



STATE OF WASHINGTON
— OFFICE OF GOVERNOR JAY INSLEE —

**PROCLAMATION BY THE GOVERNOR
AMENDING PROCLAMATIONS 20-05 and 20-25, et seq.**

20-25.16

“WASHINGTON READY”

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the state of Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations and our health care system, I have subsequently issued several amendatory proclamations, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations, including issuance of Proclamation 20-25, et seq., which limits Washingtonians’ ability to participate in certain activities unless certain conditions are met; and

WHEREAS, during early stages of the COVID-19 pandemic, health professionals and epidemiological modeling experts indicated that the spread of COVID-19, if left unchecked, threatened to overwhelm portions of Washington’s public and private health-care system; and

WHEREAS, although COVID-19 continues to be an ongoing and present threat in Washington State, the measures we have taken together as Washingtonians over the past 18 months, including the willingness of many eligible Washingtonians to take advantage of the remarkable, life-saving vaccines being administered throughout the state, have made a difference and have altered the course of the pandemic in fundamental ways; and

WHEREAS, as of August 16, 2021, at least 69.3 percent of people 12 years of age and older and 59.1 percent of the total population have initiated vaccination, and at least 63.1 percent of people 12 years of age and older and 53.8 percent of the total population are fully vaccinated; and

WHEREAS, after months of improving COVID-19 epidemiological conditions in Washington State, the emergence of highly contagious COVID-19 variants, including the “Delta” variant that is at least twice as transmissible as the virus that emerged in late 2019, coupled with the continued significant numbers of unvaccinated people, has caused COVID-19 cases and hospitalizations to rise sharply among unvaccinated populations, has resulted in breakthrough infections in some fully vaccinated individuals, and continue to rise; and

WHEREAS, over the past 18 months, health experts and epidemiological modeling experts, including those at the Department of Health, the United States Centers for Disease Control and

Prevention (CDC), and our state universities, have gained critical knowledge regarding the spread of COVID-19, including a better understanding of the risks associated with certain activities and the measures that can be taken to reduce those risks; and

WHEREAS, we now know that several factors increase the risk for person-to-person COVID-19 transmission; such factors include (1) the more that people and groups interact, (2) the longer those interactions last, (3) the closer the contact between individuals, (4) the denser the occupancy for indoor facilities, and (5) the lack of use of face coverings; and

WHEREAS, the CDC updated its face covering guidance on July 27, 2021 to recommend the use of face coverings indoors in areas of the U.S. where community transmission of the virus was considered high or substantial, and as of August 16, 2021 at least 85 percent of U.S. counties and all counties in Washington state meet the CDC criteria for high or substantial transmission; and

WHEREAS, the health officers representing all 35 local health jurisdictions in Washington state have joined together to recommend that all residents wear facial coverings when in indoor public settings where the vaccination status of those around you is unknown, to reduce the risk of COVID-19 to the public, including customers and workers, to help stem the increase in COVID-19 cases and hospitalizations in many parts of the state and decrease the spread of the highly contagious Delta variant; and

WHEREAS, on August 20, 2021, I issued Proclamation 20.25.15 amending Proclamation 20-25, et. seq., by reinstating prohibitions against use of indoor spaces without the use of a face covering; and

WHEREAS, given the substantial increase of community transmission of COVID-19, and to further our individual and collective duty to reduce the spread of COVID-19 in our state, it is necessary to continue to prohibit the use of indoor spaces without the use of a face covering, and to clarify that local government agencies, officials, and authorities and landlords are prohibited from preventing or prohibiting any person or business or other entity in their jurisdictions and tenants in their properties, respectively, from imposing face covering requirements on or requiring proof of vaccination from any worker, customer, or other person or taking or threatening to take any adverse action of any kind against any person or business or other entity or tenant for imposing face covering requirements on or requiring proof of vaccination from any worker, customer, or other person; and

WHEREAS, the worldwide COVID-19 pandemic and its persistence in Washington State continue to threaten the life and health of our people as well as the economy of Washington State, and remain a public disaster affecting life, health, property or the public peace; and

WHEREAS, the Washington State Department of Health continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the incident; and

WHEREAS, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support the Department of Health and local health officials in alleviating the

impacts to people, property, and infrastructure, and continues coordinating with the state Department of Health in assessing the impacts and long-term effects of the incident on Washington State and its people; and

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above noted situation, and under Chapters 38.08, 38.52, and 43.06 RCW, do hereby proclaim and order that a State of Emergency continues to exist in all counties of Washington State, that Proclamation 20-05, as amended, remains in effect, and that, to help preserve and maintain life, health, property or the public peace pursuant to RCW 43.06.220(1)(h), Proclamation 20-25, et seq., remains in full force and effect, except as specifically amended by this Proclamation 20-25.16, as set out below.

FURTHERMORE, I hereby amend the provisions in 20-25, et seq., as they relate to face coverings to prohibit any individual from failing to wear a face covering as required by the Secretary of Health's face covering [order](#) and any subsequent amendments. I further prohibit any governmental, commercial, or nonprofit entity or private party from allowing any individual to enter or remain in any indoor space under their control unless the individual is in compliance with the Secretary of Health's face covering [order](#) and any subsequent amendments.

ADDITIONALLY, in furtherance of these prohibitions, and for general awareness:

1. The prohibition against entering or remaining in any indoor space without a face covering in prior versions of Proclamation 20-25 is hereby rescinded and replaced with the prohibition imposed in and pursuant to this version of Proclamation 20-25, which is titled Proclamation 20-25.15. The Secretary of Health's face covering [order](#) and any subsequent amendments are incorporated by reference.
2. Employers must comply with all conditions for operation required by the Washington State Department of Labor & Industries, including interpretive [guidance](#), regulations and rules and Department of Labor & Industries-administered statutes.
3. Employers must notify their local health jurisdiction within 24 hours if they suspect COVID-19 is spreading in their workplace, or if they are aware of two or more employees who develop confirmed or suspected COVID-19 within a 14-day period.
4. Everyone is required to cooperate with public health authorities in the investigation of cases, suspected cases, outbreaks, and suspected outbreaks of COVID-19 and with the implementation of infection control measures pursuant to State Board of Health rule in WAC 246-101-425.
5. All mandatory guidelines for specific businesses and activities, which remain in effect except as modified by this Proclamation, may be found at the Governor's Office [website](#), [COVID-19 Resources and Information](#), and at [COVID-19 Reopening Guidance for Businesses and Workers](#). Existing guidelines that require proof of vaccination for certain settings and activities remain in effect until such time as those guidelines are expressly modified.

ADDITIONALLY, in support and clarification of this proclamation:

1. General rule: General face covering requirements are found in the Secretary of Health's face covering [order](#), and any subsequent amendments, as incorporated herein by reference.
2. HEREBY AMENDED TO READ - Additional local restrictions may apply: Nothing in this proclamation or in the Secretary of Health's face covering order prevents any other individual or entity from imposing face covering or other restrictions or requirements in businesses or other locations within the scope of their legal authority. In addition, local government agencies, officials, and authorities and landlords are prohibited from preventing or prohibiting any person or business or other entity in their jurisdictions and tenants in their properties, respectively, from imposing face covering requirements on or requiring proof of vaccination from any worker, customer, or other person **and are further prohibited from taking or threatening to take any adverse action of any kind against any person or business or other entity or tenant for imposing face covering requirements on or requiring proof of vaccination from any worker, customer, or other person**. Adverse actions prohibited by this section include, but are not limited to, denying, suspending, withholding, or terminating a contract, patronage, funding, or benefits, declining to rent or lease property, increasing rental rates, and eviction.
3. Customers: Businesses are prohibited from allowing customers to enter or remain in an indoor space in a business unless the customer is wearing a face covering, in accordance with the Secretary of Health's face covering order. Businesses must post signage in a prominent location visible to customers at each entry informing customers of the face covering requirement.
4. Employees: All employees are required to wear a face covering indoors at the employee's worksite in accordance with the Secretary of Health's face covering order. Unless additional restrictions are imposed by the employer or a state or local authority, or face coverings are legally required at the specific worksite regardless of vaccination status, a fully vaccinated employee may work indoors without wearing a face covering at the employer's worksite in areas not generally accessible to the public and when no customers, volunteers, visitors, or non-employees are present as permitted by the Secretary of Health's face covering order, but only after the employee has either provided (a) proof of vaccination to the employer; or (b) a signed document attesting to the employee's fully vaccinated status, *except as otherwise prohibited in Proclamation 21-14 et seq. (Vaccination Requirement)*. The option, if applicable, to provide a signed self-attestation may be done in hard copy or electronically.
5. Employers: Employers are required to provide a safe and healthy workplace and must assess hazards in their workplace and take appropriate steps to protect workers. COVID-19 remains a recognized hazard that continues to pose a significant risk to the

health and life of employees. Employers must require that employees wear a face covering in accordance with the Secretary of Health's face covering order; to that end, employers:

- a. Must choose a method of proof of vaccination, documented proof of vaccination or self-attestation (*except as otherwise prohibited in Proclamation 21-14 et seq. (Vaccination Requirement)*), and require such proof from every employee before those employees are permitted to work without wearing a face covering at the employer's worksite in areas not generally accessible to the public and when no customers, volunteers, visitors, or non-employees are present as permitted by the Secretary of Health's face covering order referenced above.
- b. Notwithstanding (a) above, may require that employees wear a face covering while at the worksite in all areas regardless of vaccination status; and
- c. May require vaccination as a condition of employment, except as prohibited by state or federal law.

ADDITIONALLY, in addition to guidance issued by the Department of Health and the Department of Labor & Industries, additional guidance for businesses, employees, and customers may be found [here](#) and is incorporated by reference, and such guidance may be updated periodically and all such updates are also incorporated by reference.

I again direct that the plans and procedures of the *Washington State Comprehensive Emergency Management Plan* be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the *Washington State Comprehensive Emergency Management Plan* and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military Department in addressing the outbreak.

Additionally, I continue to direct the Department of Health, the Washington State Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

Violators of this order may be subject to criminal penalties pursuant to RCW 43.06.220(5). Further, if people fail to comply, I may be forced to reinstate additional prohibitions established in earlier proclamations.

