



MASK MANDATES: What to Do as States Begin Lifting Restrictions

With more Americans becoming vaccinated through the U.S. COVID-19 vaccination program, mask mandate requirements are being lifted in some states, counties, and cities.

Nearly 30% of Americans have received at least one dose of a COVID-19 vaccine as of March 30th, 2021. A number of states are starting to lift their mask mandates and with vaccination rates increasing in the coming weeks and months, we could see a rapid increase in the lifting of restrictions.

What does this mean for Sonics in these states? How does the Occupational Safety and Health Administration (OSHA) view these changing state restrictions?

To answer these questions, it's important to consider the Center for Disease Control guidelines (CDC), which currently, have not changed. Federal OSHA, being a national entity, will follow other federal entity (the CDC) guidelines. Many workplace safety principles originate from OSHA regulations and OSHA can cite businesses for unsafe operations on these regulations with OSHA's General Duty Clause (OSH Act 5(a)(1)). OSHA may issue citations or penalties based on an organization's failure to comply with CDC guidelines. This pertains to mask wearing, cleaning and sanitizing, and social distancing. Even though a state may lift their mask mandate, be conscious of and monitor CDC guidelines for anticipated changes. Keep this in mind when making the choice of whether you will continue to require masks in your restaurant before the CDC changes their guidelines.

If your restaurant is located within a State OSHA Plan versus the Federal OSHA Plan, your State OSHA's position would hold jurisdiction in lieu of Federal OSHA regulations.

In March of 2021, OSHA published their updated enforcement response plan for COVID-19, which includes initiatives to inspect workplaces. The published plan provides new instructions and guidance to compliance officers for handling COVID-19 related complaints, referrals, and reports of pandemic outbreaks.

If OSHA contacts your location or shows up on site, your IMA Risk Control Team with the Sonic Insurance Program is available to assist you at any time during and after an OSHA inspection. This includes aid in addressing and responding to OSHA requests, letters, fines, etc. Please do not hesitate to reach out to the IMA Risk Control Team for assistance in OSHA matters or any other safety related questions. **The Sonic Insurance Program IMA Risk Control can be reached at (316) 267-9221; request to speak with Risk Control.**