

AN UPDATE TO CALIFORNIA'S MASK MANDATE FOR EMPLOYERS

Insights
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The California Department of Public Health just updated its masking guidance to extend [the statewide requirement for universal masking](#) through February 15 regardless of vaccine status. Like the guidance issued on December 15, the January 5 update applies to all indoor public spaces. CDPH recommends surgical masks or higher-level respirators (e.g., N95s, KN95s, KF94s) with a good fit. The guidance again directs individuals to its [Get the Most out of Masking Guide](#) and [CDPH Masking Guidance Frequently Asked Questions](#) for more details, and [you can read our detailed summary here](#). The updated guidance did not make any changes to the exemptions to the masking requirement as discussed below.

Los Angeles County Mask Mandate – Update

Los Angeles County has maintained an indoor mask mandate since this past summer, but on January 5, the County Public Health department issued an update to its requirement as well. In Los Angeles County all employers are required to provide their employees with masks at all times while indoors at the worksite or facility. The mask provided by the employer must be a well-fitting medical grade mask, surgical mask, or higher-level respirator (i.e. N95 filtering facepiece respirator or KN95). This requirement applies to those employees who work indoors and are in close contact with other workers or the public.

San Francisco County Mask Mandate – Update

San Francisco also temporarily tightened its universal indoor masking requirement. As of December 3, 2021, San

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San Francisco temporarily suspended its indoor universal mask exemption that allowed the removal of masks for stable groups of 100% fully vaccinated individuals in certain settings. Until February 1, 2022, all individuals who are with members of the public or members of the community outside their homes, must wear a mask, regardless of vaccine status. This includes masking in cars, religious services, and inside any public building.

Marin County Mask Mandate – Update

On December 30, Marin County also suspended its exception to the mask mandate for small groups of vaccinated people. Through January 15, 2022, all individuals, regardless of vaccine status, must wear a mask in an indoor public space. Indoor public space includes gyms, fitness centers, office settings, employee commuter vehicles, religious gatherings, college classes, and similar environments.

Contra Costa Mask Mandate – Update

Like San Francisco and Marin, Contra Costa also suspended its indoor masking exemption. Contra Costa now requires all individuals, regardless of vaccination status to mask in public indoor settings. For the purposes of the order, public settings include but are not limited to business offices, retail stores, restaurants, theaters, family entertainment centers, meeting rooms, and State and local government facilities where services are provided to the public. The exemption was lifted on December 29, 2021 and unlike San Francisco and Marin, Contra Costa has not set an expiration date for this new guidance.

Conclusion

We will monitor these developments and provide updates as events warrant. Make sure you are subscribed to [Fisher Phillips' Insight system](#) to get the most up-to-date information. If you have questions about how to ensure that your masking protocols comply with workplace and other applicable laws, contact your Fisher Phillips attorney, the authors of this Insight, or any attorney [in our California offices](#).



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