

California Cities and Counties Issue Orders and Recommendations on Use of Face Coverings in the Workplace

by Gabrielle Wirth, Pavlina Kochankovska Rafter, Nisha Verma, and Erica Haggerty Chen

On April 7, 2020, several California cities and counties issued emergency orders requiring nonmedical essential workers and residents who are leaving their homes to wear face coverings. Face coverings may include cloth coverings that secure to the ears or the back of the head and encompass the mouth and nose such as bandanas, handkerchiefs and neck gaiters. Key City and County mandates and orders include:

Los Angeles: The City of Los Angeles Worker Protection Order, (issued April 7, and revised on April 9, 2020), requires employers provide and pay for nonmedical essential workers to wear nonmedical-grade face coverings while working (see [City of Los Angeles Worker Protection Order](#)). In Los Angeles, Mayor Garcetti's order requires employers to provide and pay for nonmedical essential workers to wear nonmedical-grade face coverings while working. The order, which goes into effect on April 10, 2020, further specifies that reusable face coverings should be washed once a day, while single-use face coverings should be discarded after use. Employers must also implement social distancing measures and permit their nonmedical essential workers to wash their hands at least every 30 minutes. Customers must also wear face coverings when entering essential businesses and may be refused entry and service if they fail to do so. Failure to comply with the order may also result in a misdemeanor. For more information, see the [City of Los Angeles](#) website for COVID-19 updates.

San Diego County: Effective April 11, 2020, San Diego County has mandated businesses that interact with the public to provide employees cloth face coverings starting Saturday and allows businesses to refuse services or entry to customers not wearing face coverings (see [San Diego County Public Health Order](#)). San Diego does not however require the general public to wear face coverings, but urges all citizens to do so. For more information, see [San Diego County](#) COVID-19 updates.

San Bernardino County and Riverside County: San Bernardino and Riverside have issued Public Health orders (see [San Bernardino Public Health Order](#) and [Riverside Public Health Order](#)) which go a little further and require all residents who leave their

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home to wear a face covering effective April 8 and April 5, respectively. For more information, see [Riverside](#) and [San Bernardino](#) COVID-19 updates.

Orange County: Orange County issued a [recommendation](#) “strongly encouraging” employees at open businesses to wear face coverings, but stopped short of a mandate. For more information and updated information, see [OC.gov News Room](#) COVID-19 updates.

Bay Area Counties: The Bay Area counties including San Francisco, Contra Costa, Alameda, San Mateo, Santa Clara and Marin, are recommending but not requiring residents wear cloth face coverings alongside social distancing measures. ([City of San Francisco Recommendation](#), [Contra Costa County Public Health Recommendation](#), [Alameda County Public Health Recommendation](#), [San Mateo County Public Health Recommendation](#), [Santa Clara County Public Health Recommendation](#), [Marin County Public Health Recommendation](#)). Due to the critical need healthcare providers and first responders have for surgical masks, N95 respirators and other medical-grade personal protection equipment, all orders recommend that these masks be reserved for health care workers. See [Contra Costa County](#), [Alameda County](#), [San Mateo County](#), [Santa Clara County](#), [Marin County](#), [San Francisco](#) websites.

Depending on the infection statistics over the next few days, these orders may be amended and adopted by additional counties. Dorsey & Whitney’s Labor & Employment attorneys will continue to monitor changes.