



Five Key Takeaways from New Mask Order

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On July 1, 2020, the Secretary of the Pennsylvania Department of Health issued a new order related to wearing face masks. The order was issued in response to a recent uptick in COVID-19 cases in Pennsylvania. Below are five key takeaways from the order for Pennsylvania businesses.

1. Face coverings include both cloth masks and plastic shields.
2. Employees must wear a face covering while working outdoors if they are unable to maintain physical distance of at least six feet.
3. Employees likely will be wearing a mask for much of the time that they are at work. Pursuant to the order, face masks must be worn when engaged in work. Broadly speaking, this means onsite or offsite, interacting with members of the public, in a space visited by members of the public, working or walking through common areas, or in any room or enclosed areas where people other than household members are present when unable to physically distance.
4. The order includes exceptions from the face mask requirements for, among others, individuals who cannot wear a mask due to a medical condition, mental health condition, or disability. There is also an exception if wearing a mask would create an unsafe working condition in which to operate equipment.
5. Individuals are not required to show documentation that an exception applies. Practically speaking, this would seem to mean that an individual could claim to have a medical condition that prevents wearing a mask and an employer would have little to no recourse.

Please direct any inquiries to your Wisler Pearlstine attorney or a member of the **COVID-19 Response Team**:

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This is a rapidly evolving situation from both a legal and public health standpoint. Because guidance from Harrisburg changes frequently, you should always check to make sure you are aware of the most recent guidance.

Wisler Pearlstine is committed to providing up to date, practical legal advice on how to manage the legal implications of the evolving landscape of the COVID-19 pandemic.

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