

# I Want to Help You Stay in Business and Thrive

**Dear Business Owner,**

I want to give you money. I want to shop and enjoy your goods, services and products. I come in peace, to support you and help you understand the confusing and changing orders coming from the governor, the county, the city and health officers.

You have probably been told that you and your employees and your customers have to wear a mask, and if you don't, you are at risk of losing your professional license. You might also have been told that you will put others at risk, and you might not be able to keep your business open if you don't "follow the rules."

- You are not at risk for losing your professional license if you, your employees or your customers don't wear a mask. There is no law that requires you to do so.
- You are not at risk for having your business shut down if you or your employees don't wear a mask, or if you sell to someone who is not wearing a mask. There is no law that requires you to do so.
- No governor has the authority to tell you to close your business. The shutdown orders are unlawful and illegitimate because they are in conflict with law.
- The guidelines of the governor are just guidelines. They are not laws and they are not enforceable by law.

You only need to follow the law. And you should run your business the way you see fit.

Laws are the only things that are enforceable.

These ARE NOT laws: guidelines, rules, directions, directives, measures, orders, policies. Because they are not laws, you don't have to follow them.

Laws are passed by the legislative branch of the government, not by the governor.

No governor can make a law.

No mayor can make a law.

No health officer can make a law.

No business owner can make a law.

Executive orders are not the same as the law. Executive orders only apply to members of the government, not to private businesses like yours.

Learn more about your rights as a business owner and how to defend them here:

[www.TheHealthyAmerican.org](http://www.TheHealthyAmerican.org)

The governor cannot tell you who to sell to or not. The governor cannot shut down your business. The Health Department and your licensing board cannot close your business or take your license without a hearing. You have every right to operate your business the way you want to.

You are not in any danger of losing your business permit or professional license if you sell to someone who is not wearing a mask, or you don't enforce distancing.

The opposite is true: you can get into trouble if you deny service to someone who is not wearing a mask, and if you restrict their free movement and right to assemble.

That is because every single person has the right to shop at your business, with or without a mask. According to law, your private business is a public accommodation, because you are engaged in selling to the public.

Contrary to the notion of "no shoes, no shirt, no service," that policy violated established law when you discriminate against someone for their appearance, their medical condition or their religion.

**There is no law that requires a person to wear a mask.** In fact, you don't have to wear a mask if you don't want to. There is no law of this market that requires you to wear a mask. The governor or health officer cannot require you to wear a mask. The governor cannot require you to enforce distancing, plexiglass, a reduction in patrons, or tell you that you have to serve indoors or outdoors. There is no authority for the health officer or governor to tell you how to operate your business, as long as you are not in violation of any actual regulations "on the books." And there is NO regulation on the books regarding masks, distancing, or modifying your business operations.

**And you cannot require anyone to wear a mask.** You do not have the power or authority over another person to tell them to wear a mask, which covers their only two air passages for breathing. It is illegal to force someone to obstruct their breathing. That is a type of attempted suffocation, and it is illegal conduct because it harms another person.

The only thing you have to follow is actual law, and laws have a number or a "code of law" attached to them after they are passed by the legislature.

There are certain laws that control your conduct as a business owner.

As a business owner, you are required to follow the laws of the State of Washington and the laws of the United States of America.

The following are laws you are required to follow under the authority of the United States Constitution and the Revised Code of Washington:

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**Law #1: You cannot discriminate against any individual.** Even if you wear a mask, and even if you want the shopper to wear a mask, and even if you think it's a good idea for shoppers to wear a mask, the law states that you cannot refuse to serve a shopper without a mask. **This law is RCW (Revised Code of Washington) 49.60.030** and it requires you to serve each person without discrimination and you must do so in an equal manner with every patron. This means you must serve them like anyone else, regardless of whether they wear a mask or not.

**Law #2: Federal and State laws allow for people to be exempt from wearing a mask** because they have a disability. This means they are not required to wear a mask regardless of your personal beliefs about masks, your store's policy about wearing masks, or the governor's mandates about wearing masks. These laws include **U.S. Title II and Title III of the Civil Rights Act of 1964 and RCW (Revised Code of Washington) 49.60.040.**

**Law #3: Revised Code of Washington (RCW) 49.60.215** prohibits any business from "refusing or withholding from any person the admission patronage . . . in any place of public accommodation." This means you are violating the law if you deny service to someone who is not wearing a mask. Just like you could not deny service to someone in a wheelchair, wearing a turban, or a non-English speaker, you cannot deny service to someone not wearing a mask.

**Law #4: By requiring masks, you are guilty of practicing medicine without a license** which is a violation of **RCW (Revised Code of Washington) 18.71.021.** The FDA designates a surgical mask as a "medical device," therefore to advise someone to wear one is practicing medicine and requires a valid license.

**Law #5: By preventing someone's entry to your place of business, you are guilty of false imprisonment, RCW (Revised Code of Washington) 9A.40.040** which is a Class C Felony and comes with a penalty of up to five (5) years in jail and up to \$10,000 fine.

**Law #6: It is a crime to harass someone in the workplace.** Title VII of the U.S. Civil Rights Act of 1964 prohibits harassment in the workplace, and **RCW (Revised Code of Washington) 9A.46.020** lists harassment as a Class C Felony with a penalty of up to five (5) years in jail and up to \$10,000 fine.

Additional laws that prevent discrimination in your place of business include:

Title VII of the Civil Rights act of 1964 (42 United States Code (U.S.C.)2000(e))  
Pregnancy Discrimination Act of 1978 (42 U.S.C. United States Code)2000(e)(k))  
Title I, Americans with Disabilities Act of 1990 (42 U.S.C. 12101-12213)  
Age Discrimination in Employment Act of 1967 (29 U.S.C. 621)  
Equal Pay Act of 1963 (29 U.S.C. 206 (d))  
Title I of the Civil Rights Act of 1991 (42 US.C. 2000(e)) section 1977A  
Rehabilitation Act of 1973 sections 501 and 505 (U.S.C.)  
Revised Code of Washington (RCW) 9A.36.070  
Revised Code of Washington (RCW) 9A.84.90.030

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