

RESCINDED
Effective 3/1/2022

ANDY BESHEAR
GOVERNOR



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MEMORANDUM

PERSONNEL MEMO 21-11

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

From: Gerina D. Whethers, Secretary

Date: July 28, 2021

Re: **COVID-19 Face Covering Policy, Effective July 29, 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. Accordingly, employees, regardless of vaccination status, will be required to wear a face covering when present in Executive Branch buildings/offices and in state vehicles, where another employee is present. This policy will be continually monitored, re-evaluated, and revised, if necessary.

Purpose:

This policy will serve to protect employees and visitors from any individual who has become infected with coronavirus but does not yet demonstrate symptoms of the illness. This measure also allows us to continue providing critical government services by protecting our workforce.

This policy applies to employees categorized as “low exposure risk” employees by the Occupational Safety and Health Administration (OSHA). Low exposure risk employees are defined by OSHA as employees whose jobs do not require contact with people known to be, or suspected of being, infected with the virus that causes COVID-19 nor require frequent close contact with (i.e., within six feet of) the general public. To the extent that agencies have medium, high, or very high exposure risk jobs at issue and do not already have OSHA compliant mask policies in place, please consult with your agency legal staff to determine the applicability of any additional policy provisions.

Agencies:

Upon request, agencies will provide no more than two (2) cloth face coverings to employees and contractors. However, employees are permitted to wear their own cloth face coverings. Face coverings must cover both mouth and nose. 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 must wear either a personal or employer-provided face covering while in an Executive

Branch office or state vehicle with other passengers.

- All personnel should wear a face covering when walking through common areas such as hallways.
- Employees who can safely practice social distancing in their office or work location may remove their face covering.
- All employees and visitors must wear a face covering when attending face-to-face meetings or trainings.
- Face coverings will be required to be worn during an employee's scheduled work hours while performing job duties on or off the work premises. In the event that the face covering becomes visibly soiled, saturated, or damaged while working, a new face covering must be obtained.
- 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: Visitors will be required to wear a face covering when entering Executive Branch buildings/offices. If a visitor chooses not to wear a face covering, they will not be permitted to enter the building/office. If a visitor does not have a face covering upon arrival, an agency may provide a face covering to the individual.

Employees who do not comply with this policy may be removed from Executive Branch buildings/offices and may 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.