

LEGAL UPDATES

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## Service

Labor & Employment

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# Wisconsin Governor Declares New Mask Requirements

In light of the growing number of COVID-19 cases in Wisconsin, on July 30 Governor Tony Evers issued Emergency Order Number 1, declaring that everyone over the age of five must wear a mask when indoors starting this Saturday, August 1, 2020. This Order relates not only to traditional indoor spaces, but to “confined space open to the public where individuals congregate, including but not limited to outdoor bars, outdoor restaurants, taxis, public transit, ride-share vehicles, and outdoor park structures. Further, the Frequently Asked Questions publication that accompanied this Order made clear that face coverings must be worn when “other people are present in the same room or space,” suggesting that those who work in cubicles must wear a face covering throughout their time in the workspace. The Order will continue to September 28, 2020 and affects all those who are not members of the individual’s household and are present in the same room or confined space.

The exceptions are limited, but include a relaxing of the rule when eating or drinking, when getting dental service, when necessary to confirm identity, or when speaking at a religious, musical or political event, so that a single speaker could remove the face covering, as long as she or he is at least six feet from other individuals. Wearing masks outdoors is strongly encouraged when it is not possible to maintain six feet of social distancing.

This order supersedes a patchwork of local ordinances and orders that are less restrictive.

Most Wisconsinites will recall that the Wisconsin Supreme Court rejected an order of the Wisconsin Secretary of Health Services, extending statewide mandates to close most nonessential business in a bid to slow the spread of the disease. There seems a strong likelihood of challenge to this new order, which is based on the Governor’s new Declaration of Public Health Emergency (Executive Order 82), announced the same day as the Emergency Order #1.

In the meantime, Wisconsin now joins a majority of states that have adopted a face covering mandate, including neighboring Illinois and Michigan.

## **Contact us**

If you have questions regarding the impact of these ordinances or orders on your workplace, contact Tom Godar or your Husch Blackwell attorney.

## **Comprehensive CARES Act and COVID-19 guidance**

Husch Blackwell's CARES Act resource team helps clients identify available assistance using industry-specific updates on changing agency rulemakings. Our COVID-19 response team provides clients with an online legal Toolkit to address challenges presented by the coronavirus outbreak, including rapidly changing orders on a state-by-state basis. Contact these legal teams or your Husch Blackwell attorney to plan a way through and beyond the pandemic.