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Considerations for Employers Implementing Face Mask Policies

Many states and localities across the country are now issuing orders mandating face masks. For example, effective July 27, Indiana will require everyone ages eight or above to wear a face mask in indoor public spaces as well as outdoor public spaces where social distancing is not possible. There are exceptions to the mandate for medical reasons, strenuous physical activity, and eating and drinking. Ohio and Kentucky, along with other states, already instituted similar requirements.

Due to these changes, employers should consider implementing workplace policies regarding the use of face masks. When drafting such policies, employers should consider the following:

- Guidelines for wearing a face mask;
- Exceptions to face mask policy (working conditions make wearing a mask unsafe; medical condition; religious objection, etc.);
- Consequences for violating the face mask policy;
- Local laws and orders related to the wearing of face masks;
- Types of face masks that are required and whether the company will provide the masks; and
- Instructions for proper wearing of masks and how to launder or dispose of a used mask (as necessary).

When communicating the policy to employees, employers should provide a written copy of the policy to employees and request that they sign a copy recognizing their obligations. Employers should also detail the need for the policy and explain the benefits.

Since employers can require wearing a face mask as a condition of employment, they should also determine whether there will be any consequences to not adhering to the face mask policy and enforce the consequences uniformly, unless an employee has an approved reason for not wearing a mask.

Though making sense of the patchwork of laws may be difficult for employers, by instituting a policy regarding the use of face masks, employers can lessen the confusion and set clear expectations for employees.

For more information please contact [Erin Escoffery](#), [Amy Wilson](#) or any attorney in Frost Brown Todd's [Labor & Employment](#) practice group.

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