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MEMORANDUM

TO: County Executive Leaders

^{DS}
JVS

FROM: Jeffrey V. Smith, County Executive
James R. Williams, County Counsel

^{DS}
JRW

RE: COVID-19 Requirements Relating to Face Coverings for County Personnel and
Visitors – LAST UPDATED January 5, 2023

DATE: January 5, 2023

This memorandum¹ updates the County’s face covering requirements for County personnel² and visitors to County facilities to reflect the Health Officer’s September 12, 2022 Health Order Requiring Use of Face Coverings in Higher-Risk Settings. Effective January 6, 2023, the following face covering requirements will apply to County personnel and visitors:

- County personnel and visitors are no longer required to wear face coverings in County facilities that are not higher-risk settings, although they are encouraged to do so.
- All County personnel, regardless of vaccination status, must wear face coverings when performing work indoors in higher-risk settings, as defined below.
- Unvaccinated personnel are subject to the same face covering restrictions as all other personnel.
- All visitors must wear face coverings when indoors in County facilities that are higher-risk settings.

¹ This memorandum replaces the memorandum of the same title last updated on July 30, 2021.

² “County personnel” includes all County employees, as well as those contractors and volunteers who regularly perform work at County facilities.

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The risk associated with COVID-19 remains high and the County Health Officer continues to strongly recommend masking in all indoor settings as a protective measure. However, there are high levels of vaccination amongst County personnel and residents, and testing is now widely available. Accordingly, the County is transitioning from required masking to recommended masking in most settings, while continuing to exercise elevated caution in higher-risk settings, consistent with state and local health orders.

To the extent that State law establishes face covering requirements that are more restrictive than those set forth in this policy, the State's requirements shall apply.

1. Face Coverings Not Required, but Still Strongly Recommended, Except in Higher-Risk Settings

Face coverings are no longer required in settings other than higher-risk settings (as described below). However, the County Health Officer continues to strongly recommend their use in all indoor settings, especially when meeting in groups, or when working for long periods of time in close proximity to others. More protective face coverings, including KN95, KF94, and N95s, are strongly recommended.

2. Face Covering Requirements for County Personnel Working Indoors in Higher-Risk Settings

a. Face Coverings Required Indoors in Higher-Risk Settings

Pursuant to state and local health orders, except as specified below, all personnel must wear face coverings when working indoors in higher-risk settings regardless of vaccination status. This requirement applies to all personnel, regardless of their vaccination status, and in all higher-risk indoor settings, regardless of whether they are County facilities. There are no exceptions for areas that are not open to the public.

b. Higher-Risk Settings Defined

“Higher-risk settings” are settings that involve shared air space or proximity to people who are at higher risk of severe illness, hospitalization, or death from COVID-19 because of age or underlying medical condition, as well as congregate settings where outbreaks are likely to occur. These settings include:

- Skilled nursing facilities, long-term care facilities, adult day care facilities, and memory care facilities;

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- Healthcare delivery facilities (such as hospitals, clinics, medical offices, dialysis centers, etc.) where patient care is provided, as well as medical first responders while providing medical response;
- Jails and other correctional facilities; and
- Congregate shelters.

c. Limited Exceptions to Face Covering Requirements in Higher-Risk Settings

Medical or mental condition or disability or hearing-impaired. County personnel who cannot wear a face covering due to a medical or mental health condition or disability or are hearing-impaired may request a reasonable accommodation allowing them not to do so. Any County employee who believes they may have a condition or disability that prevents them from wearing a face covering should contact their supervisor or manager and ask about the reasonable accommodation process. Employees exempted from wearing face coverings must wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if their condition or disability permits it.

Temporary mask removal. County personnel may briefly remove their face covering when indoors in a higher-risk setting for the following purposes but must put it back on as soon as they are finished:

- When eating or drinking at the workplace. However, personnel:
 - May not congregate with other coworkers to eat or drink indoors in higher-risk indoor settings.
 - May not eat, drink, or gather indoors in kitchens/lunchrooms in higher-risk settings (but can use appliances like refrigerators and microwaves, or meet other needs they can carry out with a face covering on, such as lactation).
- When communicating with a hearing-impaired person where the ability to see the mouth is essential for communication.
- For specific tasks which cannot feasibly be performed with a face covering (e.g., using an inhaler or taking medicine).
- When alone and inside a personal office that is fully enclosed by four walls and a door.

3. Face Covering Requirements for Visitors to Higher-Risk Settings

All indoor visitors to County facilities that are higher-risk settings must wear face coverings while inside those facilities regardless of vaccination status unless they meet one of the following criteria:

- They are under 2 years of age.

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- They have a medical condition, mental condition, or disability that prevents wearing a face covering.
- They are hearing impaired or actively communicating with a person who is hearing impaired where the ability to see the mouth is essential for communication.

A visitor is anyone who enters a County facility who is not considered County personnel. All County departments and facilities must post signs at the entrances to higher-risk settings to alert visitors that they cannot enter indoors if they are not wearing a face covering or meet one of the narrow exceptions.

4. Acceptable Face Coverings in Higher-Risk Settings

Acceptable face coverings may be reusable cloth masks, disposable surgical masks, medical procedure masks, or respirators such as N95s. More protective face coverings, including KN95, KF94, and N95s, are strongly recommended. All face coverings must:

- Fit snugly over the nose, mouth, and chin.
- Hook around the ears or tie behind the head.
- Have no visible holes or openings.
- If cloth, be constructed of tightly woven fabric of at least two layers.

The following categories of face coverings do not comply with County requirements:

- Neck gaiters, scarves, ski masks, balaclavas, bandanas, turtlenecks, collars, or single-layer cloth face coverings.
- Face coverings with an exhalation valve, because they allow unfiltered air (which may contain droplets and aerosols) to be released.

Face shields (plastic barriers that typically extend from the forehead to the chin) are not equivalent to face coverings and do not fulfill face covering requirements.

5. County-Issued Face Coverings and Respirators

Employees may bring and wear their own face coverings so long as they meet the requirements of this policy and any department-specific requirements. Employees may also request and receive face coverings from the County to use at on-site work. Each department must set up a process for its employees to request and receive face coverings for this purpose.

If employees are required by the County to use respirators to perform their jobs, the County will provide those respirators. Each department must set up a process for its employees

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to request and receive respirators for this purpose. Departments may request surgical masks or N95 masks through the existing Countywide process to request personal protective equipment.

CONCLUSION

Your timely attention to ensure compliance with these requirements is essential to the County's efforts to control the spread of COVID-19 and to comply with public health recommendations. If a department has any questions or concerns about these requirements, it may contact Chief Operating Officer Greta Hansen.