

Mask mandates are over on public transit. Are they over everywhere?

Sometimes events don't converge, they diverge. Monday, a federal court ruled the Centers for Disease Control and Prevention exceeded its authority by requiring masks on public transportation. The administration says it won't appeal the decision unless the CDC thinks it's necessary.

Also on Monday, the city of Philadelphia reinstated its indoor mask mandate. And running throughout all of this is a worrying increase in covid cases, due to the BA.2 omicron variant of the coronavirus.

It's a mess and unfortunately you're going to have to navigate through it yourself.

To mask or not to mask

Mask mandates have been falling left and right, as people are eager to move on and regain something of their pre-pandemic lives. We get it. We've been noticing fewer and fewer people wearing masks at the bank, supermarket and everywhere else we go. As far as we can tell, no one's been given a hard time for wearing their mask.

Mask mandates gave employers cover, because you could rightfully say "it's the law." Now you can't, but you must still ensure your workplace is safe, because employees can still complain to OSHA. Like at the bank and the supermarket, some employees will continue to wear masks, either because it makes them feel safer, they have young kids who aren't vaccinated or they're immunocompromised. Your job is to ensure employees respect their colleagues' choices, even if they disagree with them.

It may be a good idea to allow employees who are immunocompromised or those with young kids to work from home, if they can. If they can't, a limited mask mandate or physical distancing may be appropriate measures.

To get the shot or not

The pandemic is far from over, despite the demise of the mask and vaccine mandates.

Likewise, you can continue to require employees to be vaccinated and discipline those who don't, provided you accommodate those who can't get shots and your policy stays within the limits of state laws. Some state laws, for example, allow employees to opt out of vaccinations if they've developed antibodies after being exposed to the virus.

If you're afraid of going out on a limb by continuing your shot mandate (including boosters), the momentum is still with you:

- On Monday, the Supreme Court **ruled** the military can discipline an Air Force Reservist who refused to get shots. *Working against the reservist*: He admitted getting other vaccinations in the past.
- Similarly, the court **turned down** a petition filed by New York City teachers who were contesting the city's shot mandate.

- And finally, New York recently fired around 100 court personnel who remain unvaccinated.

Help in making decisions

If the pandemic has taught us anything, it's that things often change in on a dime. Your policies will need to remain flexible for the foreseeable future. Not optimal, we know, especially when the bedrock of most employment policies is certainty and consistency.

A good decision maker considers the facts, trends and expert advice prior to making decisions. The CDC has two tools you might find useful.

- The [Quarantine and Isolation Calculator](#) can help individuals determine how long they need to isolate, quarantine or take other steps to prevent spreading covid. You can use the tool to set and revise office and work-from-home policies.
- The [Center for Forecasting and Outbreak Analytics](#) produces models and forecasts to characterize the state of an outbreak and its course. State-level forecasts show the predicted number of new covid hospital admissions per day for the next four weeks by state.