

New Brunswick:

The New Brunswick Human Rights Commission has provided the following information on the rights of the service provider as well as the patron:

Businesses and organizations are not required to request written proof of exemption for individuals who state they are exempt from wearing masks in public indoor spaces. While they are not required to check for exemption, a business, proprietor, or organization has the right to apply tighter restrictions to ensure the safety of their staff and customers. This includes the right to ask for proof of a medical exemption from wearing a face covering.

The New Brunswick Human Rights Act does not prevent service providers from requiring patrons to wear a face mask. However, should a patron be unable to wear a face mask due to a mental or physical disability, the patron has a duty to inform the service provider of their inability to do so. Once the service provider is advised of same, the service provider has a duty to accommodate to the point of undue hardship. If a service provider, however, requires medical documentation to support that the patron cannot wear a mask due to a mental or physical disability, the patron needs to provide it. The medical documentation would need to set out that for medical reasons, the patron is unable to wear a community face mask or any other type of mask. The service provider's duty to accommodate would be on hold until such documentation has been provided. Requests for medical documentation beyond this may not suspend the service provider's duty to accommodate until it has been provided. Even though the patron cannot wear a mask for medical reasons, they must continue to follow recommendations from the New Brunswick Chief Medical Officer such as following physical distancing rules, coughing into their sleeve, hand washing, etc.

Additional guidance from the Human Rights Commission may found [here](#).

What a business is permitted to do with exemptions to mask-wearing

Businesses must operate in compliance with all directives and guidelines from WorkSafeNB and the Chief Medical Officer of Health, including preparing and complying with an operational plan. As set out above in the guidance from the [New Brunswick Human Rights Commission](#), a service provider has a duty to accommodate an individual with an exemption to mask-wearing to the point of undue hardship. The Human Rights Commission may be contacted directly with any further questions in this regard.

Exemptions to wearing a mask

Some people are not able to wear masks for various reasons. It's important to remember that these reasons may not always be visible to others. New Brunswickers should always treat each other with kindness, respect and understanding.

Updated: **May 20 2021**

<https://www.retailcouncil.org/province/nb/province-of-new-brunswick-provides-guidance-on-mask-exemptions-for-retailers/>