

April 17, 2020

New CISA Essential Business Guidance for Exposed Workers; President Trump has unveiled ‘Guidelines for Opening Up America Again.’

CISA releases Version 3.0 of the Essential Critical Infrastructure Worker Guidance

The Cybersecurity and Infrastructure Security Agency (CISA) has announced that it has released Version 3.0 of the Essential Critical Infrastructure Workers list. The latest version of the advisory list provides clarity around a variety of positions that are deemed essential to support the critical infrastructure functions laid out in the original guidance and Version 2.0. This latest version includes a reorganization of the section around Healthcare and Public Health and more detail to clarify essential workers; emphasis for Emergency Medical Services workers; and adds lawyers and legal aid workers.

Also included is language focused on sustained access and freedom of movement; a reference to the CDC guidance on safety for critical infrastructure workers; and a statement saying sick employees should avoid the workplace and the workforce. In worker categories, all references to “employees” or “contractors” have been changed to “workers.” Other additions include a reference to the USCG Marine Safety Information Bulletin on essential maritime workers; clarified language including vehicle manufacture; and many other small changes to clarify language.

The list continues to be a resource for state and local decision makers and **is in no way a binding document**. Ultimately, **all final decisions rest with state and local authorities**, who must use their own judgment to balance public health and safety with the need to maintain critical infrastructure.

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President Trump has unveiled ‘Guidelines for Opening Up America Again.’

In a video conference with the nation's governors on Thursday, April 16, President Trump unveiled his "guidelines Opening Up America Again." The state leaders were instructed that they could move through the guidelines at their own pace and that the guidelines are not formal orders from the federal government. "Encouraging developments have put us in a very strong position to finalize guidelines for states on reopening the country," Trump said earlier Thursday. The guidelines lays out a three-stage easing of social distancing restrictions, starting with the return of restaurants and gyms, and progressing to schools and eventually workplaces.

- **Phase one:** Restaurants, movie theaters, sporting venues, places of worship and gyms can reopen if they observe strict social distancing. Elective surgeries can resume when appropriate on an outpatient basis.
- **Phase two:** Non-essential travel for employers can resume. Schools and organized youth activity can reopen. Bars can operate with diminished standing room occupancy. Large venues can continue under "moderate" social distancing protocols.
- **Phase three:** Vulnerable individuals can resume public interactions but practice social distancing. Employers can resume unrestricted staffing of workplaces. Large public venues can operate under limited social distancing rules. Visits to senior care facilities and hospitals can resume.

A critical piece to this is the "gating criteria" that all states and regions should achieve before they can move on to phase one. This includes a "downward trajectory" of reported "influenza-like illnesses," "covid-like syndromic cases" and "documented cases" or "positive tests as a percent of total tests" within a 14-day period, as well as the ability for hospitals to "treat all patients without crisis care" and have a "robust testing program in place for at-risk healthcare workers, including emerging antibody testing."

Learn more about the guidelines at WhiteHouse.gov/OpeningAmerica.

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