

Statewide Mask Mandate Effective Today

Following the Governor's reinstatement of the statewide mask mandate, the Oregon Health Authority (OHA) and Oregon Occupational Safety & Health Administration (OSHA) have published new rules and guidance for indoor public settings.

[View the new OHA mask rules here](#). The [OSHA enforcement guidance can be found here](#) and a [memo on the change in COVID rules can be found here](#).

Here's what our businesses need to know.

Employers are required to ensure that employees, contractors and volunteers wear face masks and make “reasonable efforts” to ensure that customers, guests, visitors and others comply with the requirement. Employers must post signs at every entrance informing individuals that face masks are required. OHA has produced [a sign that employers may use](#), but you are permitted to use your own sign as long as it clearly states the requirements of the OHA rule.

In the enforcement memo OSHA describes what they will consider as evidence that an employer is making a “reasonable effort” to ensure customers, guests, visitors and others are complying if the employer:

- Ensures employees are wearing face coverings
- If practical, provides a regular audio reminder using existing systems – for example, if a store traditionally makes announcements to customers over an audio system, the face mask requirement should also be provided. If a business does not traditionally have such a system or make announcements over a system, they are not required to do so.
- Does not actively contradict the rule requirements – such as posting signs that undercut the message that masks are required or that suggest the business disagrees with the requirement.

Some modifications to the COVID rules included in the memo:

- Physical distancing is no longer required outside of healthcare workplaces.
- Mask requirements will be back in effect after being repealed on June 30.
- Regular cleaning and sanitization requirements are not being enforced outside of healthcare workplaces.

OHA's rule provides for a \$500 per day per violation against individuals who violate the mask requirement and for businesses who fail to abide by the rules. OSHA also has penalty authority against employers and may assess penalties. However, OSHA will be enforcing on a complaint basis and has said they will give employers a grace period of two weeks to come into compliance before conducting inspections. OSHA's [penalty structure](#) is based on the severity of the violation, the employer's history of compliance and employer size. We are still waiting to see the final rules from Oregon OSHA and will email those out once published.

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