EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-31-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, COVID-19 continues to spread and is impacting nearly all sectors of California; and

WHEREAS COVID-19 has caused retailers to very rapidly sell out of critical supplies, and further action is required to help restore the supply chain; and

WHEREAS rapidly progressing responses to the threat of COVID-19 cause business needs and circumstances to change in ways that were not reasonably foreseeable as recently as just weeks and days ago, necessitating rapid changes in workforce needs; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1) Consistent with the Federal Motor Carrier Safety Administration's Emergency Declaration 2020-02, interstate motor carriers, operating under the provisions of that declaration, who have an active United States Department of Transportation number and interstate operating authority, are exempt from the requirement to hold an active Motor Carrier Property Permit pursuant to California Vehicle Code section 34620, while conducting intrastate transportation within California in support of emergency relief efforts. Additionally, drivers may be permitted or required to exceed the hours-of-service limits specified in California Vehicle Code section 34501.2, and California Code of Regulations, Title 13, section 1212.5, while operating a vehicle engaged in interstate or intrastate transportation, in support of emergency relief efforts. This includes, but is not limited to, transportation to meet immediate needs for: medical supplies and equipment related to the testing, diagnosis and treatment of COVID-19; supplies and equipment necessary for community safety, sanitation, and prevention of community transmission of COVID-19 such as masks, gloves, hand sanitizer, soap and disinfectants; food for emergency restocking of stores; equipment, supplies and persons necessary to establish and manage temporary housing, quarantine, and isolation facilities related to COVID-19; persons designated by Federal, State or local authorities for medical, isolation, or quarantine purposes; and persons necessary

to provide other medical or emergency services, the supply of which may be affected by the COVID-19 response. These waivers shall be in effect for the duration of the Federal Motor Carrier Safety Administration's Emergency Declaration 2020-02.

2) Because of the need to prevent or mitigate the spread of COVID-19, employers have had to close rapidly without providing their employees the advance notice required under California law. Thus, for the period that began March 4, 2020 through the end of this emergency, Labor Code sections 1401(a), 1402, and 1403 are hereby suspended for an employer that orders a mass layoff, relocation, or termination at a covered establishment on the condition that the employer:

   (i) Gives the written notices specified in Labor Code section 1401(a)-(b);

   (ii) Consistent with United States Code, Title 29, section 2102(b)(3), gives as much notice as is practicable and, at the time notice is given, provides a brief statement of the basis for reducing the notification period;

   (iii) Consistent with United States Code, Title 29, section 2102(b)(2)(A) and Code of Federal Regulations, Title 20, section 639.9(b), orders such a mass layoff, relocation, or termination that is caused by COVID-19-related "business circumstances that were not reasonably foreseeable as of the time that notice would have been required;" and

   (iv) For written notice given after the date of this Executive Order, in addition to the other elements detailed in Labor Code section 1401(b), such written notice must contain the following statement: "If you have lost your job or been laid off temporarily, you may be eligible for Unemployment Insurance (UI). More information on UI and other resources available for workers is available at labor.ca.gov/coronavirus2019."

   Unless otherwise specified, Labor Code section 1400 provides definitions for the terms used in this suspension.

   By March 23, 2020, the Labor and Workforce Development Agency shall provide guidance to the public regarding how this Executive Order will be implemented.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 17th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State