COVID-19 Alert: Mask Guidance Revised

The CDC Revises COVID-19 Mask Recommendations for Fully Vaccinated Individuals: Implications for Massachusetts Employers

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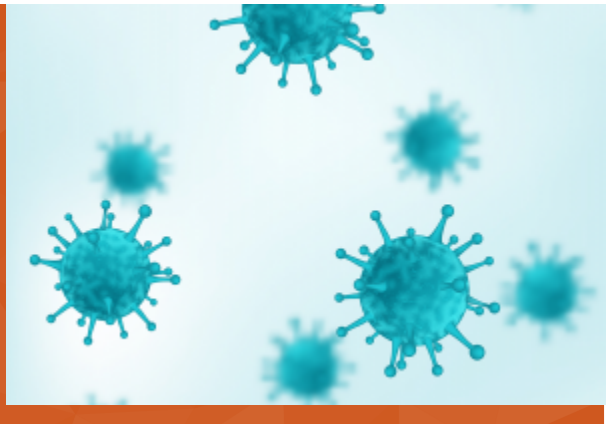

On July 27, 2021, the Centers for Disease Control and Prevention ("CDC") revised its COVID-19 mask guidance (the "Revised Guidance"), recommending that all individuals, regardless of COVID-19 vaccination status, resume wearing masks in *"public indoor settings"* in areas of the United States that exhibit *"substantial"* or *"high"* COVID-19 transmission rates. This announcement revises the CDC's May 2021 mask guidance that indicated that fully vaccinated individuals could discontinue mask wearing and social distancing in most settings.

At present, there are five counties in Massachusetts that qualify as "substantial" or "high" transmission areas, under the Revised Guidance:

High Transmission:

- Barnstable County

Substantial Transmission:

- Bristol County
- Dukes County
- Nantucket County
- Suffolk County

The Revised Guidance does not specifically define the types of "public indoor settings" where masks should be worn. As such, it is unclear as to whether the Revised Guidelines are intended to apply to work environments.

Currently, Massachusetts requires masks only in the following settings: Public and Private Transportation; Healthcare Facilities; Congregate Care Facilities; Emergency Shelters; Houses of Correction; Health Care and Day Services Facilities. There is no general mask mandate in Massachusetts, and there are no rules that require masks or social distancing, generally, in work environments. This present Massachusetts standard is expressly based on the CDC's prior May 2021 mask guidance. However, in recent public remarks, Massachusetts Governor Charlie Baker has indicated that the Commonwealth is now considering new general safety standards in light of the Revised Guidelines.

Employers should continue to monitor applicable regulations and reopening guidance, including masking requirements and recommendations, in jurisdictions where they are located.

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contact Matthew Mitchell should you have questions concerning this subject, or any other COVID-19 response matters.

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