

COUNTY OF ALAMEDA BOARD OF SUPERVISORS

RESOLUTION NUMBER: R-2022-127

A RESOLUTION MANDATING THE WEARING OF FACE COVERINGS WHILE IN FACILITIES AND VEHICLES OWNED AND LEASED BY THE COUNTY OF ALAMEDA

WHEREAS, on March 10, 2020, the County of Alameda ("County") Board of Supervisors ratified a declaration of local health emergency in response to the presence of COVID-19 in the community; and

WHEREAS, between March 2020 and March 1, 2022, County residents and employees have contracted over 254,000 confirmed cases of COVID-19; and

WHEREAS, the highly-infectious Omicron variant – which emerged in the County in the latter half of December 2021 – has dramatically increased the County's case rates: more than 125,000 County residents and staff contracted the Omicron variant of COVID-19 in the less than three (3) months between December 20, 2021 and March 1, 2022; and

WHEREAS, although the winter Omicron surge appears to be waning, COVID-19 continues to circulate in the County, and based on the County's experience to-date will continue to do so and will continue to pose a risk to public health and safety; and

WHEREAS, since the beginning of the COVID-19 pandemic, the County has implemented measures that promote the health and safety of our employees and the community we serve, including promoting vaccination and boosters and universal face covering when indoors; and

WHEREAS, a face covering includes a surgical mask, a medical procedure mask, a respirator worn voluntarily, or a tightly woven fabric or non-woven material of at least two (2) layers (i.e., fabrics that do not let light pass through when held up to a light source) that completely covers the nose and mouth and is secured to the head with ties, ear loops, or elastic bands that go behind the head; and

WHEREAS, the use of face coverings is universally recommended by the World Health Organization, the U.S. Centers for Disease Control and Prevention, the California Department of Public Health ("CDPH"), and the Alameda County Public Health Department ("ACPHD") as an important mitigating measure to protect against the SARS-CoV-2 virus and its variants; and

WHEREAS, on February 16, 2022, and February 28, 2022, the CDPH issued new "Guidance for the Use of Face Masks" relaxing the requirement that individuals wear a face covering in indoor public settings but continuing to strongly recommend that all persons, regardless of vaccination status, continue to wear a face covering in such settings, which under the Guidance include local government offices providing service to the public; and

WHEREAS, the Alameda County Public Health Officer concurs in the CDPH's strong recommendation to continue the use of face coverings in indoor public settings; and

WHEREAS, even in periods of lower transmission of COVID-19, there are many County employees and residents who remain at risk for severe illness from the disease – especially among the County's most disadvantaged communities; and

WHEREAS, even those protected from severe disease can still contract COVID-19, and the need for infected staff to isolate or quarantine post-exposure continues to disrupt County staffing and operations; and

WHEREAS, to protect the health and safety of our employees and the community we serve while the CDPH and the County's Public Health Officer continue to strongly recommend masking indoors, the County seeks to take steps to ensure their strong recommendation will be followed;

NOW THEREFORE, BE IT RESOLVED that County of Alameda employees, regardless of vaccination status, must continue to wear a face covering while in County facilities and vehicles, and in private vehicles while on-duty. "County facilities" is defined to include facilities and vehicles that are owned or leased by the County of Alameda for occupancy and use by County of Alameda employees. County employees are only exempt from wearing a face covering during the following limited circumstances:

1. When alone in a room or vehicle;
2. While eating or drinking at the workplace, provided employees are at least six (6) feet apart and outside air supply to the area, if indoors, has been maximized to the extent feasible;
3. When an employee is required to wear a respirator in compliance with Cal-OSHA regulations;
4. When the employee has been granted a reasonable accommodation due to a health condition or disability, or when the employee is hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication; or
5. When performing specific tasks which cannot feasibly be performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed.

BE IT FURTHER RESOLVED that all visitors or members of the public who enter County facilities continue to be required to wear a face covering. However, the following individuals are exempt from wearing a face covering in County facilities:

1. Persons younger than two (2) years old;
2. Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance;
3. Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication; and
4. Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.

BE IT FURTHER RESOLVED that the requirement to wear face coverings in all County facilities and private vehicles while on duty shall continue until such time as both the state and the local health officers have lifted their respective COVID-19 emergency declarations, or the Board of Supervisors amends, rescinds or supersedes this face covering requirement, whichever occurs first.

The foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Alameda, State of California, at a regular meeting of the Board on the 8th day of March, 2022 by the following vote:

AYES: Supervisors Brown, Haubert, Miley, Valle & President Carson - 5

NOES: None

EXCUSED: None



Keith Carson, President of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors,  
County of Alameda, State of California

By: RBailey  
Deputy

Approved as to Form  
DONNA ZIEGLER, County Counsel

By: Kristy van Herick  
Kristy van Herick, Asst. County Counsel