

# COVID-19 Face Coverings Procedure

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**Effective date:** 07/25/2020

**Issued by:** Regional Administrator

## Objective

To mitigate, to the extent reasonably possible, the transmission of COVID-19 by Council staff who may be asymptomatic or pre-symptomatic carriers of the virus through use of face coverings while in Council workplaces or while otherwise providing Council services outside of the staff member's home. To comply with Executive Order 20-81.

## Procedure statement

The COVID-19 pandemic presents an unprecedented challenge to our state. The virus is highly contagious and potentially deadly. COVID-19 can be spread by people who do not have symptoms and do not know that they are infected.

According to the Centers for Disease Control and Prevention (CDC), face coverings may help prevent people who have COVID-19 from spreading the virus to others. Face coverings are a simple barrier to help prevent respiratory droplets from traveling into the air and onto other people when the person wearing the face covering coughs, sneezes, talks, or raises their voice. This is called source control. COVID-19 spreads mainly among people who are in close contact with one another (within about 6 feet), so the use of face coverings is particularly important in settings where people are close to each other or where social distancing is difficult to maintain. Face coverings are most likely to reduce the spread of COVID-19 when they are widely used by people in public settings.

To mitigate, to the extent reasonably possible, the transmission of respiratory droplets by Council staff who may be asymptomatic or pre-symptomatic carriers of COVID-19, all Council employees, Council members, contractors, vendors, and volunteers are required to wear face coverings as provided below when in the workplace or public service environment.

Employees who fail to wear a face covering in the workplace or public service environment as required may be subject to disciplinary action, up to and including discharge. Non-employee staff may be subject to action up to and including termination of their relationship with the Council. Staff who fail to wear a face covering when required may be sent home and placed in no-pay status.

Wearing face coverings is not a substitute for staying home when ill. Staff should stay home if they are sick or experiencing symptoms of COVID-19.

On July 22, 2020, Governor Tim Walz issued Executive Order 20-81 requiring Minnesotans to wear a face covering in certain settings to prevent the spread of COVID-19. This Council procedure is not only intended to comply with the Governor's order but also to enforce public health practices designed to

protect Council employees and the public. The Council's procedure applies independent of the Governor's Order and remains in effect until it is rescinded by the Regional Administrator.

This procedure is subject to change at the Council's discretion, including based on public health guidance.

## Scope

This procedure applies to all Council employees, Council members, contractors, vendors, and volunteers.

## Definitions and key terms

Key Terms	Definitions
<i>Face Covering</i>	<p>A paper or disposable mask, a cloth face mask, a scarf, a bandana, a neck gaiter, or a religious face covering that:</p> <ul style="list-style-type: none"><li>• Fits snugly against the sides of the face;</li><li>• Covers the nose and mouth completely;</li><li>• Is secured over the nose and mouth; and</li><li>• Allows for breathing without restriction.</li></ul> <p>Medical-grade masks and respirators are sufficient face coverings, but to preserve adequate supplies, their purchase and use is discouraged for staff who do not work in a health care setting or other occupations that require medical-grade protective equipment (e.g., certain construction occupations).</p> <p>Masks that incorporate a valve designed for easy exhaling, mesh masks, or face coverings with openings, holes, visible gaps in the design material, or vents are not sufficient face coverings because they allow droplets to be released. Face shields shall be a substitute for masks to meet this requirement based on specific job duties when employees may otherwise be exempt.</p> <p>Face coverings are not considered personal protective equipment (PPE), are not appropriate substitutes for PPE, and are not intended to be used when staff need PPE for protection against exposure to occupational hazards.</p> <p>Any graphic designs, logos, or statements printed on face coverings must comply with the Council's policies and procedures related to Respectful Workplace and Discriminatory Harassment and Inappropriate Behavior.</p>
<i>Public Service Environment</i>	<p>A location outside of the Council workplace where the staff member is providing public service on behalf of the Council, other than in the staff member's home. The public service environment may be indoors or outdoors.</p>
<i>Social Distance/ Social Distancing</i>	<p>Keeping at least 6 feet of distance from other individuals who are not members of the staff's household.</p>
<i>Staff</i>	<p>Employees, Council members, contractors, vendors, volunteers.</p>

## Exclusions

This procedure does not apply to staff when they are in settings where they are required to wear medical-grade or other personal protective equipment (PPE) masks or respirators, rather than face coverings.

This procedure does not apply to staff while they are working from home.

## GENERAL STANDARDS AND EXPECTATIONS

### I. Face covering requirement

Except as provided in sections II and III below, staff must wear a face covering:

- Indoors in the Council workplace or public service environment, including waiting outdoors to enter an indoor space
- Outdoors while working when it is not possible to maintain social distancing
- In vehicles being used for Council business, unless alone in the vehicle

When face coverings are required, they must be worn to cover the nose and mouth completely.

Staff may use Council-provided face coverings or face coverings they bring from home, so long as the covering meets the standards set forth in the definition of “face covering” above. Staff members are responsible for washing any reusable face covering they use.

In addition to wearing face coverings, staff should continue social distancing and proper handwashing practices while in the Council workplace or public service environment. Wearing face coverings is not a substitute for these public health measures.

### II. Temporary removal of face covering

Unless otherwise instructed, staff may temporarily remove face coverings in indoor spaces in the workplace or public service environment in the following situations:

- When testifying or speaking in situations or settings such as news conferences, legal proceedings, governmental meetings subject to the Open Meeting Law (MS 13D), presentations, provided that social distancing is always maintained. Face shields should be considered as an alternative in these situations.
- When eating or drinking, provided social distance is maintained.
- During activities where the face covering will get wet.
- During activities that a mask may compromise safety, such as walking on catwalks, uneven ground, climbing ladders, working close to moving parts or machinery, or similar activities.
- When asked to remove a face covering to verify an identity for lawful purposes.
- When a public safety worker is actively engaged in a public safety role, including but not limited to law enforcement, in situations where wearing a face covering would seriously interfere with the performance of their public safety responsibilities.
- While communicating with an individual who is deaf or hearing impaired or has a disability, medical condition, or mental health condition that makes communication with that individual while wearing a face covering difficult, provided that social distancing is maintained to the extent possible.

- When the staff member is alone in an office, a room, a cubicle with walls that are higher than face level when social distancing is maintained, a vehicle, the cab of heavy equipment or machinery, or an enclosed work area.

Staff must carry a face covering with them at all times in these situations, to be prepared for person-to-person interactions and to be used when no longer alone.

### III. Exemptions from face covering requirement

The following situations are exempt from the face covering requirement:

- The staff member has a medical condition, mental health condition, or disability that makes it unreasonable for the staff member to maintain a face covering. This includes, but is not limited to, staff who have a medical condition that compromises their ability to breathe, and staff who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance.
  - Employees unable to wear a face covering due to a medical condition, mental health condition, or disability must request a reasonable accommodation.
  - Non-employee staff unable to wear a face covering due to a medical condition, mental health condition, or disability must request a reasonable modification.
- Wearing a face covering would create a job hazard for the staff member or others, as determined by local, state or federal regulators or workplace safety and health standards and guidelines, for example:
  - The staff member's ability to safely perform their job duties is negatively affected because the use of a face covering obstructs their vision or causes safety gear or glasses to fog up.
  - The staff member works in a setting where the face covering may increase the risk of heat-related illness or cause safety concerns due to introduction of a hazard (for instance, straps getting caught in machinery).
- Unless otherwise instructed by the Council, staff are not required to wear a face covering when they are working outdoors and are able to consistently maintain social distancing.
  - These staff must wear a face covering if they cannot maintain social distancing.
  - These staff must wear a face covering if they are waiting outdoors to enter an indoor workplace or public service environment, or if they enter an indoor workplace or public service environment.
  - Staff must carry a face covering with them at all times while working outdoors.

### IV. Consequences of failing to wear a face covering when required

Employees who fail to wear a face covering as required may be subject to disciplinary action, up to and including discharge. An employee who fails to comply with these face covering requirements will receive

one direct notice of the requirement and will be given an immediate opportunity to comply with the requirement.

Staff who are not employees (officers, contractors, vendors, volunteers) may be subject to action up to and including termination of their relationship with the Council.

If the staff member sent home is an employee who is unable to telework, they may be placed in no-pay status until they comply with the face covering requirement. Prior to being placed in no-pay status, the employee will be offered a meeting with a supervisor to hear the reasons for being placed in no-pay status and to tell their side of the story. Employees who are covered by a collective bargaining agreement may have union representation at the meeting.

If an employee is unable to comply with this face covering requirement based on a qualifying disability or medical restrictions, they may request an accommodation by contacting their supervisor or Occupational Health. Employees shall be sent home on accrued/sick leave during the interactive reasonable accommodation process, unless the department determines telecommuting is available and appropriate instead of accrued/sick leave.

In addition, under Executive Order 20-81, individuals who fail to comply with the face covering requirement may receive a petty misdemeanor citation and a fine of up to \$100.

## RESPONSIBILITIES

<b>Employees</b>	<ul style="list-style-type: none"><li>• Wearing a mask in compliance with all aspects of this procedure; requesting a reasonable accommodation if necessary</li></ul>
<b>Executive/Business Unit Leaders</b>	<ul style="list-style-type: none"><li>• Communicating this procedure to all employees, Council members, contractors, vendors, and volunteers</li><li>• Ensuring that one or more signs are conspicuously posted in places visible to all staff providing notice of the face covering requirement</li><li>• Ensuring supervisors and managers enforce this face covering requirement</li></ul>
<b>Supervisors/Managers</b>	<ul style="list-style-type: none"><li>• Requiring all staff to comply with this procedure, including by sending staff home and/or taking other action for non-compliance when appropriate</li><li>• Training staff on proper practices for putting on and taking off face coverings</li><li>• Making face coverings available to staff who are unable to obtain their own face coverings</li><li>• Providing reasonable accommodation under the Americans with Disabilities Act to employees who cannot wear face coverings due to their disability in consultation with Occupational Health</li><li>• Providing reasonable modifications to non-employee staff who cannot wear face coverings due to their disability in consultation</li></ul>

	with the Council's Contracts and Procurement department, Occupational Health or Office of General Counsel
<b>Human Resources</b>	<ul style="list-style-type: none"> <li>• Working with managers/supervisors to determine reasonable accommodations</li> <li>• Providing guidance/support for disciplinary action</li> <li>• Making any needed modifications to this procedure based on business requirements or public health/State of Minnesota guidance</li> </ul>
<b>Continuity of Operations and Council Communications</b>	<ul style="list-style-type: none"> <li>• Including the face covering requirement in the Council's COVID-19 Preparedness Plan, informing staff how the plan has been updated, and making the revised plan available to staff</li> <li>• Ensuring this procedure and any subsequent updates are readily available on MetNet and reported through official employee communication channels</li> </ul>

## REFERENCES

[Executive Order 20-81](#)

Council procedures:

4-2-2a Disability Management – Reasonable Accommodation procedure

4-6e Respectful Workplace procedure

4-2-1 Discriminatory Harassment and Inappropriate Behavior policy

[Appropriate wearing and handling of face coverings guide \(PDF\)](#)

## CONTACTS

Managers and Supervisors

Human Resources:

HR Business Partners:

- Becky Grams
- Walt Joy
- Nathan Smith

Labor Relations Representatives:

- Alexis Baker
- Joy Hargons
- Marcia Padden

HR Occupational Health:

- Alexis Rogers
- Sheila Greene
- Suzanne Brown

HR Senior Leadership:

- Deb Aebi
- Joyce Masar
- Todd Rowley
- Marcy Cordes
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