

MEMORANDUM

DATE: May 19, 2021

RE: New OHA Mask Guidance

Effective May 18, 2021, the State of Oregon issued interim guidance that gives most businesses, employers and faith institutions the option to relax their mask and social distancing requirements for vaccinated individuals.

Under the new rules, if a business, employer or faith institution (a) adopts a policy that requires the organization to check for proof of an individual's vaccination status; (b) requests proof of vaccination status; and (c) reviews each person's proof of vaccination prior to entry or admission, the organization may permit fully vaccinated individuals with proof of vaccination to be on the premises without masks or face coverings and without physical distancing. Patrons and employees who do not present proof of vaccination must continue to comply with the state's mask and distance guidelines.

Businesses, employers and faith institutions that do not adopt such a policy must continue to enforce the current mask, face coverings and face shield guidance and physical distancing requirements with all individuals, regardless of vaccination status.

Under the new guidance, individuals who are fully vaccinated with proof of vaccination status are not required to wear a mask, face covering or face shield, or maintain social distancing except in the following settings:

- Any business, employer or faith institution that has not adopted the policy described above
- Health care settings
- Adult jails and correctional facilities
- Youth detention and correctional facilities
- Shelters and transitional housing
- K-12 schools (fully vaccinated individuals must comply with other guidance)
- Planes, buses, trains and other forms of public transportation
- U.S. transportation hubs such as airports and bus stations

Finally, businesses, employers and faith institutions should continue to have postings about mask, face covering and face shield requirements but are not required to do so.

[Here](#) is a link to the complete guidance.

For more information, please contact our Labor and Employment attorneys, [Amanda Walkup](#), [Andy Lewis](#) and [Mario Conte](#).

This summary provides general information and should not be construed as legal advice or a legal opinion on any specific facts or circumstances. If you have specific legal questions, you are urged to consult with your attorney concerning your own situation.