March 24, 2020

To: UW System Chancellors, Provosts, CBOs, HR Directors, SSAOs, LL/PIOs, UW System colleagues

CC: UW System Emergency Operation Center

Fr: UW System President Ray Cross

Re: Coronavirus (COVID-19) Preparedness Update

Good morning. I’d like to share a brief note about Governor Evers’ Stay At Home Executive Order (Emergency Order #12).

We are still reviewing all of the provisions of today’s order, but the most critical components for UW System institutions are the following:

1) It supersedes any other local orders that conflict with its provisions (see paragraph 19).

2) It is enforceable by local jurisdictions (see paragraph 17).

3) It becomes effective tomorrow at 8:00 AM (see paragraph 20).

4) Institutions of Higher Education are specifically designated as “essential businesses,” for the purposes of facilitating distance learning, performing critical research, or “performing essential functions as determined by the institution” (see paragraph 13). This means each of your institutions has broad authority to determine what constitutes an essential function.

Our Office of General Counsel can work with you as you make these determinations and designations. Some examples that we have already made DOA/DHS aware of in the context of exercising this authority include (but are not limited to), moving out students from the dorms, maintaining health and veterinary care, testing through State Lab of Hygiene and Veterinary Diagnostic Lab, etc.

5) These determinations allow your employees who perform work on essential functions to travel to and work at our locations if that is required to continue those essential functions beyond facilitating distance learning or performing critical research (see paragraphs 1, 11.c. and 15). Many of you have already started that process.

6) The order also notes that all “essential businesses” “shall meet Social Distancing Requirements between all individuals on the premises to the extent possible” (defined in paragraph 16) and that “Essential Businesses and Operations 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).” (see intro to paragraph 13).
7) Our construction projects appear to be designated as “essential businesses” under the broad language in the order.

We are extremely grateful for all your efforts during this difficult time. Please be safe, be kind, and stay engaged.