



**ORDER NO. C19-12 OF THE HEALTH OFFICER OF THE COUNTY OF SAN
MATEO FOR THE WEARING OF FACE COVERINGS IN WORKPLACES AND
PUBLIC SETTINGS**

DATE OF ORDER: August 2, 2021

Please read this order carefully. Violation of, or failure to comply with, this Order is a public nuisance subject to citation, abatement, or both, as well as a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295 *et seq.*; California Penal Code § 69, 148(a)(1)).

SUMMARY OF THIS ORDER

This Order requires all individuals to wear face coverings when indoors in workplaces and public settings, with limited exemptions.

BACKGROUND

Since April 2021, the SARS-CoV-2 B.1.617.2 (Delta) variant has been circulating in San Mateo County. This variant is highly transmissible in indoor settings and requires multi-component prevention strategies to reduce spread. Despite high vaccination rates, San Mateo County is experiencing substantial levels of community transmission due to the Delta variant. While most COVID-19 cases are among unvaccinated residents, the proportion of breakthrough cases is increasing. Hospitalizations have also increased, primarily among unvaccinated persons. San Mateo County is also seeing a concerning uptick in cases among staff and residents in long-term care facilities.

The COVID-19 vaccines currently authorized in the US have been shown to be highly safe and effective at providing protection to individuals and communities, particularly against severe COVID-19 disease and death, and are recommended by the Centers for Disease Control and Prevention (CDC) for all populations for whom the vaccine is authorized by the US Food and Drug Administration. The Health Officer strongly recommends that all eligible persons in the County be vaccinated. Information on obtaining a COVID-19 vaccine in San Mateo County is available here: <https://www.smchealth.org/vaccine-clinic-calendar>



On July 27, 2021 the CDC updated guidance for fully vaccinated people given new evidence on the B.1.617.2 (Delta) variant. The CDC recommends that fully vaccinated persons wear a mask in public indoor settings. On July 28, 2021 the California Department of Public Health (CDPH) aligned its Guidance for the Use of Face Coverings with the CDC and recommends universal masking in public indoor settings statewide. The CDC and CDPH also endorsed that fully vaccinated people at higher risk for COVID-19 infection, as well as unvaccinated and not fully vaccinated persons consider wearing a mask in non-public indoor settings. Household transmission and small gatherings are major drivers of COVID-19 transmission in San Mateo County.

Universal indoor use of face coverings, also known as masking, is the least disruptive and most immediately impactful additional measure to take.

This Order is part of a strategy to support the continued operations of businesses, activities, and schools. As of this date, the Health Officer strongly believes that schools can and should reopen in full for in-person classes for all grades at the beginning of the 2021/2022 school year.

The Health Officer will continue to assess the public health situation as it evolves and may modify this Order, or issue additional Orders, related to COVID-19, as changing circumstances dictate.

ORDER

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, 120175, AND 120220, THE HEALTH OFFICER OF THE COUNTY OF SAN MATEO ("HEALTH OFFICER") ORDERS:

1. **Getting Vaccinated Is the Best Way to Reduce Risk.** Getting vaccinated against COVID-19 is the best way to protect the vaccinated person from infection, hospitalization, or death from COVID-19, as well as to prevent harm to others by reducing the risk of transmission of COVID-19. Therefore, all eligible persons are strongly urged to get vaccinated against COVID-19 as soon as possible.
2. Except as otherwise set forth herein, the June 28, 2021 Guidance for the Use of Face Coverings issued by the CDPH <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx> as may be amended from time to time, continues to apply throughout the County.



3. This Order directs that face coverings shall be worn, regardless of vaccination status, over the mouth and nose, in all indoor public settings, venues, gatherings, and workplaces, such as, but not limited to: offices, retail stores, restaurants and bars, theaters, family entertainment centers, conference centers and government offices serving the public.

4. Individuals, businesses, venue operators, hosts, and others responsible for the operation of indoor public settings must:

- Require all patrons to wear face coverings for all indoor settings, regardless of their vaccination status; and
- Post clearly visible and easy-to-read signage at all entry points for indoor settings to communicate the masking requirements to all patrons.

5. Exemptions from face covering requirements – Individuals are not required to wear face coverings in the following circumstances:

- Persons who are working alone in a closed office or room;
- Persons who are actively eating and/or drinking;
- Persons swimming or showering in a fitness facility;
- Persons who are obtaining a medical or cosmetic service involving the head or face for which temporary removal of the face covering is necessary to perform the service;
- Persons who are specifically exempted from wearing face masks pursuant to other CDPH guidance.
- In a school setting, students with medical or behavioral contraindications.

6. Employers and businesses subject to the Cal/OSHA COVID-19 Emergency Temporary Standards (“ETS”) and/or the Cal/OSHA Aerosol Transmissible Diseases Standards should consult the applicable regulations for additional requirements. The ETS allow local health jurisdictions to mandate more protective measures. This Order, which requires face coverings for all individuals in indoor settings and businesses, regardless of vaccination status, takes precedence over the more permissive ETS regarding employee face coverings.

7. All State orders and guidance documents referenced in State orders are complementary to this Order. By way of this Order, the Health Officer adopts such directives as orders as well. Where a conflict exists between a local order and any State public health order related to the COVID-19 pandemic, the most restrictive provision controls pursuant to, and consistent with, California Health and Safety Code § 131080.



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8. This Order shall become effective at 12:01 am on August 3, 2021 and will continue to be in effect until it is extended, rescinded, superseded, or amended in writing by the Health Officer.

9. Copies of this Order shall promptly be: (1) made available at 400 County Center, Redwood City, CA 94063; (2) posted on the County Health Services website (<https://www.smchealth.org/health-orders-updates>); and (3) provided to any member of the public requesting a copy of this Order.

10. If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect.

To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

Dated: August 2, 2021

Scott Morrow MD, MPH
Health Officer of the County of San Mateo