

Frequently Asked Questions:

Updated May 1, 2020

Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-Person Operation

Recognizing that certain life-sustaining businesses in the Commonwealth must remain open despite the need for strong mitigation to slow the spread of the 2019 Corona virus (COVID-19), the Secretary of Health has ordered certain actions to be taken by employers and the employees of life-sustaining businesses (employees) to protect their health and lives, the health and lives of their families, and the health and lives of the residents of the Commonwealth who depend upon their services.

Q. What sort of situations would mandate a 24-hour wait time, and what sort of situations would allow for a lesser wait time to disinfect surfaces?

A. All businesses are ordered to wait a minimum of 24 hours, or as long as practical, before beginning cleaning and disinfection.

Q. Often employees notify management of their pending or confirmed COVID-19 case several days after they have been in the office or business. If the virus is not expected to live for several days on hard surfaces, do businesses still need to do additional cleaning?

A. According to the CDC, if more than 7 days have passed since the person who is sick visited the business or facility, enhanced cleaning and disinfection is not necessary. However, the business should continue routine cleaning. If the person who is sick was onsite at the business or facility within 7 days, then the work site should be cleaned and disinfected.

Q. The Order calls for 50% occupancy, every other register and cleaning every hour. If our business adheres to the social distancing and best practices mentioned in the Order, can we open additional registers if they are less than 6 feet away?

A. The Department of Health (Department) recommends that businesses take as many precautions as possible to ensure employee safety. Disease transmission between employees is likely when working closely together. [The U.S. Department of Labor Occupational Health and Safety Administration \(OSHA\)](#) provides similar recommendations for or businesses in regard to social distancing, including the “every other register” recommendation. However, if all other public health practices have been implemented, including limiting in-person shopping, limiting the number of customers to reduce crowding, installing shields or barriers, performing regular

cleaning and designating a specific shopping time for high risk individuals, then a business may consider opening checkout lanes that are next to each other.

Q. The Order provides for an employee being sent home immediately if they get sick during the work day if exposed to the person who was a probable or confirmed case, and also provides for the cleaning and disinfecting of the surfaces in that employee's workspace, but why does it not mandate a 24 hour waiting period in that case?

A. All life-sustaining businesses are ordered to wait a minimum of 24 hours, or as long as practical, before beginning cleaning and disinfection.

Q. What type of cleaning is required?

A. Facilities must clean and disinfect all spaces, especially commonly used rooms and shared electronic equipment. The Centers for Disease Control and Prevention (CDC) has [established guidance](#) on appropriate cleaning. Businesses should also refer to the Secretary's April 6, 2020 Order Directing Building Safety Measures.

Q. Can a life-sustaining business use a third-party vendor or third-party service for cleaning?

A. Yes, businesses can use an established or new vendor to comply with cleaning requirements.

Q. Certain areas of our facility should never be unmanned even for cleaning. In that situation, if the client is in compliance with CDC Guidelines, would they be allowed to continue to man this critical equipment?

A. Yes. An employer should consider the safety of its facility and employees when making the best decision possible.

Q. If a facility is regulated by the FDA and can't comply because it cannot open up doors and windows in a clean room environment, what should it do?

A. The business should follow FDA regulations and should consider the safety of its facility and employees while complying while making the best decision possible.

Q. Does an entire facility need to be shut down in order to do appropriate cleaning?

A. No. Businesses with a campus of multiple facilities or a building with multiple offices only need to close and clean the area of the building where an individual with a suspected or confirmed positive case of COVID-19 has worked. However, businesses should be mindful of bathrooms, breakrooms, building lobbies and other frequently visited areas.

Q. Who is responsible for cleaning costs?

A. The business, unless the lease or other agreement establishes this as a responsibility of the landlord

Q. Is the Commonwealth dictating a particular mask?

A. No. Employers may approve masks obtained or made by employees in accordance with the Department's [guidance](#). Customers may utilize masks obtained or made in accordance with the Department's [guidance](#). Scarves, bandanas, or other face covering will also suffice in place of a mask.

Q. Are there recommendations on where employers can purchase masks for employees?

A. Employers do not need to purchase masks from any specific vendor, but are required to provide masks to employees to wear during business hours. Homemade masks and masks owned by employees are allowable. The Department has published [guidance](#) on how to make cloth masks. Additionally, the Department of Community and Economic Development has created a [Business-2-Business Directory](#), which identifies potential vendors of masks and other Personal Protective Equipment (PPE).

Q. Would a disposable face shield suffice in lieu of a mask?

A. A disposable face shield would suffice in lieu of a mask. Employers may approve masks obtained or made by employees in accordance with guidance on homemade masks found on the Department's website.

Q. Does this Order apply to essential workers who are outdoors, and heavy physical activity is part of their job description, such as employee of solid waste companies and landscaping?

A. Yes. However, an employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or if it would create an unsafe condition in which to operate equipment or execute a task.

Q. Do banks and financial institutions need to comply with the masking requirement if there are associated security concerns with face coverings?

A. Yes. Bank employees should wear masks at all times. Customers can be asked to remove their masks to reveal their face and then recover their face after the bank employee has identified the customer. This should take place within a minimum distance of six feet.

Q. Is it acceptable for workers to remove facial coverings for operations where it would be unsafe to keep in place or to be in compliance with safety requirements?

A. Yes. An employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or if it would create an unsafe condition in which to operate equipment or execute a task.

Q: What should employers do when an employee says they have anxiety and any mouth, nose covering can lead to panic attacks or other medical conditions?

A. An employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or if it would create an unsafe condition in which to operate equipment or execute a task.

Q. Are masks required while driving for work?

A. If the person is driving alone throughout the trip, no mask is needed in the vehicle, however, should they need to travel through a toll-booth or other drive thru they should be wearing a mask.

Q. Does someone working in a personal office need a mask at all times?

A. Employees isolated in their personal office space, when unshared with any other colleagues, do not need to wear a mask. However, when the employee leaves their individual office or has invited a colleague into their office, they must wear a mask. Additionally, one cannot wear a mask while eating or drinking. At those times, social distancing techniques should be applied.

Q. What about orders that were placed by an employer for masks but will not arrive for some time. How should businesses comply until then?

A. Employers may approve masks obtained or made by employees in accordance with guidance on homemade masks found on the Department's [website](#).

Q. Are masks required by transit operators, bus drivers or others who operate a vehicle?

A. Yes. However, an employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or if it would create an unsafe condition in which to operate equipment or execute a task.

Q. The Order references CDC guidance on masking, which requires masking only when employees cannot maintain social distancing?

A. The Governor and Secretary of Health have chosen to employ safety measures beyond the CDC. Employees must wear masks at all times except when isolated from others in a private space or when it adversely affects their health.

Q. Which body is responsible for ensuring these actions have been taken at a specific workplace?

A. The Department does not dictate the employer's business structure. The employer is responsible for taking the necessary steps to implement the Secretary's Order **for employees. State enforcement agencies have been directed to begin enforcement of the Order with additional education for and warnings to non-compliant businesses, before moving progressively to more significant enforcement steps if warranted.**

Q. Is there any plan to get this information into the hands of workers so they can ask their employer to take the necessary steps to protect them?

A. The Secretary's Order and [the Department's FAQs](#) are available to the public on the Department's website. Employers are encouraged to share this information with their employees.

Q. Is there a code enforcement hotline for employees to call?

A. No. Complaints will only be taken online. **A webform for employees to submit complaints is available on the Department's [website](#).**

Q. Will there be a waiver process or exceptions?

A. This Order applies to life-sustaining businesses that remain open and already includes limited exceptions related to medical conditions and to occupational safety.

Q. Where can employees report violations?

A. A [webform](#) for employees to report violations.

Q. If the customer refuses to wear a mask will they be turned away or will the customer be refused service?

A. Yes, with the exception of businesses that provide medication, medical supplies, or food, which must offer another means for the customer to purchase goods if the customer is unable to wear a mask. Those means could include home delivery or contactless curbside pick-up.

However, individuals who cannot wear a mask due to a medical condition (including children under the age of 2 years per CDC guidance) may enter the premises and **are not required to provide documentation of such medical condition.**

If the customer is refused service, and if the business is not able to provide a mask, the business should consider providing information on mask making, distributing “how to” flyers, or sharing locations where a mask can be purchased. Additionally, businesses should advise the customer of the Secretary’s Order; tell the customer that only those who cannot wear a mask due to a medical conditions may enter the premises without a mask; and advise the customer that almost any face covering would be acceptable. If a customer is belligerent or aggressive, there is no expectation that an employee should force a customer to comply or put themselves in a dangerous situation.

Q. What if someone does not come in with a mask and the business cannot offer an alternative means of serving the customer?

A. Businesses should consider providing masks to their customers or offering resources to customers for information on how to make masks. Consider sharing mask making on social media, distributing “how to” flyers, or sharing locations where masks can be purchased. Customers can also be reminded to wear a scarf or bandana as a mask.

However, individuals who cannot wear a mask due to a medical condition (including children under the age of 2 years per CDC guidance) may enter the premises and are not required to provide documentation of such medical condition.

Q. How do businesses avoid confrontation with customers who do not wear a mask?

A. Businesses should consider how they would deal with a customer who came into their business without a shirt or shoes. Businesses should consider giving customers resources on how to make their own mask or provide a mask.

Additionally, businesses should advise customers of the Secretary’s Order; tell the customer that only persons who cannot wear a mask due to a medical condition do not have to comply with requirement to wear a mask; and advise the customer that almost any face covering would be acceptable. If a customer is belligerent or aggressive, there is no expectation that an employee should force a customer to comply or put themselves in a dangerous situation.

Q. As a manager, how do I handle an employee that refuses to wear a mask? Does this Order mean I can refuse them entry?

A. All employees of life-sustaining businesses, with the exception of those with a medical condition or in the case of safety issues or while sequestered alone in a room, must wear a mask in the workplace. The Department does not dictate to employers how they should manage their workforce if employees refuse to comply with the Secretary's Order.

Q. Are building security desks required to have shields or barriers to separate guard staff?

A. This is not a requirement of the Secretary's Order. However, businesses should consider how much interaction their security staff have with customers or employees. If security staff have significant interactions, the Department recommends having a barrier.

Q. What are the social distancing guidelines for elevator usage?

A. Businesses should use their best judgment based on the square footage of the elevator. The Department recommends that business allow as few people as possible while also being mindful of crowds gathering while waiting for the elevator.

Q. An elevated temperature is just one symptom. Is an elevated temperature enough to send an employee home?

A. Yes, an elevated temperature should prompt sending the employee home. While an elevated temperature is just one symptom, employees should be monitoring for other symptoms as well and should be encouraged to stay home if exhibiting any of those symptoms.

Q. Where should temperature screenings take place?

A. It is best to do screenings as close to the door of a facility or outside, if possible. Businesses should consider taking the temperature of employees in their car as they enter parking lots/garages or inside of a building lobby. If taking temperatures inside, remember to clean high touch surfaces frequently.

Q. Does the Order require the temperature screening of employees who do not physically enter the building?

A. No, it is not required of employees who are working from home or have no contact with other employees, but is recommended.

Q. Is a building owner or management company required to take the temperatures of tenants?

A. Employers are responsible for taking the temperature or implementing a self-screen policy for their employees. The building owner is not required to screen tenants.

Q. If an employee tests positive in a leased facility, what requirements are there in terms of notifying other entities that may occupy leased space?

A. Tenants should notify the building owner that one of their employees has tested positive without sharing personal details. It is recommended that owners notify other tenants that someone within the building has tested positive without sharing personal details and should follow this protocol if one of their employees who works in the building tests positive. Building owners should ensure that common spaces within the building are cleaned according to guidelines.

Q. If an employee tests positive in a leased facility, how does a business go about implementing temperature checks for staff that work in that leased facility, but do not work for the business. Ex/ Cleaning staff.

A. The employer is responsible for implementing temperature screenings or implementing self-screening policies of their employees. In the example, the employer of the cleaning staff is responsible for instituting a temperature screening policy. It is recommended that the employer notify the owner of the leased facility of the presence in the leased facility of an employee who tests positive.

Q. Following an exposure the Order says that “employees” must be screened. Does this mean that essential non-employees, such as contractors and delivery persons do not need to be screened?

A. Non-employees are not subject to temperature checks; these employees should have temperature checks or self-screening policies put in place by their own employer. **If, however, a contractor is physically present in a business as if he or she were an employee and has similar physical contact with employees as if he or she were an employee, the employer should temperature check that contractor.**

Q. If an employer discovers an employee with a confirmed case of COVID-19 has come into the business, does the Order require the employer to institute a temperature check for that person to return to work following their leave period OR does it require temperature screenings of all employees following the first confirmed case?

A. Businesses should implement temperature screening or a self-screen policy for all employees **before they physically enter the worksite** upon discovery that the business has been exposed to

a person who is a case of COVID-19. This would include a temperature screening for the employee with a confirmed case when that employee returns to work after the quarantine period.

Q. The Order provides guidelines for a person with a probable or confirmed case of COVID19. What is considered “probable”?

A. A person is considered to have a probable case of COVID-19 if a person has symptoms (i.e., fever, cough, shortness of breath) and exposure to a high-risk situation, or if the person has a positive antibody test and either symptoms or high-risk exposure.

Q. Do employees need to produce a doctor’s note when diagnosed with or suspected to have COVID-19?

A. The Department does not dictate the employer’s medical leave policy.

Q. Can temperature checks be done through self-screening? (i.e., employees told to take temp at home?)

The Order requires that businesses check the temperature upon discovery that the business has been exposed to a person who is a probable or confirmed COVID-19 case. However, the Department recommends that employers check the temperature and or symptoms of all employees at the beginning of each shift, particularly in those areas of the Commonwealth with high positive case numbers. This can be done in several ways:

If thermometers can be procured:

- **Employers** may take their employees’ temperatures on site utilizing best practices.
- **Employees** may **self-screen** taking their temperature at home with business-provided thermometers or their own personal thermometer.

If thermometers cannot be procured:

- **Employers** may ask their employees to conduct a questionnaire-based screening at the worksite utilizing the Department approved screening tool or equivalent.
- **Employees** may **self-screen** by conducting a questionnaire-based screening at their home utilizing the Department approved screening tool or equivalent.

If utilizing **self-screening**, businesses **must** also establish a policy for employees to report their temperature or symptoms to the employer on a daily basis. This policy should include a provision that would not allow employees with symptoms to come onto the worksite.

Additionally, businesses should consider paid leave policies that incentivize workers to stay home when reporting symptoms, including a temperature of 100.4 F or higher. This would alleviate the potential of employees lying to avoid losing pay, or potentially losing jobs.

Daily self-screening is encouraged even if the employee is not scheduled to enter the worksite. For example, if an employee is off for the weekend, performing a self-screening is not required but a matter of good public health.

Q. Is it required that a medical professional administer the temperature screenings?

A. No.

Q. In the event there is a positive test, is there an end date for temperature screening? How long must temperature checks be conducted?

A. Temperature checks and or self-screenings should be conducted for at least 14 days after an exposure. However, the Department recommends that employers, particularly those in areas of the Commonwealth with high positive case numbers, continue to conduct temperature checks as a matter of routine even after that 14 day period.

Q. Do businesses have the authority to issue temperature checks for customers/the general public at a facility?

A. Businesses that are concerned that testing customers would create legal issues should check with their legal counsel.

Q. Is the Order retroactive? If there was a positive case in the building 2 weeks ago, do we now need to do temperature screening?

A. The Secretary's Order is not retroactive. The Department does, however, recommend screening under these circumstances, particularly in those areas of the Commonwealth with high positive case numbers.

Q. If someone arrives at work in one location and is temperature screened, then drives to another work facility, does the person have to temperature screen again?

A. The Secretary's Order does not require an employer to conduct temperature screenings in more than one location under the circumstances described; however, the Department recommends such temperature screenings and or symptom screens be conducted, particularly in those areas of the Commonwealth with high positive case numbers.

Q. If someone begins their workday in another state and drives into Pennsylvania, do they have to temperature check once they get to their work destination in Pennsylvania?

A. The Secretary's Order is only intended to address temperature screening at the employee's starting workplace. If the person was temperature checked at their starting workplace they do not need to be rescreened; however, such screening is recommended, particularly in areas of the Commonwealth with high positive case numbers.

Q. Does the temperature-taking provision only apply after an employer is aware of a potential or actual exposure?

A. The Secretary's Order is only intended to address the circumstances after an employer becomes aware of a potential or actual exposure. The Department recommends temperature screenings be conducted, at all times, however, particularly in those areas of the Commonwealth with high positive case numbers.

Q. Is the temperature provision applicable to an entire facility/campus or can it be limited to specific at-risk buildings or sections of a buildings?

A. **Businesses with a campus of multiple facilities or a building with multiple offices only need to screen employees from the area of the building where an individual with a suspected or confirmed positive case of COVID-19 has worked. However, businesses should be mindful of bathrooms, breakrooms, building lobbies and other frequently visited areas.** The Department recommends temperature screenings be conducted, at all times, however, particularly in those areas of the Commonwealth with high positive case numbers.

Please review the responses above for practices with respect to temperature screening at home.

Q. Do all employees who work in a building need to have their temperatures checked even if they weren't exposed to the individual?

A. **Businesses within a large building of multiple offices only need to screen employees from the area of the building where an individual with a suspected or confirmed positive case of COVID-19 has worked. For example, if the COVID positive person works on a single floor of a building only that floor would need to be screened.**

However, businesses should be mindful of bathrooms, breakrooms, building lobbies and other frequently visited areas. The Department recommends temperature screenings be conducted, at all times, however, particularly in those areas of the Commonwealth with high positive case numbers.

Q. Is there any specific guidance regarding the sourcing/procurement of thermometers?

A. No. Employers should use regular supply opportunities or visit DCED [Business-2-Business](#) portal.

Q. If social distancing can be maintained, can there be an exemption to the mandatory mask requirement?

A. No. Employees of life-sustaining businesses that work in group settings are at risk. Masks should be worn at all times. An employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or if it would create an unsafe condition in which to operate equipment or execute a task.

Q. The Order notes that essential businesses must limit occupancy to no greater than 50% of their certified occupancy. Can you please clarify whether this applies to Funeral Homes? Previous guidance issued in SRN-2020-09 says Funeral Homes are strongly encouraged to limit any services to 10 or fewer people. Does the new Order supersede the State Registrar Notice (SRN) and permit Funeral Homes to allow 50% of their occupancy for viewings?

A. Funeral Homes should follow the guidance from the SRN.

Q. If a company is staggering breaks, but not staggering shift start/stop times, would they then be required to implement those as well?

A. Employers should take all possible steps to encourage social distancing, including staggering shift start/stop times, as well as staggering breaks.

Q. What restrictions are applied to health care workers?

A. The Secretary's Order does not apply to health care workers. The Department has issued guidance for health care workers and health care settings through its Health Alert Network.

Q. Are there any considerations being given to allow compliance as long as businesses are showing they are working aggressively toward achieving compliance?

A. The Governor and the Secretary believe strongly that these provisions will protect employees and save lives. Life-sustaining businesses should take all necessary steps to comply by 8 p.m. Sunday April 19, 2020.

Q. Do retailers need to designate specific shopping time for high-risk persons?

A. The Department recommends that businesses take as many precautions as possible to ensure customer safety including special shopping hours at least once a week. However, if all other public health practices have been implemented, including limiting in person shopping, limiting the number of customers to reduce crowding, installing shields or barriers, performing regular cleaning and only opening every other register, then a business may consider if designated shopping times are necessary. Businesses should keep in mind that six feet is the recommended distance of separation. Infection is more likely to happen when customers and staff are in proximity.

Transportation:

Q: Does the Order apply to airports and freight rail operators?

A. Airports are regulated by the FAA. Freight rail operators are regulated by the FRA. Airports and Freight rail operators should therefore follow guidance from those federal regulators.

Q. Does the Order require transit riders to wear masks? What about riders participating in the Medical Assistance Transportation Program?

A. Transit riders should wear masks unless there is a medical reason that prevents them from wearing a mask, or unless they are unable to provide themselves with a mask or a suitable option (bandanna, scarf, etc.) because of economic reasons. A transit company that is able to provide masks for its customers should make every attempt to do so.

Q. Do these restrictions apply to local governments and courthouses?

A. Local political units were not required to suspend in-person operations under the business closure orders issued by the Governor and the Secretary on March 19, 2020. However, they were advised to curtail in-person operations to the extent practicable and to follow COVID-19 mitigation guidance provided by the Department and the CDC. Similarly, local political units are not required to follow the Secretary's Employee Safety Order; however, they are advised to implement the protocols that it outlines to the extent practicable. All decisions should appropriately balance public safety while ensuring the continued delivery of critical infrastructure services and functions.

Q. Do the provisions of the Order apply to state employees?

A. No, the Commonwealth is not a business that is directly covered by the Secretary's Order; however, Governor Wolf has chosen to implement the practices outlined in the Order where possible as an example for the other employers and employees in the Commonwealth.

Q. Does the new Order apply to a manufacturing operation that is closed to the public, and in compliance with all CDC Guidelines?

A. Yes. The wearing of masks is intended to benefit employees as well as the public.

Q. With veterinarian workers not being characterized as health care workers how can they continue to function with social distancing?

A. Veterinary offices should comply with all aspects of the Secretary's Order while attempting to utilize social distancing. It is understood that some veterinary procedures require close contact. Veterinarians should take proper precautions when interacting with customers and colleagues. Veterinarians should also consider limiting their in-person practice to urgent or emergency visits, and forgo elective procedures.

Q. Out of which funds available to the Governor will he be reimbursing employees or employers for the costs associated with complying this new Order?

A. Employees and employers will not be reimbursed. The Governor expects everyone to comply with the Secretary's Order to the best of their ability.