



Guidance on Face Coverings and Vaccinations Resulting from CDC Update on May 13, 2021 and Executive Order 72 Updated May 15, 2021 and the Issuance of Executive Order Seventy-Nine on May 28, 2021

Agencies are to be guided by the [Interim Public Health Recommendations for Fully Vaccinated People](#) as released by the Center for Disease Control and Prevention (CDC) on May 13, 2021. To align with this guidance, Governor Northam lifted the universal indoor mask mandate in the [Seventh Amended Executive Order 72 \(2021\)](#) which has been amended further by the issuance of [Executive Order 79 \(2021\)](#) effective midnight on May 28, 2021. These Executive Orders override the Final Permanent Standard for the Prevention of the Virus That Causes COVID-19 16-VAC25-220 where inconsistent.

Agencies are required to follow the guidance established by the CDC and Executive Order 79 which means that fully-vaccinated individuals do not have to wear masks in most indoor settings, except on public transit, in health care facilities, and in some unique settings such as K-12 schools, homeless shelters or correctional facilities. This applies to all state employees and visitors to state facilities. The recommendations within this CDC guidance apply to non-healthcare settings. State agencies that provide direct health care clinical services as part of their mission should review and implement the information for healthcare settings found in the Updated Healthcare Infection Prevention and Control Recommendations in Response to COVID-19 Vaccinations. In all healthcare facilities, staff, patients, residents, and visitors should continue to wear masks.

Employees and visitors who are unvaccinated or not fully-vaccinated are strongly encouraged to wear masks in all settings, including state facilities. If an employee or visitor is fully vaccinated and still uncomfortable around others, employees and visitors are allowed to continue to wear a face covering at their discretion. **Please note that the Final Permanent Standards for the Prevention of the Virus that Causes COVID-19 16-VAC25-220, with some exceptions, requires that employees who are unvaccinated or not fully vaccinated must either wear a face covering or practice six feet of physical distancing.** Further information on the Final Standard can be found at www.doli.virginia.gov.

Generally, as an employer Executive Branch agencies will not be asking employees about their vaccination status at this time. While employers are allowed to do so, asking for vaccination status is sensitive to many and can also lead to legal liabilities that agency leaders may not be prepared to address. We will continue to monitor the public health emergency to determine if a change in practice is necessary in the future.

Agencies are to refrain from creating policies and practices that differ from the guidance referenced herein.