



STATE OF WASHINGTON
— OFFICE OF GOVERNOR JAY INSLEE —

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

20-25.13

“HEALTHY WASHINGTON – ROADMAP TO RECOVERY”

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, 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; and

WHEREAS, I issued Proclamations 20-25, et seq., first entitled “Stay Home – Stay Healthy,” in which I initially prohibited all people in Washington State from leaving their homes except under certain circumstances, which I later amended to “Safe Start – Stay Healthy – County-By-County Phased Reopening,” gradually relaxing those limitations based on county-by-county phasing, and on November 16, 2020 again amended 20-25, et seq., to “Stay Safe – Stay Healthy – Rollback of County-By-County Phased Reopening Responding to a COVID-19 Outbreak Surge,” in response to a large surge of new cases of COVID-19, increased hospitalizations and ongoing COVID-19 related deaths in Washington State; and

WHEREAS, on July 2, 2020, due to the increased COVID-19 infection rates across the state, I ordered a freeze on all counties moving forward to a subsequent phase and on July 24, 2020, the Secretary of Health issued *Order of the Secretary of Health 20-03.1*, found [here](#), which, among other things, requires (with exceptions) the use of face coverings throughout the state; and

WHEREAS, there is evidence that the virus is spread through very small droplets called aerosols that are expelled from our mouths when we breathe, talk, sing, vocalize, cough, or sneeze, that these aerosols linger in air, and that a significant risk factor for spreading the virus is prolonged, close contact with an infected person indoors, especially in poorly ventilated spaces; and

WHEREAS, we 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, and (4) the denser the occupancy for indoor facilities; and

WHEREAS, the worldwide COVID-19 pandemic and its progression 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, despite several waves of increased infections, hospitalizations, and deaths over the last 14 months, Washington State has avoided overwhelming the state's health care systems throughout this pandemic through rigorous safety and prevention measures, such as physical distancing and facial coverings, as well as social and economic prohibitions and the heroic efforts of health care professionals; and

WHEREAS, now that three vaccines have been approved for use in the United States and efforts to vaccinate everyone aged 12 and up are underway, it is appropriate to further modify the roadmap to recovery (*Healthy Washington – Roadmap To Recovery*) that establishes the goal of safely easing some restrictions while also maintaining crucial hospital capacity, ensuring care for Washingtonians who need it, paving the way for economic recovery, and maintaining flexibility to quickly pivot to increase restrictions if needed; and

WHEREAS, as of May 17, 2021, 59 percent of people 16 years of age and older and 48 percent of the total population has initiated vaccination, and 48 percent of people 16 year of age and older and 38 percent of the total population are fully vaccinated; and

WHEREAS, on or about May 13, 2021, data reflects that the number and percent of vaccinated Washington residents continues to increase, while the number of new cases and hospitalizations is decreasing; and

WHEREAS, on May 13, 2021, the Centers for Disease Control and Prevention (CDC) announced that fully vaccinated individuals are not required to wear masks inside or outside, except when in health care settings, correctional facilities, homeless shelters, schools, and public transportation, and Washington state's data supports adopting that recommendation at this time; and

WHEREAS, the data supported moving all counties to Phase 3 on May 18, 2021, and, further, unless the data changes and supports a different path, setting a goal of fully reopening most sectors in the state by June 30, 2021; 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., *Healthy Washington – Roadmap To Recovery*, found [here](#), remains in full force and effect, and extends all of the prohibitions described in Proclamations 20-25, et seq., except as they have been amended and are further amended herein.

FURTHERMORE, for purposes of the prohibitions contained in the *Healthy Washington – Roadmap To Recovery*, every county began in Phase 1 as of January 11, 2021. Most counties were able to move to the less restrictive Phases 2 and 3 as determined by the Roadmap to Recovery. Now, given the reduced level of COVID-19 activity in the state and the significant, and increasing, number of vaccinated individuals in our state, I hereby order that all counties are hereby moved to Phase 3, as of May 18, 2021. Further, any activities not specifically addressed in Proclamation 20-25.12 *Healthy Washington – Roadmap To Recovery* plan remain subject to previously issued guidance related to that activity as it applies to the county’s current or subsequent phase. Finally, if statewide COVID-19 infections or related deaths begin to rise again and reach a statewide hospital Intensive Care Unit capacity of 90% or greater, restrictions may again be reinstated for the protection of everyone in the state.

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

1. The face covering requirements for workers, employers, businesses, customers, the general public, and any other entities or individuals in prior versions of Proclamation 20-25 are hereby rescinded and replaced with the face covering requirements imposed in and pursuant to this version of Proclamation 20-25.
2. *Order of the Secretary of Health 20-03.2*, issued on May 15, 2021, is incorporated by reference, and may be amended as is necessary; and, all such amendments are also incorporated by reference.
3. 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.
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 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.

FURTHERMORE, in support of this proclamation:

1. **General rule:** Per the CDC’s recommendation adopted by the Governor on May 13, 2021, and as provided in *Order of the Secretary of Health 20-03.2*, fully vaccinated individuals are not required to wear a face covering inside or outside except when in health care settings, correctional facilities, homeless shelters, schools, and public transportation (collectively, “CDC exempted locations”).
2. **Additional local restrictions may apply:** Nothing in this proclamation or in the *Order of the Secretary of Health 20-03.2* prevents a business owner or local authority from imposing face covering or other restrictions or requirements in businesses or locations that are not included in CDC exempted locations, unless otherwise prohibited by state or federal law. In addition, local authorities and landlords are prohibited from preventing or prohibiting businesses in their jurisdictions and properties from imposing face covering requirements or requiring proof of vaccination from customers and are further prohibited from penalizing a business in any manner if it chooses to require face coverings or proof of vaccination.
3. **Customers:** In support of the general rule stated above, businesses may choose to implement an honor system and assume that a customer who is not wearing a face covering is fully vaccinated. However, a business may also choose to engage with customers to determine if they are fully vaccinated or are otherwise exempt from the face covering requirement and may also ask customers for proof of vaccination.
4. **Employees:** Unless additional restrictions are imposed by the employer or a state or local authority or the worksite is an exception under the CDC guidance, a fully vaccinated employee may work at the employee’s worksite without wearing a face covering 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. The option to provide a signed self-attestation may be done in hard copy or electronically.
5. **Employers:** COVID-19 continues to pose a significant risk to health and life. Therefore, employers continue to have a responsibility to ensure workplace safety. To that end, employers:
 - a. Must require proof of vaccination or self-attestation from every employee before those employees are permitted to work at the worksite without wearing a face covering as permitted under the general rule referenced above. Employers may choose the form of proof they will require;
 - b. Notwithstanding (a) above, may require that employees wear a face covering while at the worksite 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 with the required facial coverings, social distancing and other protective measures while engaging in this phased reopening, I may be forced to reinstate the prohibitions established in earlier proclamations.

This order is effective immediately. Unless extended or amended, upon expiration or termination of this amendatory proclamation the provisions of Proclamation 20-25, et seq., will continue to be in effect until the state of emergency, issued on February 29, 2020, pursuant to Proclamation 20-05, is rescinded.

Signed and sealed with the official seal of the state of Washington on this 21st day of May, A.D., Two Thousand and Twenty-One at Olympia, Washington.

By:

/s/
Jay Inslee, Governor

