



MESCALERO *Apache* **TRIBE**

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**MESCALERO APACHE TRIBE
MESCALERO, NEW MEXICO**

EXECUTIVE ORDER 21-05

KNOW ALL PERSONS BY THESE PRESENTS that pursuant to the power vested in me by the Revised Constitution of the Mescalero Apache Tribe and the Mescalero Apache Tribal Code, having declared a state of emergency on the Mescalero Apache Reservation at the request of the Mescalero Apache Tribal Council and in order to slow the spread of the coronavirus (COVID-19), do **HEREBY PROCLAIM** that the following COVID-19 safety provisions are made and implemented effective August 20, 2021, except as provided herein, and shall remain in effect until further notice:

A. Face Masks shall be worn by all employees, agents, assigns, representatives and contractors/subcontractors, collectively referred to herein as "employees," of the Tribal Government, sub-entities of the Tribe, and business enterprises owned by the Tribe, collectively referred to herein as "entities," during working hours or while performing duties or providing services except as listed herein, regardless of vaccination status.

B. A Face Mask is not required where an employee is alone and in a space not regularly visited by the public, like a personal office, but that employee must put on a Face Mask when coworkers are nearby, when being visited by a client/customer/other person, and anywhere members of the public or other coworkers are regularly present.

C. A Face Mask is not required when an employee is outdoors and able to maintain at least six (6) feet distance from all other persons.


D. This Executive Order does not require any employee to wear a Face Mask while driving alone.

E. A Face Mask is not required if an individual can show either: (1) a medical professional has advised that wearing a Face Mask may pose a health-related risk; or (2) wearing a Face Mask would create a risk to the person related to their work as determined by workplace safety guidelines.

BE IT FURTHER DECLARED that all other provisions COVID-19 safety provisions enacted through Executive Order and not inconsistent with this Executive Order, remain in full force and effect until further notice.

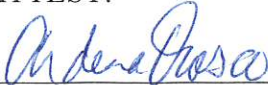
BE IT FINALLY DECLARED that any person who shall violate any of the above restrictions may be subject to: criminal penalty, pursuant to Section 10-16-10 (D) of the Tribal Code; disciplinary actions in the case of employees of the Mescalero Apache Tribe, sub-entities of the Tribe, or any Tribal business enterprise; or removal from the Reservation in the case of non-Tribal Members.

DONE at the Administrative Offices of the Mescalero Apache Tribe, Mescalero, New Mexico this 19th Day of August, 2021 at 2:00 P.M.



Gabe Aguilar, President
Mescalero Apache Tribe

ATTEST:



Ardena Orosco, Secretary
Mescalero Apache Tribe