

THOUGHT LEADERSHIP

LEGAL UPDATES

PUBLISHED: SEPTEMBER 22, 2020

Service

Labor & Employment

Professional

THOMAS P. GODAR

MADISON:

608.234.6064

THOMAS.GODAR@

HUSCHBLACKWELL.COM

Wisconsin's Mask Mandate Extended for 60 Days

Governor Tony Evers, responding to an increase in COVID-19 cases across Wisconsin, issued his third emergency order on September 22, 2020, extending the mask mandate in the state for an additional 60 days. According to the order, if there is another person present who is not a member of the same household or living unit, “Every individual, age 5 and older, in Wisconsin shall wear a face covering...” when inside a structure, except in a private residence. Workplaces in retail, office, healthcare and manufacturing are certainly affected by this order. Further, the order recommends face coverings when people are outdoors if it is not possible to maintain physical distancing. This new order is essentially identical to the Governor’s earlier mask mandate that went into effect on August 1, 2020.

COVID-19 statistics driving the mask mandate extension

The surge in cases prompting this order is primarily among the age group 18-24, especially on college campuses. This group has shown a very rapid increase in COVID-19 positive testing from mid-August through mid-September. Fortunately, the number of hospitalizations and deaths related to COVID-19 has not tracked the substantial increase in the number of cases during the past several weeks.

Objections to the order

Following the earlier mask mandate, several counties reported they would not engage in enforcement of the mask order. At least one lawsuit had been filed in August by the Wisconsin Institute for Law and Liberty arguing that Governor Evers lacks the authority to declare a new health emergency to address the same crisis which had been the focus of an emergency order in mid-March, 2020.

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.