LEGAL UPDATES

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Missouri Governor Moves to Reopen Businesses – With Conditions

Service

Labor & Employment

On April 27, 2020, Missouri Governor Mike Parson issued the Show-Me Strong Recovery Order, an executive order forming part of the State's plan to re-open business and community operations. This order will take effect on May 4, after the expiration of the current Stay at Home Order.

Under the new order, businesses may reopen but are subject to social distancing requirements. Social distancing is defined as maintaining six feet distance between individuals but does not apply to individuals performing job duties that requires closer contact, or between family members. Individuals are required to practice social distancing at all times, including during religious worship practices which may now resume.

Retail stores with less than ten thousand square feet may still only operate at 25% occupancy capacity, and stores ten thousand square feet or more may only operate at 10% occupancy capacity, as set by the fire code. This includes grocery stores.

Restaurants may resume dining-in services, however, there must be six feet distance between tables, no communal seating areas, and no more than ten people at a single table. Drive thru, pickup, and delivery is still encouraged.

Non-emergency healthcare operations, including dental and optometry appointments, may begin providing usual services at their discretion. However, guidelines provide that businesses, including medical providers, that have a waiting room should implement a system where their customers wait in their cars and only enter the building for their appointment.

Individuals are not permitted to visit nursing or assisted living facilities except to provide critical assistance or in end of life circumstances, and schools are to remain closed, except for providing Food and Nutritional Services for children

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that qualify. Daycares and schools may provide child care in accordance with CDC guidelines.

The Order permits local authorities to make further ordinances as necessary for the locality, and localities with more restrictive orders will remain in place. Kansas City, Missouri has announced a Soft Re-Opening beginning on May 6, while the Jackson County, Missouri's Stay At Home Order is in place until May 11, 2020. St. Louis City and St. Louis County have extended their Stay-At-Home Orders indefinitely, to be re-evaluated mid-May. Thus, the orders with more restrictive measures will remain in effect in those locations. See our updates for Kansas City, Mo. and the state of Kansas.

General Guidelines on Phase 1 instruct businesses to prepare prevention measures informed by industry best practices regarding protective equipment, temperature checks, testing, isolating, tracing, and sanitation. Further, workspaces should be modified to maximize social distancing. Businesses should develop a preparedness and response plan, and also should monitor employees for symptoms. Finally, businesses are encouraged to develop, implement, and communicate protections to their employees, including telework as possible, returning to work in phases, limiting access to common areas, and ensuring that sick leave policies are flexible and consistent with public health guidance.

Contact us

If you have further questions or require more information regarding this update, please contact Lowell Pearson, Natalie Holden or your Husch Blackwell attorney. Visit our Missouri State-by-State COVID-19 Guidance page for frequently updated information.

COVID-19 Return-to-Work Resource

For the many businesses that partially or completely shuttered their on-site operations due to government-mandated COVID-19 orders, transitioning employees back to the workplace is an unprecedented and complex endeavor. Husch Blackwell's Return-to-Work Resource Center provides best practices, answers to common questions and potential issues to consider.

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