

SHEET METAL CONNECTORS, INC.
COVID-19 EMERGENCY PLAN

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FORWARD

This COVID-19 Emergency Plan contains recommendations as well as descriptions of mandatory safety and health standards as published by the Occupational Safety and Health (OSHA) Act. The recommendations within this COVID-19 Emergency Plan are advisory in nature, informational in content, and are intended to assist SHEET METAL CONNECTORS, INC. in providing a safe and healthful workplace. It is the policy for SHEET METAL CONNECTORS, INC. to comply with safety and health standards and regulations promulgated by OSHA or by a state with an OSHA-approved State plan. In addition, it is the policy of SHEET METAL CONNECTORS, INC. to also comply with OSHA's General Duty Clause, Section 5(a) (1), requires employers to provide their employees with a workplace free from recognized hazards likely to cause death or serious physical harm.

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INTRODUCTION

Coronavirus Disease 2019 (COVID-19) is a respiratory disease caused by the SARS-CoV-2 virus. It has spread from China to many other countries around the world, including the United States. Depending on the severity of COVID-19's international impacts, outbreak conditions—including those rising to the level of a pandemic—can affect all aspects of daily life, including travel, trade, tourism, food supplies, and financial markets.

To reduce the impact of COVID-19 outbreak conditions on businesses, workers, customers, and the public, SHEET METAL CONNECTORS, INC. is planning for COVID-19. SHEET METAL CONNECTORS, INC. is addressing the specific exposure risks, sources of exposure, routes of transmission, and other unique characteristics of SARS-CoV-2 (i.e., compared to pandemic influenza viruses). SHEET METAL CONNECTORS, INC. is preparing as far in advance as possible of potentially worsening outbreak conditions. Continuity planning is required in order to address the challenges of COVID-19 with sufficient resources and training in order to minimize the effects upon our organization.

This COVID-19 Emergency Plan utilizes The Occupational Safety and Health Administration (OSHA) developed COVID-19 planning guide based on traditional infection prevention and industrial hygiene practices. This plan focuses on the need for SHEET METAL CONNECTORS, INC. to implement engineering, administrative, and work practice controls and personal protective equipment (PPE), as well as considerations for doing so.

SHEET METAL CONNECTORS, INC. will use OSHA's planning guidance to help identify risk levels in workplace settings and to determine any appropriate control measures to implement.

Additional guidance may be needed as COVID-19 outbreak conditions change, including as new information about the virus, its transmission and impacts, becomes available.

The U.S. Department of Health and Human Services' Centers for Disease Control and Prevention (CDC) provides the latest information about COVID-19 and the global outbreak: www.cdc.gov/coronavirus/2019-ncov. SHEET METAL CONNECTORS, INC. will continue to monitor this new information.

The OSHA COVID-19 webpage offers information specifically for workers and employers: www.osha.gov/covid-19.

SYMPTOMS OF COVID-19

Infection with SARS-CoV-2, the virus that causes COVID-19, can cause illness ranging from mild to severe and, in some cases, can be fatal. Symptoms typically include fever, cough, and shortness of breath. Some people infected with the virus have reported experiencing other non-respiratory symptoms. Other people, referred to as *asymptomatic cases*, have experienced no symptoms at all.

According to the Center for Disease Control (CDC), symptoms of COVID-19 may appear in as few as 2 days or as long as 14 days after exposure.

HOW COVID-19 SPREADS

Although the first human cases of COVID-19 likely resulted from exposure to infected animals, infected people can spread SARS-CoV-2 to other people.

The virus is thought to spread mainly from person-to-person, including:

- Between people who are in close contact with one another (within about 6 feet).
- Through respiratory droplets produced when an infected person coughs or sneezes.

These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs.

It may be possible that a person can get COVID-19 by touching a surface or object that has SARS-CoV-2 on it and then touching their own mouth, nose, or possibly their eyes, but this is not thought to be the primary way the virus spreads.

People are thought to be most contagious when they are most symptomatic (i.e., experiencing fever, cough, and/or shortness of breath). Some spread might be possible before people show symptoms; there have been reports of this type of asymptomatic transmission with this new coronavirus, but this is also not thought to be the main way the virus spreads.

Although the United States has implemented public health measures to limit the spread of the virus, it is likely that some person-to-person transmission will continue to occur.

The CDC website provides the latest information about COVID-19 transmission: www.cdc.gov/coronavirus/2019-ncov/about/transmission.html.

HOW a COVID-19 OUTBREAK COULD AFFECT WORKPLACES

Similar to influenza viruses, SARS-CoV-2, the virus that causes COVID-19, has the potential to cause extensive outbreaks. Under conditions associated with widespread person-to-person spread, multiple areas of the United States and other countries may see impacts at the same time. In the absence of a vaccine, an outbreak may also be an extended event. As a result, workplaces may experience:

- Absenteeism.
- Change in Patterns of Commerce.
- Interrupted Supply/Delivery.

Absenteeism

Workers could be absent because they:

- Are sick.
- Are caregivers for sick family members.
- Are caregivers for children if schools or day care centers are closed.
- Have at-risk people at home, such as immunocompromised family members.
- Are afraid to come to work because of fear of possible exposure.

Change in Patterns of Commerce

Consumer demand for items related to infection prevention (e.g., respirators) is likely to increase significantly, while consumer interest in other goods may decline. Consumers may also change shopping patterns because of a COVID-19 outbreak. Consumers may try to shop at off-peak hours to reduce contact with other people, show increased interest in home delivery services, or prefer other options, such as drive-through service, to reduce person-to-person contact.

Interrupted Supply/Delivery

Shipments of items from geographic areas severely affected by COVID-19 may be delayed or cancelled with or without notification. Additionally, some products may be absent from store shelves due to customer hoarding. Examples of this include eggs, hand sanitizer and toilet paper.

Disease Preparedness and Response Plan

SHEET METAL CONNECTORS, INC. has developed this infectious disease preparedness and response plan to help guide protective actions against COVID-19.

This plan will assist SHEET METAL CONNECTORS, INC. in staying abreast of guidance from federal, state, local, tribal, and/or territorial health agencies, and consider how to incorporate those recommendations and resources into workplace-specific plans.

SHEET METAL CONNECTORS, INC. COVID-19 Emergency Plan will consider and address the level(s) of risk associated with various worksites and job tasks workers perform at those sites. Such considerations may include:

- Where, how, and to what sources of SARS-CoV-2 might workers be exposed, including:
 - The general public, customers, and coworkers.
 - Sick individuals or those at particularly high risk of infection (e.g., international travelers who have visited locations with widespread sustained (ongoing) COVID-19 transmission, healthcare workers who have had unprotected exposures to people known to have, or suspected of having, COVID-19).
 - Non-occupational risk factors at home and in community settings.
- Workers' individual risk factors (e.g., older age; presence of chronic medical conditions, including immunocompromising conditions; pregnancy).

Necessary Controls

SHEET METAL CONNECTORS, INC. shall follow federal and state & local recommendations regarding *development of contingency plans* for situations that may arise as a result of outbreaks, such as:

- Increased rates of worker absenteeism.
- The need for social distancing, staggered work shifts, downsizing operations, delivering services remotely, and other exposure-reducing measures.
- Options for conducting essential operations with a reduced workforce, including cross-training workers across different jobs in order to continue operations or deliver surge services.
- Interrupted supply chains or delayed deliveries.

Contingency Plans will also consider and address the other steps that SHEET METAL CONNECTORS, INC. can take to reduce the risk of worker exposure to SARS-CoV-2 in the workplace as described in the sections below.

Prepare to Implement Basic Infection Prevention Measures

At SHEET METAL CONNECTORS, INC. protecting employees will depend on emphasizing basic infection prevention measures. As appropriate, SHEET METAL CONNECTORS, INC. will continue to emphasize good hygiene and infection control practices, including:

- Promoting frequent and thorough hand washing.
- Encouraging workers to stay home if they are sick.
- Encouraging respiratory etiquette, including covering coughs and sneezes.
- The provision of tissues and trash receptacles for customers and the public.

SHEET METAL CONNECTORS, INC. will explore whether it can establish policies and practices, such as flexible worksites (e.g., telecommuting) and flexible work hours (e.g., staggered shifts), to increase the physical distance among employees and between employees and others if state and local health authorities recommend the use of social distancing strategies.

SHEET METAL CONNECTORS, INC. discourages workers from using other workers' phones, desks, offices, or other work tools and equipment, when possible.

SHEET METAL CONNECTORS, INC. will maintain regular housekeeping practices, including routine cleaning and disinfecting of surfaces, equipment, and other elements of the work environment. When choosing cleaning chemicals, SHEET METAL CONNECTORS, INC. will consult information on Environmental Protection Agency (EPA)-approved disinfectant labels with claims against emerging viral pathogens. Products with EPA-approved emerging viral pathogens claims are expected to be effective against SARS-CoV-2 based on data for harder to kill viruses.

SHEET METAL CONNECTORS, INC. will follow the manufacturer's instructions for use of all cleaning and disinfection products (e.g., concentration, application method and contact time, PPE). SHEET METAL CONNECTORS, INC. shall follow disposal of said cleaning and disinfection products as outlined within the Bloodborne Pathogen Plan on file.

Policies and Procedures for Prompt Identification and Isolation of Sick People

SHEET METAL CONNECTORS, INC. will create and adopt the following policies and procedures for prompt identification of sick people.

- Prompt identification and isolation of potentially infectious individuals is a critical step in protecting workers, customers, visitors, and others at a worksite.
- Inform and encourage employees to self-monitor for signs and symptoms of COVID-19 if they suspect possible exposure.
- We are creating and will adopt the policies and procedures:
 - For employees to report when they are sick or experiencing symptoms of COVID-19.
 - For immediately isolating people who have signs and/or symptoms of COVID-19, and train workers to implement them.
 - To take steps to limit the spread of the respiratory secretions of a person who may have COVID-19. SHEET METAL CONNECTORS, INC. may provide a face mask, if feasible and available, and ask the person to wear it, if tolerated.
 - Note: A face mask (also called a surgical mask, procedure mask, or other similar terms) on a patient or other sick person should not be confused with PPE for a worker; the mask acts to contain potentially infectious respiratory secretions at the source (i.e., the person's nose and mouth) (Appendix A – N95 Dust Mask & Surgical Mask Facts).
 - To restrict the number of personnel entering isolation areas.
 - To use additional engineering and administrative controls, safe work practices, and PPE as required.

Develop, Implement, and Communicate about Workplace Flexibilities and Protections

SHEET METAL CONNECTORS, INC. shall:

- Actively encourage sick employees to stay home.

- Ensure that sick leave policies are flexible and consistent with public health guidance and that employees are aware of these policies.
- Talk with companies that provide SHEET METAL CONNECTORS, INC. with contract or temporary employees about the importance of sick employees staying home and encourage them to develop non-punitive leave policies.
- Not require a healthcare provider's note for employees who are sick with acute respiratory illness to validate their illness or to return to work, as healthcare provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely way.
- Maintain flexible policies that permit employees to stay home to care for a sick family member. SHEET METAL CONNECTORS, INC. is aware that more employees may need to stay at home to care for sick children or other sick family members than is usual.
- Provide adequate, usable, and appropriate training, education, and informational material about business-essential job functions and worker health and safety, including proper hygiene practices and the use of any workplace controls (including PPE).
- Address workers' concerns about pay, leave, safety, health, and other issues that may arise during infectious disease outbreaks. Informed workers who feel safe at work are less likely to be unnecessarily absent.
- Work with insurance companies (e.g., those providing employee health benefits) and state and local health agencies to provide information to workers and customers about medical care in the event of a COVID-19 outbreak.

In addition, SHEET METAL CONNECTORS, INC. will become familiar with the CDC's Interim Guidance for Preventing the Spread of COVID-19 in Homes and Residential Communities:

- www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-prevent-spread.html.

Implement Workplace Controls

Occupational safety and health professionals use a framework called the "hierarchy of controls" to select ways of controlling workplace hazards. In other words, the best way to control a hazard is to systematically remove it from the workplace, rather than relying on workers to reduce their exposure. During a COVID-19 outbreak, when it may not be possible to eliminate the hazard, the most effective protection measures are (listed from most effective to least effective): engineering controls, administrative controls, safe work practices (a type of administrative control), and PPE. There are advantages and disadvantages to each type of control measure when considering the ease of implementation, effectiveness, and cost. In most cases, a combination of control measures will be necessary to protect workers from exposure to SARS-CoV-2.

SHEET METAL CONNECTORS, INC. shall implement workplace controls as deemed appropriate.

Engineering Controls

Engineering controls involve isolating employees from work-related hazards. In workplaces where they are appropriate, these types of controls reduce exposure to hazards without relying

on worker behavior and can be the most cost-effective solution to implement. Engineering controls that Your Company Name may use include:

- Installing high-efficiency air filters.
- Increasing ventilation rates in the work environment.
- Installing physical barriers, such as clear plastic sneeze guards.

Administrative Controls

Typically, administrative controls are changes in work policy or procedures to reduce or minimize exposure to a hazard. Examples of administrative controls that SHEET METAL CONNECTORS, INC. may use include:

- 1) Encouraging sick workers to stay at home.
- 2) Employees are required to take their temperatures before arriving at work and if they have a temperature of greater than 100.4 degrees, they should self-quarantine at home.
- 3) Employees who have come in contact with anyone who has been diagnosed with COVID-19 or coronavirus or who have any of the symptoms of COVID-19 or coronavirus shall self-quarantine at home.
- 4) If an employee becomes ill while on the job, he/she will be provided and required to wear a face mask and will be directed to leave the job and to seek medical attention. Such an employee will not be permitted to return to work until they are free of any symptoms of COVID-19 and/or the coronavirus. Masks will be provided on the job for employees to wear in such circumstances. Unless OSHA or CDC require otherwise employees who are not ill and/or exhibiting symptoms of COVID-19 or coronavirus are not required to wear masks on the job unless their duties require the wearing of PPE.
- 5) In order to maintain the recommended six-foot social distancing; Employees shall drive their own personal vehicles to work. We do not recommend ride sharing by employees to get to work. While on the jobsite and working, employees shall make every possible effort to maintain six feet of separation between themselves and other employees.
- 6) We encourage frequent hand washing with soap and water. Hands shall be washed for at least 20 seconds. DO NOT throw any trash on the ground. Hand sanitizer will also be provided on each PC Station along with disposable wipes when available.
- 7) Employees should avoid personal contact with other employees. In the case that contact between two employees or contact of a SHEET METAL CONNECTORS, INC. employee and Non- SHEET METAL CONNECTORS, INC. employee on the job, the SHEET METAL CONNECTORS, INC. employee shall immediately wash his/her hands with soap and water for a minimum of 20 seconds.
- 8) Before using any tools on a job site, the employee should wipe the tool down with a disposable sanitizer wipe.
- 9) Employees who sneeze or cough shall do so into a disposable tissue, which shall be properly disposed of in a provided trash receptacle. If a tissue is not available employees should cough or sneeze into the crook of their elbow.
- 10) Meetings on all job sites shall be limited to a small number of employees so that six feet of separation can be maintained between all employees, even if this necessitates more

that one meeting to accomplish the purposes of the meeting. This includes all meetings held for safety training purposes.

- 11) In SHEET METAL CONNECTORS, INC. administrative offices employees shall maintain six feet of social distancing at all times. In addition, plastic sneeze guards will be placed around employee work stations to protect employees from coughs or sneezes of other employees. Offices and or cubicles shall suffice.
- 12) Minimizing contact among workers, clients, and customers by replacing face-to-face meetings with virtual communications and implementing telework if feasible.
- 13) Establishing alternating days or extra shifts that reduce the total number of employees in a facility at a given time, allowing them to maintain distance from one another while maintaining a full onsite work week.
- 14) Discontinuing nonessential travel to locations with ongoing COVID-19 outbreaks.
- 15) Regularly check CDC travel warning levels at: www.cdc.gov/coronavirus/2019-ncov/travelers.
- 16) Developing emergency communications plans, including a forum for answering workers' concerns and internet-based communications, if feasible.
- 17) Providing workers with up-to-date education and training on COVID-19 risk factors and protective behaviors (e.g., cough etiquette and care of PPE). Training workers who need to use protecting clothing and equipment how to put it on, use/wear it, and take it off correctly, including in the context of their current and potential duties.
- 18) All Sheet Metal Connectors Inc. employees will be required to wear a face covering while on company premises. Those employees needing special considerations will be given direction on a case by case basis. Employees working in a single person office are allowed to work without a mask unless they leave their individual space or another person enters their space.

Safe Work Practices

Safe work practices are types of administrative controls that include procedures for safe and proper work used to reduce the duration, frequency or intensity of exposure to a hazard.

SHEET METAL CONNECTORS, INC. will continue to use safe work practices such as:

- Providing resources and a work environment that promotes hygiene. Examples include:
 - Provide tissues.
 - No touch trash cans.
 - Hand soap.
 - Alcohol-based hand rubs containing at least 60% alcohol.
 - Disinfectants.
 - Disposable towels to clean work surfaces.
- Require regular hand washing or using alcohol-based hand rubs.

Personal Protective Equipment (PPE)

While engineering and administrative controls are considered more effective in minimizing exposure to COVID-19, PPE may also be needed to prevent certain exposures. While correctly

using PPE can help prevent some exposures, it should not take the place of other prevention strategies.

When selecting PPE, SHEET METAL CONNECTORS, INC. will continue to consider factors such as function, fit, decontamination ability, disposal, and cost. Sometimes, when PPE will have to be used repeatedly for a long period of time, a more expensive and durable type of PPE may be less expensive overall than disposable PPE. SHEET METAL CONNECTORS, INC. will abide by the PPE Plan and the Respiratory Protection Plan as well as other plans on file.

Examples of PPE include: gloves, goggles, face shields, face masks, and respiratory protection, when appropriate. During an outbreak of an infectious disease, such as COVID-19, recommendations for PPE specific to occupations or job tasks may change depending on geographic location, updated risk assessments for workers, and information on PPE effectiveness in preventing the spread of COVID-19. SHEET METAL CONNECTORS, INC. will continue to check the OSHA and CDC websites regularly for updates about recommended PPE.

When using PPE, it must be:

- Selected based on the risk of being infected with SARS-CoV-2 while working and job tasks that may lead to exposure.
- Properly fitted and periodically refitted, as applicable (e.g., respirators). Consistently and properly worn when required.
- Regularly inspected, maintained, and replaced, as necessary.
- Properly removed, cleaned, and stored or disposed of, as applicable, to avoid contamination of self, others, or the environment.
- A surgical N95 respirator when both respiratory protection and resistance to blood and body fluids is needed.

Face shields may also be worn on top of a respirator to prevent bulk contamination of the respirator. Certain respirator designs with forward protrusions (duckbill style) may be difficult to properly wear under a face shield. Ensure that the face shield does not prevent airflow through the respirator.

Follow Existing OSHA Standards

Existing OSHA standards may apply to protecting workers from exposure to and infection with SARS-CoV-2.

While there is no specific OSHA standard covering SARS-CoV-2 exposure, some OSHA requirements may apply to preventing occupational exposure to SARS-CoV-2. SHEET METAL CONNECTORS, INC. will abide by OSHA's Personal Protective Equipment (PPE) standards (in general industry, 29 CFR 1910 Subpart I), which require using gloves, eye and face protection, and respiratory protection

www.osha.gov/law-segments/regulations/standardnumber/1910#1910_Subpart_I).

SHEET METAL CONNECTORS, INC. will also abide by The General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health (OSH) Act of 1970, 29 USC 654(a)(1), which requires SHEET METAL CONNECTORS, INC. to furnish to each worker “employment and a place of employment, which are free from recognized hazards that are causing or are likely to cause death or serious physical harm ([www. osha. gov/laws-regs/oshact/completeoshact](http://www.osha.gov/laws-regs/oshact/completeoshact)).

OSHA’s Bloodborne Pathogens standard (29 CFR 1910.1030) applies to occupational exposure to human blood and other potentially infectious materials that typically do not include respiratory secretions that may transmit SARS-CoV-2. However, the provisions of the standard offer a framework that may help control some sources of the virus, including exposures to body fluids (e.g., respiratory secretions) not covered by the standard (www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.1030). SHEET METAL CONNECTORS, INC. will abide by its Bloodborne Pathogen Plan.

Workers with medium exposure risk may need to wear some combination of gloves, a gown, a face mask, and/or a face shield or goggles. PPE ensembles for workers in the medium exposure risk category will vary by work task, the results of Your Company Name’s hazard assessment, and the types of exposures workers have on the job.

Appendix A - N95 Dust Mask & Surgical Mask Facts

The "N95" is a government efficiency rating that means the mask blocks about 95 percent of particles that are 0.3 microns in size or larger. Therefore, the N95 does not have the ability to filter out a virus which is typically smaller in size than 0.3 microns. Also, the virus may be transmitted through the air without the presence of dust. Here are some things to consider while making the decision to wear or not wear a N95 dust mask or a surgical mask.

N95 Facts:

- Particulates smaller than 0.3 microns will pass through the dust mask carrying the virus with it as well.
- This dust masks is designed to prevent dust inhalation. If the virus is carried in the air and not on a dust particle, this mask will not filter out the virus.
- If the virus is carried in the air or on a dust particle, the virus can still enter the body through absorption or ingestion.
- The dust mask user needs to be fit tested and trained in the use, care and disposal of the mask.
 - Bad fits are deadly. Contaminated air breathed from around the unfiltered edges instead of through the N95-rated material undermines the purpose of a mask.
 - Dust masks are designed for a one time use.
 - Dust masks deteriorate quickly from sweat, wear and age.
 - The inside of the dust masks can become contaminated if removed from the face or if the seal is compromised.
 - Under continuous use, the dust mask is only effective for about 8 hours of use. However, one rarely wears a dust mask for eight (8) hours on a continuous basis.
 - The user shall be clean shaven daily to ensure a good fit. Facial hair prevents a good fit.
 - The dust mask usually sells for less than \$1.00. Supply and demand has escalated the price to \$2.75.
- From a medical perspective, not everyone is capable of wearing a dust mask on a full time basis.

Surgical Mask Facts:

- This mask is designed to assist in curtailing the transfer of pathogens from the wearer to others while exhaling. Hence, unless you are contagious, it will provide you with only a minimal factor of safety.
- This mask cannot provide a seal around the edges. Hence, air can pass between the wearer's face and the mask providing minimal inhalation protection.
- Surgical masks are designed for a one time use.
- Surgical masks deteriorate quickly from moisture.
- Surgical masks provide very little protection from dust.

Appendix B – EXECUTIVE ORDER 20-81 STATE OF MINNESOTA

Emergency Executive Order 20-81

Minnesotans to Wear a Face Covering in Certain Settings to Prevent the Spread of COVID-19

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic continues to present an unprecedented and rapidly evolving challenge to our State. Since the World Health Organization characterized the COVID-19 outbreak as a pandemic on March 11, 2020, confirmed cases of COVID-19 in Minnesota have rapidly increased. On March 15, 2020, Minnesota detected the first confirmed cases caused by “community spread”—infections not epidemiologically linked to overseas travel. By March 17, 2020, all fifty states had reported a confirmed case of COVID-19, and on March 21, 2020, the Minnesota Department of Health (“MDH”) announced the first confirmed fatality due to COVID-19 in Minnesota.

The President declared a national emergency related to COVID-19 on March 13, 2020. Since then, and for the first time in history, the President has approved major disaster declarations for all fifty states and the District of Columbia. In concert with these federal actions and the actions of states across the nation, Minnesota has taken proactive steps to ensure that we remain ahead of the curve. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, endangers the lives of Minnesotans, and local resources were—and continue to be—inadequate to address the threat. After notifying the Legislature, on April 13, 2020, May 13, 2020, June 12, 2020, and July 13, 2020, I issued Executive Orders extending the peacetime emergency declared in Executive Order 20-01.

The need to slow the spread of the virus while we ensured that Minnesota had the resources and capacity to address a large outbreak initially required the closure of certain non-critical businesses in our economy. In Executive Order 20-33, seeking to balance public health needs and economic considerations, we began planning to allow more Minnesota workers to safely return to work. We drafted and implemented guidelines and requirements for appropriate social distancing, hygiene, and public health best practices. Executive Order 20-38 expanded exemptions for outdoor recreational activities and facilities, and Executive Orders 20-40, 20-48, 20-56, 20-63, and 20-74 allowed for the gradual reopening of certain non-critical businesses that planned for and provided safe workplaces.

The experience of other states shows that a COVID-19 surge can occur with little warning and disastrous consequences. Indeed, several states have had to reinstate limitations on businesses, gatherings, and activities as they have faced summer surges in COVID-19 cases. Although Minnesota had experienced a brief period of stable or decreasing numbers in COVID-19 cases, in the past week we have seen our cases begin to increase, with the largest single-day increase in cases in seven weeks reported on July 20, 2020. As such, we must continue to approach our reopening carefully, as the number of cases throughout the United States has increased rapidly in recent weeks. To that end, we know that certain public settings and establishments continue to pose a public health risk. In particular, the opportunities for COVID-19 transmission are

elevated in confined indoor spaces, health care and congregate care facilities, settings where people gather and linger or where movement is unpredictable, and places where social distancing measures are not always possible. As we carefully consider and provide opportunities for a variety of businesses and other venues to scale up their operations, safety in these settings is a key priority.

According to the Centers for Disease Control and Prevention (“CDC”), face coverings are effective in preventing the transmission of respiratory droplets that may spread COVID-19. Recognizing the utility of face coverings to prevent wearers who are asymptomatic or pre-symptomatic, the Federal Occupational Health and Safety Administration recommends that employers encourage workers to wear face coverings at work.

Ideally, face coverings should be worn in combination with other infection control measures, including social distancing, but face coverings are especially important in settings where social distancing is difficult to maintain. As the CDC has explained, face coverings are most effective when they are worn by all individuals in public settings when around others outside of their households because many people infected with COVID-19 do not show symptoms. Consistent with this guidance, Minnesota has strongly recommended widespread use of face coverings since April. An increasing number of states are now mandating face coverings in certain settings to control the spread of COVID-19. As of July 17, 2020, 28 states, Washington D.C., and Puerto Rico have implemented a face covering requirement. With this order, we do the same to protect Minnesota.

In Minnesota Statutes 2019, section 12.02, the Minnesota Legislature conferred upon the Governor emergency powers to “(1) ensure that preparations of this state will be adequate to deal with disasters, (2) generally protect the public peace, health, and safety, and (3) preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management as well as carry out the provisions of Minnesota’s Emergency Management Act.

Minnesota Statutes 2019, section 12.21, subdivision 3(7), authorizes the Governor to cooperate with federal and state agencies in “matters pertaining to the emergency management of the state and nation.” This includes “the direction or control of . . . the conduct of persons in the state, including entrance or exit from any stricken or threatened public place, occupancy of facilities, and . . . public meetings or gatherings.” Pursuant to subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes 2019, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

For these reasons, I order as follows:

1. Paragraph 3 of Executive Order 20-74 is rescinded as of Friday, July 24, 2020 at

11:59 p.m. All other provisions of Executive Order 20-74 remain in effect.

2. Beginning on Friday, July 24, 2020 at 11:59 p.m., Minnesotans must wear a face covering in indoor businesses and indoor public settings, as described in this order and the related industry guidance, available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>), as well as any other guidance referenced in this order. Workers must also wear face coverings outdoors when it is not possible to maintain social distancing. When leaving home, Minnesotans are strongly encouraged to have a face covering with them at all times to be prepared to comply with the requirements of this Executive Order.

3. **Definitions.** For purposes of this Executive Order, the following terms are defined as follows:

a. A “face covering” must be worn to cover the nose and mouth completely, and can include a paper or disposable face mask, a cloth face mask, a scarf, a bandanna, a neck gaiter, or a religious face covering. Minnesotans are encouraged to refer to CDC guidance on *How to Make Cloth Face Coverings*, available at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-gettingsick/how-to-make-cloth-face-covering.html>. Medical-grade masks and respirators are sufficient face coverings, but to preserve adequate supplies, their purchase and use is discouraged for Minnesotans who do not work in a health care setting or in other occupations that require medical-grade protective equipment (*e.g.*, certain construction occupations). Masks that incorporate a valve designed to facilitate easy exhaling, mesh masks, or masks with openings, holes, visible gaps in the design or material, or vents are **not** sufficient face coverings because they allow exhaled droplets to be released into the air.

b. “Business” and “businesses” are broadly defined to include entities that employ or engage workers, including private-sector entities, public-sector entities, non-profit entities, and state, county, and local governments. c. “Worker” and “workers” are broadly defined to include owners, proprietors, employees, contractors, vendors, volunteers, and interns. d. “Social distancing” means individuals keeping at least 6 feet of distance from other individuals who are not members of their household.

e. “Household” means a group of individuals who share the same living unit.

f. “Living unit” or “living units” are broadly defined to include single family homes; mobile homes; shelters and similar facilities; family foster care homes; individual units of multi-unit dwellings; hotel or motel rooms; dormitory rooms; residential programs licensed under Minnesota Statutes 2019, Chapter 245D; and assigned units or rooms in a hospital, long-term care facility, residential treatment facility, or correctional facility. Additionally, a “living unit” or “living units” includes any other setting used as a residence and shared only with members of the same household.

g. “Higher education institution” means all post-secondary institutions, including but not limited to institutions licensed and registered with the Office of Higher Education, with a physical campus in the State.

4. Federal activities. Nothing in this Executive Order will be construed to limit, prohibit, or restrict in any way the operations of the federal government or the movement of federal officials in Minnesota while acting in their official capacity, including federal judicial, legislative, and executive staff and personnel.

5. Legislative proceedings. This Executive Order does not apply to Legislative proceedings and meetings.

6. Judicial Branch. This Executive Order does not apply to the Minnesota Judicial Branch. Requirements for face coverings in judicial branch facilities and at proceedings held by the judicial branch are subject to policies or orders of the Chief Justice.

7. Tribal activities and lands.

a. Activities by tribal members within the boundaries of their tribal reservations are exempt from the restrictions in this Executive Order but may be subject to restrictions by tribal authorities.

b. Activities within the boundaries of federal land held in trust for one of the 11 Minnesota Tribal Nations are exempt from the restrictions in this Executive Order but may be subject to restrictions by tribal authorities.

8. Exempt individuals. The following individuals are exempt from face covering requirements of this Executive Order:

a. Individuals with a medical condition, mental health condition, or disability that makes it unreasonable for the individual to maintain a face covering. This includes, but is not limited to, individuals who have a medical condition that compromises their ability to breathe, and individuals who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance. These individuals should consider using alternatives to face coverings, including clear face shields, and staying at home as much as possible.

b. Children who are five years old and under. Those who are under two-years of age should never wear a face covering due to the risk of suffocation. Those who are at least two are encouraged to wear a face covering if they can do so in compliance with CDC guidance on *How to Wear Cloth Face Coverings*, available at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-gettingsick/how-to-wear-cloth-face-coverings.html> (*i.e.*, without frequently touching or removing the covering).

c. Individuals at their workplace when wearing a face covering would create a job hazard for the individual or others, as determined by local, state or federal regulators or workplace safety and health standards and guidelines.

9. Situations where face coverings are mandatory. Except for individuals who are exempt under paragraph 8 of this Executive Order, and except for the circumstances described in paragraphs 10 through 12, Minnesotans are required to wear a face covering:

- A. In an indoor business or public indoor space, including when waiting outdoors to enter an indoor business or public indoor space.
 - i. This requirement does not apply in living units except that (1) workers entering another person's living unit for a business purpose are required to wear a face covering when doing so; and (2) visitors, patients, residents, or inmates of hospitals, shelters or drop-in centers, long-term care facilities, residential treatment facilities, residential programs licensed under Minnesota Statutes 2019, Chapter 245D, or correctional facilities must wear a face covering even when in a living unit if required by the facility.
 - ii. This requirement also does not apply in a private vehicle that is being used for private purposes.
- b. When riding on public transportation, in a taxi, in a ride-sharing vehicle, or in a vehicle that is being used for business purposes.
- c. In any other business, venue, or public space which has opted to require a face covering when it would not otherwise be required by this Executive Order.
- d. For workers only, when working outdoors in situations where social distancing cannot be maintained.
- e. When applicable industry guidance, available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>) specifically requires face coverings. In some instances, face shields may be required in addition to or instead of face coverings or may be allowed as an alternative to face coverings.

10. Circumstances where mandatory face coverings may be temporarily removed. Face coverings required under Paragraph 9 of this Executive Order may be temporarily removed under the following circumstances:

- a. When participating in organized sports in an indoor business or indoor public space while the level of exertion makes it difficult to wear a face covering.
- b. When exercising in an indoor business or public indoor space such as a gym or fitness center, while the level of exertion makes it difficult to wear a face covering, provided that social distancing is always maintained.
- c. When testifying, speaking, or performing in an indoor business or public indoor space, in situations or settings such as theaters, news conferences, legal proceedings, governmental meetings subject to the Open Meeting Law (Minnesota Statutes 2019, Chapter 13D), presentations, or lectures,

provided that social distancing is always maintained. Face shields should be considered as an alternative in these situations.

- d. During practices or performances in an indoor business or indoor public space when a face covering cannot be used while playing a musical instrument, provided that social distancing is always maintained.
- e. During activities, such as swimming or showering, where the face covering will get wet.
- f. When eating or drinking in an indoor business or indoor public space, provided that at least 6 feet of physical distance is maintained between persons who are not members of the same party.
- g. When asked to remove a face covering to verify an identity for lawful purposes.
- h. While communicating with an individual who is deaf or hard of hearing or has a disability, medical condition, or mental health condition that makes communication with that individual while wearing a face covering difficult, provided that social distancing is maintained to the extent possible between persons who are not members of the same household.
- i. While receiving a service—including a dental examination or procedure, medical examination or procedure, or personal care service—that cannot be performed or would be difficult to perform when the individual receiving the service is wearing a face covering. Workers performing services for an individual who is allowed to temporarily remove their face covering under this provision must comply with face covering requirements in the applicable industry guidance, available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>).