Oneida Nation
Oneida Business Committee
Legislative Operating Committee
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# *COVID-19 Core Decision Making Team Declaration*

*Updated Safer at Home*
*April 21, 2020*

The world is currently facing a pandemic of the coronavirus disease 2019 (*COVID-19*). The COVID-19 outbreak originated in Wuhan, China and has spread to many other countries throughout the world, including the United States. The World Health Organization has identified that the spread of COVID-19 is now a pandemic resulting in many countries experiencing the effects of illness and health issues related to COVID-19 and economic impacts.

On March 12, 2020, Chairman Tehassi Hill signed a "*Declaration of Public Health State of Emergency*" regarding COVID-19 which set into place the necessary authority should action need to be taken and allows the Nation to seek reimbursement of emergency management actions that may result in unexpected expenses.

On March 17, 2020, the Oneida Business Committee adopted emergency amendments to the Emergency Management and Homeland Security law to create and delegate authority to a COVID-19 Core Decision Making Team (*COVID-19 Team*). *[3 O.C. 302.10]*. When a public health emergency has been declared, the COVID-19 Team has the authority to declare exceptions to the Nation's laws, policies, procedures, regulations, or standard operating procedures during the emergency period which will be of immediate impact for the purposes of protecting the health safety, and general welfare of the Nation's community, members, and employees. *[3 O.C. 302.10-2]*.

The Oneida Business Committee adopted resolution # BC-03-25-2020-A, *Extension of March 12th Declaration of Public Health Emergency*, which extended the emergency period to May 12, 2020 at 11:59 p.m. This extends the enforcement of all Declarations issued by the COVID-19 Team.

During this Public Health Emergency declaration, the COVID-19 Team and the Finance COVID-19 Team (*Finance Team*) created by the Treasurer have monitored closely the financial soundness of the Nation and the ability to make payroll, manage governmental services, and pay expenses. The Nation has limited 'cash' resources available. Further, any action taken to liquidate investments can result on a loss on those investments given the current financial and economic status of the United States and the world, we would have paid far more for those investments than we would receive on liquidation. Our long-term financial survival depends on managing those investments very carefully.

Since adoption of *Declaration: Safer at Home*, issued March 24, 2020, the COVID-19 Team has worked in conjunction with other Tribal nations within the State of Wisconsin, National Congress of American Indians, Governor Evers of the State of Wisconsin, and other health officials to identify how to best meet the needs and protect the health and safety of individuals and businesses within the Oneida Reservation. As a result of this collaborative information gathering, and the Oneida Nation's partnership with the State of Wisconsin to protect all persons within the Oneida Reservation and the State of Wisconsin, the COVID-19 Team believes amendments to the March 24, 2020 Declaration are needed.

The COVID-19 Core Decision Making Team hereby declares:

1. *Stay at Home or Place of Residence.* All individuals present within the Oneida Reservation are ordered to stay at home or at their place of residence, with exceptions outlined below. To the extent individuals are using shared or outdoor spaces other than their home or residence, they must at all times as reasonably possible maintain social distancing of at least six (6) feet from any other person consistent with Social Distancing Requirements as defined below, except that they do not need to maintain social distancing between individuals residing in a single living unit or household. Individuals may leave their homes or residences only for the following functions as are defined in this Declaration:

   a. Essential Activities (defined in section 11);

   b. Essential Governmental Functions (defined in section 12);

   c. To operate Essential Businesses and Operations (defined in section 13);

   d. To perform non-essential Minimum Basic Operations (defined in section 14);

   e. Essential Travel (defined in section 15); and

   f. Special Situations (defined in section 8, 9, and 10).

   Individuals experiencing homelessness are exempt from this Section but are strongly urged to obtain shelter. To the extent possible, the Oneida Nation operations are continuing to identify resources for members and their immediate family members.

   Individuals whose homes or residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. For purposes of this Declaration, homes or residences include hotels, motels, shared rental units, dormitories, shelters, and similar facilities.

2. *Business Operations*

   a. *Non-Essential Business and Operations Must Cease.* All for-profit and non-profit businesses within the Reservation, except Essential Businesses and Operations as defined below, must cease all activities, except:

      i. Minimum Basic Operations, as defined below.

      ii. Any operations consisting exclusively of employees or contractors performing activities at their own home or residences (i.e., working from home).

   b. *Safe Business Practices.*

      i. All businesses, including Essential Businesses and Operations, shall:

         1. To the greatest extent feasible, use technology to avoid meeting in person, including virtual meetings, teleconference, and remote work (i.e. work from home).

         2. Cease door-to-door solicitation.

      ii. Essential Businesses and Operations are encouraged to remain open. Essential businesses and operations shall:

         1. To the greatest extent feasible, comply with Social Distancing Requirements as defined in this Declaration between all individuals on the premises, including but not limited to employees, customers, and members of the public.

2. Restrict the number of workers present on premises to no more than is strictly necessary to perform the essential operation.
3. Increase standards of facility cleaning and disinfection to limit worker and patron exposure to COVID-19, as well as adopting protocols to clean and disinfect in the event of a positive COVID-19 case in the workplace.
4. Adopt policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person with a confirmed diagnosis of COVID-19.

iii. Essential Businesses or Operations that remain open for in-person sales, including retail stores, shall:

1. Consider establishing curbside pick-up to reduce in-store traffic and mitigate outdoor lines.
2. For stores with less than 50,000 square feet of customer floor space, limit the number of people in the store (including employees) to 25% of the total occupancy limits established by the local municipality.
3. For stores of more than 50,000 square feet:
   a. Limit the number of customers in the store at one time (excluding employees) to 4 people per 1,000 square feet of customer floor space.
   b. Offer at least two hours per week of dedicated shopping time for vulnerable populations, which for purposes of this Declaration are people over 60, pregnant women, and those with chronic conditions like heart disease, diabetes, and lung disease.
4. Establish lines to regulate entry in accordance with occupancy restrictions in sections 2.b.iii.2. and 2.b.iii.3., with markings for patrons to enable them to stand at least six feet apart from one another while waiting. Stores should also use alternatives to lines, including allowing customers to wait in their cars for a text message or phone call and scheduling pick-ups or entries to the store.
5. Provided that, Oneida One Stop retail locations shall operate under Social Distancing Requirements and plans approved by the Public Health Officer.

c. Provided further that, gaming shall begin operations only upon approval of the safe re-opening plans by the Public Health Officer and approval of the Oneida Business Committee.

3. *Prohibited Activities.* All public and private gatherings of any number of people that are not part of a single household or living unit are prohibited, except for the limited purposes expressly permitted in this Declaration. Nothing in this Declaration prohibits the gathering of members of a single household or living unit. Landlords or rental property managers shall avoid entering leased residential premises unless emergency maintenance is required.

4. *Closures.* All of the following facilities shall be closed:

a. *Schools.* Public and private K-12 schools shall remain closed for pupil instruction and extracurricular activities for the remainder of the 2019-2020 school year. Schools may continue to facilitate distance learning or virtual learning. Schools may continue to be used for Essential Government Functions and food distribution.

b. *Libraries.* Public libraries shall remain closed for all in-person services, except that they may provide the following services:

i. On-line services and programming.

ii. Curb-side pick-up of books and other library materials, if all operations are performed by one person in a room or confined space. Materials must be requested online or by phone before pick-up. The library may not require a signature from the patron. The library must schedule pick-ups to ensure compliance with Social Distancing Requirements as defined in Section 16 of the Safer at Home Declaration.

iii. Any Essential Governmental Function.

iv. Food distribution.

c. *Places of Public Amusement and Activity.* Whether indoors or outdoors, places of public amusement and activity are closed, including but not limited to amusement parks, carnivals, water parks, licensed public or private swimming pools, splash pads, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, country clubs, social clubs, and gyms and fitness centers. The following exceptions apply:

i. Public and private golf courses and public and private driving ranges may open, with the following restrictions:

1. The use of golf carts is authorized for only one person per cart or two persons within a living unit or hosuehold.

2. Social Distancing Requirements must always be observed, unless the players reside in the same living unit or household.

3. All tee times and payments must be made in advance online or by phone.

4. Clubhouses and pro shops must remain closed. Any restaurant or bar facility may remain open and must comply with all restrictions in Section 13.d. and 13.e. of this Declaration.

5. Tee times must be spaced to avoid multiple foursomes from clustering or gathering at any stage of the course.

6. All maintenance work and groundskeepers shall comply with Section 2.b.i. and 2.b.ii. of this Declaration. All other functions may only continue under Minimum Basic Operations.

ii. Public parks and open space may be closed at the discretion of the Public Health Officer, if any of the following occur:

1. The number of people frequenting the area at one time makes it difficult to comply with Social Distancing Requirements.

2. Repeated vandalism or disturbing the peace.

3. Repeated violations of the Safer at Home Declaration that create a risk to individuals in the area.

d. *Salons and Spas.* This includes, but is not limited to, hair salons, barber shops, nail salons, day spas, electrolysis providers, waxing salons, eyebrow-care establishments, tattoo parlors, body art establishments, and tanning facilities.

5. *Prohibited and Permitted Travel.* All forms of travel are prohibited, except for Essential Travel as defined in this Declaration. Individuals riding on public transit must comply with Social Distancing Requirements to the greatest extent possible.

6. *Follow CDC Guidelines.* When taking any action permitted under this Declaration, all individuals, organizations, government bodies, and any other permitted group of individuals shall, and all

Essential Businesses and Operations and all businesses performing Minimum Basic Operations, follow CDC Guidelines located here: https://www.cdc.gov/coronavirus/2019-ncov/index.html.

7. Elderly people and those who are vulnerable as a result of underlying health conditions should take additional precautions. People at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their home or residence to the extent possible except as necessary to seek medical care. Nothing in this Declaration prevents the Public Health Officer from issuing and enforcing isolation and quarantine orders pursuant to the Emergency Management and Homeland Security Law, Chapter 302.

**SPECIAL SITUATIONS**

8. *Healthcare and Public Health Operations.* For purposes of this Declaration, individuals may leave their residence to work for or obtain services at any Healthcare and Public Health Operations.

   Healthcare and Public Health Operations includes, but is not limited to: hospitals; medical facilities; clinics; ambulatory surgery centers for response to urgent health issues or related COVID-19 activities; manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing disinfecting or sterilization supplies, and tissue and paper towel products; dental offices; pharmacies; public health entities, including those that compile, model, analyze, and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); healthcare information technology companies; organizations collecting blood, platelets, plasma, and other necessary materials; obstetricians, gynecologists, and midwife practices; eye care centers, including those that sell glasses and contact lenses; home health agencies and providers; mental health and substance abuse providers; detoxification and alcohol or drug treatment programs and facilities; syringe access programs, and naloxone distribution programs; other healthcare facilities and suppliers and providers of any related or any ancillary healthcare services; entities that transport and dispose of medical materials and remains; personal care agencies; hospices; allied health providers; acupuncturists; massage therapists; chiropractors; and adult family homes.

   Specifically included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing disinfecting or sterilization supplies, and tissue and paper towel products.

   Healthcare and Public Health Operations also includes veterinary care and all healthcare services provided to animals. Non-essential veterinary care should be avoided.

   Cafeterias and food service in health care facilities may remain open for staff and authorized visitors only, subject to the following restrictions:

   a. Self-service operations of salad bars, beverages stations, and buffets are prohibited.

   b. Customers are prohibited from self-dispensing any unpackaged food or beverage.

   c. Customers and staff shall comply with Social Distancing Requirements, including in seating areas and lines.

   Healthcare and Public Health Operations shall be broadly construed to avoid any impediments to the delivery of healthcare, broadly defined. Healthcare and Public Health Operations does not include fitness and exercise gyms, hair salons, barber shops, nail salons, day spas, electrolysis providers, tattoo parlors, body art establishments, tanning facilities, and similar facilities.

9. *Human Service Operations.* For purposes of this Declaration, individuals may leave their residence to work for or obtain services at any state, institutional, or community-based setting providing human services to the public.

   Human Service Operations includes, but is not limited to: long-term care and assisted living facilities, as long as the facility follows all current CDC Recommendations for Prevention of COVID-19 in Long-Term Facilities and Assisted Living Facilities and all applicable U.S. Centers for Disease Control Recommendations; residential settings and shelters for adults, seniors, children, victims of domestic abuse, people with disabilities, people with substance use disorders, or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, or developmental disabilities, seniors, adults, or children; adult day care, adult day services, and supportive home care; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, vocational services, or rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, social services, or other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, or developmental disabilities, or otherwise needy individuals.

   Human Services Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined.

10. *Essential Infrastructure.* For purposes of this Declaration, individuals may leave their residence to provide any services or perform any work necessary to offer, provide, operate, maintain, and repair Essential Infrastructure.

    Essential Infrastructure includes, but is not limited to: food production, distribution, fulfillment centers, storage facilities, marinas, and sales; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care and assisted living facilities, public works construction, school construction, Essential Business and Operations construction, construction necessary for Essential Governmental Functions, and housing construction, except that optional or aesthetic construction should be avoided except as permitted as a Minimum Basic Operation); building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, gas, and electric (including power generation, distribution, production of raw materials, and Wisconsin Department of Natural Resources-certified and registered drinking water and wastewater testing laboratories); Wisconsin Home Energy Assistance, Low Income Home Energy Assistance Program, and Public Benefits Energy Assistance Program offices, customer service centers, and public intake centers; distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

    Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.

**DEFINITIONS**

11. *Essential Activities.* Individuals may leave their home or residence to perform any of the following:

    a. *Health and safety.* To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members, including pets, such as, by way of example only and without limitation, obtaining medical supplies or medication, seeking emergency services, or visiting a health care or behavior health care professional. Individuals should rely on telehealth options whenever feasible.

b. *Necessary supplies and services.* To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation: canned food, dry goods, fresh fruits and vegetables, gasoline, propane, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.

c. *Outdoor activity.* To engage in outdoor activity, including visiting public and state parks, provided individuals comply with Social Distancing Requirements as defined below. Such activities include, by way of example and without limitation, walking, biking, hiking, or running. Individuals may not engage in team or contact sports such as by way of example and without limitation, basketball, ultimate frisbee, soccer, or football, as these activities do not comply with Social Distancing Requirements. Playgrounds are closed.

d. *Certain types of work.* To perform work at Essential Businesses or Operations or to otherwise carry out activities specifically permitted in this Declaration, including Minimum Basic Operations and obtaining supplies needed to work from home.

e. *Take care of others.* To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed in this Declaration.

12. *Essential Governmental Functions.* Essential Governmental Functions means all services provided by the Oneida Nation, State, or local governments needed to ensure the continuing operation of the government body and provide and support the health, safety, and welfare of the public. Each government body shall determine its Essential Government Function, if any, and identify employees and contractors necessary to the performance of those functions.

    For purposes of this Declaration, all paid or volunteer first responders including law enforcement, EMS, and firefighters; first responder training academies; building inspectors; emergency management personnel; emergency dispatchers; court personnel, jurors and grand jurors; corrections personnel; hazardous materials responders; child protection and child welfare personnel; housing and shelter personnel; National Guard and military; and others working for or to support Essential Businesses and Operations are categorically exempt from this Declaration.

    This section does not limit the ability or authority of the Judiciary to use its constitutional authority to limit or adjust court functions in response to the Public Health Emergency. This section does not limit the ability or authority of the Oneida Business Committee or the COVID-19 Core Decision Making Team to meet or conduct business.

    Governmental operations shall utilize the TEAMS software to conduct business and shall utilize recording abilities to record activities. These recordings are considered exempt from release under the Open Records and Open Meetings Law.

13. *Essential Businesses and Operations.* For the purposes of this Declaration, Essential Businesses and Operations means Healthcare and Public Health Operations, Human Services Operations, Essential Infrastructure, and Essential Governmental Functions, and the following:

    a. *CISA List.* Any business or worker identified in the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA), Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response, updated March 23, 2020, and any subsequent versions of this Memorandum.

    b. *Stores that sell groceries and medicine.* Grocery stores, bakeries, pharmacies, farm and produce stands, supermarkets, food banks and food pantries, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and

vegetables, pet supply, fresh meats, fish, poultry, prepared food, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). Such establishments shall:

i. Close all seating intended for consuming food.

ii. Cease any self-service operations of salad bars, beverage stations, and buffets.

iii. Except for grocery stores, prohibit customers from self-dispensing all unpackaged food.

iv. Abide by Social Distancing Requirements.

This section should not be interpreted to provide an exemption for businesses engaged in the sale of food or beverage ancillary to its primary purpose, such as those businesses required to close under Section 4 who also may engage in some food or beverage sales.

c. *Food and beverage production, transport, and agriculture.* Food and beverage manufacturing, production, processing, transportation, and cultivation; farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, boarding, rescues, kennels, and adopting facilities; farm and agriculture equipment, supplies, and repair services.

d. *Restaurants.* Restaurants shall close, except as follows:

i. Restaurants may remain open for food take-out or delivery service only.

ii. Alcohol sales must comply with section 13.e. below.

iii. Customers may enter the above establishments only for the purpose of ordering, pick up, and paying for food or beverage or both.

iv. No seating may be provided.

v. Food and drink may not be consumed on premises, either indoors or outdoors.

vi. Establishments shall meet Social Distancing Requirements between all individuals on the premises to the extent possible.

vii. Cease any self-service operations of salad bars, beverage stations, and buffets.

viii. Customers are prohibited from self-dispensing any unpackaged food or beverage.

e. *Bars.* This includes breweries, brewpubs, wineries, distilleries, and alcohol beverage retailers. Such establishments shall close, except as follows:

i. Carryout sales of alcohol beverages and food are allowed, if permitted by tribal law.

ii. Delivery of alcohol beverages to retail customers is prohibited.

iii. Wineries holding direct wine shippers' permits may make deliveries of wine in accordance with their permit.

iv. Customers may enter the above establishments only for the purpose of ordering, pick up, and paying for food or beverage or both.

v. No seating may be provided.

vi. Food and drink may not be consumed on premises, either indoors or outdoors.

vii. Establishments shall meet Social Distancing Requirements between all individuals on the premises to the extent possible.

viii. Self-service operations of salad bars, beverage stations, and buffets are prohibited.

ix. Customers are prohibited from self-dispensing any unpackaged food or beverage.

f. *Child care settings.* Child care settings shall continue to follow CDC recommendations and any prior Declaration or order from the Public Health Officer, with the following amendments

i. Child care settings shall prioritize care for families as follows:

1. Tier 1: employees, contractors, and other support staff working in health care;

2. Tier 2: employees, contractors, and other staff in vital areas including but not limited to military; long term care; residential care; pharmacies; child care; child welfare; government operations; public safety and critical infrastructure such as sanitation, transportation, utilities, telecommunications; grocery and food services; supply chain operations; and other sectors as determined by the COVID-19 Team or the Public Health Officer.

ii. Child care settings include all licensed and certified child care providers who may provide care for any age or ages of children up to 13 years of age, unless specially licensed for children with disabilities up to 19 years of age.

g. *Organizations that provide charitable and social services.* Businesses and religious and secular nonprofit organizations, including prevocational group supportive employment, food banks and food pantries, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this public health emergency, and people with disabilities.

h. *Weddings, funerals, and religious entities.* Religious facilities, entities, groups, and gatherings, and weddings and funerals, except that any gathering shall include fewer than 10 people in a room or confined space at a time and individuals shall adhere to Social Distancing Requirements as much as possible.

i. *Funeral establishments.* Funeral establishments, except that any gathering shall include fewer than 10 people in a room or confined space at a time and individuals shall adhere to Social Distancing Requirements as much as possible.

j. *Media.* Newspapers, television, radio, and other media services.

k. *Gas stations and businesses needed for transportation.* Gas stations; auto and motorcycle supply, repair and sales; boat supply, repair, and sales; and bicycle supply, repair, and sales.

l. *Financial institutions and services.* Banks, credit unions, and other depository or lending institutions; licensed financial service providers; insurance services; personnel necessary to perform essential functions at broker dealers and investment advisor offices.

m. *Hardware and supplies stores.* Hardware stores and businesses that sell electrical, plumbing, heating, and construction material.

n. *Critical trades.* Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, carpenters, laborers, sheet metal, iron workers, masonry, pipe trades, fabricators, finishers, exterminators, pesticide application, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, forestry and arborists, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, Essential Governmental Functions, and Essential Businesses and Operations.

o. *Mail, post, shipping, logistics, delivery, and pick-up services.* Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, beverages, goods or services to end users or through commercial channels.

p. *Laundry services.* Laundromats, dry cleaners, industrial laundry services, and laundry service providers.

q. *Supplies to work from home.* Businesses that sell, manufacture, or supply products needed for people to work from home.

r. *Supplies for Essential Businesses and Operations and Essential Governmental Functions.* Businesses that sell, manufacture, or supply other Essential Businesses and Operations and Essential Governmental Functions with the support or supplies necessary to operate, including computers; audio and video electronics; household appliances; IT and telecommunication equipment; hardware; paint; flat glass; electrical, plumbing, and heating materials; construction materials and equipment; sanitary equipment; personal hygiene products; food, food additives, ingredients, and components; medical and orthopedic equipment; firearm and ammunition suppliers and retailers for purposes of safety and security; optics and photography equipment; diagnostic; food and beverages; chemicals; paper and paper products; soaps and detergents.

   Any business or operation that is considered an Essential Business or Operation under this section may only perform those business operations which are necessary for the Essential Business and Operations or Essential Governmental Functions to which they are supplying goods or services. Any non-essential goods or services may only continue as Minimum Basic Operations.

s. *Transportation.* Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Declaration.

t. *Home-based care and services.* Home-based care for seniors, adults, children, or people with disabilities, substance use disorders, or mental illness, including caregivers or nannies who may travel to the child's home to provide care, and other in-home services including meal delivery.

u. *Professional services.* Professional services, such as legal or accounting services, insurance services, real estate services (including appraisal, home inspection, and title services). These services shall, to the greatest extent possible, use technology to avoid meeting in person, including virtual meetings, teleconference, and remote work (i.e. work from home).

v. *Manufacture, distribution, and supply chain for critical products and industries.* Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitation, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, and products used by other Essential Governmental Functions and Essential Businesses and Operations.

   Any business or operation that is considered an Essential Business or Operation under this section may only perform those business operations which are necessary for the Essential Business and Operations or Essential Governmental Functions to which they are supplying goods or services. Any non-essential goods or services may only continue as Minimum Basic Operations.

w. *Critical labor union functions.* Essential activities include the administration of health and welfare funds and personnel checking on the well-being and safety of members providing

services in Essential Business and Operations, provided the checks are done by telephone or remotely where possible.

x. *Hotels and motels.* Hotels and motels, except that such establishments shall:

   i. Comply with requirements of 13.b, 13.d. and 13.e.

   ii. Close swimming pools, hot tubs, and exercise facilities.

   iii. Prohibit guests from congregating in lobbies or other common areas, including providing adequate space to adhere to Social Distancing Requirements while queuing for front desk services.

y. *Higher educational institutions.* Higher educational institutions, for purposes of facilitating distance learning, performing critical research, or performing essential functions as determined by the institution.

z. *Designated businesses.* In the exceptional circumstance that a business is not listed in this Declaration as an Essential Business or Operations but believes that it should be included in that designation, the business may request clarification of an exemption from the COVID-19 Team.

14. *Minimum Basic Operations.* For the purposes of this Declaration, Minimum Basic Operations include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:

   a. *Basic functions.* The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions, including where these functions are outsourced to other entities.

   b. *Facilitating remote work.* The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

   c. *Employee designation.* Non-essential businesses and operations must determine which of their workers are necessary to conduct Minimum Basic Operations and inform such workers of that designation.

   d. *Delivery and mailings.* Minimum Basic Operations may include fulfilling nonessential deliveries, mailing parcels, or receiving parcels if all of the operations are performed by one person in a room or confined space, including a car or truck. Delivery or parcel services may not require a signature by the recipient. Suppliers to non-essential businesses and supply chains for non-essential businesses are non-essential and shall only operate under Minimum Basic Operations to provide goods or services to other non-essential businesses operating under this section.

   e. *Curb-side pick-up.* Minimum Basic Operations may include curb-side pick-up of goods, if all of the operations are performed by one person in a room or confined space at a time, including a car or truck. Goods must be purchased online or by phone before pick-up. The goods must be pre-packaged by the manufacturer, distributor, or store. The store may not require a signature by the customer. The store must schedule pick-ups to ensure compliance with Social Distancing Requirements as defined in section 16 of the Safer at Home Declaration. Suppliers to non-essential businesses and supply chains for non-essential businesses are non-essential and shall only operate under Minimum Basic Operations to provide goods or services to other non-essential businesses operating under this section.

   f. *Arts and craft stores.* Arts and craft stores may offer curb-side pick-up as described in section 14.e. More than one staff member, but no more than the minimum number of staff necessary, may

work at the store solely for filling orders for materials for making personal protective equipment (i.e. homemade facemasks). The additional staff allowed in this section may not sell, package, or assist in any way with the sale of items not necessary for making personal protective equipment. All staff working to fulfill or process orders for personal protective equipment must comply with all requirements in Section 2.b.i. and 2.b.ii. of this Declaration.

g. *Aesthetic or optional exterior work.* Minimum Basic Operations may include aesthetic or optional exterior residential construction and lawn care, if all the operations are performed by one person in a room or confined space, including a car or truck. No more than one employee or worker may be on the site at a time. Services may not require a signature by the recipient. Aesthetic or optional exterior work requiring more than one person on the site are prohibited.

15. *Essential Travel.* Individuals are strongly encouraged to remain at their primary residence or home. Travel to second homes or residences should be avoided if possible. Consistent with federal guidance and to protect our neighboring states, Wisconsinites are encouraged to stay close to home and strongly discouraged from engaging in unnecessary travel. Individuals engaged in any Essential Travel must comply with Social Distancing Requirements to the extent possible. For the purposes of this Declaration, Essential Travel includes:

    a. Any travel related to the provision of or access to Essential Activities, Special Situations, Essential Governmental Functions, Essential Businesses and Operations, or Minimum Basic Operations.

    b. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.

    c. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, or any other related services.

    d. Travel to return to a place of residence from outside the jurisdiction.

    e. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.

    f. Travel required for non-residents to return to their place of residence outside the Reservation. Individuals are strongly encouraged to verify that their transportation out of the Reservation remains available and functional prior to commencing such travel.

16. *Social Distancing Requirements.* For purposes of this Declaration, Social Distancing Requirements includes:

    a. Maintaining social distancing of six (6) feet between people;

    b. Washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer;

    c. Covering coughs or sneezes (into the sleeve or elbow, not hands);

    d. Regularly cleaning high-touch surfaces;

    e. Not shaking hands; and

    f. Following all other public health recommendations issued by the U.S. Centers for Disease Control.

**ENFORCEMENT AND APPLICABILITY**

17. *Enforcement.* This Declaration is enforceable by any local law enforcement official. Violation or obstruction of this Declaration is punishable by a fine up to $200 in accordance with the *Declaration:*

*Emergency Management and Homeland Security Law Fine and Penalty Schedule*, issued March 19, 2020.

18. *Severability*. If any provision of this Declaration or its application to any person or circumstance is held to be invalid, then the remainder of the Declaration, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Declaration are severable.
19. *Supremacy.* This Declaration supersedes any prior Declaration that conflicts with this Declaration.
20. *Duration.* This Declaration shall become effective at 4:30 p.m. on Tuesday, April 21, 2020. This Declaration shall remain in effect consistent with Oneida Business Committee resolution # BC-03-26-20-A, *Extension of March 12th Declaration of Public Health State of Emergency*, or as may be extended under authority of the Emergency Management and Homeland Security Law.

Tehassi Hill

Oneida Nation Chairman