

Alert | Labor & Employment



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California Pulls ‘Emergency Brake’ on Economic Reopening

California Gov. Gavin Newsom announced on Nov. 16 aggressive new measures to curb the spread of COVID-19 in light of sharp increases in new cases statewide. As previously established in August of this year, under California’s Blueprint for a Safer Economy, counties are assigned to one of four color-coded tiers – Tier 1 (purple/widespread), Tier 2 (red/substantial), Tier 3 (orange/moderate), or Tier 4 (yellow/minimal) – that determine whether and to what extent activities are allowed to resume at the state level.

Effective Nov. 17, 2020, 28 counties will move back to the most restrictive Tier 1, including Alameda, Contra Costa, Fresno, Napa, Orange, and Santa Clara Counties. Given that other counties, including Los Angeles, San Diego, Sacramento, and Sonoma were already in Tier 1, the governor’s announcement results in 94.1% of Californians living in the most restrictive tier. Nine counties, including Marin, San Francisco, and San Mateo will move back to Tier 2. Tier 1 and Tier 2 designations require offices to work remotely and most retailers to reduce indoor capacity, among numerous other restrictions affecting most economic sectors. (See a [chart](#) of the activities and businesses allowed to operate under the four tiers.)

Gov. Newsom also announced changes to the Blueprint for a Safer Economy that employers should keep in mind:

- Counties may be moved back by more than one tier in a single announcement.

- Changes to a county's tier designation now may occur any day of the week or more than once per week.
- Counties will be required to implement any industry sector changes the day after the tier change is announced.

Gov. Newsom's announcement may prompt further restrictions from city and county health officials. Employers can [check the status of activities allowed at the state level](#) in the counties where they operate and should monitor closely for likely announcements from local health officials.

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