

WHAT EMPLOYERS NEED TO KNOW ABOUT THEIR LATEST OBLIGATIONS UNDER ATLANTA'S MASK ORDERS

Insights
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As Georgia faces a resurgence of COVID-19 cases and the possibility of stricter mitigation measures, employers should know what the latest City of Atlanta mask order requires and how failure to comply will affect their business. What do employers need to know?

BACKGROUND

Atlanta Mayor Keisha Lance Bottoms [initially issued an executive order](#) on July 8 requiring persons within the City of Atlanta to wear face masks in many circumstances. After a showdown between the State of Georgia and the City of Atlanta, Governor Brian Kemp issued an [August 15 Executive Order](#) that allowed local governments to issue a Local Option Face Covering Requirement for individuals to wear face coverings, masks, face shields, or personal protective equipment if certain conditions are met. At the time, we advised employers to post signage, in addition to [these signs all Georgia businesses should have already posted](#), with the following sample language:

NOTICE

[City or County or "The local government"] has issued a requirement for individuals to wear face coverings. Pursuant to Georgia Executive Order, [business or organization name] [does or does not] consent to the enforcement on its property of this face covering requirement. Check your local government website for updates to this order.

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WHAT HAS CHANGED AND WHAT MUST EMPLOYERS IN ATLANTA DO?

In its [subsequent executive orders requiring masks](#), the City of Atlanta now requires specific signage to be posted by businesses that choose to opt out of the City of Atlanta's Local Option Face Covering Requirement. Those businesses that do not consent to enforcement of Atlanta's mask orders on their property must post a clearly legible sign in two inch or larger font at all public entrances stating the following:

This location does not consent to enforcement of any local face covering requirement upon this property.

Also, those same businesses must notify the Atlanta Police Department of their refusal to consent to enforcement of Atlanta's Local Option Face Covering Requirement by either emailing a notice to MaskOptOut@AtlantaGa.Gov or sending written notice to Atlanta Police Department, 226 Peachtree Street SW, Atlanta, Georgia 30303. Failure of businesses to take these steps will be taken by the City of Atlanta as consent to the enforcement of Atlanta's mask orders on those businesses' property.

CONCLUSION

Compliance with these government mandates will be an issue for the foreseeable future, and you should review and update your COVID-19 mitigation and compliance policies regularly. For further information, contact your Fisher Phillips attorney or any member of our [Post-Pandemic Strategy Group Roster](#).

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 a more thorough analysis of the many issues you may encounter from a labor and employment perspective, we recommend you review our [FP BEYOND THE CURVE: Post-Pandemic Back-To-Business FAQs For Employers](#) and our [FP Resource Center For Employers](#).

This Legal Alert provides an overview of a specific developing situation. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.

