

Frequently Asked Questions on Masks/Face Coverings

Who is responsible for providing masks for the public to wear?

Businesses are responsible for providing face coverings for their employees and volunteers. A member of the public when entering a business will need to provide their own face covering

What requirements must a mask meet?

“Face covering” means a fabric, paper, or disposable face covering that covers the nose and mouth and which does not have an exhalation valve. The term “face covering” includes face shields.

Can my business be reimbursed for purchasing masks?

Businesses that need to purchase protective gear like masks and hand sanitizer may be eligible for reimbursement through the Montana Business Adaptation Program.

Organizations may be reimbursed up to \$10,000 for eligible expenses. Apply at [COVIDRELIEF.MT.GOV](https://www.covidrelief.mt.gov).

What indoor locations are face masks required to be worn?

“Indoor space open to the public” means any indoor space, whether publicly or privately owned, where the public has access by right or invitation, express or implied, whether by payment of money or not. In addition, “indoor spaces open to the public” include, but are not limited to lobbies, common areas, elevators, bathrooms, meeting rooms, or other spaces where people gather. The term includes all modes of public or commercial transportation. The term does not include private residences not open to the public.

Employees, volunteers, and contractors in public-facing work spaces are required to wear face coverings.

Who is responsible for making sure people wear masks in indoor public places?

All businesses, government offices, or other persons responsible for indoor spaces open to the public shall require and take reasonable measures to ensure that all employees, contractors, volunteers, customers, or other members of the public wear a face covering that covers their mouth and nose at all times while entering or remaining in any indoor spaces open to the public.

Is signage required to tell the public entering indoor public places that masking is required?

All points of entry open to the public shall have a clearly visible sign posted stating: "Mask or face covering use required for ages five and older."

Can plexi-glass barriers be used instead of wearing a mask?

No. Partitions that effectively create an enclosed barrier within an indoor space may render masks unnecessary, but should be reviewed and approved by the local health authority prior to implementation.

How does the mask mandate affect religious services?

During services, speakers may remove their masks while speaking to the attendees. All attendees should wear a mask during the service, including while singing. Servers should wear a mask and recipients should remove the mask to receive communion.

Do children and employees in daycares, summer camps and day camps need to wear masks?

No, because daycares, summer camps and day camps are not open to the public, employees and children are not required to wear masks, however it is strongly recommended wherever possible. Children under 2 should not wear masks at any time.

Parents should wear masks when they drop off/pick-up their children from daycare, summer camp or day camps.

Are face coverings required outdoors?

For any organized outdoor activity where social distancing is not possible or is not observed, sponsors shall require and take reasonable measures to ensure that all persons attending an organized outdoor activity wear a face covering that covers their mouth and nose at all times.

What constitutes an organized outdoor activity?

"Organized outdoor activity" means any gathering of 50 or more people for an activity or event organized or sponsored by a business or person, or that takes place on the property of a business or person. This includes, but is not limited to, outdoor theatrical or music performances, fairs, markets, festivals, parades, carnivals, rodeos, sporting or athletic events, beer gardens, weddings and receptions, or parties.

This section applies only where the nature of the organized outdoor activity makes it impracticable for all attendees to maintain at least six feet of physical distance from

each other, or any organized outdoor activity where attendees are not observing at least six feet of physical distance from others.

Are masks required at large gatherings that aren't "organized outdoor activities?"

At all outdoor gatherings of 50 or more people, whether or not it constitutes an organized outdoor activity, all individuals except those covered by section 4 of this Directive are required to wear face coverings while in attendance where it is impracticable to maintain six feet of physical distance at all times, or whether attendees are not observing at least six feet of physical distance from others.

What is an outdoor event "sponsor"?

"Sponsor" means any business or person who organizes or sponsors an organized outdoor activity, or who allows the activity to take place on their property.

How does the mask mandate impact golf outings?

The directive requires face coverings at organized outdoor activities of 50 or more people, where social distancing is not possible or is not observed.

What do I do if someone refuses to wear a mask who comes into a public space I am responsible for?

Businesses, other persons responsible for indoor spaces open to the public, and sponsors of organized outdoor activities are entitled to reasonably rely in good faith on the representations of employees, volunteers, contractors, customers, visitors, or members of the public regarding the applicability of the exceptions in section 4 of the Governor's Directive. Reasonable, good faith reliance on such representations is an affirmative and complete defense to any enforcement proceedings brought pursuant to this Directive.

Does the governor have the legal right to mandate masks?

The legislature has delegated to the Governor authority to respond to emergencies. During a declared state of emergency, the Governor may "control ingress and egress to and from an incident or emergency or disaster area, the movement of persons within the area, and the occupancy of premises within the area." Section 10-3-104(2)(c), MCA.

In responding to the emergency, the Governor "shall use the services and facilities of the existing officers and agencies of the state, and all officers and agencies shall cooperate with and extend their services and facilities to the governor as the governor may request in the carrying out of the purposes of" the emergency response statutes. Section 10-3-305(2).

Does the mask mandate apply on private property?

The jurisdiction of state and local public health agencies extends to both public and private property. The Directive applies to indoor spaces that are open to the public, or outdoor gatherings of 50 or more people where social distancing is not possible or is not being practiced regardless of whether the gathering occurs on public or private property.

Do my employees need to wear a mask?

Employees that are public facing are required to wear a mask. At the time and the place you are in contact with the public is where you need a mask. Wear a mask for the specific interactions.

Employees that are not public facing while in their office or workspace do not. However, these employees should wear a mask when arriving and exiting the workplace. See Section 1 [of the Directive on masks](#) for the definition of business.

Whom and in what situations do people need to wear masks in restaurants?

Masks are required while entering and exiting the restaurant, using the restroom, or otherwise walking through the inside of the business. However, masks do not need to be worn while consuming food or drink and seated at the table inside. Patrons using outdoor seating are encouraged to wear masks and must wear a mask if they have to enter the business. Servers should wear masks at all times. Restaurants can adopt more restrictive policies.

Do you have to wear a mask while in restaurant outdoor seating areas?

Masks are required while entering and exiting the restaurant, using the restroom, or otherwise walking through the inside of the business. However, masks do not need to be worn while seated at the table consuming food or drinks inside the restaurant. Patrons using outdoor seating are encouraged to wear masks and must wear a mask if they have to enter the business. Servers should wear masks at all times. Restaurants can adopt more restrictive policies.

Do cooks on the cook line need to wear masks if a kitchen is public facing?

Yes, if they are public facing.

It is recommended that all cook staff, even if not public facing, wear a mask if social distancing cannot be achieved. It is advised to wear a mask at all times to ensure the health and safety of all citizens. Businesses should consider all the risks and unique circumstances and implement appropriate policies.

Do kitchen staff (i.e. folks that are behind the scenes not interacting with the public, cooks, dishwashers, etcetera) need to wear a mask? What if they can social distance?

If the kitchen staff are public facing, they need to wear a mask.

It is recommended that all cook staff wear a mask, even if they are not public facing, if social distancing cannot be achieved. It is advised to wear a mask at all times to ensure the health and safety of all citizens. Businesses should consider all the risks and unique circumstances and implement appropriate policies.

Some body art procedures like piercings and tattoos are done on the face does the masking requirement essentially prohibit these procedures? What about for aestheticians?

The individual conducting the procedure must wear a mask but it would be impractical for the individual receiving the procedure to wear a mask (see exemption #3 in the directive).

Do drive through coffee kiosks need to wear masks?

Yes, if you are serving and interacting with the public a mask must be worn. Patrons who remain in their car are not required to wear a mask though it is strongly encouraged when interacting with the kiosk employees.

Do children and employees in day cares need to wear masks?

No, because day cares are not open to the public, employees and children are not required to wear masks, however it is strongly recommended wherever possible. Children under 2 should not wear masks at any time.

Are employees exempt from wearing a mask if they are working in an environment where they are operating machinery where a mask can get stuck or pull a person into a machine?

Wearing a mask is not required if it is impractical or unsafe to do so. However, alternative such as face shields should be considered.

As a business owner, what can I do if someone comes into my business and says they cannot wear a mask due to a medical condition?

Businesses may ask how to accommodate an individual's disabilities. Options may include:

- Having face shields on hand to provide to disabled customers
- Offering curbside pick-up
- Offering services via phone or online

If accommodations cannot be made and individuals are unable to comply with requirements necessary for safe operation, individuals may be asked to leave the business. The ADA governs accommodations of this sort, but does not preclude asking customers about health information. HIPAA and the Fourth and Fifth Amendments are also inapplicable to conversations related to face-coverings in businesses.

Are masks required while transporting clients in car?

Yes. Businesses, including guides, offering transportation services to their customers shall require and take reasonable measures to ensure that all employees, contractors, volunteers, customers, or other members of the public wear a face covering while in the business' vehicle. "Indoor space" includes all modes of commercial transportation.