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MEMORANDUM

PERSONNEL MEMO 21-09

To: Constitutional Officers
Cabinet Secretaries
Agency Heads
Human Resource (HR) Administrators

From: Gerina D. Whethers, Secretary

A handwritten signature in blue ink, appearing to read "GDW".

Date: May 17, 2021

Re: **UPDATED - COVID-19 Face Covering Policy, Effective May 17, 2021**

As part of the continuing COVID-19 “Healthy at Work” initiative, the Commonwealth of Kentucky remains committed to limiting the spread of COVID-19 and ensuring the health and safety of our state employees. On May 13, 2021, the Governor issued Executive Order 2021-326, which provides that any person who has received the final dose of a COVID-19 vaccine at least 14 days prior is no longer required to wear a face covering in most public settings. In light of this new EO, please be advised of the following updated policy concerning face coverings and state employees in effect until June 11, 2021:

Purpose:

This policy will serve to protect employees and visitors from any individuals who have become infected with coronavirus but do not yet demonstrate symptoms of the illness.

Agencies:

Agencies will be required to provide two (2) cloth face coverings to employees and contractors. However, employees are permitted to wear their own cloth face coverings, provided they cover their mouths and noses.

The Kentucky Division of Emergency Management will be responsible for providing face coverings to agencies. Face coverings can be ordered at <https://tinyurl.com/kygovtpperequest>.

Employees:

- Employees who are fully vaccinated are not required to wear face coverings, except as otherwise stated in this memo and in EO 2021-326.
- Employees who are not fully vaccinated will be required to wear face coverings during scheduled work hours while performing job duties on or off the work premises, except in their office or cubicle and as otherwise stated in this memo. In the event that the face covering becomes visibly soiled, saturated, or damaged while working, a new face covering must be obtained.

- Employees shall wear a face covering when riding on all planes, buses, trains, and other forms of public transportation traveling into, within, or out of the United States and in U.S. transportation hubs such as airports and stations.
- Employees working in a K-12 educational, preschool, daycare, or other childcare setting shall wear a face covering.
- Employees working in a healthcare setting shall wear a face covering.
- Employees working in a long-term care setting shall wear a face covering.
- Employees working in a correctional facility shall wear a face covering.
- Employees who are immune-compromised, or who are exhibiting symptoms of COVID-19, or who has tested positive for COVID-19 in the prior ten (10) days shall wear a face covering.
- Ideally, personal and employer-provided cloth face coverings should be washed each day after use. It is important that a fabric face covering is completely dry before wearing it, as its ability to capture particles is diminished when wet.
- Employees may submit accommodation requests to the agency Human Resources (HR) office for consideration if the employee is unable to wear a face covering because of an underlying medical condition.

Visitors: All visitors who are not fully vaccinated will be required to wear a face covering while present in Executive Branch buildings/offices. Visitors will be required to comply with the requirements of EO 2021-326 and any minimum or supplemental requirements located at [Healthy At Work](#).

Please note, pursuant to EO 2021-326, the following individuals are exempt from wearing a face covering in Executive Branch buildings/offices:

- a. Children who are age 5 or younger;
- b. Any person with a disability, or a physical or mental impairment, that prevents them from safely wearing a face covering;
- c. Any person who is deaf or hard of hearing and is actively communicating, or any person who is actively communicating with someone who is deaf or hard of hearing who are not members of that person's household;
- e. Any person who is seated and actively consuming food or beverage at a restaurant, bar, or other establishment that offers food or beverage service; or
- k. Any person who is engaged in a lawful activity where federal or state law prohibits wearing a face covering.

Employees and visitors who do not comply with this policy may be removed from Executive Branch buildings/offices. Employees may also be subject to corrective or disciplinary action.

Any questions related to this policy should be directed to Mary Elizabeth Bailey, Commissioner, Personnel Cabinet, Department of Human Resources Administration, at MaryE.Bailey@ky.gov.