



STANFORD LEGAL OFFICE MEMORANDUM

TO: Stanford University Community

FROM: Debra Zumwalt, Vice President and General Counsel

SUBJECT: Employees Who May Work On Campus Under the Santa Clara County Order of March 16, 2020

DATE: March 18, 2020

Santa Clara County recently announced a “shelter in place” order (the “Order”) to help slow the spread of the coronavirus.¹ This Order, which took effect March 17, 2020 and will continue to be in effect until 11:59 p.m. on April 7, 2020 (unless extended or changed), allows for certain designated activities to continue but otherwise asks people to remain and work in their residences and stay away from others as much as possible. Stanford University is committed to complying fully with the Order.

Questions have arisen about which employees/contractors may be allowed to come to campus to carry out essential activities. The purpose of this memorandum is to provide legal guidance on this issue so that we are in compliance with the Order and acting consistently throughout the University. To the greatest extent feasible, onsite activity at Stanford should comply with social distancing requirements as described in the Order.²

Stanford University is an “Essential Business” as defined in Section 10(f)(xi) of the Order. As such, certain University employees may conduct work on campus for various purposes as outlined below.

- **Emergency Services.** All first responders, emergency management personnel, emergency dispatchers, and law enforcement personnel, and others who need to perform essential services are exempt from the Order.³ This includes the

¹ See <https://www.sccgov.org/sites/phd/DiseaseInformation/novel-coronavirus/Pages/order-health-officer-031620.aspx>

² See Section 10(j) of the Order -- "Social Distancing Requirements" includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

³ Section 10(d) of the Order.

Department of Public Safety, the Palo Alto Fire Department and Stanford Emergency Medical Services.

- **Healthcare.** Employees who support healthcare operations may travel to Stanford to perform these duties on site. This includes those working at Vaden, the hospitals and clinics, pharmacies, and those providing services to animals. It also includes the operators who handle emergency healthcare calls.
- **Educational Operations.** This includes the University's operations that (1) facilitate distance learning or (2) perform essential functions. This permits faculty, Teaching Assistants and staff to come to campus as needed to engage in all activity necessary to facilitate remote teaching and learning, such as preparing materials and using video facilities to record or broadcast lectures. In addition, people may come to campus to perform other "essential functions" of the University. For example, VPSA personnel and others in student-facing roles may come to campus to provide services for the thousands of students residing on campus.
- **Food Services.** Workers may come to campus to prepare and provide food, however, food cannot be eaten on the site where it is provided or in other gathering areas. This allows the Dining Enterprises and other food service providers to continue on campus under these restrictions.
- **Residences.** People may come on campus who provide needed services for residences, including student residences, the Faculty Club rooms, and the SLAC guest house.
- **Essential Services Providers.** Those who provide services that are necessary to maintain the safety, sanitation, and essential operation of residences and the areas where work is allowed to continue, including LBRE personnel, cleaners, and utilities workers may continue to work on campus.
- **Transportation Operations** necessary for the allowed business of the university and related facilities may continue, including the Marguerite shuttle service.
- **Professional services**, such as legal and accounting services that are needed to assist in compliance with legally required activities. Examples would be the Legal Office, the University Tax Compliance office, Risk Management and research compliance functions.
- **Other Key Services** includes operations related to essential infrastructure support such as maintenance workers, waste removal, construction of housing, grocery stores, the post office, and those services that provide the support or supplies necessary to operate. This includes certain IT services and maintenance of internet and telecommunications. This can also include EH&S, Emergency Operations personnel and committee members, and supervisors who need to be present to oversee the permitted activities.
- **Minimum Basic Operations** includes the minimum necessary activities to maintain the value of the University's inventory (such as research materials and facilities) and to ensure security, process payroll and employee benefits, and the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.⁴ This provides flexibility for

⁴ Section 10(g) of the Order.

security and certain Business, HR and IT functions to continue to be performed on site as necessary.

- **Research.** Research is an essential function of the University so research can be preserved or, in some cases, continue, especially certain medical research. For people who work in laboratories on campus, the Dean of Research has sent out two memoranda on who can be coming to the laboratories in support of research. That guidance can be found at for laboratories generally at <https://healthalerts.stanford.edu/2020/03/17/updated-guidance-for-researchers-in-laboratories/> For clinical research please refer to <https://stanfordmedicine.app.box.com/s/lloxoji3atl3bbe9s6n7h4s0yrmt8sb>.

In all cases, if the work can effectively be done from the residence of a faculty member, employee or student, that should be the method used.

Further Questions

If employees need to come to work as allowed under the Order and these guidelines and they would like a letter from their manager about the need for them to do so, your school/unit HR can provide the template for such a letter.

Please reach out to the Office of the General Counsel (OGCadvice@stanford.edu) or Human Resources (vphumanresources@stanford.edu) if you have any questions about how the Order applies to your specific situation.

Stay well!