

# FAQ'S- WEARING MASKS OR FACE COVERINGS WITHIN ENCLOSED PUBLIC

## REVISED - Under what authority are these instructions being issued?

These instructions are being issued by the Medical Officer of Health of Simcoe Muskoka District Health Unit under the authority of Ontario Regulation 364/20 – Rules for Areas in Stage 3 of the Reopening Ontario Act (A Flexible Response to COVID-19) Act, 2020 (ROA). These instructions are in addition to the masking or face covering requirements found within the ROA.

## REVISED - What are we being asked to do?

On Saturday, October 3, 2020, the Government of Ontario [mandated](#) the use of masks or face coverings in the indoor premises of all businesses and organizations and their vehicles, with some exceptions. These regulatory requirements are in addition to the instructions still in place from the Medical Officer of Health.

Although, the SMDHU [instructions](#) for masks or face coverings will remain in effect, the amended [Reopening Ontario Act, 2020 regulations](#) related to masks or face coverings will be applied first.

## REVISED - How long must people comply with these instructions?

Masks or face coverings will be required indoors until further notice in all businesses, organizations, their vehicles and public transit services in Simcoe County and the District of Muskoka. These instructions are further supported in the requirements of the Ontario Regulation 364 under the ROA for the wearing of masks or face coverings in indoor areas of a premises of a business or organization, or in a vehicle that is operating as part of the business or organization.

## REVISED - What type of business or organizations are included?

All businesses, organizations and public transit are included that have indoor spaces that are openly accessible to members of the public and are used for the purposes of offering goods or services to members of the public and currently include, but not limited to, the following:

- Wearing of masks or face coverings within a school or private school must be done as required by a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health - please review with your school or school board the current direction on wearing of masks or face coverings.
- Places where goods and services are sold:
  - Retail stores, shopping malls, food courts, shopping plazas (e.g. convenience stores, grocery stores and bakeries)
  - Indoor farmers' markets and flea markets
  - Gas stations
  - Mechanic shops, garages and repair shops
  - Personal service settings (e.g. salons, spas, tattoo parlours, etc.)
  - Showrooms
  - Open houses, presentation centre or facility for real estate purposes
- Churches, mosques, synagogues, temples or other places of worship
- Municipal facilities (e.g. libraries, community centres)
- Indoor attractions, including art galleries, museums, zoos, paintball, bowling, indoor play spaces and other similar facilities
- Event spaces (banquet halls, community halls, arenas, auditoriums, and other similar facilities)

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- Common areas of commercial buildings, hotels, motels and other short-term rentals, such as lobbies, elevators, meeting rooms or other common use facilities.
- Indoor entertainment facilities and venues, including concert venues, theatres, cinemas, casinos, bingo halls and other similar facilities.
- Athletic facilities, including gyms, fitness centres, studios, dojos, and sports and recreational centres, and other similar facilities (masks do not need to be worn when engaging in physical activity, but are required in common areas).
- Public and Private transportation services such as buses, trains, taxis, shuttles, limousine services, and other similar ride-share programs
- Organization, government and business offices (publicly accessible areas) including spaces where training is being provided to the public
- Professional offices where clients receive purchased services (e.g. lawyer's or accountant's offices) that are not open to members of the public

## REVISED - What indoor public spaces are NOT included in the instructions?

- Indoor areas of a building accessible to only employees provided adequate physical distancing can be maintained
- Areas that are outside, whether or not the areas are covered (e.g. restaurant patios) where physical distancing can be maintained.

It is strongly recommended that businesses and organizations not included in these instructions develop and enforce COVID -19 policies that include non-medical mask or face covering in their establishment.

## What are some examples of how businesses, organizations and public transit services can enact the instructions?

- Post appropriate visible signage indicating that masks or face coverings are required inside the establishment. Public signage is available on our [website](#) to download and print.
- Where a person not wearing a mask or face covering enters the premise, a verbal reminder should be given to the customer to wear a mask or face covering. Note: the customer entering the premises may have an exemption and is unable to wear a mask or face covering. Instead of turning away the customer please remind the customer of the policy. All exemptions should be enacted and enforced in "good faith" and should be used as a means to educate people on the use of masks or face coverings. The business, organization or public transit service should continue to follow the physical distancing and hand hygiene protocols.
- For customers in the store seen removing their masks or face covering for extended periods of time, a verbal reminder should be given to the customer of the requirement to keep on their mask or face covering.
- There may be situations where someone may require an employee to remove their mask or face covering to speak to them (e.g. for a specific communication need like lip reading). We remind anyone removing their mask or face covering to follow safe handling procedures and to keep a distance of 2 metres (6 feet) away from others.
- Training: Ensure that all employees are aware of the policy and are trained on your establishment's expectations.

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## **NEW- Where does a mask or face covering need to be worn in multi-unit housing buildings?**

Such buildings are typically restricted to the public without approved entry. Masks or face coverings are required in common areas (e.g. elevators, reception areas) of private and secured residential buildings including apartment building, condominiums and student residences in which persons are unable to maintain a physical distance of at least two metres from other persons.

## **Do employees of the business, organization or public transit service need to wear a mask or face covering?**

Yes, employees need to wear a mask or face covering when working in the public areas of the indoor public space unless the employee is within or behind a physical barrier (e.g. Plexiglass barrier) or is in an area of the premises that is not designated for public access.

## **What kind of mask or face covering can customers or employees wear?**

A face covering means a non-medical mask, or other face coverings such as a bandana, scarf, or cloth mask that covers the mouth, nose and chin ensuring a barrier that limits the spread of respiratory droplets when you cough, sneeze or talk.

Face shields are not acceptable forms of a face covering for the purposes of these instructions. Face shields protect the wearer from respiratory droplets but do not protect those around them, and must be worn with a mask.

## **Who is exempt from wearing a mask or face covering?**

The following individuals do not have to wear a mask or face covering in indoor public spaces:

- is a child who is younger than two years of age;
- is attending a school or private school within the meaning of the Education Act that is operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health;
- is attending a child care program at a place that is in compliance with the child care re-opening guidance issued by the Ministry of Education;
- is receiving residential services and supports in a residence listed in the definition of “residential services and supports” in subsection 4 (2) of the Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008;
- is in a correctional institution or in a custody and detention program for young persons in conflict with the law;
- is performing or rehearsing in a film or television production or in a concert, artistic event, theatrical performance or other performance;
- has a medical condition that inhibits their ability to wear a mask or face covering;
- is unable to put on or remove their mask or face covering without the assistance of another person;
- needs to temporarily remove their mask or face covering while in the indoor area,

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- to receive services that require the removal of their mask or face covering,
  - (ii) to engage in an athletic or fitness activity,
  - (iii) to consume food or drink, or
  - (iv) as may be necessary for the purposes of health and safety;
- is being accommodated in accordance with the Accessibility for Ontarians with Disabilities Act, 2005;
- is being reasonably accommodated in accordance with the Human Rights Code; or
- performs work for the business or organization, is in an area that is not accessible to members of the public and is able to maintain a physical distance of at least two metres from every other person while in the indoor area.

## **REVISED-** Can businesses require proof of exemption?

No, a person does not have to show proof of their exemption. There is no need for an exemption card, or a letter from a physician.

## Is my business required to provide masks or face coverings for customers who may not have one?

No, it is not required that you provide free face coverings for your customers. A face covering can be made at home or by using a bandana, or scarf and therefore most people would have access to a face covering. Provincial PPE supply information is available [here](#).

## Do I need to use the signs you have provided on your website, I don't have a printer in my business?

We only ask that you post appropriate visible signage indicating that masks or face coverings are required inside the business or organization, but that exemptions are allowed. Sample signage can be found on the COVID-19 workplace section of the SMDHU website [here](#).

## Does a person still need to stay 2 metres away from others if they are wearing a mask or face covering?

Yes. All public health measures must still be maintained and promoted including [washing your hands](#) often with soap and water or using alcohol-based hand sanitizer, sneezing and coughing into your sleeve, staying home if you are ill and practising physical distancing to reduce exposure to other people — this means staying at least 2 metres (6 feet) away from anyone outside your household.

## Can a customer or employee remove their mask or face covering if physical distancing is not a concern in the establishment or enclosed public space?

A customer is allowed to temporarily remove their face covering where necessary for the purpose of:

- receiving services (including eating or drinking when dine-in services are allowed) or
- while actively engaging in an athletic or fitness activity including water-based activities.

An employee can remove their mask or face covering when in a physically-distanced staff-only area where the public does not have access or when they are behind a physical barrier (e.g. Plexiglas barrier).

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## Does my business/organization need to enforce this policy if we offer courses for the public (e.g. first aid, ESL)?

Yes. If the courses are offered in person and indoors then wearing a mask or face covering is required.

## Does this policy apply to staff providing lifesaving functions?

No, it does not apply to emergencies or other situations where putting on a mask or face covering would jeopardize safety of an individual or the public.

## Would a place that runs retreats have to wear mandatory masks or face coverings?

Yes. The place is still providing a service to the public and it is an indoor public space. Both the public and staff who interact with members of the public, would be required to wear a mask or face covering. There are still exemptions that may be applicable as well as times when the mask or face covering can be temporarily removed. If a mask or face covering is not being worn other precautions such as physical distancing, hand hygiene and cough etiquette are required.

## What religions are exempt from wearing a mask or face covering in public indoor spaces?

The religious exemption for wearing a mask or face covering is in place to respect different religious beliefs that have teachings or practices around covering the face. If someone claims an exemption that is enough rationale for the business owner to permit it and they are not to ask under what exemption the person is claiming, religious or otherwise. We encourage business owners to use "good faith" and education to remind people to wear a mask or face covering.

## Can a customer be refused entry if they are not wearing a mask or face covering?

Although businesses, organizations or public transit services have the right to deny entry to their premise, we are asking the policy regarding the use of masks and face coverings indoors be enacted in "good faith" and be used as a means to educate people on mask or face covering use. Best effort standard means that businesses ensure customers are reminded that they should wear a mask and continue wearing a mask in indoor public spaces. There is no need for a business to turn away customers to achieve the best effort standard. In order to not stigmatize people who cannot use masks or face coverings, consider providing and promoting alternate ways of providing your products/services for them.

## Who is responsible for enforcing this requirement and is there a penalty for non-compliance?

Under the ROA enforcement of these requirements may be conducted by police officers as well as provincial offences officers (which includes municipal bylaw officers and public health enforcement personnel).

SMDHU's focus is on raising public awareness and educating people on the use of non-medical masks or face coverings in premises where physical distancing may be difficult. Businesses, organizations and public transit services can achieve the best effort standard by ensuring customers/clients are reminded to wear a mask or face covering and keep it on while in their premises (excluding reasons for removing it e.g. eating). Individuals, businesses or organizations who do not comply with the requirements may be fined as per the ROA. It is important to know that while we will commence with an educational and supportive approach, as per the ROA, those who do not comply with the above noted requirements may be fined. Individuals may be liable for a fine of \$750 - \$1,000 up to a maximum of \$100,000, while corporations may be liable for a fine of up to \$10,000,000 for each day or part of each day on which the offence occurs or continues.

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## Are religious officiants exempt from wearing a mask or face covering when leading a religious service/ceremony?

Face coverings or masks must be worn by everyone inside the place of worship at all times unless it is reasonably required to temporarily remove the mask or face covering for services provided by the religious officiant or other designated member. A faith leader or designated member who is speaking during a religious service/ceremony may remove their mask for the purposes of public speaking where sufficient distance (at least 4 metres) is provided between the speaker(s) and participants. In the event the faith leader or designated member is speaking loudly or singing, masks may be removed if there is a sufficient barrier (e.g. plexiglass) between the speaker(s)/singers(s) and others. If a microphone is being used during speaking or singing, it must be sanitized between users.

## REVISED - Is a mask or face covering required to be worn by a speaker during public speaking engagements?

Face coverings or masks must be worn by everyone inside the business or organization at all times, unless it is reasonably required to temporarily remove the mask or face covering for services provided by the business or organization (such as eating/drinking, speaking or singing). Where speaking or singing is required as a part of the activity (e.g. wedding, religious service, government council meetings, public presentations), masks or face coverings may be removed for the purposes of speaking where sufficient distance (at least 4 metres) is provided between the speaker(s) and participants. For loud speaking or singing, masks or face coverings may only be removed if there is a sufficient barrier (e.g. plexiglass) between the speaker(s)/singers(s) and others. If a microphone is being used during speaking or singing, it must be sanitized between users.

## Are singers and other performers required to have face coverings during rehearsals and performances?

Singers or performers (eg. Choir members, musicians, actors) do not need to wear a mask or face covering while they are rehearsing or performing, but must be separated from any spectators by plexiglass or some other impermeable barrier. Every performer and other person who provides work for the business or place must maintain a physical distance of at least two metres from every other person, except, if it is necessary for the performers to be closer to each other for the purposes of the performance or rehearsal. During periods of rest in between performances, face coverings or masks should be used.

## When can I take my mask or face covering off at a restaurant and what should I do with it while it is off?

Wear a mask or face covering into the restaurant, while ordering and until your food comes to your table. Your mask or face covering can stay off while you are eating and drinking. Once your food arrives take off your mask or face covering without touching the outside of it and store it in a bag specifically for storing your face covering (don't put it directly into your purse) or place face down between paper towels or layers of a napkin. Do not pull your mask or face covering down and wear it on your chin or neck. Make sure to sanitize your hands after removing your face covering before you eat. You do not need to put it back on between bites or sips, as taking your mask or face covering on and off between bites of food might actually increase the risk of spreading the virus from your mask or face covering to your hand. Once you are done eating, sanitize your hands before you put your mask or face covering back on. Another option is to bring an additional clean mask or face covering with you and put this one on after you are done eating.

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## **REVISED - When do masks or face coverings need to be used at weddings?**

In any location, physical distancing of at least 2 metres is still required for everyone in attendance unless they are from the same household. In addition to physical distancing requirements, mask or face covering requirements also apply to all people attending indoor ceremonies and receptions ([see events and gatherings COVID-19 guidance](#)).

Face coverings or masks may be removed by the officiant for the purposes of speaking where sufficient distance (at least 4 metres) can be maintained between the speaker(s) and guests.

If photos are being taken at the event the photographer must maintain physical distance of at least 2 metres from those being photographed and wear a face covering or mask if the photos are indoors. Anyone in the photos can be closer than 2 metres without a face covering or mask if they are outdoors and in the same household.

**Revised October 22, 2020**