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STATE OF NEVADA DEPARTMENT OF ADMINISTRATION

Division of Human Resource Management

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MEMORANDUM HR#45-20

July 20, 2020

TO: Directors

Deputy Directors Administrators

Agency Personnel Liaisons

FROM: Peter Long, Administrator Peter Long

Division of Human Resource Management

SUBJECT: FACE COVERING REQUIREMENT

On June 24, 2020, Governor Sisolak issued a mandatory face covering policy by signing Directive 024. Per this requirement, anyone in a public space throughout the State, including within State agencies, is required to wear a mask; many agencies have established procedures to comply with this directive. Agencies may establish and enforce specific procedures on how to carry out this directive (e.g., required to wear face coverings when away from their workstations and/or when within 6 feet of another person).

The <u>Guidance on Directive 024: Face Coverings</u> outlines the few exceptions to this directive, including a medical reason or disability. If an employee cites a medical reason (e.g., difficulty breathing, claustrophobia) for not following the directive, it triggers a responsibility for the agency to evaluate it as a possible request for accommodation under the Americans with Disabilities Act (ADA). While not all medical conditions rise to the level of a disability as defined by the ADA, requests for exception to the Governor's directive due to a medical condition must be directed to an agency's appropriate authority (e.g., human resources, EEO Officer) for an evaluation of whether a reasonable accommodation should be considered for the employee. After the conclusion of an evaluation, agencies may grant an exemption to the face covering requirement for medical reasons that do or do not rise to the level of a disability under the ADA.

For information on the ADA reasonable accommodation process, see the <u>Americans with Disabilities Act (ADA) Employment Provisions Guide</u> on the Division of Human Resource Management's website or contact Carrie Hughes at cphughes@admin.nv.gov.