

## Frequently Asked Questions:

### **Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operation**

*Recognizing that certain life-sustaining businesses in the Commonwealth must remain open despite the need for strong mitigation to slow the spread of the 2019 Corona virus (COVID-19), the Secretary of Health has ordered certain actions to be taken by employers and the employees of life-sustaining businesses (employees) to protect their health and lives, the health and lives of their families, and the health and lives of the residents of the Commonwealth who depend upon their services.*

#### **Q. What sort of situations would mandate a 24-hour wait time, and what sort of situations would allow for a lesser wait time to disinfect surfaces?**

A. All businesses are ordered to wait a minimum of 24 hours, or as long as practical, before beginning cleaning and disinfection.

#### **Q. What type of cleaning is required?**

A. Facilities must clean and disinfect all spaces, especially commonly used rooms and shared electronic equipment. The Centers for Disease Control and Prevention (CDC) has [established guidance](#) on appropriate cleaning. Businesses should also refer to the Secretary's April 6, 2020 order Directing Building Safety Measures.

#### **Q. Can a life-sustaining business use a third-party vendor or third-party service for cleaning?**

A. Yes, businesses can use an established or new vendor to comply with cleaning requirements.

#### **Q. Is the Commonwealth dictating a particular mask?**

A. No. Employers may approve masks obtained or made by employees in accordance with Department of Health [guidance](#). Customers may utilize masks obtained or made in accordance with Department of Health [guidance](#). Scarves, bandanas, or other face covering will suffice in place of a mask.

#### **Q. Are there recommendations on where employers can purchase masks for employees?**

A. Employers do not need to purchase masks from any specific vendor, but are required to provide masks to employees to wear during business hours. Homemade masks and masks owned by employees are allowable. The Department of Health (Department) has published

[guidance](#) on how to make cloth masks. Additionally, the Department of Community and Economic Development has created a 'Business-2-Business' Directory, which identifies potential vendors of masks and other Personal Protective Equipment (PPE).

**Q. Would a disposable face shield suffice in lieu of a mask?**

A. A disposable face shield would suffice in lieu of a mask. Employers may approve masks obtained or made by employees in accordance with guidance on homemade masks found on the Department's and the CDC's websites.

**Q. Does this order apply to essential workers who are outdoors, and heavy physical activity is part of their job description, such as employee of solid waste companies and landscaping?**

A. Yes. However, an employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or would create an unsafe condition in which to operate equipment or execute a task.

**Q. Do banks and financial institutions need to comply with the masking requirement if there are associated security concerns with face coverings?**

A. Yes. Bank employees should wear masks at all times. Customers can be asked to remove their masks to reveal their face and then recover their face after the bank employee has identified the customer. This should take place within a minimum distance of six feet.

**Q. Is it acceptable for workers to remove facial coverings for operations where it would be unsafe to keep in place or to be in compliance with safety requirements?**

A. Yes. An employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or would create an unsafe condition in which to operate equipment or execute a task.

**Q. If the customer refuses to wear a mask will they be turned away or will the customer be refused service?**

A. Yes, with the exception for businesses that provide medication, medical supplies, or food, which must offer another means for the customer to purchase goods if they the customer is unable to wear a mask. Those means could include home delivery or contactless curbside pick-up. However, individuals who cannot wear a mask due to a medical condition (including children under the age of 2 years per CDC guidance) may enter the premises and are not required to provide documentation of such medical condition. If that occurs, and if the business

is not able to provide a mask, the business should consider providing information on mask making , distributing "how to" flyers, or sharing locations to purchase masks.

**Q. What if someone does not come in with a mask and the business cannot offer an alternative means of serving the customer?**

A. Businesses should consider providing masks to their customers or offering resources to customers information on how to make masks. Consider sharing mask making on social media, distributing" how to" flyers, or sharing locations to purchase masks. Customers can also be reminded to wear a scarf or bandana as a mask. However, individuals who cannot wear a mask due to a medical condition (including children under the age of 2 years per CDC guidance) may enter the premises and are not required to provide documentation of such medical condition.

**Q. How do businesses avoid confrontation with customers who do not wear a mask?**

A. Businesses should consider how they would deal with a customer who came into their business without a shirt or shoes. Businesses should consider giving customers resources on how to make their own mask, provide a mask, or ask the customer to wear a scarf or bandana in addition to reminding them of the Secretary's Order.

**Q. As a manager, how do I handle an employee that refuses to wear a mask? Does this order mean I can refuse them entry?**

A. All employees of life-sustaining businesses, with the exception of those with a medical condition or in the case of safety issues or while sequestered alone in a room, must wear a mask in the workplace. The Department does not dictate to employers how they should manage their workforce if employees refuse to comply with the Order.

**Q. Are masks required while driving for work?**

A. If the person is driving alone throughout the trip, no mask is needed in the vehicle, however, should they need to travel through a toll-booth or other drive thru they should be wearing a mask.

**Q. Does someone working in a personal office need a mask at all times?**

A. Employees isolated in their personal office space, when unshared with any other colleagues, do not need to wear a mask. However, when the employee leaves their individual office or has invited a colleague into their office, they must wear a mask. Additionally, one cannot wear a mask while eating or drinking. At those times, social distancing techniques should be applied.

**Q. What about orders that were placed by an employer for masks but will not arrive for some time. How should businesses comply until then?**

A. Employers may approve masks obtained or made by employees in accordance with guidance on homemade masks found on the Department's website.

**Q. Are masks required by freight train crews, transit operators, bus drivers or others who operate a vehicle?**

A. Yes. However, an employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or would create an unsafe condition in which to operate equipment or execute a task.

**Q. The Order references CDC guidance on masking, which requires masking only when employees cannot maintain social distancing?**

A. The Governor and Secretary of Health have chosen to employ safety measures beyond the CDC. Employees must wear masks at all times except when isolated from others in a private space or when it adversely effects their health.

**Q. If an employer discovers an employee with a confirmed case of COVID-19 has come into the business, does the order require the employer to institute a temperature check for that person to return to work following their leave period OR does it require temperature screenings of all employees following the first confirmed case?**

A. Business should implement temperature screening for all employees upon discovery that the business has been exposed to a person who is a probable or confirmed case of COVID-19, which would include a temperature screening for the employee with a confirmed case when that employee returns to work after the quarantine period.

**Q. The order provides guidelines for a person with a probable or confirmed case of COVID19. What is considered "probable"?**

A. A person is considered to have a probable case of COVID-19 if a person has appropriate symptoms (i.e., fever, cough, shortness of breath) and exposure to a high-risk situation, or if the person has a positive antibody test and either symptoms or high-risk exposure.

**Q. Can temperature checks be done through self-screening? (i.e., employees told to take temp at home?)**

A. No.

**Q. Is it required that a medical professional administer the temperature screenings?**

A. No.

**Q. In the event there is a positive test, is there an end date for temperature screening? How long must temperature checks be conducted?**

A. Temperature checks should be conducted for at least 14 days after an exposure. However, the Department recommends employers, particularly those in areas in the Commonwealth with high positive case numbers, conduct temperature checks as a matter of routine.

**Q. Following an exposure the Order says that “employees” must be screened. Does this mean that essential non-employees, such as truck drivers, contractors, delivery persons do not need to be screened?**

A. Non-employees are not subject to temperature checks.

**Q. Is the order retroactive? If there was a positive case in the building 2 weeks ago, do we now need to do temperature screening?**

A. The Secretary’s Order does not require an employer to conduct retroactive temperature screenings; however, the Department recommends such temperature screening particularly in those areas of the Commonwealth with high positive case numbers.

**Q. If someone arrives at work in one location and is temperature screened, then drives to another work facility, does the person have to temperature screen again?**

A. The Secretary’s Order does not require an employer to conduct temperature screenings in more than one location under the circumstances described; however, the Department recommends such temperature screenings be conducted, particularly in those areas of the Commonwealth with high positive case numbers.

**Q. If someone begins their workday in another state and drives into Pennsylvania, do they have to temperature check once they get to their work destination in Pennsylvania?**

A. If the person was temperature checked at their starting workplace they do not need to be rescreened; however, it is recommended, particularly in areas with high numbers of confirmed positive cases.

**Q. Does the temperature-taking provision only apply after an employer is aware of a potential or actual exposure?**

A. Yes; however, the Department recommends such temperature screening be conducted, particularly in those areas with high positive case numbers.

**Q. Are there acceptable alternative procedures for monitoring temperatures other than on-site at the beginning of each workday?**

A. No.

**Q. Is the temperature provision applicable to an entire facility/campus or can it be limited to specific at-risk buildings or sections of a buildings?**

A. Temperature screenings should be conducted in an entire facility/campus, and not just at specific buildings. Community spread is occurring throughout the Commonwealth, and determining whether a particular place is “at-risk,” is difficult, and may lead to additional spread of infection.

**Q. Is there any specific guidance regarding the sourcing/procurement of thermometers?**

A. No. Employers should use regular supply opportunities or visit DCED [Business-2-Business](#) portal.

**Q. Which employees need to have their temperatures checked? Is it just employees who were exposed to the probable and/or confirmed employee or do all employees who work in that building need to have their temperatures checked moving forward, even if they weren’t exposed to the individual?**

A. All employees of a life-sustaining business should have their temperature checked.

**Q. The order provides for an employee being sent home immediately if they get sick during the work day if exposed to the person who was a probable or confirmed case, and also provides for the cleaning and disinfecting of the surfaces in that employee’s workspace, but why does it not mandate a 24 hour waiting period in that case?**

A. All life-sustaining businesses are ordered to wait a minimum of 24 hours, or as long as practical, before beginning cleaning and disinfection.

**Q. If social distancing can be maintained, can there be an exemption to the mandatory mask requirement?**

A. No. Employees of life-sustaining businesses that work in group settings are at risk. Masks should be worn at all times. An employee does not need to wear a mask if it impedes their

vision, if they have a medical condition, or would create an unsafe condition in which to operate equipment or execute a task.

**Q. The order notes that essential businesses must limit occupancy to no greater than 50% of their certified occupancy. Can you please clarify whether this applies to Funeral Homes? Previous guidance issued in SRN-2020-09 says Funeral Homes are strongly encouraged to limit any services to 10 or fewer people. Does the new order supersede the State Registrar Notice (SRN) and permit Funeral Homes to allow 50% of their occupancy for viewings?**

A. Funeral Homes should follow the guidance from the SRN.

**Q. If a company is staggering breaks, but not staggering shift start/stop times, would they then be required to implement those as well?**

A. Employers should take all possible steps to encourage social distancing, including staggering shift start/stop times, as well as staggering breaks.

**Q. What restrictions are applied to health care workers?**

A. The Order does not apply to health care workers. The Department has issued guidance for health care workers and health care settings through its Health Alert Network.

**Q. Where can employees report violations?**

A. The Department will create a webform for employees to report violations that will be available at [www.health.pa.gov](http://www.health.pa.gov).

**Q. Will there be a waiver process or exceptions?**

A. This order applies to life-sustaining businesses that remain open and already includes limited exceptions related to medical conditions and to occupational safety.

**Q. Is there a code enforcement hotline for employees to call?**

A. No. Complaints will only be taken online.

**Q. Are there any considerations being given to allow compliance as long as businesses are showing they are working aggressively toward achieving compliance?**

A. The Governor and the Secretary believe strongly that these provisions will protect employees and save lives. Life-sustaining businesses should take all necessary steps to comply by 8 p.m. Sunday April 19, 2020.

**Q. Which body is responsible for ensuring these actions have been taken at a specific workplace?**

A. The Department does not dictate the employer's business structure. The employer is responsible for taking the necessary steps to implement the Order.

**Q. Is there any plan to get this information into the hands of workers so they can ask their employer to take the necessary steps to protect them?**

A. The Secretary's Order and the Department's FAQs will be available to the public on the Department's website. Employers are encouraged to share this information with their employees.

**Q. Do these restrictions apply to local governments and courthouses?**

Local political units were not required to suspend in-person operations under the business closure orders issued by the Governor and the Secretary on March 19, 2020. However, they were advised to curtail in-person operations to the extent practicable and to follow COVID-19 mitigation guidance provided by the Department and the CDC. Similarly, local political units are not required to follow the Secretary's Employee Safety Order; however, they are advised to implement the protocols that it outlines to the extent practicable. All decisions should appropriately balance public safety while ensuring the continued delivery of critical infrastructure services and functions.

**Q. Do the provisions of the Order apply to state employees?**

A. No, the Commonwealth is not a business that is directly covered by the Order; however, Governor Wolf has chosen to implement the practices outlined in the Order where possible as an example for the other employers and employees in the Commonwealth.

**Q. Does the new Order apply to a manufacturing operation that is closed to the public, and in compliance with all CDC Guidelines?**

A. Yes. The wearing of masks is intended to benefit employees as well as the public.

**Q. Certain areas of our facility should never be unmanned even for cleaning. In that situation, if the client is in compliance with CDC Guidelines, would they be allowed to continue to man this critical equipment?**

A. Yes. An employer should consider the safety of its facility and employees when making the best decision possible.

**Q. If a facility is regulated by the FDA and can't comply because it cannot open up doors and windows in a clean room environment, what should it do?**

A. The business should follow FDA regulations and should consider the safety of its facility and employees while complying while making the best decision possible.

**Q. With veterinarian workers not being characterized as health care workers how can they continue to function with social distancing?**

A. Veterinary offices should comply with all aspects of the Order while attempting to utilize social distancing. It is understood that some veterinary procedures require close contact. Veterinarians should take proper precautions when interacting with customers and colleagues. Veterinarians should also consider limiting their in-person practice to urgent or emergency visits, and forgo elective procedures, as have their colleagues treating human patients.

**Q. Out of which funds available to the Governor will he be reimbursing employees or employers for the costs associated with complying this the Secretary's new Order?**

A. Employees and employers will not be reimbursed. The Governor expects everyone to comply with the Secretary's Order to the best of their ability.

**Q. Does the order require transit riders to wear masks? What about riders participating in the Medical Assistance Transportation Program?**

A. Transit riders should wear masks unless there is a medical reason that prevents them from wearing a mask, or unless they are unable to provide themselves with a mask or a suitable option (bandanna, scarf, etc.) because of economic reasons. A transit company that is able to provide masks for its customers should make every attempt to do so.

**Q: Does the order apply to airports?**

A. Airports are regulated by the FAA and should follow guidance from that federal regulator

**Q: What should employers do when an employee says they have anxiety and any mouth, nose covering can lead to panic attacks or other medical conditions?**

A An employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or would create an unsafe condition in which to operate equipment or execute a task.