



Indiana Governor Mandates Face Coverings – What Do Employers Need to Know?

Insights

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Because COVID-19 continues to spread at a rapid rate throughout the country, with positivity rates hovering between 7% and 8% in Indiana, Governor Eric Holcomb recently announced he will sign an executive order requiring face coverings to be worn in most public and commercial settings starting Monday, July 27. Governor Holcomb is expected to sign the Order today. What do employers need to know about this new requirement?

The Basics

The Order will apply to all individuals ages eight and older. It mandates that face coverings must be worn: (1) in public indoor spaces and commercial entities; (2) while using public transportation or other vehicle services such as taxis or ride shares; and (3) in outdoor public spaces when it's not possible to maintain six feet of separation from people not in the same household.

Face coverings will also be required in schools for students in the third grade and above, faculty, staff, volunteers, and anyone else entering schools. The Order will have certain exceptions for medical purposes, disabilities, exercising, and eating and drinking in restaurants and bars. The specifics of the Order can be found [here](#) after it is signed by the Governor.

Orders From Local Governments

The Order also allows local governments to impose more restrictive guidelines as it relates to face coverings. In fact, prior to the governor's announcement, the following Indiana locations had already imposed such guidelines: Elkhart, Floyd, Jefferson, LaGrange, Lake, LaPorte, St. Joseph, Marion, Marshall, and Monroe Counties; and the cities of Indianapolis, Evansville, Fishers, and West Lafayette. Employers with operations in these areas should ensure all employees and guests are wearing face coverings, when required, and not wait until the governor's Order goes into effect on Monday.

What Should Employers Do?

In addition to ensuring all employees and guests are wearing appropriate face coverings, you should post notices regarding the use of face coverings at workplace entrances and conspicuously throughout the premises. You should also ensure employees keep their face covering on at all times, unless an exception applies.

Additionally, per the Governor’s [“Roadmap to Reopen” Executive Order](#), employers must develop, distribute and post a plan to implement measures and institute safeguards to ensure a safe environment for their employees, customers, clients, and members. This plan should be updated to include information about the governor’s new face covering mandate so employees know what the business is requiring of its guests or customers. A violation of the Order will be considered a Class B misdemeanor, subject to 180 days in jail and up to \$1,000 in fines.

Finally, we recommend you familiarize yourself with our recent alert: [How Should Your Business Handle Anti-Mask Guests? A 5-Step Action Plan](#).

Conclusion

Fisher Phillips will continue to monitor the rapidly developing COVID-19 situation and provide updates as appropriate. Make sure you are subscribed to [Fisher Phillips’ Alert System](#) to get the most up-to-date information. For further information, contact your Fisher Phillips attorney, any attorney in our [Louisville](#) office, or any member of our [Post-Pandemic Strategy Group Roster](#).

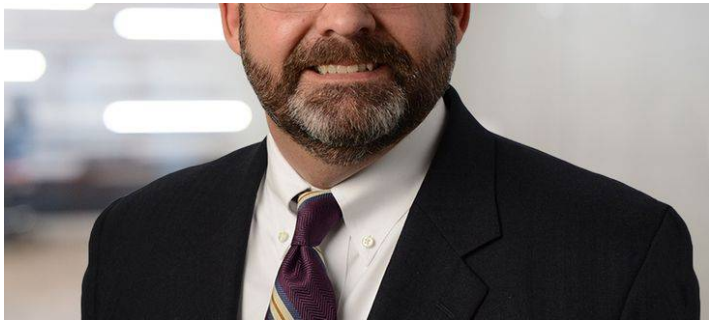
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Related People



George D. Adams
Partner
502.561.3975
[Email](#)





Todd B. Logsdon
Partner
502.561.3971
Email

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