

# CDC Loosens COVID-19 Mask Guidance

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On February 25, 2022 the CDC announced new guidance on when masks should be worn in indoor public places. This guidance is important for employers because OSHA recommends that workplaces follow current CDC guidance. (Note: The new guidance does not apply in healthcare settings or on public transportation.)

The CDC now classifies all counties as low (green), medium (yellow), or high (orange) for community risk level based on local COVID-19 hospitalizations and hospital capacity, as well as on new COVID-19 cases. Employers can go to the CDC's COVID-19 by County web page, enter the states and counties in which they have operations, and determine the risk level and corresponding masking recommendations. Here is a brief explanation taken from the CDC web page:

In counties classified as high risk, the CDC recommends that everyone wear a mask in indoor public places regardless of vaccination status. About 37 percent of counties are now classified as high risk; previously, based mainly on measuring new COVID-19 cases and positive test rates, about 95 percent were subject to the indoor masking recommendation.

In counties classified as medium risk, individuals who are immunocompromised or at high risk for severe illness should talk with their healthcare provider about whether to wear a mask. Individuals can still choose to wear a mask in medium and low risk counties.

Employers should continue to comply with any more stringent applicable requirements. Employers should also keep in mind that they remain subject to the general duty clause of the OSH Act, which requires providing a workplace free of known, dangerous hazards that can be feasibly mitigated.

Contact the Nexsen Pruet Employment and Labor Law group for additional information on workplace safety and health requirements and developments related to COVID-19.