

# New Masking Guidance for California Employers

On February 28, 2022, the California Department of Public Health (CDPH) issued new guidance on the state's masking requirements to combat the COVID-19 pandemic. The key changes in the guidance show a post-Omicron variant and surge shift from *mandatory* masking, to a *strong recommendation* to mask in certain settings.

In response, Governor Newsom signed an Executive Order which specifically suspends the Cal/OSHA COVID-19 Emergency Temporary Standard (ETS) requirement for indoor masking of unvaccinated workers.

## Effective March 1, 2022:

- Unvaccinated individuals are no longer required to wear face coverings in indoor public settings.
- Universal masking still required in "high-risk settings"

**Cal/OSHA will continue to enforce universal masking for workers in the following indoor settings**, irrespective of vaccination status:

- Indoor K-12 schools or childcare (until March 11, 2022)
- On public transit and in transportation hubs
- In emergency shelter and cooling/heating centers
- Healthcare settings
- State and local correctional and detention facilities
- Homeless shelters
- Long term care settings and Adult and Senior Care Facilities

## Exemptions from Mask Requirements

Individuals exempt from wearing masks at all times:

- Children under 2 years old
- Persons with medical condition which prohibits masking
- Persons who are hearing impaired or who need to see one's mouth to communicate
- Persons for whom masking creates a risk related to their work

Other ETS face covering requirements remain in place, including:



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- Face coverings requirements in outbreaks and in employer-provided transportation.
- Requirements for employers to provide face coverings and ensure they are worn when required by the CDPH.
- Employees may still request face coverings from the employer at no cost to the employee and can wear them at work, regardless of vaccination status, without fear of retaliation.

Local and other municipal guidance may be stricter than these state requirements, but cannot be more lenient. Please be sure to update your workplace policies and procedures to be compliant with the newest requirements as we continue to navigate the COVID-19 pandemic.

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