

BRITISH COLUMBIA REINSTATES FACEMASKS IN INDOOR PUBLIC SETTINGS

Posted on August 25, 2021

Categories: [COVID-19 Publications](#), [Insights](#), [Publications](#)

On August 24, 2021, BC's Provincial Health Officer, Dr. Bonnie Henry, announced that effective from August 25, 2021, facemasks will again be mandatory in certain public indoor settings for British Columbians 12 years and older (the "**Order**"). The Order will be reassessed once the new proof of vaccination requirement has been fully implemented.

Indoor Public Settings

The Order will apply to the following public indoor settings (this is not an exhaustive list):

- Malls, shopping centres
- Grocery and liquor stores
- Airports
- Coffee shops
- On public transportation, in a taxi or ride-sharing vehicle
- Libraries
- Clothing and retail stores
- Areas of office buildings where services to the public are provided
- Common areas of sport and fitness centres when not engaged in physical activity
- Common areas of post-secondary institutions and non-profit organizations
- Inside schools for all K to 12 staff, visitors and students in grades 4 to 12
- Drug stores
- Community centres
- Recreation centres
- City Halls
- Restaurants, pubs and bars when not seated at a table

Exceptions

The following exceptions will apply to the Order:

- Children under the age of 12.
- People with health conditions or with physical, cognitive or mental impairments who cannot wear a mask.
- People who cannot remove a mask on their own.
- People who need to remove their masks to communicate due to another person's hearing impairment.

Application of the Order to Workplaces

Based on the information available at this stage, the Order will apply to areas of an office building where services are provided to the public. Outside of those specific areas, it is unclear whether the Order applies to any other areas of the workplace.

Given the uncertainty, and as recommended by Dr. Henry when she announced that Covid-19 Safety Plans and Covid-19 safety measures (such as wearing masks) are no longer mandatory in the workplace, employers are advised to maintain some Covid-19 safety measures in the workplace as employers transition from Covid-19 Safety Plans to Communicable Disease Plans. This may include requiring employees to wear masks in indoor common areas.

Employers should review the Covid-19 safety measures they currently have in place in the workplace and whether those measures are adequate to minimize the possibility of transmission of the virus in the workplace.

We will continue to monitor further updates as they become available.

by [Dianne Rideout](#) and [Michelle McKinnon](#)

A Cautionary Note

The foregoing provides only an overview and does not constitute legal advice. Readers are cautioned against making any decisions based on this material alone. Rather, specific legal advice should be obtained.

© McMillan LLP 2021