

# Ask HR: Can Companies Require Masks?

By Johnny C. Taylor, Jr., SHRM-SCP

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**S**HRM President and CEO Johnny C. Taylor, Jr., SHRM-SCP, is answering HR questions as part of a series for USA Today. The questions are submitted by readers.

Do you have an HR or work-related question you'd like him to answer? Submit it here

(<https://www.usatoday.com/story/money/2018/01/18/hr-ask-our-expert/1040330001/>).

**Question: My state has been easing restrictions and reopening for the past couple of months. I feel comfortable enough to not wear a mask in the office. However, my co-workers have been "mask-shaming" me and making me feel bad for not wearing one. Can my employer mandate that I wear one? — Anonymous**

*Johnny C. Taylor, Jr.:* Yes, employers may absolutely require workers to wear masks.

The Equal Employment Opportunity Commission states employers can require employees to wear masks or other protective clothing, such as gloves and gowns, during a pandemic.

While wearing a mask may take some getting used to, employers are obligated to maintain a reasonably safe workplace for *all* employees. This makes policies and procedures that support employee safety—such as social distancing or wearing a mask—critical for protecting and promoting worker health and safety.

Masks are also recommended by the Centers for Disease Control and Prevention (CDC), and even certain states and municipalities have their own laws requiring masks. So, depending on where you live, masks might be required for everyone in public or perhaps just customer-facing employees.

However, some individuals may be exempt from such rules—for example, those who have a medical condition that is exacerbated by wearing a mask or those for whom mask wearing interferes with their ability to perform their job or poses a threat to their safety (e.g., if the mask could get caught in machinery or catch fire).

You didn't mention your reasons for declining to wear a mask. But if you feel you have a legitimate case, I encourage you to talk with your supervisor and discuss possible accommodations. Otherwise, you will need to wear one.

It's ultimately up to the employer to require protective face masks and enforce those rules. If your employer does not require masks, speak with your manager or HR about the way your colleagues are treating you—and address the bullying

(<https://www.usatoday.com/story/money/columnist/2020/03/03/how-confront-work-bully-and-tell-your-boss-adhd-ask-hr/4905845002/>) head-on.

I wish you the best!

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Coronavirus and COVID-19 ([www.shrm.org/ResourcesAndTools/Pages/communicable-diseases.aspx](http://www.shrm.org/ResourcesAndTools/Pages/communicable-diseases.aspx))

**Question: One of our employees, who works for an essential business in the office of a health care facility, is immunocompromised and taking three high-risk medications. The employee has asked to work from home during the pandemic. We typically do not have work-from-home assignments. How should we handle this scenario? — Anonymous**

*Johnny C. Taylor, Jr.:* How should we address unique teleworking needs? It's a timely question being asked by thousands of organizations around the world working to navigate the COVID-19 outbreak.

For many organizations, remote work isn't a new phenomenon—not even close. However, the pandemic compelled many more to quickly embrace remote work. In fact, back in April, 70 percent of employed adults were working from home as a result of the pandemic.

However, remote work isn't an option for everyone, and this very well may be the case for your company.

It sounds like this employee is at risk of exposure to the virus. The CDC states people with immunocompromised systems are at a higher risk of becoming fatally ill from COVID-19 and recommends they stay home or telework, if possible.

Additionally, it's important to note employees with compromised immune systems may fall under the Americans with Disabilities Act as having a disability.

While it's ultimately up to the employer to decide what a remote-work policy looks like, it should always start with an honest discussion with the employee.

This includes discussing what alternative accommodations might be suitable and work best for the worker and employer. Maybe it's a staggered schedule or flexible hours. Or maybe more protective measures and steps, specific to the nature of the job and workplace, could be taken to minimize risks.

If telework isn't feasible and an employee's doctor says an employee should self-quarantine, that employee can be eligible for paid leave under the Families First Coronavirus Response Act. While health care employers are generally exempt, they *can* choose to provide paid sick leave to eligible employees.

It's in the best interest of the employee and the employer to stay safe and healthy. I hope your company comes to an arrangement that works for everyone.

Be well!

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