



## Mandated Masking FAQs

### ***Do all of my customers have to wear masks? What if they say that they don't want to?***

Yes, all of your customers have to wear a mask. Customers cannot just refuse to wear a mask because they don't want to – they have to have a medical condition that prevents them from wearing a mask under the Americans with Disabilities Act. However, they do not have to identify this medical condition to you nor do they have to provide you information. You may only ask them if they have a medical condition that prevents them from wearing a mask.

### ***If one of my customers says that they have a medical condition preventing them from wearing a mask, what are my options?***

You can provide them with a reasonable accommodation. This might include things like:

- curbside pick-up
- no contact delivery
- assistance via online store services
- separate shopping hours (such as at the end of the day before cleaning takes place)
- Outdoor kiosks for ordering and delivery
- Other alternative face coverings such as scarves or face shields

Public Health encourages you to be creative – you know your business and what you can offer and what is reasonable.

### ***What if their disability prevents them from communicating?***

You will have to provide a reasonable accommodation. This could be as simple as a pen and paper, a phone number with TTY service, or a chat function that one of your employees can access.

### ***Can I refuse service if someone refuses a reasonable accommodation?***

Only as a last resort. Try to exhaust every other option prior to doing this. However, Public Health recognizes that there may be instances where the reasonable accommodation is that the person is unmasked.

### ***What if the customer gets belligerent or threatens violence?***

We here at Public Health do not want anyone to be in danger because of a mandatory mask rule. If a customer gets belligerent, you can call the police for help. In the meantime, de-escalate the situation and allow them proceed unmasked while you wait for the police. **You will not be subject to enforcement because a customer violently refuses to wear a mask.**



***I saw something on social media about penalties under the 4<sup>th</sup> amendment. Is this accurate?***

The 4<sup>th</sup> Amendment does not apply to the private sector. This is apparently false.

***How do I notify customers about the mandatory masking?***

You could post a sign stating that masks are required and you should develop a written policy on how your business will implement the rules.

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