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## Los Angeles Employers Must *Provide* Medical Grade Masks No Later Than January 17, 2022

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Workplace masking requirements have long been in place in California, with employees permitted to wear cloth or other masks of their choice. Last week, the County of Los Angeles Department of Public Health went further, requiring that employers must, ***no later than January 17, 2022, provide their employees*** who work indoors and in close contact with other workers or the public ***with “a well-fitting medical grade mask, surgical mask, or higher-level respirator, such as an N95 filtering facepiece or KN95.”*** Employers must require their employees to wear the provided masks. The full text of the Order can be found [here](#).

The requirement to provide high-quality masks places an additional financial burden on employers. While no specific penalty for non-compliance is specified, presumably the Department of Public Health will issue fines and penalties for non-compliance as it has with other COVID-related orders. In addition, a failure to comply may give rise to employee claims that the employer failed to provide a safe workplace, or that employees were forced to incur reimbursable expenses to purchase approved masks that the employer failed to provide.

Los Angeles-based employers must also remember that, although state and federal supplemental COVID sick leave has expired, both the City and County of Los Angeles have extended their own versions of COVID pay. The City of Los Angeles has extended COVID supplemental sick leave for employers with 500 or more employees. The County of Los Angeles has done so for *all* employers in any unincorporated area.



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