

**ANALYSIS OF GOV. EVERS' EMERGENCY ORDER #12**  
**"SAFER AT HOME ORDER**  
**MARCH 24, 2020**

Prepared By: State Senior Vice Commander Jason E. Johns

**Q: Can members gather at VFW posts/premises to drink together? Have Post meetings?**

**A:** No. As per (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 Order.

HOWEVER: As per 13(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.

WHAT THIS MEANS: we can only assemble to actually provide these services. Such as preparing meals, delivering them, or providing other needed assistance to needy individuals. Post activities that "approve" or implement these sorts of activities do not allow for groups to get together to decide to do it.

**Q: Can a Post still make repairs and hire construction companies to work on post building?**

**A:** No. As per (13)(n): Critical trades: Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, etc.... **who provide services that are necessary to** maintaining the safety, sanitation, and essential operation of residences, Essential Activities, Essential Governmental Functions, and Essential Business and Operations. These are all defined within the Order and VFW posts are not listed.

**Q: Can employees still work at a Post while closed? I.e.; Cleaning, paperwork, etc. Can Volunteers?**

**A:** Yes, but with restriction. (2) Non-essential business and operations must cease: All for-profit and non-profit businesses with a facility in Wisconsin, except Essential Businesses and Operations as defined below (not VFW), are required to cease all activities at facilities located within Wisconsin, except **a.** Minimum Basic Operations, and; **b.** Any operations consisting exclusively of employees or contractor performing activities at their own home or residences.

"Minimum Basic Operations" is defined as (and as such only employees/volunteers may do the following at a Post (not including those posts with separately designated restaurants/bars, which I will discuss further):

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

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

**Q: Post honor guard, storage, staging & weapon maintenance?**

**A:** Yes. But as per the Minimum Basic Operations as noted above and would categorize this under “ensure security.”

**Q: Can the post honor guard conduct funerals?**

**A:** Yes. But only outside. (Unless counted as part of the “10 people in a room...” as **(13)(h & j)** states: “Funeral establishments, as defined... 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.

**(13)(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 (13)(e) below.
- iii. Customers may enter 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.

**(13)(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 state law and municipal ordinance.
- ii. Delivery of alcohol beverages to retail customers is prohibited.
- iii. N/A
- iv. Customers may enter the above establishments only for the purposes 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.