

Guidance on Executive Order 20-40



On April 23, Governor Walz signed Executive Order 20-40 (https://mn.gov/governor/assets/EO%2020-40%20Final_tcm1055-429564.pdf), which allows workers in industrial and office settings to return to work, subject to several conditions. First, all workers who can work from home must continue to do so. There are also a number of other conditions laid out in the executive order, including creating a COVID-19 Preparedness Plan and conducting health screenings of employees each day at arrival.

Industrial: What Does it Mean?

Industrial settings are places of employment in which goods are in the process of being created. Agriculture, forestry, fishing and hunting qualify, as do mining, construction, utilities and manufacturing. Wholesale trade and warehousing also qualify as they are preparing those goods for sale to customers and consumers. Some of these settings are natural for allowing social distancing. Others will be more difficult and require businesses to change practices, including increasing space between workstations and reducing density of workers for each shift.

Office: What Does it Mean?

Office settings are places of employment in which workers do their work within an office space where people primarily do their work at their desk and whose work is primarily not customer facing. Some settings will be natural for allowing social distancing, with people primarily working in individual offices. Others will be more difficult and require businesses to change practices, including increasing space between workstations and reducing density of workers for each shift.

Examples of what you can do:

- Interact with co-workers while maintaining appropriate social distancing.
- Conduct virtual meetings with co-workers, customers and suppliers.

- Work at workstations as long as there is adequate space between workers.
- Follow the business's plan for social distancing.

Examples of what you can't do:

- Conduct customer visits in customer workplaces or homes.
- Invite customers into the workplace.
- Conduct meetings in conference rooms that don't allow social distancing.
- Work right next to co-workers.

What about Critical Workers/Sectors?

Executive Order 20-40 (https://mn.gov/governor/assets/EO%2020-40%20Final_tcm1055-429564.pdf) makes no changes to the definitions of Critical Workers/Sectors from Governor Walz's Executive Order 20-33 (<https://www.leg.state.mn.us/archive/execorders/20-33.pdf>). Critical Workers/Sectors can be open, as they were before this order. This order allows non-Critical Sector Workers in industrial and office settings to go back to work, with certain conditions.

What is not included?

Unless they qualify as a Critical Sector in Executive Order 20-33 (<https://www.leg.state.mn.us/archive/execorders/20-33.pdf>), businesses that sell goods and services directly to customers remain closed for the time being. These businesses are still allowed to fulfill orders to support electronic commerce.

What if I need more information?

First, please review the Critical Sectors guidance (/deed/assets/critical-worker-definitions-ACC_tcm1045-425195.pdf) for information and clarifications about what workers are considered Critical Sector.

If you still have a question that you need answered about whether a business meets the definition of industrial or office, please email CriticalSectors@state.mn.us (<mailto:CriticalSectors@state.mn.us>).