



CDC UPDATES COVID-19 MASK GUIDANCE FOR FULLY VACCINATED INDIVIDUALS

On Tuesday, July 27, 2021, the Centers for Disease Control and Prevention (“CDC”) issued new guidance regarding masks for fully vaccinated individuals given the recent surge of COVID-19 and the Delta variant. The CDC’s updated guidelines can be found [here](#).

The CDC now recommends that even fully vaccinated individuals wear masks indoors in public if the individual is in an area/region of “substantial or high transmission.” The CDC provides a map detailing those areas that are considered regions of high, substantial, moderate, and low transmission, which can be found [here](#). As of the issuance of this advisory, all of Florida and most of the Southeast is **currently** considered an area of “high” transmission, so the new mask guidance applies here. This of course is subject to change as COVID numbers will hopefully go back down soon.

The new guidance does not mention social distancing or other mitigating measures (e.g., Plexiglas) and whether masks should be worn indoors when social distancing and other mitigating measures are in place.

The CDC’s new guidance could implicate employers’ general duty to provide a safe work environment for employees under the Occupational Safety and Health Act (“OSHA”) and litigation defenses under Florida’s liability protections for businesses passed as Senate Bill 72, which provides broad liability protections to businesses making “good faith efforts to substantially comply with authoritative or controlling government issued health standards or guidance.” More information concerning Senate Bill 72 may be found [here](#). Therefore, businesses should review their COVID-related safety plans, rules, and signs and notices to employees and the public. Most notably, businesses in areas of high transmission should immediately consider a policy while the transmission rate remains high that employees who work in an area of “substantial or high transmission”, like Florida, should wear masks indoors in public spaces, regardless of vaccination status.

Businesses should continue to closely monitor the CDC and the OSHA websites for any additional changes in policies and guidance on maps relating to transmission.

If you have any questions about this updated guidance and how it may impact your business, please contact a member of our [COVID-19 Attorney Response Team](#) below:



Gordon Hill
gordon.hill@hwlaw.com
813.222.8506



Robert Shimberg
robert.shimberg@hwlaw.com
813.227.8469



Jeff Wilcox
jeff.wilcox@hwlaw.com
813.222.8725



Ryan Guerin
ryan.guerin@hwlaw.com
813.222.8503



DISCLAIMER: This newsletter was created by Hill Ward Henderson for informational purposes only. It discusses legal developments and should not be regarded as legal advice for specific situations. Those who read this information should not act upon it without seeking legal advice. Neither prior results described herein, nor any other representations contained herein guarantee a similar outcome.

CONFIDENTIALITY NOTE: The information contained in this transmission may be privileged and confidential information, and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please immediately reply to the sender that you have received this communication in error and then delete it. Thank you.

Hill Ward Henderson | 101 East Kennedy Boulevard, Suite 3700, Tampa, FL 33602

[Unsubscribe {recipient's email}](#)

[Constant Contact Data Notice](#)

Sent by info@hwlaw.com