



Frequently Asked Questions about Missoula County's

Mandatory Face Covering Rule and Order

Revised September 27, 2020 to include [enhanced face shield](#) clarification

Which face covering rule do we follow? The [Governor's Directive](#), [Local Rule](#), or [Health Officer Order](#)?

There are several differences between state and local face covering requirements. Because all three rules are in effect in Missoula County, the most protective part of each rule applies when there are differences between them. In Missoula County that means that:

- **Everyone ages 5 and older is required to wear a face covering when inside public settings in Missoula County.**
- The face covering requirement applies both in the public facing side of a business and in the non-public areas of a business. Face coverings are required whenever the public is present. In areas or businesses where the public is not allowed, face coverings are required, except when people can maintain 6 feet or more from other people.
- There is no exception for persons giving a speech or engaging in an artistic, cultural, musical, or theatrical performance for an audience. Face coverings must be worn when the public is present.

What is an acceptable face covering?

- Face coverings must be a cloth, paper, or disposable face covering that completely covers one's nose and mouth, fits snugly against the sides of one's face, and is made of two or more layers.
- Neck gaiters used as face coverings should be folded over to add an additional protective layer.
- Unacceptable face coverings include hairnets, mesh, lace, standard face shields, and any face covering including an exhalation valve.
- Standard plastic face shields **cannot be** used as a replacement for a cloth face covering or mask or as a standalone accommodation for an employee or customer who cannot wear a face



covering. Standard face shields are not effective at controlling the spread of respiratory droplets: they direct respiratory droplets down and around the plastic visor.

- [Certain types of enhanced face shields](#) have an additional fabric barrier around and underneath the plastic shield, providing more respiratory droplet control. An enhanced face shield with this additional fabric cowl/barrier attached to the shield is an acceptable face covering in Missoula County, and is also an adequate standalone accommodation for someone who cannot wear a mask.

How long will we have to wear face coverings?

- **The face covering requirements will be in effect in Missoula County until the Health Board and Health Officer amend the local rules, even if there are fewer than 4 active cases.**
- The Board of Health and Health Officer reevaluate the local rule regularly in light of current epidemiological data and trends. The Board of Health meets monthly and routinely communicates with the Health Officer and Incident Commander throughout the month, as needed.

Is other Phase 2 COVID-19 Guidance still in effect? **Yes.**

The face covering requirements are **in addition to** the other rules in effect for Phase 2 reopening, including the [Governor's Directive for Phase 2](#) and the [Health Officer's Order](#). For example, restaurants still have to limit capacity to 75%, patrons have to be seated at tables at least 6 feet from customers at other tables, bars still have to close at 12:30 am, and events with more than 50 people have to be highly structured **and** meet the requirements in [Appendix A](#) of the Health Order.

How many face coverings does an employer have to provide? **Each employer determines this.**

Neither the Health Board rule nor the Governor's Directive provide a specific number of face coverings that an employer should provide to staff. The key is to make sure that employees have sufficient face coverings (regardless of who provides them) and that laundering practices are in place so that staff can wear a clean face covering to work each day.



What if my [employee cannot wear](#) a face covering because of a medical or mental health issue? **Employers must work with employees who cannot wear face coverings to identify a safe, alternative, reasonable accommodation for their specific work setting.**

Options include but are not limited to things like remote work or moving/modifying the workspace to ensure that the unmasked employee is not in an area accessible to the public and is able to maintain 6 feet between coworkers. While standard face shields can be a more comfortable option for some people who cannot wear face coverings, they do not control respiratory droplets and cannot be used as a standalone accommodation. Certain types of [enhanced face shields](#) have an additional fabric barrier around and underneath the plastic shield, providing a higher level of protection for respiratory droplet control. An enhanced face shield with this additional barrier is an adequate accommodation for someone who cannot wear a mask.

What if my [employee refuses to wear](#) a face covering? **If your employee can, but does not want to wear a face covering, then, as a business, government entity, or person responsible for managing an indoor space, you must require that they wear one.**

What you would do if you had an employee refusing to follow a different workplace requirement or policy specific to your work setting? Consider using similar strategies for addressing and meeting face covering requirements.

What if a [customer does not want to wear a face covering](#), or indicates they are unable to wear a face covering for personal, medical, or mental health reasons?

For Customers: While the local Health Order exempts people from wearing masks in situations where it is unsafe or impractical (strenuous exercise or swimming, for example), the Order does **not** include an exemption for people who can't wear or refuse to wear face coverings. In other words, claiming a medical or personal exemption does not allow someone access to indoor public spaces in which other customers are required to wear masks.

- As a customer, you could request that a business provide their goods and services in a different way. In many cases, businesses will be able to provide goods or services without you having to enter the building, such as through curbside pickup, online ordering and delivery, or virtual/remote experiences.



- You do not need to disclose your personal or health information to request an accommodation but be aware that some businesses will not be able to provide a modification that is acceptable to all customers.
- The local Health Order acknowledges that some individuals are guaranteed rights under specific disability laws (for example, the Americans with Disabilities Act (ADA)). Be aware that those allowances are fairly narrow and specific, and many conditions that warrant ADA or accessibility protections **do not** in turn preclude an individual from wearing a face covering.
- For the health and safety of you and other customers and employees, do not enter a business without a face covering. As an alternative, you can consider wearing an [enhanced face shield](#).

For Businesses: As a business, you should have a plan in place to respond to customers who choose not to, or are unable to, wear a face covering. Common modifications include outside seating, curbside pickup, and delivery services. Be aware that:

- Customers are not required to disclose their personal or health information in order to request that you make an accommodation or modification to your typical business model.
- You are not required to allow un-masked customers into your business if they claim a “medical exemption”. The local Order does not include a blanket medical exemption, rather, it indicates that a face covering is not required when wearing one is unsafe or impractical.
- You can refer to the [Disability Issues Brief on Face Mask Policies](#) from the Southeast Americans with Disabilities Center and the Burton Blatt Institute at Syracuse University for more information, or speak with an attorney who is familiar with disability/accessibility issues.
- Customers who are not wearing face coverings, for whatever reason, are not allowed in your business.

[How far do we have to go to enforce face covering requirements with customers?](#)

Wearing a face covering is not optional.

As a manager or owner of an indoor space that is open to the public, you are obligated to ensure that staff and customers are wearing face coverings. In addition to posting appropriate, accessible, and highly visible signs that notify people before entering, **you must have a plan in place to approach patrons or guests that do not have their face covered.** Ideally, this happens as the person enters the establishment. If, after speaking with the person:



- You determine that the person isn't following the face covering requirement because **they claim to have a health condition that makes wearing a face covering unsafe or dangerous**, you can offer them a safe alternate accommodation as described above.
- You determine that **the person is refusing to wear a face covering**, they are not allowed to enter, or remain in, your business space. Follow whatever protocols you have in place for patrons/guests that refuse to follow other business rules (i.e. not wearing shirts/shoes, wearing backpacks in areas where they are not allowed, filming or using flash photos in areas where it is not allowed, etc.).

We know that requiring face coverings is not always an easy task. To meet the goal of widespread use of face coverings, businesses need to:

- Have clear expectations in place, including signage (large, clear signs have been shown to help),
- Have a way to accommodate individuals who cannot wear a face covering,
- Have a plan in place that clearly describes how your business will effectively exclude those who refuse to wear a face covering for non-health-related reasons,
- Set an expectation/standard that all staff/employees wear face coverings and ensure that they wear consistently and appropriately, with a closed, snug fit around the nose and mouth, and,
- Make it easy/comfortable for customers to wear face coverings inside.

How will this rule be enforced? The Health Department responds to complaints by talking with the business and helping them identify necessary changes to comply with both the Governor's Directives and local health requirements. If a business will not come into compliance, the Health Department can take additional steps, including but not limited to a written violation notice, a Health Officer order to comply or to close, or pursuing compliance through the court system.

The business or manager of the indoor public place is responsible for ensuring that employees, customers, and volunteers wear face coverings as required by the rule.



If I put up a sign that says face coverings are required unless they have a medical condition, can I/we just assume anyone without one has a qualifying condition? **No.**

Businesses need to post a sign with language from the order at entries and exits, as well as around the indoor setting. All individuals entering or remaining in your business need to wear a face covering. If a person tells you that they have a medical condition making it unsafe or dangerous to wear a face covering, you can offer them an alternative accommodation as described above.

Can I use my own sign, or do I have to use the one on the Health Department website? **Yes, but the signage must be accessible (i.e. visibly prominent, large font, plain language) and the language must clearly indicate that “Mask or face covering use required for ages 5 or older.”**

How many signs do I have to put up? **Post as many as needed to ensure ongoing compliance with local requirements within your indoor settings.** A sign at each entry must contain the statement “Mask or Face Covering Use Required for Ages 5 and older” but businesses can put up other signs as needed.

Do the new face covering rules apply to childcare facilities? **Yes, but children younger than 5 years old do not have to wear them, and children under 2 should never wear them.**

There are also exceptions for when children and adults are engaged in strenuous exercise or are in other conditions that make wearing a face covering unsafe or impractical. Parents/guardians who are picking up/dropping children off must wear a face covering if and when entering and/or exiting a childcare facility.

Does this rule apply to places of worship? **Yes.** The order does not exempt places of worship.

Is there a religious exemption? **No.**



My office is not open to the public; do we have to wear face coverings? **If there is no opportunity for non-employees to enter (even by appointment), then masks are required for employees whenever they cannot maintain 6 feet of physical separation, or in areas where 6 feet of separation is not easily maintained,** like in break rooms, entryways, shared vehicles, hallways, and shared restrooms.

What qualifies as “strenuous” exercise? What qualifies as “strenuous” will be different for everyone because everyone has different fitness and tolerance levels when it comes to physical activity. Exercisers should take their face covering off at the point that the face covering makes it hard to breathe.

Is there a list of places where businesses can buy face coverings? We don’t have a list, but we have found that it is relatively easy to find face coverings, both cloth and disposable. They are in stock at a number of businesses in town and online. CDC has an online tutorial that shows how to make a cloth face covering that doesn’t require sewing skills.