



April 2020

## **New York State Orders Employers to Provide Masks to Public-Facing Employees**

By Carolyn D. Richmond, Glenn S. Grindlinger and Jason B. Jendrewski

On April 12, 2020, Gov. Andrew Cuomo issued an executive order requiring all essential businesses or entities to provide employees with face coverings that they must wear when in direct contact with customers or the public. Employers are required to provide the face coverings, such as cloth or surgical masks, to their employees free of charge. The executive order does not provide any specifications for the required face coverings.

Local governments or law enforcement will enforce the new requirement, which goes into effect at 8 p.m. on Wednesday, April 15, 2020. However, there is no information at this time regarding the consequences for noncompliance.

Businesses that are unsure whether they are deemed “essential” should consult with counsel or refer to official guidance [available here](#) from Empire State Development.

For more information about this alert, please contact Carolyn D. Richmond at [crichmond@foxrothschild.com](mailto:crichmond@foxrothschild.com) or 212.878.7983, Glenn S. Grindlinger at [ggrindlinger@foxrothschild.com](mailto:ggrindlinger@foxrothschild.com) or 212.905.2305, Jason B. Jendrewski at [jjendrewski@foxrothschild.com](mailto:jjendrewski@foxrothschild.com) or 212.878.7952, or any member of the firm’s New York Labor & Employment Group.