



Frequently Asked Questions for Executive Order No. 147 June 24, 2020

This Frequently Asked Questions (“FAQ”) document provides guidance for the implementation of Executive Order No. 147 (“Order”). The Order extends North Carolina’s “Safer At Home Phase 2” through 5:00 pm on July 17, 2020 with additional amendments to protect public health. This information is subject to change in light of new guidance from public health studies and the Centers for Disease Control and Prevention (“CDC”) and additional Executive Orders or local government declarations.

Extending Phase 2

Why is North Carolina extending Safer at Home Phase 2?

The Governor and public health officials remain guided by science, data, and facts in making decisions regarding COVID-19. Since moving into Phase 2 on May 22, 2020, several key metrics have been trending in a concerning direction.

North Carolina’s daily number of positive COVID-19 tests are continuing to increase; the percent of COVID-19 tests that are positive has remained high; emergency department visits for COVID-19 like illnesses are increasing; and hospitalizations for COVID-19 continue to increase. Doctors, public health officials, hospital administrators, and health care providers are concerned that unless the spread of COVID-19 is limited, existing health care facilities may not have the capacity to care for those who become sick.

Additionally, Dr. Anthony Fauci, Director of the National Institute of Allergy and Infectious Diseases, testified before Congress on June 23, 2020 that the “next couple weeks are going to be critical” in the country’s ability to address increasing rates of COVID-19 infection.

In order to address these troubling metrics and slow the spread of COVID-19, North Carolina is continuing the measures of Executive Order No. 141, “the Phase 2 Executive Order” for an additional three weeks – and is imposing a face covering requirement – to slow the spread of this virus during the pandemic.

How long will North Carolina be in Safer at Home Phase 2?

The state will continue to be in Phase 2 until 5:00 pm on July 17, 2020.

What is changing in Safer at Home Phase 2?

Face coverings will be required in public places with some exceptions.

What stays the same in Safer at Home Phase 2?

All aspects of Phase 2 as delineated in Executive Order No. 141 remain in place, including:

- Certain businesses may be open with restrictions and following state health guidelines, including: restaurants; child care businesses; overnight and day camps; personal care; grooming, massage, and tattoo businesses; and indoor and outdoor pools;
- People may gather together for social purposes, so long as they do not exceed the mass gathering limit of 10 people indoors and 25 people outdoors;
- Sporting and entertainment events may occur in large venues for broadcast to the public, so long as the number of spectators at the events is limited to the mass gathering limit of 10 people indoors and 25 people outdoors.
- Public playgrounds remain closed;
- Bars and nightclubs remain closed;
- Movie theaters, museums, bowling alleys, amusement parks, arcades, and skating rinks remain will closed;
- Bingo parlors and other gaming establishments will remain closed;
- Teleworking continues to be encouraged whenever possible;
- Visitation in skilled nursing homes and combination homes remains restricted except for certain compassionate care situations; and
- The following facilities that operate within an indoor space remain closed: martial arts facilities, dance studios, trampoline and rock-climbing facilities, roller skating rinks, ice skating rinks, and basketball courts.

Face Coverings

Does this Order require North Carolinians to wear face coverings?

Yes. People are now required to wear face coverings in public spaces, whether inside or outside, where physical distancing of six feet is not possible. This includes but is not limited to:

- **Retail Businesses:** Retail businesses must have all workers wear face coverings. Retail businesses must also have all customers wear face coverings when they are inside the establishment and may be within six feet of another person, unless the customer comes under an exception identified in the Order. If a customer states that an exception applies, the retailer should try to make an accommodation. The business may choose to provide curbside service, provide home delivery, allow the customer to enter without a face covering, or use some other reasonable measure to deliver goods.
- **Restaurants:** Restaurants must have all workers wear face coverings. Restaurants must also have all customers wear face coverings when not at their table, unless the customer comes under an exception identified in the Order.
- **Personal Care, Grooming, and Tattoo Businesses:** Personal care, grooming, and tattoo businesses must have workers wear face coverings. These businesses must also have all customers wear face coverings when they are inside the establishment and may be within feet of another person, unless an individual

has an exception as outlined in the Order. If a customer states that an exception applies, the business may choose to have the customer wait outside for his or her appointment rather than sitting in a waiting room. Customers may take off their face coverings if they are receiving a facial treatment, shave, or other services on a part of the head which the face covering covers or by which the face covering is secured.

- *Child Care Facilities:* Child care, day camps, and overnight camps must have workers and all other adults wear face coverings. All children eleven years and older must also wear face coverings on site unless they have an exception. Children under two should not wear a face covering.
- *State Government Employees:* State government agencies headed by members of the Governor's Cabinet must have their on-site workers wear face coverings. Other state and local government agencies are strongly encouraged to adopt similar policies.
- *Transportation:* All workers and riders on public or private vehicles, as well as all people in North Carolina airports, bus and train stations or stops, must wear face coverings. Passengers will not be denied access to public transportation for failure to use face coverings. This provision does not apply to people traveling alone with household members or friends in their personal vehicles, but does apply to ride-shares like Ubers and Lyfts, cabs, vans, and shuttles, even if the vehicles are privately owned.
- *Manufacturing, Construction Sites, Agricultural Settings:* Social distancing is difficult where multiple workers are together in manufacturing settings, at construction sites, and in migrant farm, other farm, and agricultural settings. This Order specifies that manufacturing, construction, and agriculture businesses or operations must require workers to wear face coverings.
- *Meat or Poultry Processing Plants:* All workers in any meat or poultry processing plant, packing plant, or slaughterhouse must wear surgical masks, as long as surgical mask supplies are available. If surgical masks are not available, cloth face coverings must be provided.
- *Long Term Care Facilities:* All workers in long term care (LTC) facilities, including skilled nursing facilities, adult care homes, family care homes, mental health group homes, and intermediate care facilities for individuals with intellectual disabilities, must wear surgical masks while in the facility, as long as surgical mask supplies are available.

Health care facilities other than LTC facilities must follow the face covering requirements in the [CDC Infection Control Guidance for Healthcare Professionals about Coronavirus](#).

The NC Department of Health and Human Services (NCDHHS) has released guidance to the general public on the use of face coverings, and will make signage available to businesses. Guidance and signage are available at: [https://covid19.ncdhhs.gov/guidance - phase-2-easing-of-restrictions](https://covid19.ncdhhs.gov/guidance-phase-2-easing-of-restrictions).

What are some of the exceptions for wearing face coverings?

A face covering does not need to be worn by a worker, customer, or patron who meets one of the following exceptions:

- Should not wear a face covering due to any medical or behavioral condition or disability (including, but not limited to, any person who has trouble breathing, or is unconscious or incapacitated, or is otherwise unable to put on or remove the face covering without assistance);
- Is under eleven years of age;
- Is actively eating or drinking;
- Is strenuously exercising;
- Is seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible;
- Is giving a speech for a broadcast or to an audience;
- Is working at home or is in a personal vehicle;
- Is temporarily removing his or her face covering to secure government or medical services or for identification purposes;
- Would be at risk from wearing a face covering at work, as determined by local, state, or federal regulators or workplace safety guidelines;
- Has found that their face covering is impeding visibility to operate equipment or a vehicle; and/or
- Is a child whose parent, guardian, or responsible person has been unable to place the face covering safely on the child's face.

No proof or documentation is required if an individual falls into an exception category.

What is a cloth face covering?

A cloth face covering is a material that covers the nose and mouth. It can be secured to the head with ties or straps or simply wrapped around the lower face. It can be made of a variety of materials, such as cotton, silk, or linen. A cloth face covering may be factory-made or sewn by hand or can be improvised from household items such as scarfs, T-shirts, sweatshirts, or towels. Ideally, a face covering has two or more layers. These face coverings are not intended for use by healthcare providers in the care of patients. Surgical Masks, Procedure Masks, and N95 respirators are not recommended for general public use or use in community settings, as these should be reserved for specific high-risk occupational settings, healthcare providers and other medical first responders in a health care setting.

When should I wear a cloth face covering?

You should wear face coverings when in public places, particularly when those locations are indoors or in other areas where physical distancing is not possible. Under this Order, face coverings are required in retail businesses, restaurants, personal care and grooming businesses, and several other settings.

How should I wear a cloth face covering?

Be sure to place the face covering over your nose and your mouth and keep it in place at all times while you wear it. Be careful not to touch your eyes, nose, and mouth when removing or adjusting a face covering and wash hands immediately after removing or adjusting.

How should I care for a cloth face covering?

Wash your cloth face covering frequently, ideally after each use, or at least daily. Have a bag or bin to keep cloth face coverings in until they can be laundered with detergent and hot water and dried on a hot cycle. If you must re-wear your cloth face covering before washing, wash your hands immediately after putting it back on and avoid touching your face. Discard cloth face coverings that:

- No longer cover the nose and mouth;
- Have stretched out or damaged ties or straps;
- Cannot stay on the face; and/or
- Have holes or tears in the fabric.

How well do cloth face coverings work to prevent spread of COVID-19?

Scientific evidence suggests that use of cloth face coverings by the public during a pandemic can help reduce disease transmission. Cloth face coverings can reduce the release of infectious particles into the air when someone speaks, coughs, or sneezes. Cloth face coverings are not a substitute for staying six feet apart, washing hands, and staying home when ill.

Do I need to wear a face covering while exercising or walking outdoors?

No. If you are able to safely maintain at least six feet distance from others, you do not need to wear a face covering when exercising and walking outdoors.

Should children wear cloth face coverings?

Cloth face coverings should NOT be put on babies and children under the age of 2 because of danger of suffocation. Children over the age of 2 should wear cloth face coverings if they can reliably wear, remove, and handle cloth face coverings throughout the day.

What if I am a person with hearing loss and am concerned about not being able to read lips?

Deaf and Hard of Hearing people often use lipreading to help understand what those around them are saying. When people are wearing cloth face coverings, other communication strategies are needed. Try finding a cloth face covering that has a clear plastic area that allows the lips to be visible, writing notes back and forth, writing on a white board to communicate, using a free speech to text app on mobile

device, and gesturing - or if needed stepping several additional feet back from the person and removing face cloth face covering long enough to communicate.

What if I am a person with, or I support someone with a disability who cannot wear a face covering?

Some people may have trouble breathing or sensitivity to having something placed over their face. If you or someone you support is unable to wear a cloth face covering, be sure to take other steps to help avoid unnecessary exposure.

What if I am worried about being profiled or being subjected to bias if I wear a cloth face covering?

Some people may experience increased anxiety and fear of bias and being profiled wearing face coverings in public spaces - but wearing a cloth face covering protects your family, friends and neighbors. If you are the target of ethnic or racial intimidation as the result of adhering to the face covering provision or as a result of the pandemic, you are strongly encouraged to report the matter to law enforcement or other government entity. Everyone should be able to wear cloth face coverings without fear of profiling or bias, and any type of racial intimidation, profiling or bias for wearing a face covering should not be tolerated.

Will children have to wear face coverings at day or overnight camps, and at child care?

Children eleven years or older must wear face coverings at day or overnight camps when they are or may be within six feet of another person.

Will children in K-12 public schools be required to wear cloth face coverings?

Masks are required for all school staff and adult visitors, and all middle and high school students when they are or may be within 6 feet of another person, unless the person (or family member, for a student) states that an exception applies. Cloth face coverings must be worn by students and staff inside school buildings, and anywhere on school grounds, including outside. They will also be required while traveling on buses or other transportation vehicles. Cloth face coverings remain strongly encouraged for elementary school students, if appropriate for that child, but are not required for them.

How will the face covering requirement be enforced?

Citations related to this Order can be written to businesses or organizations that fail to enforce the requirement to wear face coverings. Operators of businesses and organizations are entitled to rely on their customers or patrons' statements about whether or not they are exempt from the face covering requirements, and businesses and organizations do not violate this Order if they rely on customer or patron statements. Law enforcement personnel cannot criminally enforce the face covering requirements of this Order against individual workers, customers, or patrons.

However, if a business or organization does not allow entry to a worker, customer, or patron because that person refuses to wear a face covering, and if that worker,

customer, or patron enters the premises or refuses to leave the premises, law enforcement personnel may enforce the trespassing laws.

What if I am stopped by a law enforcement officer and directed to remove my face covering?

A person wearing a face covering for health and safety purposes must remove the face covering upon request by a law enforcement officer in any of the following circumstances:

- during a traffic stop, including a checkpoint or roadblock, as required by law; and
- when a law enforcement officer has reasonable suspicion or probable cause during a criminal investigation, as required by law.

What if I can't afford face coverings?

If an individual cannot afford to buy face coverings, a cloth face covering may be sewn by hand or can be improvised from household items such as scarfs, T-shirts, sweatshirts, or towels.

Other Topics

How does this Order impact policies set by local government?

Most of the restrictions in this order are minimum requirements. Local governments, like cities and counties, can impose greater restrictions but they cannot restrict state government operations or set different Emergency Maximum Occupancy requirements.

Do businesses have to report to the state, other employees, or customers when an employee tests positive? Do they have to close down?

Businesses should work with their local health departments on contact tracing and cleaning recommendations. Some facilities, such as child care settings and schools, do have to report positive cases. [CDC guidance](#) addresses what businesses need to do if someone gets sick.

What is the mass gathering limit?

Gatherings of more than ten people in a single indoor space remains prohibited. In confined outdoor spaces, gatherings of more than 25 people are prohibited. These mass gathering limits include parades, fairs, festivals, auditoriums, stadiums, arenas, conference rooms, and meeting halls.

The mass gathering limit does not apply to retail businesses, restaurants, personal care and grooming businesses, pools, child care, day camps, and overnight camps. In these settings, there are other restrictions, such as 50 percent reduced occupancy or putting six feet of distance between each group at a restaurant, to ensure that there is not overcrowding.

The prohibition on mass gatherings does not include gatherings for health and safety, to look for and obtain goods and services, for work, or for receiving governmental services. A mass gathering does not include normal operations at airports, bus and train stations or stops, medical facilities, libraries, shopping malls, and shopping centers. It also does not apply to the exercise of First Amendment rights like the right to attend a worship service. However, in these settings, people are strongly encouraged to follow the Three Ws (Wear a face covering, Wash hands, and Wait six feet apart from others), and should avoid congregating in groups.

Are bars allowed to open?

As under Executive Order 141, businesses that are principally engaged in the business of selling alcoholic beverages for onsite consumption remain closed in Phase 2.

Are water parks allowed to be open?

Water parks may be open to the extent they are operating pool facilities as defined under G.S. 130A-280, to include: plunge pools and run out lanes, wave pools, rapid rides, lazy rivers. However, they are not permitted to operate any "amusement device" as defined under § 95-111.3, which are regulated by the Department of Labor and include waterslides that exceed 15 feet of vertical drop.

Are weddings and funerals allowed to be held?

Yes. Even though there is no mass gathering limit on the people who may attend a wedding or funeral ceremony, receptions or visitations before or after weddings and funerals are subject to the mass gathering limit. Individuals are encouraged to follow the Three Ws (Wear a face covering, Wash hands, and Wait six feet apart from others) to reduce the chance of spreading COVID-19.

Are parades and fireworks shows allowed to be held?

For parades and fireworks shows, no more than 25 spectators - the outdoor mass gathering limit - can gather in any confined place like a stadium or seating stand. Regardless of setting, people should socially distance to reduce COVID-19 spread.

Are college and professional sports going to be able to play with fans/spectators?

Spectators are allowed at entertainment or sporting venues, fitness events in indoor or outdoor gyms, exercise facilities, or fitness facilities, but must remain in compliance with the mass gathering limits and social distancing guidelines.

Should North Carolinians continue to work from home if possible?

Yes. All businesses in North Carolina are strongly encouraged to continue directing employees to telework, if possible. Additionally, non-essential travel and in-person meetings should be avoided.

Are there any visitation restrictions at long-term care facilities?

Yes, visitation in skilled nursing facilities and combination homes, which are nursing homes with assisted living facilities, is restricted to compassionate care situations.

What if I want to report a business or group not adhering to this Order?

You can report violations of this Order to your local law enforcement's non-emergency line. People should not call 911 if they wish to report a violation and are encouraged to use non-emergency lines only.