

Non-Essential Businesses in MA to Remain Closed Until May 18

Written by Tad Heuer, Colin J. Zick, Christopher Feudo, Jeremy W. Meisinger

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On April 28, 2020, Governor Baker extended the essential services and limited gatherings Order, originally put in place on March 23, 2020, through [May 18, 2020](#). This represents a two-week extension of the prior expiration date of May 4, 2020. The new Order leaves unchanged the current division between essential and non-essential workers, meaning that brick-and-mortar workplaces are required to remain closed to non-essential workers through May 18, 2020.

The announcement is not altogether surprising, as Governor Baker has long urged a cautious approach to re-opening and stressed the need for additional testing. At the same time he extended the Order, Governor Baker also announced the formation of a [Reopening Advisory Board](#) that will report to the Governor on strategies for a safe, gradual reopening of businesses. That report is due to the Governor on May 18, 2020, meaning there is a strong chance that at least portions of the Order will be extended past May 18, 2020 while the administration develops a plan.

At the same time, Governor Baker also extended and issued updated guidance regarding some additional prior Orders, including the prohibition on gatherings of 10 or more individuals, guidance to hotels and motels, and guidance to nurseries, greenhouses, and garden centers. The updated [guidance](#) to hotels and motels generally limits operations to providing housing to specific populations, such as certain essential out-of-state workers, homeless populations, and populations that are isolating or self-quarantining. The updated [guidance](#) to greenhouses and garden centers largely allows such facilities to operate brick-and-mortar premises, but requires now-familiar safety precautions, such as social distancing, offering of curbside pickup, and provision of hand sanitizers and disinfecting wipes.

In a similar vein, the Governor also issued [guidance](#) to farmers' markets, retail farm stands, and CSAs, clarifying that – much like grocery stores – such facilities are considered essential and may remain open with appropriate precautions (such as social distancing, limiting of customers, frequent disinfecting of surfaces, and so forth).

Foley Hoag has formed a firm-wide, multi-disciplinary [task force](#) dedicated to client matters related to the novel coronavirus (COVID-19). For more guidance on your COVID-19 issues, visit our [Resource Portal](#) or contact your Foley Hoag attorney.

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