

# Overview of COVID-19 Statewide Face Covering Requirements

Office of the Governor | UPDATED: July 28, 2020

This document provides suggested best practices to help businesses enforce face covering requirements. Detailed health and safety requirements are available from [L&I](#) and the [governor's office](#). This document is not intended to address issues related to Americans with Disabilities Act (ADA) accommodations, or any other rights and protections provided by state or federal law.

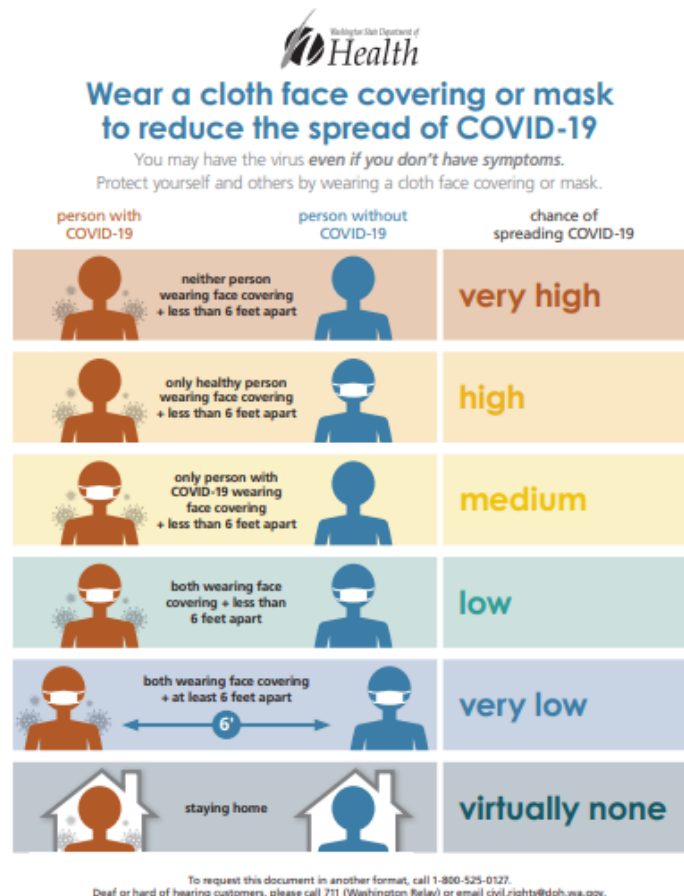
As Washington state counties begin to reopen and public health officials work to limit and stop the spread of COVID-19, it is important for every individual and business to play a role in keeping one another safe and healthy.

**Any of us can carry the virus and not know it. Face coverings prevent us from unknowingly spreading the virus to others while we talk or when we cough and sneeze.**

**Face coverings are now required statewide in all public spaces because they are effective in slowing the spread of COVID-19, especially when combined with 6 feet of physical distance.**

There are three face covering orders in place.

- 1) The governor's Safe Start order and the Department of Labor & Industries [require employers](#) to provide, at no cost, appropriate face coverings or masks that must be worn by all employees who don't work alone. If an employee, vendor or contractor is exempt from wearing a face covering due to a medical or other exemption, their employer must find alternative ways of providing an equal level of protection. Examples: providing a face shield that includes a cloth extension that is attached to the entire edge of the face shield and additional physical distancing, or installing a Plexiglas barrier and additional physical distancing. Business owners should apply their customer policy to vendors and contractors.
- 2) The secretary of Health has [ordered](#) all individuals to wear a face covering in any indoor public setting or when outdoors and unable to maintain 6 feet of physical distance from others. Face coverings can be unsafe for some people with certain health or medical issues. The order includes some exemptions for those individuals, meaning they are not obligated to wear a face covering and they are not subject to fines or citations. Children under of the age of 2 should not wear a face covering. (Children ages 3-5 are encouraged to wear a covering, children 5 and older are required.)



- 3) The [governor's proclamation](#) directs businesses to not allow customers or visitors to enter or conduct business without wearing a face covering. **This document provides suggested best practices for implementing this policy.**

No individual is required to provide proof or documentation to anyone at any time about their health or medical status, except employers who may request medical documentation if an accommodation is requested by an employee.

### **The goal: protect employees and customers from exposure to COVID-19**

Wearing a face covering – combined with physical distancing and increased cleaning and sanitation – helps reduce the risk of exposure to COVID-19 among workers and customers. Businesses must demonstrate a good-faith effort to require the use of face coverings by customers and visitors.

The governor's proclamation does not oblige businesses to enforce the use of face coverings by individuals who are exempt from the health order. However, businesses are required under Washington State law to maintain a safe and healthy workplace, and should make decisions about if and how to serve unmasked customers or visitors in the context of their overall COVID-19 safety programs and other applicable workplace requirements.

The following best practices are intended to guide businesses in their implementation of face covering requirements for customers and visitors. The goal is to keep employees and other customers safe by minimizing potential exposure to COVID-19. In all cases, recognize that outdoors is safer than indoors, fewer people is safer than more, shorter visits are safer than longer visits, and more physical distance is safer than less.

### **Suggested best practices for business owners**

Businesses must post signage informing customers of the mask requirement (templates available in the state's [business signage toolkit](#)).

If a customer or visitor who is not wearing a face covering attempts to enter, businesses are encouraged take the following steps:

- A business representative or employee should politely educate the customer or visitor about the public health requirement to wear a mask or face covering. Businesses may choose to keep a supply of disposable masks to offer customers who do not have one.
  - Businesses may ask – but are not required to ask – if an individual has a condition that exempts them from the requirements, but cannot inquire about an individual's underlying health or medical conditions.
- If the customer indicates they are exempt from the requirement to wear a face covering due to a medical condition or disability that prevents them from wearing a mask, the governor's proclamation does not require that any additional steps be taken to enforce the face covering requirement for that individual. However, to maintain a safe and healthy workplace:

- Businesses should consider offering an alternative for customers not wearing face coverings such as curbside pickup, delivery or a scheduled appointment when physical distancing can be ensured.
  - If the business chooses to allow entry, additional safety precautions may include, but are not limited to, keeping doors and windows open, limiting the duration of the visit, additional physical distancing requirements, or providing no-touch payment systems.
  - Some individuals may be entitled to reasonable accommodations, and other obligations under the Americans with Disabilities Act and the Washington Law Against Discrimination may apply. Businesses should be particularly thoughtful about how to provide accommodations for customers who indicate they have a disability covered under the ADA or the Washington Law Against Discrimination.
- If a customer or individual refuses to wear a face covering, and refuses alternative service options, and does not indicate that they are exempt from the requirement due to a medical condition, mental health condition or disability that prevents them from wearing a mask, they should be politely told that the business cannot serve them and that they need to leave the premises. Under no circumstances should the business representative attempt to physically block an individual from entering or physically remove them from the premises.
  - If the individual refuses to leave, the business representative should follow whatever procedures they normally follow if an individual refuses to leave the establishment when asked to do so.

### **Customer complaints**

Customers who are concerned that a business is not adequately enforcing the face mask order or other Safe Start requirements can submit an anonymous complaint. The link to the [complaint form](#) is available on the Safe Start page of [coronavirus.wa.gov](http://coronavirus.wa.gov).

Violations can be enforced by state agencies and could result in significant penalties or other sanctions.

Individuals not following the DOH order on face coverings may be subject to a misdemeanor charge with a fine of up to \$100 and/or up to 90 days in county jail per RCW 43.70.130(7), RCW 70.05.120(4), and WAC 246-100-070(3).

### **Additional information**

Businesses with questions about the face covering orders or any other Safe Start related questions can contact the state's Business Response Center at <https://coronavirus.wa.gov/how-you-can-help/covid-19-business-and-worker-inquiries>.

Additional information and commonly asked questions is available at [www.coronavirus.wa.gov/masks](http://www.coronavirus.wa.gov/masks) and [www.doh.wa.gov/masks](http://www.doh.wa.gov/masks). If you're an employer and have questions about the order regarding face coverings for employees, visit the state Department of Labor & Industries [common questions page](#).