

# ANOTHER ONE BITES THE DUST: OHIO'S CAPITAL CITY LIFTS MASK MANDATE

Insights

Mar 10, 2022

Ohio's capital city just lifted its mask mandate following a vote by Columbus City Council and signature by Mayor Andrew Ginther quickly after on Monday, March 7. The mask mandate, or ordinance 2388-2021, was originally passed by the City Council on September 13, 2021 and went into effect the next day. The ordinance required all individuals over the age of three within Columbus to wear a face covering in all indoor spaces accessible to the public and within the confines of public or private transportation regulated by the city. Now that the ordinance is no more, what should your business do?

## Masks Still Recommended in Some Situations

While Columbus is no longer under a mask mandate, the Columbus City Health Department still recommends wearing a mask if you are not vaccinated or have a child who is not vaccinated, have an underlying condition or live with someone who does, recently tested positive for COVID-19, or are in a healthcare facility or other business that requires them. Despite the rescission of ordinance 2388-2021, masks are still required under federal order by the Transportation Security Administration (TSA) across all transportation networks throughout the United States, including at airports, onboard commercial aircrafts, on over-the-road buses, and on commuter bus and rail systems through at least April 18.

The rescission of ordinance 2388-2021 follows closely behind the [Centers for Disease Control and Prevention's \(CDC\) adoption of new metrics for determining whether to recommend face coverings](#). The CDC adopted "COVID-19 Community Levels" of "Low," "Medium," and "High" to help

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communities decide what recommendations and requirements to put in place. Currently, the county encompassing Columbus is a “Medium” COVID-19 community level, while the counties encompassing Ohio’s two other major cities – Cleveland and Cincinnati – are at “Low” COVID-19 community levels.

### **What Should Ohio Employers and Businesses Do?**

Consistent with [our prior Insight on the CDC’s new metrics](#), Ohio employers should review and continue to monitor their local masking requirements and continue to comply with those requirements. While some counties in Ohio are starting to lift their mask mandates, others may continue to require masking for both vaccinated and unvaccinated individuals.

For employers in areas where a mask mandate is no longer in place, they should review the CDC’s latest guidance and utilize the COVID-19 County Check tool to make an informed decision regarding their mask policy. Lastly, employers should make sure that employees who choose to continue to wear a mask or face covering do not face mistreatment or retaliation at the hands of supervisors or coworkers. If you do not already have a policy in place, your company should adopt a policy that prohibits retaliation, discrimination, and harassment with respect to any worker who chooses to wear a mask or face covering.

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’ Insight System](#) to get the most up-to-date information. For further information, contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in our [Columbus](#) or [Cleveland](#) offices.