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Clarification on Enforcement of Governor's Mandatory Mask Order

In a Tuesday press conference, Governor Northam stated that he was directing Virginia ABC and the state Health Department inspectors to step up enforcement against businesses violating the state's mask mandate. Inspections by ABC and Department of Health may become more frequent in the coming months and penalties which could include fines all the way up to license revocation may be imposed,. Association General Counsel Bruce Arkema has found that employers are required to enforce the mask wearing requirement on **your employees only**.

According to the "Frequently Asked Questions" guidance document on the Governor's website:

37. Q. Does my business have liability for patrons or employees who refuse to wear a mask?

A. Businesses are not responsible for enforcement of EO63 on individual patrons. Businesses are responsible for enforcement of EO61 on employees who are required to wear a mask.

We suggest that you distribute copies of the [attached FAQ](#) to all locations.