



## Frequently Asked Questions about Missoula County's Mandatory Face Covering Rule and Order

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Now that there is a [Governor's Directive](#) and a [Local Rule](#) and [Health Officer Order](#), what applies to Missoula County?

- The Governor's directive allows for face shields but ours does not.
  - **Face shields are not permitted in MSO County as a replacement for a cloth face covering until (if/when) the Health Officer changes her order and the Board changes their rule.**
- The Governor's directive mandates for kids 5 and up, but ours is 12 and up.
  - **People ages 5 and older are required to wear a face covering when inside public settings in MSO County, as well as when in those outdoor settings as indicated in the Governor's directive.**
- The Governor's directive is dependent upon the number of active cases in the county (4 or more). Our is not dependent upon the number of active cases.
  - **MSO County face covering rule is in place until further notice. It is not connected to or dependent upon the number of active cases in our county.**
- Face coverings are **required** in non-public facing spaces of businesses, government offices and public indoor spaces **EXCEPT** when people can maintain six feet or more from other people.
- There is **not an exception** to Missoula's mask requirements for persons giving a speech or engaging in artistic, cultural, musical, or theatrical performances for an audience, provided that the audience is separated by at least 6 feet of distance.
- **The Board of Health and Health Officer will reevaluate the rule on a monthly basis.** The Board of Health, Health Officer, and Incident Commander remain in ongoing communication throughout the response effort in addition to holding routine meetings at least once a month.

Is other Phase 2 COVID-19 Guidance still in effect? **Yes.**

The rule requiring face coverings in indoor public spaces is **in addition to** the other guidance that is in effect for Phase 2 reopening, including the [Governor's Directive for Phase 2](#) and the [Health Officer's Order](#), as well the Health Officer's [Appendix A](#), which indicates how events and gatherings must be structured in order to remain in compliance with local orders. For example, restaurants still have to



limit capacity to 75%, patrons have to be seated at tables at least 6 feet from customers at other tables, bars still have to close at 12:30 am, and events with over 50 people have to be highly structured and meet the requirements in Appendix A of the Health Order.

How many face coverings does an employer have to provide? **This falls within the scope and authority of employers. Neither the Health Board rule nor the Governor's Directive give a specific number, leaving it to individual business to interpret and implement.** The key is to make sure that employees have sufficient face coverings (regardless of who provides them) and that laundering practices are in place so that staff can wear a clean face covering to work each day.

Do the new face covering rules apply to childcare facilities? **Yes, but children younger than 5 years old do not have to wear them, and children under 2 should never wear them.** There are also exceptions for when children and adults are engaged in strenuous exercise or are in other conditions that make wearing a face covering unsafe or impractical. Parents/guardians who are picking up/dropping children off must wear a face covering if and when entering and/or exiting a childcare facility.

What if a customer does not want to wear a face covering? **If someone refuses to wear a face covering and they do not meet an exemption in the order, the business needs to ask them to wear one, or ask them to leave and access services through alternative methods.** Businesses and customers can explore, develop, and implement alternative options for those that will not wear face coverings. Options include but are not limited to things like curbside pickup and delivery services, and online/remote options.

What if a customer cannot wear a face covering because of personal, medical health conditions? **If someone has a personal, private, health-related condition that makes wearing a face covering impractical or unsafe, they do not have to wear a cloth covering inside public settings. They do not have to disclose their personal, private, medical information.** Businesses can refer to the Disability Issues Brief on Face Mask Policies from the Southeast ADA Center for more information. The key is to protect customers and employees as much as possible. Businesses should explore, develop, and



implement alternative options for those who cannot wear face coverings. Options include but are not limited to things like curbside pickup and delivery services, online/remote options, and outside seating.

What if my employee cannot wear a face covering because of a medical or mental health issue? **Employers must work with employees who cannot wear face coverings to identify a safe, alternative, reasonable accommodation for your specific work setting.** Options include but are not limited to things like remote work, wearing of a face shield instead of a mask, or moving/modifying the workspace to ensure that the unmasked employee is not in an area accessible to the public, and is able to maintain 6 feet between coworkers.

What if my employee refuses to wear a face covering? **If your employee can, but does not want to wear a face covering, then, as a business, government entity or person in charge of an indoor space, you must require that they wear one.** We are not in the position to give legal advice on human resource law. We suggest that you think about what you would do if you had an employee refusing to follow a different workplace requirement or policy specific to your work setting.

How will this rule be enforced? **The Health Department responds to complaints by talking with the business and helping them identify necessary changes to comply with the Governor's and local health requirements. If a business will not come into compliance, the Department can take additional steps, including but not limited to a written violation notice, a Health Officer order to comply or to close, or pursuing compliance through the court system.** It is primarily up to the business or manager of the indoor public place to ensure their employees, customers, and volunteers comply with wearing face coverings as required by the rule.

How many signs do I have to put up? **Post as many as needed to ensure compliance with the order within your indoor settings.** A sign at each entry must contain the statement "Mask or Face Covering Use Required for Ages 5 and older" but businesses can put up other signs as needed.

Does this rule apply to places of worship? **Yes.** The order does not exempt places of worship.



Is there a religious exemption? **No.** The only exemptions are for medical conditions or inability to wear them due to age or ability.

My office is not open to the public, do we have to wear masks? **If there is no opportunity for non-employees to enter (even by appointment), then masks are only required for employees in situations where 6 feet of physical separation is not always easily maintained,** like in break rooms, entryways, shared vehicles, hallways, and shared restrooms.

What qualifies as “strenuous” exercise? What qualifies as “strenuous” will be different for everyone because everyone has different fitness and or tolerance levels when it comes to physical activity. Exercisers should take their mask off at the point that the mask makes it hard to breathe.

Is there a list of places where businesses can buy masks? **Not that we currently know of.** We don't have a list, but we have found that it is relatively easy to find masks, both cloth and disposable. They are in stock at a number of businesses downtown and online. CDC has an online tutorial that shows how to make a cloth face covering that doesn't require sewing skills.

If I put up a sign that says mask are required unless they have a medical condition, can I/we just assume anyone without one has a qualifying condition? **No.** Businesses need to post a sign with language from the order at entries and exits, as well as around the indoor setting. Businesses need to require a face covering unless the person indicates that they have an exemption.

Can I use my own sign, or do I have to use the one on the Health Department website? You can make your own sign, but whatever sign you use has to include this language from the order in large enough font for customers to be able to see it easily when entering the building: **“Mask or face covering use required for ages 5 or older.”**