

## Deciding Whether to Require Masks at Your Law Firm

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The Coronavirus introduced a new tradition of masking in April 2020 when the CDC recommended wearing masks to avoid infecting others and to protect wearers. Attitudes and regulations about mask wearing continue to evolve as the Covid-19 Pandemic winds down and offices reopen. Following are masking considerations and resources to help law firms with their reopening plans.

**Accommodation.** Consider allowing lawyers and staff to continue working at home if they are uncomfortable with the firm's masking policy. Also accommodate those who disagree with the masking practices of co-workers. Conduct virtual conferences when requested by clients who are unable to visit your office.

**Alternatives.** Masking alternatives include an honor system that assumes those without masks have been vaccinated, a vetting procedure that requires proof of vaccination, and a mandate proclamation that mask wearing is required for unvaccinated staff.

**Communication.** Clearly communicate to lawyers and staff whether they are expected or encouraged to wear masks. Use email, firm meetings, and signs to reinforce your masking message. Ask managing lawyers and supervisory staff to lead by example.

**Incentives.** If the firm makes masking voluntary, encourage mask wearing with signs and stickers. Make masks available at entrances and consider personalizing them with the name of the wearer or embellishing them with your firm logo or monogram.

**Penalties.** Consider imposing penalties if the firm adopts a mask mandate. Send unmasked workers home with a warning and fire repeat offenders.

**Policy.** Some firms may dispense with mask mandates for those who are vaccinated, but many will encourage everyone to wear a mask in the office. Adopt a written policy on masking so that workers know what is expected of them. Keep the policy updated for evolving requirements and communicate changes to lawyers and staff. Make masking part of a broader policy covering safety in the workplace.

**Supplies.** In addition to masks, purchase barriers, disinfectant, sanitizers, signs, thermometers, and other safety supplies to use around the office.

**Regulation.** Make a firm member responsible for monitoring legal developments and guiding the firm's compliance. Regularly check the CDC and OSHA websites for guidance.

**Vaccination** - Although some firms have mandated vaccines, many have adopted a wait and see attitude. Promote well-being in the office by encouraging vaccinations regardless of whether masks are required.

**Conclusion.** Although the current Coronavirus epidemic is subsiding, it may return in the future like the seasonal flu. Use the tips and resources in this article to help your firm adopt policies that promote a safe workplace and assure the well-being of clients, lawyers, and staff.

### Articles

Jeff Green and Michael Tobin, [As Workers Return to Offices and Covid Rules Change, Employers Take on Role of Mask Police](#), *Crain's Detroit Business*, May 25, 2021

Mayo Clinic, [How Well Do Face Masks Protect Against Coronavirus](#), *Mayo Clinic Website*, May 28, 2021

Challenger, [The New Normal in the Office: Guidelines for Wearing a Mask at Work](#), *Challenger, Gray & Christmas, Inc.*, March 2021  
Lisa Nagele-Piazza, [When Should Employers Consider Lifting Mask Mandates](#), *SHRM*, April 22, 2021

### **Checklists**

[Reopening Toolkit for Michigan Law Offices](#) , State Bar of Michigan, May 28, 2020

### **Policies**

[Sample Voluntary Mask Policy](#), Seyfarth Shaw

[Sample Mandatory Mask Policy](#), Manufacturing Safety Alliance of British Columbia

### **Websites**

[Covid-19 Resources for Bar Leaders](#), American Bar Association

[Covid-19 Guidelines for Offices](#) , Centers for Disease Control

[Guidance on Covid-19 in the Workplace](#), Occupational Safety and Health Administration