



## **Additional Guidance on Essential Governmental Operations**

**April 3, 2020**

### **Does the Governor's Executive Order No. 121 allow government offices to continue to conduct business?**

Yes, essential government operations are continuing.

Section 2, paragraph C 6 of Executive Order No. 121 includes the following as COVID-19 Essential Business and Operation:

**Essential Governmental Operations.** Essential Governmental Operations means all services provided by the State or any municipality, township, county, political subdivision, board, commission or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, and including contractors performing Essential Governmental Operations. Each government body shall determine its Essential Governmental Operations and identify employees and/or contractors necessary to the performance of those functions.

In addition, Section 2 of Executive Order No. 120 provides:

#### **Section 2. Mandatory Local Government Operations**

a. Consistent with my authority under N.C. Gen. Stat. §§ 166A-19.30(c)(1) and (2), and to the extent that local government functions are required under state and federal law, I hereby direct the appropriate local governmental agencies to continue to exercise their responsibilities, including but not limited to local county Department of Social Services ("DSS") offices, Registers of Deeds, and other local government functions that are required to protect lives and property.

b. Notwithstanding Section (a) of this Section, local government employees must take appropriate precautions to maintain the health of the general public and their employees who are required to perform their official duties in a manner that brings them in contact with the general public by putting in place appropriate public health measures in government facilities, such a social distancing, use of reasonable personal protective equipment and offering reasonable accommodations to service providers with consideration for their health.

**Does the Governor’s Executive Order No. 121 allow for travel to government offices to conduct business with the government?**

Yes, travel is permissible to obtain essential government services. Each government body will determine what essential governmental operations are.

Section 1, paragraph 3 vii of Executive Order No. 121 provides:

**Leaving the home and travel for Essential Activities is permitted.** For purposes of this Executive Order, individuals may leave their residence only to perform any of the following Essential Activities:

- vii. **To receive goods and services.** To receive goods and services provided by a COVID-19 Essential Business or Operation.

**I have applied for a job and need to get a criminal history check. Can I go to my local law enforcement agency to get fingerprinted?**

Yes—if you have applied for a job an Executive Order and/or CISA has determined is a part of the Essential Critical Infrastructure workforce. Criminal history record checks are required by state and federal law for certain applicants for employment. These jobs include, but are not limited to, health care, law enforcement, child care, licensed facility-based care, and public safety employees.

Section 2, paragraph C 2 of Executive Order No. 121 includes the following as COVID-19 Essential Business and Operation:

Businesses Operating in CISA identified sectors. Businesses, not-for-profit organizations or educational institutions operating in the federal critical infrastructure sectors as outlined at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19> or any subsequent guidance issued by the U.S. Department of Homeland Security that amends or replaces said guidance.

CISA Guidance for Other Community- Or Government-Based Operations and Essential Functions includes workers who support necessary credentialing, vetting and licensing operations for critical infrastructure workers which includes law enforcement and corrections. [https://www.cisa.gov/sites/default/files/publications/CISA\\_Guidance\\_on\\_the\\_Essential\\_Critical\\_Infrastructure\\_Workforce\\_Version\\_2.0\\_Updated](https://www.cisa.gov/sites/default/files/publications/CISA_Guidance_on_the_Essential_Critical_Infrastructure_Workforce_Version_2.0_Updated)