



CITY OF WORCESTER

## **ORDER REQUIRING EMPLOYEES OF ESSENTIAL RETAIL BUSINESSES TO WEAR FACE COVERINGS**

**WHEREAS**, on March 10, 2020, Governor Charles D. Baker, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared a state of emergency in the Commonwealth of Massachusetts due to the outbreak of the 2019 novel Coronavirus ("COVID-19"); and

**WHEREAS**, on March 15, 2020, I, Edward M. Augustus, Jr., city manager of the city of Worcester, by virtue of the authority vested in me by the city charter to act as the chief conservator of the peace within the city, and pursuant to Article Seven, Section 8 of the Worcester Revised Ordinances 2015, Part Two, declared that a state of emergency exists in the entire city of Worcester due to COVID-19; and

**WHEREAS**, on March 23, 2020, Governor Charles D. Baker, as authorized during a state of emergency pursuant to sections 7, 8, and 8A of Chapter 639 of the Acts of 1950, issued an order ensuring continued operation of essential services in the Commonwealth, closing certain workplaces, and prohibiting gatherings of more than 10 people ("the governor's order"); and

**WHEREAS**, the governor's order contained a list of "COVID-19 Essential Services," and

**WHEREAS**, the workers supporting the retail businesses providing essential services are deemed essential workers, and

**WHEREAS**, on April 10, 2020, Monica Bharel, MD, MPH, Commissioner of the Massachusetts Department of Public Health issued an Advisory Regarding Face Coverings and Cloth Masks, that stated, *inter alia*, the importance of wearing face coverings or masks where it is difficult to maintain a social distance of six feet from others;

**NOW THEREFORE**, in the interest of protecting the health of retail essential services employees and the general public in the city of Worcester, I hereby order the following:

(A) All employees of retail businesses providing essential services, including but not limited to grocery stores, pharmacies, convenience stores, home improvement stores, farmers markets and the like shall wear a face covering that covers the employee's mouth and nose when interacting with the public and within six feet of a co-worker.

(B) A face covering, for the purpose of this Order may include, but is not limited to, dust masks, scarves, bandanas, or other coverings so long as the person's nose and mouth are covered. This Order does not recommend and discourages the use by the general public of surgical masks or N-95 respirators, which should be left for medical professionals and first responders.

(C) Retail essential services employers are responsible for their employees' compliance with this Order.

(D) Violations of this Order shall be punished in the following manner:

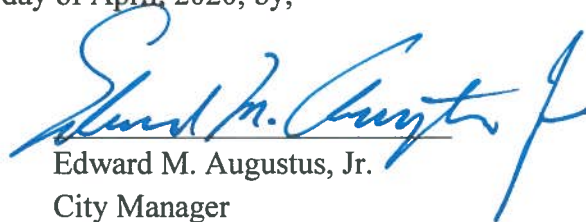
- (i) First offense – oral warning
- (ii) Second offense – subject to civil citation and fine of up to \$100
- (iii) Subsequent offense(s) – subject to civil citation and fine of up to \$300

(E) This Order may be enforced by civil process, criminal process or by non-criminal disposition as provided in General Laws, Chapter 40, §21D.

(F) The provisions of this Order may be enforced by the Worcester Department of Public Health or authorized agent pursuant to G.L. c. 111, § 30, the Inspectional Services Department, and the Worcester Police Department.

(G) This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever occurs first.

ORDERED at City Hall this 14<sup>th</sup> day of April, 2020, by,



Edward M. Augustus, Jr.  
City Manager