

# CLIENT ALERT

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## LABOR AND EMPLOYMENT

### EMPLOYERS: ARE YOU FOLLOWING MICHIGAN'S NEW MANDATORY EMPLOYEE SAFETY REQUIREMENTS?

by Christina McDonald, Kathryn Wood, Dave Deromedi

Coronavirus continues to impose hardships on lives around the globe. Employers of American workers have to adjust to constantly-evolving laws and regulations governing their operations to keep their employees safe.

On Friday, April 24, Michigan's Governor Whitmer issued an extension of her "Stay Home, Stay Safe Order," through May 15, 2020. [Executive Order 2020-59](#) (COVID-19) contains new, mandatory requirements for employers who continue to operate in-person or who are now permitted to "resume" in-person operations.

For example, as of April 26, 2020 at midnight, employers must "provide non-medical grade face coverings to their workers" who perform in-person work. All Michiganders who can "medically tolerate a face covering" must wear a "cover over his or her nose and mouth – such as a homemade mask, scarf, bandana, or handkerchief—when in any enclosed public space." Persons wearing masks are protected from discrimination on the basis of their mask-wearing under Michigan's anti-discrimination laws.

In addition, Employers with in-person operations must have a written "COVID-19 preparedness and response plan" that is consistent with CDC and OSHA safety guidance. Employers must adopt cleaning and disinfecting protocols; adopt policies to prevent workers from entering the premises if they have respiratory symptoms or have had contact with a person who tested positive for COVID-19; follow all social distancing and mitigation measures recommended by the CDC; and provide other appropriate personal protective equipment.

Employers should honestly assess their employees' risk of occupational exposure to COVID-19, their social distancing and safety measures, and guidance from OSHA and the CDC to update safety practices.

Attorneys at Dickinson Wright are available for you if you have any questions or concerns about your company's compliance with current guidance, regulations, and standards. In addition, Dickinson Wright can assist your business with developing a required COVID-19 Preparedness and Response plan. Please contact us for more information.

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## FOR MORE INFORMATION CONTACT:



**Christina McDonald** is a Member in Dickinson Wright's Grand Rapids office. She can be reached at 616-336-1039 or [cmcdonald@dickinsonwright.com](mailto:cmcdonald@dickinsonwright.com)



**Kathryn Wood** is a Member and Michigan Litigation Practice Group Co-Chair, in Dickinson Wright's Detroit office. She can be reached at 313-223-3087 or [kwood@dickinsonwright.com](mailto:kwood@dickinsonwright.com).



**Dave Deromedi** is a Member in Dickinson Wright's Detroit office. He can be reached at 313-223-3048 or [dderomedi@dickinsonwright.com](mailto:dderomedi@dickinsonwright.com).