

## **State Employment Law Tracker, ¶20,170D, Employers will be required to provide masks, hand sanitizer to employees — DELAWARE — State news, (Apr. 28, 2020)**

Delaware Governor John Carney on April 25 issued the thirteenth modification to his State of Emergency declaration due to a public health threat in response to the novel coronavirus (COVID-19), requiring Delawareans to wear face coverings in public settings, including in grocery stores, convenience stores, pharmacies, doctor's offices, and on public transportation, with an exception for children aged 12 or younger (children 2-years-old or younger must not wear face coverings due to suffocation risk). Governor Carney's modified Order also requires businesses to take certain steps to keep employees and customers safe. The Order is effective as of 8:00 a.m. on Tuesday, April 28, 2020.

### **Business requirements**

By 8:00 a.m. on Friday, May 1, businesses must:

- Require employees to wear a face covering while working in areas open to the public and in areas where coming within 6 feet of other staff is likely.
- Provide, at the business' expense, face coverings and hand sanitizer for their employees.
- Deny entry to individuals who do not have a face covering—or if one is not available for them.
- If any business denying entry is providing medication, medical supplies, or food, the business must provide alternate methods of pickup or delivery.

Delawareans are urged to use cloth face coverings and reserve medical-grade masks for use by health care workers and first responders. Medical-grade masks include N95, KN95, surgical, or other masks that would be appropriate for a health care setting.

Delawareans wearing a face covering should practice strict hand-washing before and after touching the face covering, according to the Delaware Division of Public Health (DPH). Face coverings are not a replacement for washing hands, practicing physical distancing, and staying home. Delawareans who are sick should wear a face covering over their nose and mouth if they must be around other people—even while at home.

“Wearing a face covering is not a substitute for existing guidance around hand-washing and social distancing,” said Dr. Karyl Rattay, Director of the Delaware Division of Public Health. “Delawareans should stay at home whenever possible, only leaving for essential activities. Wash your hands. Keep 6-10 feet between yourself and others.”

Governor Carney's State of Emergency has the full force and effect of law. The stay-at-home order, and mandatory quarantine for out-of-state travelers, remain in place. Violations of the emergency order, or any of its modifications, constitute a criminal offense.

For the latest on Delaware's response to the coronavirus (COVID-19), visit: [de.gov/coronavirus](https://de.gov/coronavirus).

**Source:** State of Delaware, Office of the Governor, News Release, April 25, 2020.