

DATE

OR-OSHA Medford Field Office  
Teresa A. Depuy  
1840 Barnett Road, Suite D  
Medford, OR 97504

Re: Complaint No \_\_\_\_\_

RESTAURANT NAME has been in business since YEAR and we have always exemplified the utmost in cleanliness and sanitation practices. For XX years our inspections from the Coos County Health Department have been at rated at 95 -100%.

Our employees take special care to insure consistent and thorough hand washing practices as well as wearing and changing gloves when processing food. All of our employees are well trained and have their food handlers cards up to date.

We do not offer Table Service. All orders are packaged to go and order pick up is contactless. The distance between the customer and the employee is 6 feet.

Our Point of Sale has a chip reader that is located in the lobby. There is no customer contact and we sanitize the contactless card reader after every client.

In addition, the above complaint violates OSHA's very own regulations as listed:

Wearing a mask violates the "General Duty Rule" (page 7, OSHA worker's rights publication) and Creates a workplace safety hazzard for these reasons:

1. Masks obstruct breathing, possibly bringing it below the OSHA-established levels of oxygen in the atmosphere of 19.5% — thus increasing risk of hypoxia or "IDLH" — Immediate Danger to Life and Health. An employer that requires prolonged mask wearing would be committing an OSHA violation, punishable by a significant fine or loss of business license.
2. Masks don't allow exhaled carbon dioxide to be released properly, thus increasing risk of Hypercapnia, carbon dioxide poisoning.
3. Masks obscure vision (cause glasses to fog), increasing the hazard of workplace injuries because of impaired vision.
4. Masks obscure verbal communication by muffling voices, increasing the hazard of workplace injuries and accidents.
5. Cloth masks increase risk of FIRE HAZARD, especially in a hot kitchen working over the stove or grill.
6. Face Shields increase glare, which can increase risk of vision problems.
7. The Oregon OSHA publication dated 3-25-20 states that the CDC does not recommend healthy people wear face masks. Face masks are not personal protective equipment and does not protect the wearer against airborne transmissible infectious agents due to loose fit and lack of seal or inadequate filtration.
8. There is no statutory law or regulation that requires wearing a mask, face covering or face shield, aside from other PPE that might be required in certain industries. If required, oxygen levels are to be monitored! Laws, rules and regulations must have an associated code cited. There is no code listed in these guidelines.

Our business understands and supports the importance of the OSHA "General Duty Rule" whereby employers must create a workplace free from perceived risks that cause or are probable to cause any danger, or genuine physical damage or risk to employees. In addition, this provision specifies that every business should follow work related well-being, and well-being measures proclaimed under OSHA.

*Signature text*

NAME(S)  
RESTAURANT NAME  
ADDRESS  
CITY, STATE, ZIP  
PHONE #

CC: RECOMMEND CC ATTORNEY NAME  
ATTORNEY ADDRESS  
ATTORNEY CITY, ST, ZIP  
ATTORNEY PHONE #