Hot Topic: Considerations for Mask Policies

**Question:** Should my museum require staff and visitors to wear face masks?

The American Alliance of Museums offers the following for consideration in determining policies around the wearing of face masks. The information shared here is based on the best available information as of publication and is not intended as legal, employment/human resources, or health and safety advice. Museums are encouraged to seek legal and other expert advice on their specific circumstances.

**CDC guidance**

The Centers for Disease Control and Prevention (CDC) is calling on individuals to wear masks to prevent COVID-19 spread. According to a press release issued by the CDC on July 14, 2020, the latest science “affirms that cloth face coverings are a critical tool in the fight against COVID-19 that could reduce the spread of the disease, particularly when used universally within communities. There is increasing evidence that cloth face coverings help prevent people who have COVID-19 from spreading the virus to others.” With studies showing that a significant number of individuals with COVID-19 lack symptoms, the CDC particularly recommends wearing cloth face coverings in public settings—such as museums. The CDC does not recommend masks for children under the age of two due to the risk of suffocation, nor does it recommend masks for anyone who has trouble breathing or is unable to remove the mask without assistance.

**State/local laws**

Many states and local governments now require the wearing of masks in public places. Though some states have not enacted a statewide mandate, most of them still recommend masks in public, in certain types of businesses, and/or in certain locations. Make sure that you are aware of the laws and mandates in your state/local area.

**Legality and the Americans with Disabilities Act**

*For employees*

Generally, an employer/business can institute safety policies or workplace rules such as requiring its employees to wear a face mask. Be mindful of abiding by the Americans with Disabilities Act (ADA) in creating and enforcing such policies, as individuals with a chronic disease that makes breathing difficult may be unable to safely wear masks or face coverings. The U.S. Equal Employment Opportunity Commission (EEOC) notes in Pandemic Preparedness in the Workplace and the Americans with Disabilities Act that “an employer may require employees to wear personal protective equipment during a pandemic. However, where an employee with a disability needs a related reasonable accommodation under the ADA, the employer should provide these, absent undue hardship.” The Society for Human Resource Management (SHRM) offers considerations for businesses requiring their employees to wear masks in the workplace.
For visitors
Based on guidance from the CDC recommending face masks, businesses—including museums—may require customers/visitors to wear face masks. State or local mandates may support the enforcement of such policies. If your state or local government has not mandated mask wearing in public, it is recommended that you seek legal guidance around the enforcement of your policy. As with policies for employees, be mindful of ADA implications. Consider using language in your policy that reflects the CDC recommendations for who should and who should not wear a mask (e.g., “This requirement does not apply to children under the age of 2 or to individuals who are unable to wear a face covering due to a medical condition”). The National Law Review and the Southeast ADA Center and Burton Blatt Institute (BBI) at Syracuse University provide additional information on ADA considerations for businesses requiring face masks for customers/visitors.

Training on proper use of masks
Whether mandating or recommending face coverings, be sure to offer your employees training on how to properly wear and clean masks (see CDC guidance).

Accessibility
Transparent face coverings can be helpful for individuals who identify as Deaf or hard-of-hearing and rely on lipreading. If your museum requires face masks for employees, keep this in mind for staff members who interact regularly with members of the public and if you have individuals who identify as Deaf or hard-of-hearing on your team.

Equity and racial implications
In thinking about your policies and how you will enforce them, it is important to consider the history and present-day realities of racial profiling. People of color, particularly black men, risk being profiled, harassed, or assaulted because of facial coverings. It is recommended that museum staff receive anti-bias training and develop awareness and understanding of ways that policies and laws designed to protect may endanger communities of color. It is essential to have a heightened awareness of increased levels of anxiety for both employees and visitors of color while making considerations around the use of masks. Safety comes first, but unfortunately for brown and black communities, mask wearing often makes it more difficult to remain safe.

Availability of masks
Can your museum supply masks to all staff and visitors? If you are requiring face coverings as a condition of entry into the museum, providing free masks may be helpful to those who do not have, cannot afford, and/or did not bring their own. Some museums are also selling branded masks onsite and online (for example, see the Cincinnati Zoo’s animal-themed masks and the Detroit Institute of Arts’ fine art masks). If you will not have masks available to sell or give away, it is helpful to prepare people in advance for their visit by clearly communicating on your website, phone recordings, and/or social media channels that visitors should bring their own face covering. Consider sharing information on how to make a mask at home (for example, the instructions or video tutorial from the CDC’s website).
Tensions over masks, enforcement of policies, and employee training

It is important to be aware of the polarization around and politicization of the wearing of face masks and other health and safety measures. Confrontations and violence over mask-wearing have been reported in the news in recent weeks.

If masks are required (either by your museum or by the law in your area), consider how the policy will be enforced and who will enforce it. Make your policy very clear on your website and on signage outside of the museum to reduce the potential of face-to-face conflicts. Train employees on how to handle violations and de-escalate tension, and be sure that anyone being asked to enforce policies are properly trained and have authority (e.g., security personnel, senior leadership) to handle policy violations. Concerns around potentially putting employees in harm’s way have led some businesses to decide—when there is no local or state mandate in place—to recommend but not require face coverings or to be cautious in enforcing requirements if it seems that doing so could lead to threats or violence.

The Crisis Prevention Institute (CPI), the worldwide leader in evidence-based de-escalation and crisis prevention training, has shared tips and tools to address the urgent public need to anticipate and effectively address situations related to COVID-19 before they escalate. See their de-escalation tips in light of coronavirus anxiety and de-escalation trainings for the workplace.

Communication

Communicate proactively with both staff and the public about COVID-19-related plans and protocols. Provide as much information as you can about your museum’s health and safety guidelines, recommendations, and/or requirements on your website, telephone recordings, social media channels, etc. This will help people prepare for their visit, understand the measures you are taking to protect them, and reduce the chance of confusion or even confrontation onsite. Also provide signage onsite that communicates your policies, using language that is clear and simple. The following examples are shared for reference:

» The National Cowboy Museum’s signage about how to have a safe and enjoyable museum experience, including the recommendation that visitors wear masks
» Sign at the Museum of Fine Arts, Houston about face mask requirements
» Greyhound’s signage about required face coverings

Feedback on this resource? Additional examples to share? Contact content@aam-us.org

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