to the statewide order (above) – may continue to work**. |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Michigan --** **Ingham County** | 3/23/2020Effective until 4/13/2020 | - **Requires businesses that remain open** to “**Develop and implement a daily screening program for all staff upon or just prior to reporting to work sites**. - The screening procedures must include the following questions:  i. Symptoms including but not limited to: fever, cough (excluding chronic cough due to known medical reason), shortness of breath, sore throat, diarrhea. A verbal confirmation of lack of fever is sufficient if a touchless thermometer is unavailable.  ii. Any close contact in last 14 days with someone with a diagnosis of COVID-19. iii. Travel internationally or outside of Michigan in the last 14 days. - Any “yes” response to the screening questions above requires the individual to be excluded: i. For at least 72 hours with no fever (that is three full days of no fever without use of medicine that reduces fevers) AND other symptoms have improved (for example, when your cough and shortness of breath have improved) AND at least 7 days have passed since your symptoms first appeared. ii. 14 days if close contact with diagnosed case of COVID-19. iii.14 days following travel unless that travel was due to commuting from a home location outside of Michigan. Commuting is defined as traveling a distance between one’s home and work on a regular basis- “Essential workers engaged in travel related to **supply chain and critical infrastructure/movement are exempt from Part 1, Section b., Item iii.”** | - **UPDATE**: Railroad reports the county is “**planning to clarify our order soon**. Meanwhile **please accept this as official communication that this order does not apply to the freight rail industry that operates in Michigan**.” |  |
| **Michigan – Wayne County** | 3/26/2020Effective until rescinded | - **NOT a stay-at-home order**, but **requires businesses open under the Michigan statewide order to develop and implement a “daily screening procedure** **for all staff upon reporting to work sites**. The screening procedures must include: -- **Ask** if the employee has symptoms of fever, cough, shortness of breath, sore throat, or diarrhea. -- **Use of a touchless/contactless thermometer to conduct temperature checks is strongly recommended** **in lieu of verbal confirmation if one is available**. -- **Ask** if the employee has had close contact in the last 14 days with an individual diagnosed with COVID-19; and -- **Ask** if the employee has travelled via airplane internationally or domestically in the last 14 days.- “If an **employee answers “yes” to any of the screening questions**, the employee is **not permitted on the work site and should self-isolate/self-quarantine** at home for the following time periods: -- If symptoms are present, a minimum of 7 days since symptoms first appeared. To return to work, an individual must also have 3 days without a fever and improvement in respiratory symptoms;  -- 14 days if the employee had close contact with an individual diagnosed with COVID-19; or  -- 14 days following international or domestic travel. - Develop and implement a **social distancing plan**…employers “**shall POST A COPY** of this Order #20-02 at all entrances to their open facilities…” | - **Rail workers and contractors permitted to work**.- Requires screening as described in the order, social distancing, and posting of notices to employees at facilities.- UPDATE: Railroad reports that the local Health Department clarified: “**This order does not apply to the freight rail industry that operates in Michigan.** - “If the freight rail industry would like to adopt an employee screening protocol that has any of the actions listed in the Public Health Order, that is certainly acceptable.” |  |
| **Michigan – Oakland County**  | 3/25/2020Effective until 4/13/2020 | - **NOT a stay-at-home order**.- Orders “businesses and operations remaining open under the state executive order (EO 2020-21), which is a stay-at-home order, to take the following precautions:“1. **Develop and implement a daily screening** program for all staff. “a. Screening criteria must include the **following questions**: “i. **Symptom check** (fever, cough, shortness of breath, sore throat, diarrhea). When a touchless thermometer is available, a temperature check is strongly recommended in lieu of verbal confirmation. “ii. **Any close contact in the last 14 days** with someone with a diagnosis of COVID-19 “iii. Travel internationally or domestically in the last 14 days “b. A **yes to any of the screening questions above requires the employee to be excluded**: “i. 3 days with no fever and 7 days since first symptom “ii. 14 days if close contact of diagnosed case of COVID-19 “iii. 14 days following travel“2. Develop and implement a plan to **manage and control social/physical distancing**“3. **Limit capacity** inside **facilities** to provide for social distancing of customers and between customers and employees … “4. **Publish this order** at entrance of the facility …” | - **Rail workers and contractors permitted to work**.- Requires screening as described in the order, social distancing, and posting of notices to employees at facilities.- **UPDATE**: Railroad reports that the order is intended for retail establishments, like grocery stores, and “They [the county] hadn’t considered railroads or other transportation. The County officials are trying to sort through this and will be back in touch.” |  |
| **Michigan – Washtenaw County (Ann Arbor)** | 3/25/2020Effective until 4/13/2020 | - Requires that **all businesses remaining open** under the State’s order “Develop and implement a **daily screening procedure** for all staff upon reporting to work sites. The screening procedures must include the following:  -- “Ask if the employee has symptoms of fever, cough, shortness of breath, sore throat, or diarrhea - if a touchless/contactless thermometer is available, a temperature check is strongly recommended in lieu of verbal confirmation - the presence of any symptoms is a concern;  -- “Ask if the employee has had close contact in the last 14 days with an individual diagnosed with COVID-19; and  -- “Ask if the employee has travelled via airplane internationally or domestically in the last 14 days.  --- “If an employee answers “yes” to any of the screening questions, the employee is **not permitted on the work site and should self-isolate/self-quarantine at home** for:  -- “If symptoms are present, a minimum of 7 days since symptoms first appear. Must also have 3 days without fevers and improvement in respiratory symptoms;  -- “14 days if the employee had close contact with an individual diagnosed with COVID-19; or  -- “14 days following international or domestic travel. **Note**: **14-day quarantine period does not apply** to hospitals, healthcare facilities, EMS, other organizations that employ healthcare workers in the inpatient or outpatient setting, all providers and support staff involved in patient care, and public health staffing actively involved in the COVID-19 response (local or state).” | - **No exemptions provided except from the requirement of quarantining and healthcare workers**.- **NOTE**: Railroad has requested official correspondence from Michigan Railroad Association to all Michigan counties informing them rail should be exempt from orders restricting performance of critical functions and sustained operations.- **Use of AAR-issued access request letters by rail employees, police, and contractors is strongly recommended**. |  |
|  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Minnesota** | 3/25/2020Effective until 4/10/2020 | - Requires Minnesotans to **shelter in place** for the next 2 weeks, running from Friday (3/27) at 11:59 pm through 5:00 pm on Friday, April 10.- **Extensive exemptions defined**, consistent with the guidance on “**Essential Critical Infrastructure Workers,” issued by DHS/CISA on March 19**; and other groups listed in the Executive Order.   - List of **exempt employees** at the [MN Department of Employment & Economic Development](https://urldefense.proofpoint.com/v2/url?u=https-3A__mn.gov_deed_critical_&d=DwMFAg&c=3gr2qZ7ZEvzGFhHLB8UWaw&r=1p2FvIi8GCOpoFahPJGfcw&m=aAcxciqPwvz7ZdHvsH68JE0XnLlr6rKMDcKcUrzjZq4&s=ju82PDu_rrMxLAPXXvQknEpuuSozbh8HeQ6KL5O4k68&e=) website **includes rail workers needed for sustained operations**.  | - **Specific exemption** in the order covers **railroad employees and contractors** needed for **sustained operations of this critical infrastructure**.- Reference to the **DHS/CISA guidance** covers rail workers also. | <https://www.health.state.mn.us/diseases/coronavirus/index.html>  |
|  |  |  |  |  |
| **Mississippi --****Statewide Stay-at-Home** | 4/1/2020Effective until 4/20/2020 | **- UPDATE:** Requires residents to “**shelter-in-place**" or “**stay-at-home**" and requires **non-essential businesses to cease operations**.- Allows “Essential Business or Operation” to remain open.- Cross-references prior Executive Order 1463 for list of businesses which includes in “Essential Business or Operation” all workers in “Essential infrastructure including… **freight and passenger rail**” and those contained in the **CISA guidance**, “as it may be amended.” | **-** Specific exemption in the order covers “**freight and passenger rail”** broadly and contractors needed for sustained operations of this critical infrastructure.- **Rail workers and contractors and suppliers** are covered under “Essential Business” definition and are **exempt from the stay-at-home order – and may continue to work**. | <https://www.coronavirus.ms.gov/> |
| **Mississippi – Jackson County** | 3/31/2020 Effective until 4/17/2020 | - Requires **individuals to stay-at-home** and **nonessential businesses to cease operations**.- “**Essential Businesses and Operations**” are **exempt** and “includes all the **workers identified in the [CISA] Memorandum**” designating “Essential Critical Infrastructure Workers.” - Also covered under Essential Businesses and Operations is “**Essential Infrastructure**” which includes “**railroads, and public transportation**.” - “Essential Infrastructure **shall be construed broadly** to avoid any impacts to essential infrastructure, broadly defined.” | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by DHS/CISA guidance are exempt from the **stay-at-home order – may continue to work**.- Order specifically identifies “**railroads**” as “Essential Infrastructure,” which is to be defined **broadly** – thereby further covering railroad workers and contractors. |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Mississippi – Lauderdale County** | 3/31/2020Effective for length of statewide order | - Requires residents to **shelter in place** for the next 2 weeks, running from Tuesday, 3/31 at 10:00 pm through 11:59 pm on 4/14/2020.- **“Essential Businesses”** as identified in statewide order may remain open and operate at such level as necessary to provide essential services and functions, and includes: -- Those businesses “**identified in Executive Order 1463**,” which is the Statewide order above, are exempt. | **-** By cross reference to the statewide executive order, above, **rail workers and contractors and suppliers** are covered under “Essential Business” definition.- They are **exempt from the stay-at-home order – and may continue to work.** |  |
|  |  |  |  |  |
| **Missouri****Statewide** | 4/3/2020Effective through 4/24/2020 | **- UPDATE: Department of Health orders residents to avoid leaving their homes**.- Allows entities that employ individuals that perform essential worker functions set forth **in the DHS/CISA guidance, Version 2.0 to remain open without adhering to social gathering and social distancing requirements**  | **- Rail workers and contractors and suppliers** are covered under “Essential Business” definition and are **exempt from the stay-at-home order – may continue to work**. | <https://health.mo.gov/living/healthcondiseases/communicable/novel-coronavirus/>  |
| **Missouri – Greene County** | 3/26/2020Effective for 30 days | -Requires **individuals to stay-at-home** and **nonessential businesses to cease operations**.-Exempts “**Logistics and transportation of goods and peopl**e” and manufacturing to support transportation | - Railroads are not specifically listed in the non-exhaustive delineation of exempt businesses.- But rail workers and contractors are **covered by the exemption for “Logistics and transportation of good and people.**”- Order does not reference CISA guidance on “Essential Critical Infrastructure Workers.” **- Use of AAR access request letters, with copy of rail-focused CISA guidance, recommended.** |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Missouri – Jackson County**  | 3/23/2020Effective until rescinded | **-** Requires **all individuals to stay at home**.- Requires **non-essential businesses to cease all in-person operations** except for “Essential businesses” and “Essential infrastructure, including, but not limited to, … **public transportation**.- This exception also includes as “Essential Governmental Functions,” defined to encompass “Law enforcement personnel”, “all first responders, and “emergency management personnel.” | **-** Although railroads are not listed in the non-exhaustive list of functions deemed “essential,” **rail employees and contractors do come within some specified “Essential Infrastructure” and “Essential Functions” exempted from the order**. - Order does not reference the DHS/CISA guidance on “Essential Critical Infrastructure Workers.” **- Use of AAR access request letters, with copy of rail-focused CISA guidance, recommended.** |  |
| **Missouri--Kansas City Region** | 3/21/2020Effective until 4/24/2020 | **-** Requires all individuals to stay at home.- “All businesses and other operations in the City” are required to “cease all in-person operations” except for “Essential businesses” and “Essential infrastructure.”**- “Essential Businesses”** means any for-profit, non-profit, or educational entities, regardless its corporate or entity structure and includes: … -- “**Railroads and rail systems**”;-- “**Businesses that supply other essential businesses** with the support or supplies necessary to operate.…**-** “**Essential Infrastructure**” includes, but is not limited to, **railroad and rail systems,** roads and highways, **public transportation** … provided that they carry out those services or that work in compliance with Social Distancing Requirements…” | **- Rail workers and contractors and suppliers** are covered under “Essential Business” definition and are **exempt from the stay-at-home order – may continue to work**.**-** Additionally, **railroads, freight and passenger**, are covered under the exempt category of “**Essential Infrastructure**.” |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Missouri – Platte County** | 3/22/2020Effective until 4/24/2020 | - Requires **individuals to stay-at-home** and **nonessential businesses to cease operations**.- **Exempts** anyone that “perform **any work necessary to the operations and maintenance of “Essential Infrastructure,”** including, but **not limited to... public transportation**.” | - Although railroads are not specifically listed in the non-exhaustive list of functions deemed “essential,” **railroad employees and contractors do come within some of the specified “Essential Infrastructure” and “Essential Functions” exempted from the order**. - Order does not reference the DHS/CISA guidance on “Essential Critical Infrastructure Workers.” **- Use of AAR access request letters, with copy of rail-focused CISA guidance, recommended.** |  |
| **Missouri – Randolph County** | 3/24/2020Effective until 4/24/2020 | - Requires **individuals to stay-at-home** and **nonessential businesses to cease operations**.- Exempts “engage in services or perform work necessary to **operate or maintain Essential Critical Infrastructure**”- “**Essential Critical Infrastructure**" means operation and maintenance of essential critical infrastructure sectors whose assets, systems, and networks, whether physical or virtual, are considered so vital that their incapacitation or destruction would have a debilitating effect on security, economic security, public health or safety, or any combination thereof and **more fully identified by** the **US Department of Homeland Security** ([https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19)](https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19%29).”  | **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by DHS/CISA guidance are exempt from the **stay-at-home order – and may continue to work**. |  |
| **Missouri – Ray County** | 3/24/2020Effective until4/24/2020 | - Requires **individuals to stay-at-home** and **nonessential businesses to cease operations**.- Both **Essential Businesses and Critical Infrastructure** include “**railroads and rail systems”** in their definition and **exempt from stay at home order**. | - **Rail workers and contractors** fall under broad definition of **“railroads and rail systems” exempt fr**om the **stay-at-home order – and may continue to work**. |  |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Missouri –** **St. Joseph** | 3/24/20204/1/2020Effective until 4/24/2020 | - UPDATE: Original order repealed as of April 1.- New order “**strongly encourages**” **shelter-in-place** “to the maximum extent possible.- **Non-essential businesses are prohibited from operating**.- **Exempt** from the stay-at-home order and closure are “**Essential businesses**,” which are defined in accordance with the **DHS/CISA guidance on “Essential Critical** **Infrastructure Workers**,” Version 2, issued as of March 28 – and any future updates.  | **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by DHS/CISA guidance are exempt from the **stay-at-home order – and may continue to work**. |  |
| **Missouri – St. Louis Region** | 3/21/2020Effective until 4/22/2020 | - City order requires residents to **stay at home,** but includes as an **exception “transportation services” and “manufacture, distribution, and supply chain for exempt business.”**- County order requires residents to stay at home, but includes **exceptions for rail-related workers, though railroads are not specifically cited**.- DHS/CISA guidance not expressly cited among the exempt categories of critical workers and functions under the order. | - Broad categories of exempt functions for “transportation services” and support for distribution and supply chain for exempt businesses covers rail employees and contractors. - **Use of AAR access request letters**, with **copy of rail-focused CISA guidance**, recommended. |  |
|  |  |  |  |  |
| **Montana** | 3/27/2020Effective until 4/10/2020 | - Requires **individuals to stay-at-home** and **nonessential businesses to cease operations**.- “**Essential Businesses and Operations**” are **exempt** and “is meant to **encompass the workers identified in the [CISA] Memorandum**” - Also covered under Essential Businesses and Operations is “**Essential Infrastructure**” which includes “**railroads, and public transportation**.” - “Essential Infrastructure **shall be construed broadly** to avoid any adverse impacts to essential infrastructure, broadly defined.” | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by DHS/CISA guidance are exempt from the **stay-at-home order – may continue to work**.- Order specifically identifies “**railroads**” as “**Essential Infrastructure**,” which is to be defined **broadly** – thereby further covering railroad workers and contractors. | <https://covid19.mt.gov/>  |
|  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Nebraska** | 3/31/20204/3/2020Effective as long as needed | - **NOT a stay-at-home order**- Department of Health Order requires **those testing positive for COVID-19 or with symptoms of COVID-19 to quarantine for 14 days**- Bans public gatherings, but excludes typical office environments and “train stations”- Establishes different timelines by county for the prohibitions of gatherings and social distancing requirements  | - **NOT a business closure order**.- **Rail workers and contractors may continue to work**, if not sick or symptomatic. | <http://dhhs.ne.gov/Pages/Coronavirus.aspx> |
|  |  |  |  |  |
| **Nevada** | 3/31/2020Effective until4/30/2020 | - **Stay-at-home** order effective until April 30.- Allows individuals to “leave residences to **provide services or perform work necessary to the operations of Essential Infrastructure operations** as defined by March 20 emergency regulations” and “to **provide services or perform work [for] Essential Licensed Businesses**.” - Regulations define “E**ssential Licensed Businesses**” to include “**Essential Infrastructure Operations**, including … **public transportation**” and “**transportation services**.” | - **Rail workers** and **contractors** are within the **broad exemption for “transportation services”** as “**Essential Licensed Businesses**” and “**Essential Infrastructure Operations**.” | <https://nvhealthresponse.nv.gov/> |
|  |  |  |  |  |
| **New Hampshire** | 3/26/2020Effective until 5/4/2020 | - All **New Hampshire residents are ordered to “stay-at-home” or their place of residence unless engaged in excepted activities**.- **All businesses** that **do not provide “Essential Services” closed** as of 11:59 pm on **March 27 until May 4**.- Businesses that perform **“Essential Services” may continue to operate** – with **social distancing strategies implemented** consistent with guidance from the CDC and the New Hampshire Division of Public Health.- **Exhibit A** to the Emergency Order lists the “**Essential Services**” that are **exempte**d, using the **verbatim text of the DHS/CISA guidance on “Essential Critical Infrastructure Workers.”** | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by DHS/CISA guidance are **exempt from the stay-at-home order – and may continue to work**. | <https://www.nh.gov/covid19/>  |
|  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **New Jersey** | 3/21/2020Effective until revoked | - Directs “New Jersey residents shall **remain home or at their place of residence** **unless** they are **reporting to, or performing, their job**.” - If a business or non-profit has employees that cannot perform functions via telework or work-from-home arrangements, it should **make best efforts to reduce staff on site to the minimal number necessary to ensure that essential operations can continue**. - Examples of employees who **need to be physically present** at their work site in order to perform their duties include, but are not limited to, **law enforcement officers**, fire fighters, and other first responders, cashiers or store clerks, **construction workers, utility workers, repair workers, warehouse workers,** lab researchers, information technology maintenance workers, janitorial and custodial staff, and **certain administrative staff**.” | - **Railroads are not specifically listed in the non-exhaustive list of employees needing to be physically present at work** – but some categories of employees may fit into those examples. - DHS/CISA guidance on **“Essential Critical Infrastructure Workers” is not referenced in the order**.- Use of AAR access request letters, with **copy of rail-focused CISA guidance**, recommended. | <https://covid19.nj.gov/> |
|  |  |  |  |  |
| **New Mexico** | 3/23/2020Effective until rescinded | - Order **closes all non-essential businesses**, requiring 100 percent of the state’s non-essential workforce to work from home. - **Exceptions pertain to essential services** for the preservation of health, safety and well-being, including: -- All facilities used by law enforcement personnel, first responders, firefighters, emergency management personnel, dispatch operators, and court personnel.  -- **Infrastructure operations** including, but not limited to, **public transportation**; airlines; taxis; **private transportation providers**; data centers; and telecommunications systems; -- **Manufacturing operations** including chemicals, fertilizer, pharmaceuticals, sanitary products, household paper products, electrical equipment, appliances, and **transportation equipment manufacturers**. | - **Rail workers and contractors** are sufficiently **covered under the broad definition of “infrastructure operations”** that cites **private transportation providers and public transportation**; and for “manufacturing operations” that cites **chemicals, fertilizers, paper products, pharmaceuticals, and transportation equipment**. - Use of AAR access request letters, with **copy of rail-focused CISA guidance**, recommended | <https://cv.nmhealth.org/> |
|  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **New York** | 3/19/20204/5/2020 Effective until 4/30/2020 | - Requires **all non-essential businesses statewide to close** in-office personnel functions effective at 8:00 pm on Sunday, March 22. - **Temporarily bans all non-essential gatherings** of individuals of any size for any reason.- “**Any essential business or entity providing essential services or functions shall not be subject to the in-person restrictions**.”- **UPDATE**: “**Pause**” with **stay-at-home order** and **closure of non-essential businesses** extended to **April 30, 2020**. | - Empire State Development Corp. issued guidance on March 20, 2020 states “essential business” includes “**Essential infrastructure including**: …**transportation infrastructure** such as bus, **rail**, or for-hire vehicles, garages.”- Empire State Development Corp. has a form to request being deemed “essential” here: [https://esd.ny.gov/sites/default/files/ Request%20for%20Designation%20Form\_2.pdf](https://esd.ny.gov/sites/default/files/%20Request%20for%20Designation%20Form_2.pdf) | <https://coronavirus.health.ny.gov/home>  |
|  |  |  |  |  |
| **North Carolina****Statewide** | 3/27/2020Effective 3/30/2020Through 4/29/2020 | - **Stay-at-home order** requires all residents in North Carolina to stay at their place of residence or abode.- **Exemptions pertain**: -- The order specifically exempts workers in critical infrastructure sectors as designated by **DHS/CISA in its guidance on “Essential Critical Infrastructure Workers.”** -- Scope of order will be **updated to reflect changes in the CISA guidance**. -- Further, the order makes a specific exemption for “**Essential Infrastructure Operations**” that includes **railroads and public transportation**. | - **Rail workers and contractors** are covered by **two exemptions** – the **DHS/CISA guidance** and the specific categorization as “**Essential Infrastructure Operations**.” | <https://www.ncdhhs.gov/divisions/public-health/coronavirus-disease-2019-covid-19-response-north-carolina>  |
| **North Carolina – Charlotte, Mecklenburg** | 3/25/2020Effective until 4/16/2020 | - Directs a general **stay-at-home order** unless performing an essential activity.- Exempt is “**Essential Infrastructure includes**, … **railroads**, and **public transportation**.- “**Essential Infrastructure shall be construed broadly** to avoid any adverse impacts to essential infrastructure, broadly defined.”  | - Order specifically identifies **“railroads”** as “Essential Infrastructure,”which is to be **defined broadly –** thereby **covering railroad workers and contractors**. |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **North Carolina -- Durham** | 3/25/2020Effective until 4/30/2020 | - Effects **stay-at-home order** and **cessation of all non-essential business activities**.- Exempts “**CISA List**. On March 19, 2020, the U.S. Department of Homeland Security, Cybersecurity Infrastructure & Security Agency (CISA), issued a Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response. The **definition of Essential Businesses in this Order includes all the workers identified in that Memorandum**.” | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by the DHS/CISA guidance are **exempt** – and **may continue to work**.  |  |
| **North Carolina – Jackson** | 3/30/2020Effective until rescinded | - Requires anyone coming to their Jackson County home **from out of State** or country, to **quarantine for 14 days**.- **Exempts** those working “**essential jobs or providing essential services**” out of State or coming from out of State to work essential jobs or provide essential services. | - Order does not specifically define what are essential jobs or essential activities.- However, the County’s COVID-19 website has a link to: “[**Memorandum on Identification of Essential Critical Infrastructure Workers**](https://www.jacksonnc.org/PDF/COVID/memorandum-essential-infrastructure.pdf)” which accesses the DHS/CISA guidance.- **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by the DHS/CISA guidance are **exempt** from the quarantine order – and **may continue to work**. |  |
|  |  |  |  |  |
| **North Dakota****Business Closure Order** | 3/27/2020Effective for entire emergency | - **Not** **a stay-at-home order**- Requires **closure of certain retail, recreational business**.  | **-Non-retail businesses unaffected**.- **No effect** on **railroad workers, police, contractors, or suppliers**. | <https://ndresponse.gov/covid-19-resources> |
| **North Dakota****Quarantine****Order** | 3/28/2020Effective for entire emergency | - Applies to **all individuals entering North Dakota from international locations and 23 states classified as having widespread coronavirus disease by the CDC**. - These persons must **quarantine immediately upon entry into the state of North Dakota and for a period of 14 days**.- **Essential critical infrastructure workers**, as defined by DHS/CISA, are **exempt**. | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by the DHS/CISA guidance are **exempt** – and may **continue to work**. | <https://www.health.nd.gov/diseases-conditions/coronavirus/travel-quarantine-orders>  |
|  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Ohio** | 3/22/2020 4/2/2020Effective until 5/1/2020 | - Order by the Director of Health for Ohio.- States that “all persons are to stay at home or their place of residence **unless they are engaged in Essential Activities**, Essential Governmental Functions, or to **operate Essential Businesses and Operations**.”- Specifically lists as first of the “**Essential Businesses and Operations**” **exempted** from the stay-at-home order is the “**CISA List**. On **March 19, 2020**, the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA), issued a **Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response**. - The **definition of Essential Businesses and Operations includes all the workers identified in the DHS/CISA guidance**.- Additionally, the delineation of “**Essential Businesses and Operations**” lists **railroads in its definition of “Essential Infrastructure**.” - For purposes of this, individuals **may leave their residence to perform services and work to offer, provision, operate, maintain, and repair Essential Infrastructure**.- Further, “**Essential Infrastructure includes**, but is not limited to: **food** production, **distribution**, fulfillment centers, storage facilities, … r**ailroads**, and **public transportation**; … **cybersecurity operations**…”“**Essential Infrastructure shall be construed broadly** to avoid any adverse impacts to essential infrastructure, broadly defined.- **UPDATE – 4/2/2020**: Directs travelers arriving to Ohio to s**elf-quarantine for 14 days**. **Exceptions include** persons who live and work in trans-border areas, heath care workers, public health workers, public safety workers, **transportation workers and designated essential workers**. Visitors are instructed not to travel to Ohio if they are displaying symptoms, excepting in certain circumstances for medical care. | - **Rail workers and contractors** designated as “**Essential Critical Infrastructure Workers**” by the DHS/CISA guidance.- Per the Ohio Director of Health Order, **rail workers and contractors designated as “Essential Critical Infrastructure Workers” by the DHS/CISA guidance are exempt.**- In addition to citing the CISA guidance, the Ohio Health Director’s Order specifically identifies “**railroads**” as “**Essential Infrastructure,**” which is to be defined broadly – thereby covering **railroad workers and contractors**.- **Exempts rail workers and contractors from the quarantine requirement** – as they are designated essential. | <https://coronavirus.ohio.gov/wps/portal/gov/covid-19/home>  |
|  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Oklahoma****Statewide Business** **Closure Order** | 3/24/20203/25/20203/29/2020 Effective until withdrawn | - Orders **all non-critical businesses to close**.- **Exempts all businesses designated as “Essential Critical Infrastructure Workers” in the DHS/CISA guidance**. - In addition, specific exemption from the order made for “**transportation and warehousing.”** | **- Rail workers and contractors** designated as **“Essential Critical Infrastructure Workers**” by the DHS/CISA guidance are exempt.- Order also exempts the broad category of “**transportation and warehousing**.” | <https://coronavirus.health.ok.gov/>  |
| **Oklahoma – Statewide Quarantine Order** | 3/29/2020Effective for 30 days | **- UPDATE: Requires individuals traveling** to Oklahoma **“by air”** from areas of high community spread, including **New York, New Jersey, Connecticut, Louisiana, Washington, and California to quarantine for 14 days**.**-** Requires individuals over 65 and those with underlying health conditions **to stay home except for those in the “critical infrastructure sector.”** | - **Quarantine** only applies to those **traveling by air** so should have minimal impact on rail workers and contractors. - **Stay-at-home** order for vulnerable individuals exempts those in the DHS/CISA guidance by reference |  |
|  |  |  |  |  |
| **Oregon** | 3/23/2020Effective until terminated | - Requires all individuals, to the maximum extent possible, to **stay at home**.- Requires the **closure of specifically enumerated businesses for which it is difficult close personal contact (primarily retail)**. | **- Non-retail businesses unaffected**.- **No effect** on **railroad workers, police, contractors, or suppliers**. | <https://govstatus.egov.com/or-covid-19>  |
|  |  |  |  |  |
| **Pennsylvania** | 3/30/2020Effective until 4/30/2020 | - Requires certain **Pennsylvanians to stay home and businesses to close**, but allows that “**Life sustaining businesses may remain open**…”- Amendment implemented as of 3/30/2020 – applies the **state order to 26 counties** and is effective through 4/30/2020. | - Defined life-sustaining businesses “May Continue Physical Operations.”- “**Rail Transportation**” is listed as “**Yes**” for **continued operations** – with **no caveats to the type of rail transportation**, freight or passenger. | <https://www.health.pa.gov/topics/disease/coronavirus/Pages/Coronavirus.aspx>  |
|  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Rhode Island – General**  | 3/28/2020Effective until 4/13/2020 | - Requires residents **to stay-at-home**. - Requires all “**non-critical retail businesses” to cease** in-person operations- Orders all individuals coming to Rhode Island “from another state for a **non-work-related purpose** must immediately self-quarantine for 14 days.”- Rhode Islanders that work in another state may do so if they cannot telework, but must self-quarantine when not at work. | - **Non-retail businesses unaffected**.- **No effect** on **railroad workers, police, contractors, or suppliers**.- Q**uarantine applies only to non-work related** movements into state. | <https://health.ri.gov/covid/>  |
| **Rhode Island – New York related** | 3/26/2020Effective until 4/25/2020 | - Requires **anyone coming from New York State to self-quarantine for 14 days**, except public health, public safety, and healthcare workers.- Requires **anyone who has come from New York State in the last 14 days to self-quarantine for 14 days**, except public health, public safety, and healthcare workers.- Governor’s office acted to exempt truck drivers bringing essential goods, commodities, and materials into the state. | - **No specific exemption** for railroads or based on the DHS/CISA guidance.- AAR request for assistance filed with DHS/CISA on **effects of impeding worker access and critical functions in interstate commerce**.- Official correspondence clarifying intent of guidance to apply to exemptions from travel quarantine orders from DHS/CISA to state and territorial governors through the National Governors’ Association expected. |  |
|  |  |  |  |  |
| **South Carolina****Statewide****Quarantine** | 3/27/2020Effective for duration of emergency | - **Requires self-quarantine for a period of 14 days** for all persons who enter South Carolina from **New York, New Jersey, Connecticut, and New Orleans**.- Order does not apply to employees with airlines or to **workers providing support to the military, health care, or emergency response operations**. | - **No specific exemption** for railroads or DHS/CISA guidance.- However, **rail workers and contractors support military shipments** and **deliver health care supplies**.- Recommend use of the **AAR-issued access request letters**. | <https://www.scdhec.gov/infectious-diseases/viruses/coronavirus-disease-2019-covid-19>  |
| **South Carolina****Statewide Lodging Restriction** | 4/3/2020Effective for duration of emergency | -Prohibits hotels and places of lodging from “accepting new reservations or bookings from or for individuals residing in or travelling from any country, state, municipality, or other geographic area subject to or identified in a CDC travel advisory or other CDC notice as a location with extensive community transmission of COVID-19, to include the Tri-State Area (consisting of the States of New York, New Jersey, and Connecticut).”-Exempts from the restriction on lodging those “individuals otherwise engaged in commercial transportation activities.”  | -**Rail workers and contractors** may still book rooms as those “**engaged in commercial transportation** activities” |  |
| **South Carolina -- Columbia** | 3/26/2020 3/29/2020Effective 14 days  | - **Stay-at-home order** effective 3/29/2020, requires individuals remain at home, except for “Essential Services”- Essential Services includes “**transportation infrastructure such as bus, rail…”** | - Order **specifically identifies “rail” as “Essential Service”** – thereby covering railroad workers and contractors  |  |
|  |  |  |  |  |
| **South Dakota** | 3/23/2020Effective until 5/2/2020 | - **Not** **a stay-at-home order**, but recommends closure of certain retail businesses.- Directs that all local and municipal governments should “**protect the critical infrastructure sectors**...as they have a **special responsibility to maintain their normal work schedule**.”- Order is to be “**read in conjunction with the [CISA] list**” – the guidance issued by DHS’s Cybersecurity and Infrastructure Security Agency (CISA) on “Essential Critical Infrastructure Workers.” | **- Non-retail businesses unaffected****- Rail workers and contractors designated as “Essential Critical Infrastructure Workers”** by the DHS/CISA are protected from local orders.  | <https://covid.sd.gov/> |
|  |  |  |  |  |
| **Tennessee****Statewide** | 3/30/20204/2/2020Effective until 4/14/2020 | - **UPDATE**: Requires individuals to **stay-at-home except** for engaging in **“Essential Activity or Essential Service**” and closes non-essential businesses for in-person business- States that “**All critical infrastructure remains operational**, and government entities and businesses will continue providing important and essential services.”- Leaves local orders in place- States that “**All critical infrastructure remains operational**, and government entities and businesses will continue providing important and essential services.”- Leaves local orders in place.- Defines “**Essential Services**” as those listed in the **DHS/CISA Guidance Version 2.0**. - Exempts “**Essential Infrastructure Operations**” – a term that includes “**railroads, … and public transportation**.”- “Essential Infrastructure Operations shall be **construed broadly** to avoid any impacts to essential infrastructure, broadly defined.” | **- Rail workers and contractors designated as “Essential Critical Infrastructure Workers”** by the DHS/CISA guidance are **exempt from the stay-at-home order** – and may **continue to work**.- In addition, the addendum list includes broad exemption for “**railroads**.”  | <https://www.tn.gov/governor/covid-19.html>  |
| **Tennessee – Knox County**  | 3/23/2020Effective for 14 days from 3/24 | -Issued a **Safer-at-Home order** requiring individuals to stay inside their homes unless engaged in essential activities.- Exemptions cite **all businesses included in the guidance** **on “Essential Critical Infrastructure Workers” issued by DHS/CISA on March 19, 2020**. | - Rail workers and contractors **designated as “Essential Critical Infrastructure Workers**” by the DHS/CISA guidance are **exempt from the stay-at-home order** – and may **continue to work**. |  |
| **Tennessee – Memphis Region** | 3/24/20203/31/2020Effective until 4/14/2020 | - Issued a **Safer at Home Order** effective 6:00 pm on March 24, 2020, through midnight April 7, 2020 – directing all residents of Memphis to stay inside their homes, unless engaged in essential activities- Exemptions cite **all businesses included in the guidance on “Essential Critical Infrastructure Workers” issued by DHS/CISA on March 19, 2020**. | - Rail workers and contractors **designated as “Essential Critical Infrastructure Workers**” by the DHS/CISA guidance are **exempt from the stay-at-home order** – and may continue to work. |  |
| **Tennessee – Nashville Region**  | 3/24/20204/2/2020Effective until 4/24/2020 | - Urges individuals to shelter at home and requires non-essential businesses to close- “This Order **does not apply to activities necessary to maintain continuity of operations of critical infrastructure sectors,** as outlined in the <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19> .” | - Rail workers and contractors **designated as “Essential Critical Infrastructure Workers”** by the DHS/CISA guidance are **exempt from the stay-at-home orde**r – and may continue to work. |  |
|  |  |  |  |  |
| **Texas****Statewide** | 3/20/2020Effective through 4/30/2020 | - **NOT a “shelter-in-place” order**.- Direct every person in Texas to **avoid social gatherings in groups of more than 10 people**.- Directs people to **avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors**; provided, however, that the use of drive-thru, pickup, or delivery options is allowed and highly encouraged.- Directs people **not to visit nursing homes or retirement or long-term care facilities**, unless to provide critical assistance.- Orders **temporary closure of schools**. | - **NOT a business closure order**.- **All critical infrastructure remains operational**. - Government entities and **businesses to continue providing** **essential services**. - Employees should practice good hygiene and, where feasible, work from home for optimum isolation. | <https://texas.gov/#covid19>  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Texas** **Statewide Quarantine** | 3/26/2020 and3/29/2020Effective until rescinded | - Order GA-11 (with updates) requires every person who enters the State of Texas through an airport, from New York, New Jersey, California, Louisiana, Washington, Connecticut, Atlanta, Chicago, Detroit, Miami and New Orleans, “shall be subject to mandatory self-quarantine for a period of 14 days from the time of entry into Texas … - This order to self-quarantine **shall not apply to people traveling in connection with** military service, emergency response, health response, or **critical-infrastructure** **functions**, as may be determined by the Texas Division of Emergency Management.”- Order GA-12 requires any person who **enters from Louisiana by road to self-quarantine for 14 days**. This order “**shall not apply to people traveling in connection with commercial activity** ... or **critical-infrastructure functions**, as determined by the Texas Division of Emergency Management.”- Order GA-14 **exempts “essential services,”** which are **defined to include all of the categories and critical functions of “Essential Critical Infrastructure Workers” designated in the DHS/CISA guidance, version 2, dated March 28, 2020**. | - **Quarantine order**.- **All critical infrastructure remains operational**. - Government/businesses continue to provide essential services.- State website (link provided in right-hand column) notes: “**If you or your Company falls within the essential services categories as defined by Texas Executive Order GA-14, you and your employees are automatically exempt from the travel-related quarantine requirement** a**nd are not required to apply for an exemption via this form.”**- **Rail workers and contractors** **designated as “Essential Critical Infrastructure Workers”** by the DHS/CISA guidance are **exempt from the quarantine orders** – may continue to work.- Recommend **use of the AAR-issued access request letters and rail-focused CISA guidance**. |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Texas – Austin** | 3/24/2020Effective until 4/13/2020 | - Requires individuals to “**stay at home**” and **non-essential businesses to cease**.- Order should **not be construed to “hinder of the industries identified” by the DHS/CISA guidance** – these industries are exempt from the order and authorized to continue their operations. | - Rail workers and contractors **designated as “Essential Critical Infrastructure Workers”** by the DHS/CISA guidance are **exempt from the stay-at-home orde**r – and may continue to work. |  |
| **Texas – Dallas County** | 3/23/20204/3/2020Effective until 4/30/2020 | **- “Shelter-in-place” and “Stay Safe. Stay Home” order**.- Orders “**All individuals currently living within Dallas County**” must “**shelter at their place of residence**.” - Orders “All businesses operating within Dallas County, **except Essential Businesses** as defined in below in Section 2,” must “cease all activities at facilities located within the County.”- Essential businesses exempted from the order include “**Essential Critical Infrastructure**.” -- The description of this term specifically cites work necessary to the **operations and maintenance of the 16 critical infrastructure sectors** as identified by the **DHS/CISA guidance on “Essential Critical Infrastructure Workers,”** Version 2.0, issued on March 28, 2020, “provided that they carry out those services or that work in compliance with social distancing…” | - Rail workers and contractors **designated as “Essential Critical Infrastructure Workers”** by the DHS/CISA guidance are **exempt from the stay-at-home orde**r – and may **continue to work**.- Also cited as specific exemption – “public transportation” – indicated twice in the same paragraph. One of the references may have been intended to cite rail transportation expressly as well. |  |
| **Texas – El Paso**  | 4/1/2020Effective until rescinded | - Requires individuals living within the City of El Paso to temporarily **stay at home**.**- Prohibits “all travel,** ... except for purposes of Essential Travel, performing Essential Activities or going to work in an Essential Business, Government Service, or Critical Infrastructure.”- **Allows** individuals “to leave their residence to provide a**ny services or perform any work necessary to the operations and maintenance of ‘Critical Infrastructure**,’ including, … personnel **listed”** in the DHS/CISA “list of ‘Essential Critical Infrastructure Workers.’”- Exemption or “Essential Business,” defined to include “**rail transportation**” and “**support activities for ... rail ... transportation**, freight transportation arrangement, other support activities for transportation and transportation maintenance services.”- Also defines as essential those “**Businesses that supply other Essential Businesses, Critical Infrastructure…”** | - Rail workers and contractors **designated as “Essential Critical Infrastructure Workers”** by the DHS/CISA guidance are **exempt from the stay-at-home orde**r – and may **continue to work**. - Further, “**Essential Businesses**” are **broadly defined** to include **rail transportation and support activities for rail transportation**. |  |
| **Texas – Bexar County (San Antonio)** | 3/23/2020Effective until 4/9/2020 | - Requires **all individuals to stay-at-home**.- Requires **businesses to cease operations, unless exempted**.- **Exempted Businesses** include “Infrastructure, Development, Operations and Construction” and “**Transportation**.” | - **Rail workers and contractors** are covered under the **broad exemption categories** of “Infrastructure, Development, Operations and Construction” and “Transportation.” |  |
| **Texas – Tarrant County** | 3/24/20203/27/20204/3/2020Effective until 4/30/2020 | - Requires **all individuals to stay-at-home**.- Requires businesses to cease operations, unless exempted-**Allows for “work** **in** Essential Businesses, Government Service, or **Essential Critical Infrastructure**” - “Essential Critical Infrastructure” is defined as “everything listed by the U.S. Department of Homeland Security in its **Guidance on the Essential Critical Infrastructure Workforce, Version 2.0.”** | **- Rail workers and contractors designated as “Essential Critical Infrastructure Workers”** by the DHS/CISA guidance are **exempt from the stay-at-home order** – and may continue to work.  |  |
| **Texas – Laredo**  | 3/31/20204/3/2020Effective until 4/30/2020 | **- UPDATE: Order to be read consistent with Executive Order No. GA-14 issued by Governor Greg Abbott and the Essential Services designation of the State** - Requires individuals living in Laredo “**to shelter at their place of residence except as allowed by this Ordinance.”****-** Requires all **nonessential businesses to cease operations**.- “Essential Critical Infrastructure means **all public and private facilities and assets**, including both physical and cyber systems, and o**ther functions and sectors vital to the security, governance, public health, safety, and economic continuity of the City** of Laredo”- Requires essential infrastructure to “compl[y] with **social distancing requirement** of six (6) feet and use protective gear that **covers their nose and mouth with a medical mask or any form of cloth.”**- Requires, that “If someone in a household has **tested positive for COVID19 and is not hospitalized**, the **household is ordered to isolate at home for a period of at least three days (72 hours)** ... **and, at least seven (7) days have passed since symptoms first appeared.** ...If a member of the household tests positive, then other members of the household should consider themselves positive if they become symptomatic and follow the isolation and quarantine measures prescribed by local, state, or federal health authorities. **Asymptomatic members of the household shall not go to work**, school, or any other community function until the member of the household who tested positive is no longer required to isolate.”**-** Imposes **a curfew for all persons aged 18 and over** to be imposed from 10:00 PM to 5:00 AM, **unless that person** is out for an emergency, or to perform certain Essential Activities, or to **perform or obtain services from Essential Businesses, Government Functions or services, or Critical Infrastructure** as defined herein unless otherwise superseded by Executive Order No. GA-14 issued by Governor Greg Abbott. | **- Rail workers and contractors designated as “Essential Critical Infrastructure Workers”** by the DHS/CISA guidance are **exempt from the stay-at-home order** and curfew – and may **continue to work,** but should c**omply with social distancing and cover their nose and mouth with a mask or cloth.**  |  |
|  |  |  |  |  |
| **Utah** | 3/27/2020Effective until 4/13/2020 | - **“Stay Safe, Stay Home” directive** to all residents in Utah.- Utah residents are **expected to stay home whenever possible**. - **Businesses are not directed to close**.- Businesses that **remain open** are reminded to **comply with all public health orders**, **offer telework options wherever possible**, continue following **strict hygiene policies**, and **implement enhanced social distancing measures in the workplace where telework is not an option**. | - Order does **not direct closure or cessation of business activities**.- **Rail employees and contractors may continue to work**.- Where telework is not an option, businesses are directed to maintain practices consistent with CDC guidance on hygiene practices and social-distancing, as practicable. - The order highlights these practices.  | <https://coronavirus.utah.gov/>  |
| **Utah** **Statewide Quarantine** | 4/1/2020Effective until4/15/2020 | -Requires those testing positive for COVID-19, living with someone with COVID-19, or been exposed to someone with COVID-19 to quarantine for 14 days-Recommends individuals to avoid certain in-person businesses | - Order does **not direct closure or cessation of business activities**.- **Rail employees and contractors may continue to work**, so long as they haven’t been exposed to COVID-19. |  |
| **Utah – Salt Lake County**  | 3/29/2020Effective until 4/13/2020 | - “**Stay Safe, Stay Home” directive** to all residents in Salt Lake County.- Requires **certain businesses to close**.- Requires some businesses to exclude employees with symptoms from work and to practice 6-feet of social distancing as much as possible, which is defined in an addendum, and **includes in the order the businesses in the DHS/CISA guidance**. - The addendum to the order exempts a broader set of businesses: -- “**Transportation**, utilities, and **other essential infrastructure**” -- “Any **business or worker included among the U.S. Department of Homeland Security’s critical infrastructure sector**s” [the hyperlink in the list of industries actually takes you to the 16 sector specific agencies, which is broad, not the specific guidance that was developed for this incident]. | - **Rail workers and contractors designated as “Essential Critical Infrastructure Workers”** by the DHS/CISA guidance are **exempt from the stay-at-home order** – and may continue to work **if not exhibiting symptoms**.- In addition, the addendum list includes broad exemption for “**transportation**.” |  |
|  |  |  |  |  |
| **Vermont --** **Statewide Stay at Home and Quarantine** | 3/24/20203/30/2020Effective until 4/15/2020 | - Requires Vermont residents to **stay at home**.- Allows businesses and entities deemed critical are allowed to remain open- Exempts “**critical infrastructure** including utilities, telecommunication, airports and**transportation infrastructure**” and “**transportation sector** and agricultural sector **equipment parts, repair and maintenance.”****-** Grants the Agency of Commerce and Community Development (ACCD) authority to determine businesses that are critical. - ACCD guidance notes that “**All business activities and workers 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 dated March 19, 2020 are **deemed critical to public health, safety, or economic and national security in Vermont.”****- UPDATE: Added an addendum for hotspot quarantine order**.- Requires **individuals from out of state to quarantine for 14 days**.- Requests individuals from “**COVID-19 hot spots**,” including, among others, the states of Florida, Louisiana, New York, New Jersey, and Connecticut, and the cities of Detroit, Chicago and New York City, should stay in their home states.”**-** “**Essential purpose**” for purposes of this quarantine restriction **shall mean trave**l required for personal safety; food, beverage or medicine; medical care; care of others; and **to perform work, services or functions deemed critical to public health and safety, as well as economic and national security, as set forth in Stay Home/Stay Safe**. | - **Rail workers and contractors** **designated as “Essential Critical Infrastructure Workers”** by the DHS/CISA guidance are **exempt from the stay-at-home orde**r – may continue to work.- In addition, the order includes broad exemption for “**transportation infrastructure**” and “**transportation sector** and agricultural sector **equipment parts, repair and maintenance.”****- Quarantine order addendum** cross-references stay at home order and **allows for rail workers and contractors to continue to travel for work** | <https://www.healthvermont.gov/response/infectious-disease/2019-novel-coronavirus>  |
|  |  |  |  |  |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Virginia** | 3/30/2020Effective until 6/10/2020 | - **Updated**: Executive Order 55 requires all individuals to **stay-at-home**, but allows them to travel to work. - Specifies this order “does not apply: … To the operation of businesses not required to close to the public under Executive Order 53.”**- Executive Orders 53 requires closure of restaurants and dining establishments for in-person use**; these facilities may shift solely to takeout service.- Orders closure of all public access recreational, entertainment, and sports businesses.- **Allows “Essential retail businesses” to remain open** during their normal business hours – covering a wide range of retail outlets for groceries, food and drink, medical needs, pharmacies, electronics stores – notably for smart phone sales and repairs, home improvement stores, automotive stores, gas stations, animal feed and pet stores. | - Even with updated order, **non-retail businesses still unaffected**.- **No effect** on **railroad workers, police, contractors, or suppliers**. They may continue to work. | <https://www.virginia.gov/coronavirus/>  |
|  |  |  |  |  |
| **Washington** | 3/23/20204/2/2020Effective until 5/4/2020 | - Requires all residents to **stay at home** – except as needed to provide continuity of operations of essential critical infrastructure sectors and additional sectors.- **Essential critical infrastructure and functions are exempt** from the order.- The **listing of essential critical infrastructure and functions generally follows the DHS/CISA guidance** on “Essential Critical Infrastructure Workers” issued on March 19, 2020: -- Law enforcement, **hazardous material responders and hazardous devices teams**, from **government and the private sector**, **private security**, **private fire departments**, and private emergency medical services personnel. -- Petroleum product … **rail transport**, road transport. -- **Employees supporting or enabling transportation functions**, including **dispatchers, maintenance and repair technicians**, **warehouse workers**, workers engaged in snow removal and avalanche control for state highways, and **workers that maintain and inspect infrastructure** (including those that require cross-border travel). -- **Mass transit workers**. -- **Workers responsible for operating dispatching passenger, commuter and freight trains and maintaining rail infrastructure and equipment**. -- Employees who **repair and maintain** vehicles, aircraft, **rail equipment**, marine vessels, and the **equipment and infrastructure that enables operations that encompass movement of cargo and passengers**. **-- Construction workers** who support the construction, operation, inspection, and maintenance of construction sites and construction projects (including housing construction) **for all essential facilities, services, and projects in this document**. -- **Workers supporting the chemical and industrial gas supply chains**, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who **transport basic raw chemical materials to the producers of industrial and consumer goods**, including hand sanitizers, food and food additives, pharmaceuticals, textiles, and paper products. -- Workers supporting the **safe transportation of chemicals**. | - **Rail workers and contractors** are covered under several of the enumerated **essential sectors and functions**. As such, they are **exempt** from the stay-at-home order – and **may continue to work**. | <https://coronavirus.wa.gov/> |
|  |  |  |  |  |
| **West Virginia** | 3/23/2020Effective until terminated | - Requires all **individuals to stay at home and non-essential businesses to cease operations**.- “**Essential businesses and operations shall continue to operate**.”- “Essential businesses and operations” include industries and workers in the DHS/CISA guidance on “Essential Critical Infrastructure Workers” and further includes “law enforcement”, “**railroads, public transportation”**, “other private, public, and commercial transportation and logistics providers” | - Rail workers and contractors **designated as “Essential Critical Infrastructure Workers”** by the DHS/CISA guidance are **exempt from the stay-at-home orde**r – and may continue to work.- In addition, the order includes broad exemption for “**railroads**,” “**public transportation**,” and “**commercial transportation and logistics providers**.” | <https://dhhr.wv.gov/COVID-19/Pages/default.aspx> |
|  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **Date** | **Summary – Executive Action** | **Rail Worker/Contractor Status** | **State Website** |
| **Wisconsin** | 3/24/2020Effective until 4/24/2020 | **-** Requires **all individuals to stay at home**.- Requires **all non-essential businesses to cease operations**.- **Exempts “Essential Infrastructure**. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to offer, provide, operate, maintain, and repair Essential Infrastructure.”- “Essential Infrastructure includes, but is not limited to: … **railroads, and public transportation**.”- “Essential Infrastructure shall be **construed broadly** to avoid any impacts to essential infrastructure, broadly defined.”- Also exempted from the order as an “Essential Government Function” are “all paid or volunteer first responders including law enforcement, EMS, and firefighters; first responder training academies.” | - **Rail workers and contractors** are covered broad definition of the term “**Essential Infrastructure**” – and may continue to work. | <https://www.dhs.wisconsin.gov/covid-19/index.htm> |
|  |  |  |  |  |
| **Wyoming** | 3/19/20203/27/2020Effective until 4/17/2020 | - **Not** a **stay at home order**.- Requires **businesses of public accommodation to close in-person operations**. | **- Non-retail businesses unaffected**.- **No effect** on **railroad workers, police, contractors, or suppliers**. | <https://covid19.wyo.gov/> |
| **Wyoming****Quarantine Order** | 4/3/2020Effective until 4/30/2020 | -Requires individuals arriving from **out-of-state or out-of-country for a non-work-related purpose to quarantine for 14 days.****-Does not apply to individuals travelling through Wyoming en route to another destination**-Preempts any county orders that are inconsistent | -**Rail workers and contractors travelling to or through Wyoming for work are exempt.** |  |