



June 11, 2020

## Mask and Face Covering Guidance for Business, Transit, and the Public

For purposes of this guidance the following definitions apply:

- “Business” means:
  - Grocery stores
  - Fitness-related organizations
  - Indoor and outdoor entertainment facility operators
  - Licensed swimming pool, licensed spa pool and sports court operators
  - Outdoor recreation organizations
  - Pharmacies
  - Public transit agencies and providers
  - Personal services providers
  - Restaurants, bars, breweries, brewpubs, wineries, tasting room and distilleries
  - Retail stores, shopping centers and malls
  - Ride sharing services
  - School aged summertime day camp operators
  - Recreational sports operators for specified sports
  - Venue operators
- “Face covering” means a cloth, paper, or disposable face covering that covers the nose and the mouth.
- “Mask” means a medical grade mask.
- “Face shield” means a clear plastic shield that covers the forehead, extends below the chin, and wraps around the sides of the face.
- “Personal services providers” means barber shops, hair salons, esthetician practices, medical spas, facial spas and day spas, non-medical massage therapy services, nail salons, tanning salons, and tattoo/piercing parlors.
- “Fitness-related organizations” includes but is not limited to gyms, fitness centers, personal training, dance studios, and martial arts centers.

## Businesses

### A business *must*:

- Require employees, contractors and volunteers to wear a mask, face shield, or face covering, unless an accommodation for people with disabilities or other exemption applies.
  - Face coverings are not required when eating/drinking or when not in a public-facing location where six (6) or more feet of distance can be maintained.
- Provide masks, face shields, or face coverings for employees.
- If it is a transit agency, require riders to wear face coverings and provide one for a rider that does not have one, and develop policies and procedures as described below.
- Develop and comply with policies and procedures that provide for accommodations and exemptions from the mask or face covering requirement for employees and contractors based on:
  - State and federal disabilities laws if applicable, including the Americans with Disabilities Act (ADA) which protects people with disabilities from discrimination in employment and requires employers to engage in the interactive process for accommodations.
  - State or federal labor laws where applicable.
  - State and federal public accommodations laws that provide all persons with full and equal access to services, transportation, and facilities open to the public.
  - OHA public health guidance if applicable.
- If customers or visitors will be required to wear a face covering, develop a policy and post clear signs about any such requirements. A policy that requires customers and visitors to wear face coverings must:
  - Provide exceptions to the policy to accommodate people with certain health conditions, or children under 2 years of age.
  - Take into account that places of public accommodation must make reasonable modifications to their policy to allow people with disabilities to access their services.
  - Take into account that requiring people to wear face coverings affects people differently including people of color who may have heightened concerns about racial profiling and harassment due to wearing face coverings in public.
  - Consider whether to provide face coverings for customers or visitors who do not have one.
- Require employees and contractors to review the business's policies and procedures related to:
  - Employee accommodations and exemptions.
  - Customer and visitor face covering requirements.

### **A business *should, but is not required to:***

- Post signs about whether customers or visitors are required to wear face coverings in languages that are commonly spoken by customers and visitors
- Educate employees:
  - On how to safely work and communicate with people who cannot wear masks or face coverings.
  - That they may need to remove a mask or face covering for individuals who need to read lips or see facial expressions to communicate.

### **The Public**

- When riding public transit, an individual must wear a face covering unless the individual:
  - Is under 2 years of age.
  - Has a medical condition that makes it hard to breathe when wearing a face covering.
  - Has a disability that prevents the individual from wearing a face covering.
- It is strongly recommended that individuals, including children between 2 and 12 years of age, wear a face covering at all times in settings like grocery stores or pharmacies, where it is likely that physical distancing of at least six feet from other individuals outside their household unit cannot be maintained, and vulnerable people must go.
- Because children between the ages of 2 and 12 years of age can have challenges wearing a face covering properly (e.g., not touching the face covering, changing the face covering if visibly soiled, risk of strangulation or suffocation, etc.) we urge that coverings be worn with the assistance and close supervision of an adult. Face coverings should never be worn by children when sleeping.
- The use of masks and face coverings may be optional if 6 feet or more of distance is maintained from others. Otherwise, it is recommended to wear cloth face coverings in public settings where physical distancing cannot be maintained.

### **Additional Resources**

- [OHA Guidance for the General Public](#)
- [OHA General Guidance for Employers](#)
- [OHA Sector-specific Guidance](#)

You can get this document free of charge in other languages, large print, braille or a format you prefer. Contact Mavel Morales at 1-844-882-7889, 711 TTY or [OHA.ADAModifications@dhsosha.state.or.us](mailto:OHA.ADAModifications@dhsosha.state.or.us).