



COVID-19 RESPONSE PLAN

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COVID-19 PREPAREDNESS AND RESPONSE PLAN

Great Lakes Safety Training Center (GLSTC) takes the health and safety of our employees seriously. GLSTC has adopted these practices to keep our workplace as safe as possible. We are all living through the COVID-19 pandemic. **The need for our employees to have a heightened alert to halt the spread of Covid-19 is imperative.** We are committed to reducing the risk of exposure to COVID-19 and we are ready to provide a healthy and safe workplace for our employees, students, and guests.

This plan will be provided to staff and will be available to view at any time on our company website or at P:/GLSTC/Human Resources/Covid-19/GLSTC Covid19 Response Plan.

Our plan is based on information and guidance from the Centers for Disease Control (CDC), MIOSHA Covid-19 Emergency Rules and the Michigan Department of Health and Human Services (MDHHS). Because the COVID-19 situation is frequently changing, the need for modifications may occur based on further guidance provided by the CDC, MDHHS and other public officials at the state or local levels.

GLSTC is focused on three lines of defense:

1. Limiting the number of people together at the same time in the same place.
2. Sanitizing and disinfecting all areas with frequency and regularity.
3. Requiring appropriate personal protection equipment including classroom air purifiers, air scrubbers, etc.

Note: **GLSTC** may amend this Plan based on changing requirements and the need of our business. We will continue to follow and update as appropriate.

The spread of COVID-19 in the workplace can come from several sources:

- Co-workers
- Students
- Guests - visitors/vendors/family members
- The General Public

GLSTC has determined our employees fall into the following category as defined by OSHA:

- Medium exposure risk (the work performed requires frequent and/or close contact with people who may be infected with COVID-19, but who are not known COVID-19 patients, or contact with the general public in areas where there is ongoing community transmission).

COVID-19 WORKPLACE COORDINATORS (TASK FORCE)

GLSTC has designated the following staff as its COVID-19 Workplace Coordinators:

Melody DeBolt – Director of Operations
Kelly Juday – Executive Director
Jill Dougherty – Special Programs Manager

The Coordinators' responsibilities include:

- staying up to date on federal, state, and local guidance
- incorporating those recommendations into our workplace
- training our workforce on control practices, proper use of personal protective equipment, the steps employees must take to notify our business of any COVID-19 symptoms or suspected cases of COVID-19.
- reviewing HR policies and practices to ensure they are consistent with this Plan and existing local, state, and federal requirements

RESPONSIBILITIES OF GLSTC SUPERVISORS AND MANAGERS

All **GLSTC** managers/supervisors must be familiar with this Plan and be ready to answer questions from employees. Additionally, **GLSTC** expects that all managers/supervisors will set a good example by following this Plan. This includes practicing good personal hygiene and jobsite safety practices to prevent the spread of the virus. Managers and supervisors must encourage this same behavior from all employees.

GLSTC will:

- Increase facility cleaning and disinfection to limit exposure to COVID-19, especially on high-touch surfaces (e.g., door handles, classroom chairs & tables), paying special attention to parts, products, and shared equipment (e.g., pens, clickers).
- Adopt protocols to clean and disinfect the facility in the event of a positive COVID-19 case in the workplace.
- Make cleaning supplies available to employees upon entry and at the worksite and provide time for employees to wash hands frequently or to use hand sanitizer.
- When an employee is identified with a confirmed case of COVID-19, within 24 hours, notify both:
 1. The local public health department, and
 2. Any co-workers, contractors, or suppliers who may have come into close contact with the person with a confirmed case of COVID-19.
- Train employees on how to report unsafe work conditions.

RESPONSIBILITIES OF EMPLOYEES

We are asking each of our employees to help with our prevention efforts while at work. **GLSTC**, understands that to minimize the impact of COVID-19 at our facility, everyone needs to play his or her part. We have instituted several best practices to minimize exposure to COVID-19 and prevent its spread in the workplace. This includes specific cleaning efforts. While here at work, all employees must follow these best practices for them to be effective. Beyond these best practices, we require employees to report to their managers or supervisors immediately if they are experiencing signs or symptoms of

COVID-19, as described below. If employees have specific questions about this Plan or COVID-19, they should contact their GLSTC manager or the Executive Director.

OSHA and the CDC Prevention Guidelines

OSHA and the CDC have provided the following preventive guidance for all workers, regardless of exposure risk:

- Frequently wash your hands with soap and water for at least 20 seconds. When soap and running water are unavailable, use an alcohol-based hand rub with at least 60% alcohol.
- Avoid touching your eyes, nose, or mouth with unwashed hands.
- Follow appropriate respiratory etiquette, which includes covering for coughs and sneezes.
- Avoid close contact with anyone who is sick.

Additionally, employees must familiarize themselves with the symptoms and exposure risks of COVID-19. The primary symptoms of COVID-19 include the following:

- Dry cough;
- Shortness of breath or difficulty breathing

Other symptoms include:

- Fever (either feeling feverish or a temperature of 100.3 degrees or higher);
- Chills
- Repeated shaking with chills
- Muscle pain or body aches
- Headache
- Sore throat, congestion, or runny nose
- New loss of taste or smell

Individuals with COVID-19 may also have early symptoms such as, diarrhea, nausea/vomiting.

If you develop a fever and symptoms of respiratory illness, such as an atypical cough or shortness of breath, do not report to work. You must also notify your manager immediately and consult your healthcare provider

HEALTH AND SAFETY PREVENTATIVE MEASURES FOR GLSTC

GLSTC has put many best practices and measures in place to ensure the health and safety of identified groups of individuals. With each group of individuals, our Plan is focused on three lines of defense – limiting the number of people together at a time, sanitizing all areas and requiring appropriate personal protection equipment.

Minimizing exposure from co-workers.

GLSTC takes the following steps to minimize exposure from co-workers to COVID-19 by educating employees on protective behaviors that reduce the spread of COVID-19 and provide employees with the necessary tools for these protective behaviors, including:

General Education:

- Posting CDC and MDHHS information, including recommendations on risk factors

- Frequent communication with employees regarding best hygiene practices, extra steps GLSTC has implemented to ensure safety and constant reinforcement of hand washing, social distancing and staying home when ill policies.
- Providing tissues and no-touch trash bins to minimize exposure to infectious secretions
- Informing employees of the importance of good hand hygiene. Regularly washing hands with soap and water for at least 20 seconds is one of the most effective ways for employees to minimize exposure to COVID-19. If soap and water are not readily available, employees should use alcohol-based hand sanitizer that is at least 60% alcohol. If hands are visibly dirty, soap and water should be chosen over hand sanitizer.
- Encourage good hand hygiene by ensuring that adequate supplies of soap and hand sanitizer are maintained and placing hand sanitizers in multiple locations.
- Individual 1 oz. bottles of hand sanitizer are available to staff and students throughout building in addition to hand sanitizing stations.
- Discourage handshaking and encourage the use of other non-contact methods of greeting
- When possible, avoid the use of other employees' phones, desks, offices, other work tools and equipment, and other commonly touched surfaces.
- If the above cannot be avoided, clean and disinfect them before and after use

Social Distancing

- Reduce capacity of classrooms by using 6-foot tables with one student at each table.
- Lower-level classrooms will maintain a capacity of 18, 18 and 15. The capacity limit in our Activity Center will be 25 in a classroom setting with 6-foot tables, and 50 for theater-style seating activities.

Reduce Touch Points & Support Hygiene

- Maintain enhanced cleaning and disinfecting practices.
- Install extra hand sanitizer stations throughout building
- Offer individual 1 oz. hand sanitizers to employees, students, and visitors.
- Supply disinfectants near or on each desk or work area.
- Enable do-it-yourself cleaning through hand sanitizer, disinfectant wipes, and other such products.

COVID-19 Symptoms, Exposure or Diagnosis in the Workplace

Please refer to the GLSTC Covid-19 Exposure or Diagnosis in the Workplace protocol on pages 9-11 of this document. The protocol was established based on the most current CDC, MDHHS and MIOSHA Emergency Rules, as well as discussion with the Midland County Health Department for best practices.

Other considerations

- Employees are reminded about our employee assistance program (EAP) resources and community resources as needed.
 - EAP hotline (989) 631-5390
 - Midland County Health Department at (989) 832-6380
 - Blue Cross Blue Shield of Michigan Health Insurance telehealth at 800-775-2583
- Employees are instructed to contact Susan Schalk, Human Resources Manager for information regarding leave of absence options or other HR concerns.

Minimizing exposure from Students, Visitors & Guests (those outside of our workforce)

- GLSTC business practices were evaluated to ensure safety and health of all individuals. This is being done on a phased approach. Beginning with appointment only onsite meetings, virtual meetings and finally transitioning to onsite meetings with appropriate precautions.
- Information is posted throughout the worksite educating individuals on ways to reduce the spread of COVID-19
- Individual symptoms will be observed and individuals displaying symptoms of COVID -19 will be removed from the workplace.
- Hand Sanitizer is available in several locations for easy access to all.
- Facial coverings are not required but will be available upon request.

Minimizing exposure from the visitors/vendors

- GLSTC will limit the number of visitors in the facility. Staff are not allowed to have family members or friends visit the building at this time.
- Facial Coverings are available to visitors/vendors who wish to use one as well as appropriate disinfectants so individuals can clean work areas before and after use.

Minimizing exposure from the general public

- General Public is discouraged from entering GLSTC and only allowed by appointment.
- Limit number of individuals allowed into workplace
- Information is posted throughout GLSTC facility educating individuals on ways to reduce the spread of COVID-19
- Individuals exhibiting COVID-19 symptoms will be removed from the workplace.
- GLSTC will not require facial coverings be worn; however, when entering the building disposable masks will be available to students upon request as well as appropriate disinfectants.
- This Plan is based on information and guidance from the CDC, MDHHS and MIOSHA at the time of its development or update. The safety of our employees and visitors remains the top priority at GLSTC.

We recognize that all individuals are responsible for preventing the spread of COVID-19 and reduce the potential risk of exposure to our workforce and visitors. As the COVID-19 pandemic continues, GLSTC is monitoring the situation closely and will update our guidance based on the most current recommendations from the CDC, MDHHS, MIOSHA Emergency Rules and any other public entities.

Industry Specific Guidelines – Office/Institutes of Higher Education

- A separate entry point for employees has been assigned to reduce congestion at the main entrance.
- Parking lot has been expanded and has appropriate spacing for employees and students outside the building in case of congestion.
- Employees have staggered start times.
- Disinfecting supplies have been upgraded to contain ingredients known to kill Covid-19 and are provided to employees to wipe down their workstations at least twice daily.

- Signs have been posted throughout the building and in rest rooms about the importance of personal hygiene
- High-touch surfaces in offices are disinfected and shared items are minimized and discouraged (e.g., pens, remotes, whiteboards.)
- Cleaning and communication protocols when employees are sent home with symptoms or have been exposed or diagnosed to Covid-19 have been instituted and are attached to this document.
- Hand hygiene and respiratory etiquette posters are posted throughout the building.
- Adequate supplies of soap, hand sanitizer containing at least 60% alcohol, paper towels, tissues, disinfectant wipes, cloth face coverings and no touch trash cans are provided to staff and students.
- Signs are posted in highly visible locations that promote everyday protective measures and describe how to stop the spread of germs.
- Staff has been communicated with about behaviors that prevent spread of Covid-19.
- Frequently touched surfaces (e.g., door handles, sink handles, grab bars, hand railings, bathroom stalls, etc.) within the facility are cleaned and disinfected regularly.
- Drivers using company vehicles are to practice all safety actions and protocols and must clean and disinfect the vehicle upon return to the facility.
- A schedule for increased routine cleaning and disinfection has been established, ensuring safe and correct use and storage of cleaners and disinfectants. Products that meet EPA disinfection criteria are being used.
- Sharing of objects that are difficult to clean or disinfect is discouraged.
- A new HVAC system has been installed throughout the building to ensure proper ventilation. An Air Scrubber was purchased and operates after hours. Commercial grade air purifiers were purchased and are operating throughout the workday in every classroom to increase circulation.
- Space seating/desks have been reconfigured to be at least 6 feet apart.
- Distance learning has been provided in addition to in-person classes when possible.
- Options for staff at higher risk for severe illness (including older adults and people of all ages with certain underlying medical conditions) that limit their exposure risk are offered.
- Policies have been put in place consistent with applicable law to protect the privacy of people at higher risk for severe illness in compliance with applicable federal and state privacy and confidentiality laws.
- State or local regulatory agency policies related to group gatherings are being monitored to determine when and how events can be held.
- Nonessential visitors, volunteers and activities involving external groups or organizations have been restricted.
- Melody DeBolt, Director of Operations, has been designated to be responsible for responding to Covid-19 concerns.
- Communication systems have been put in place consistent with applicable law and privacy policies for students and staff to report if they have symptoms, exposure or diagnosis of Covid-19. (Policy attached).
- Staff has been trained on Covid-19 safety measures that include the following:

- Routes by which the virus causing COVID-19 is transmitted from person to person.
- Distance that the virus can travel in the air, as well as the time it remains viable in the air and on environmental surfaces.
- Symptoms of COVID-19.
- Steps the worker must take to notify the business or operation of any symptoms of COVID-19 or a suspected or confirmed diagnosis of COVID-19.
- MIOSHA Covid Hotline number
- Measures that the facility is taking to prevent worker exposure to the virus, as described in the COVID-19 preparedness and response plan required under the most recent EO.
- Rules that the worker must follow to prevent exposure to and spread of the virus.
- The use of personal protective equipment, including the proper steps for putting it on and taking it off.
- Vaccination locations in the area.
- Employees are requested to conduct self-checks including symptom checking before entering the building.
- Employees are encouraged to use the company-provided Employee Assistance Program if they are feeling overwhelmed or distressed.



What to do if there is a COVID-19 EXPOSURE OR DIAGNOSIS IN THE WORKPLACE

The following protocols have been developed with the guidance of the CDC, the Midland County Health Department and the Michigan Department of Health and Human Services (MDHHS). These protocols apply both to the staff of GLSTC, as well as students or visitors who are or have been in our building. These protocols and guidelines may change. Updates will be provided as quickly as possible as new guidelines are issued.

What should we do if an employee of ours has tested positive for COVID-19?

1. The Covid-positive employee should be sent home until released by their medical provider or local health department to return to work. An employee who tests positive for Covid-19 must not work until all of the following conditions are met:
 - a. The CDC isolation period has passed. This is currently 10 days from the date of the positive test or 10 days from when the employee developed symptoms, whichever is later;
 - b. It has been at least 24 hours since the employee had a fever without medication; and
 - c. All symptoms have improved.
2. Michigan Public Act 238 enacted on December 29, 2020 now requires employees to quarantine **only after close contact with a person who tests positive**. It no longer requires quarantine after close contact with a person who only has primary symptoms of Covid-19 but has not tested positive. Employees should follow the advice of their health care provider.
 - a. Employees who have practiced social distancing of at least 6 feet and worn face coverings when around others are at minimum risk and do not need to be sent home or quarantined. They should continue our regular practice of self-monitoring temperature and symptoms, social distance and wear a face covering at all times while in the workplace for 14 days after last possible exposure.
 - b. **Vaccinated persons with an exposure to someone with suspected or confirmed Covid-19 are NOT required to quarantine if they have been fully vaccinated (≥ 2 weeks following receipt of the second dose in a w-dose series, or ≥ 2 weeks following receipt of one dose of a single-dose vaccine) and are within 3 months following receipt of the last dose in the series.** They should continue our regular practice of self-monitoring temperature and symptoms, social distance and wear a face covering at all times while in the workplace for 14 days after last possible exposure.
 - c. It is recommended to close off areas used by the ill person and wait up to 24 hours before beginning thorough cleaning and disinfection all areas used by the ill person, focusing especially on frequently touched surfaces. Cleaning staff should be notified and should wear disposable gloves and gowns for all tasks in the cleaning process, including handling trash.

One of our employees has a suspected but unconfirmed case of COVID-19. What should we do?

An employee who has primary symptoms of Covid-19 but has not been tested must not work until either of the following conditions are met:

- a. The employee receives a negative test, OR
- b. The CDC isolation period has passed (currently 10 days after the onset of symptoms, it has been at least 24 hours since the employee had a fever without medication, AND all symptoms have improved.)
- c. Michigan Public Act 238 enacted on December 29, 2020 now requires employees to quarantine **only after close contact with a person who tests positive**. It no longer requires quarantine after close contact with a person who only has primary symptoms of Covid-19 but has not tested positive. Employees should follow the advice of their health care provider.

What do we do if we are notified that a student, office visitor or close contact within the last 14 days has tested positive for COVID-19?

1. Staff who were within 6 feet of the person who tested positive for a prolonged period of time without face covering (10+ consecutive minutes) should be sent home while protecting the identity and confidentiality of the infected person.

Employees may to return to work if either of the following have been met:

- 14 days have passed from the last date of close contact OR
 - The local health department or a health care provider has advised the employee that they can follow the CDC's option to reduce the quarantine period to 10 days (without testing) or 7 days (with testing).
2. CDC guidelines indicate **vaccinated persons with an exposure to someone with suspected or confirmed Covid-19 are NOT required to quarantine if they have been fully vaccinated (≥ 2 weeks following receipt of the second dose in a w-dose series, or ≥ 2 weeks following receipt of one dose of a single-dose vaccine) and are within 3 months following receipt of the last dose in the series**. They should continue our regular practice of self-monitoring temperature and symptoms, social distance and wear a face covering at all times while in the workplace for 14 days after last possible exposure.
 3. Employees who have practiced social distancing of at least 6 feet and worn face coverings when around the infected person are at minimum risk and do not need to be sent home or quarantined. They should self-monitor temperature and symptoms, social distance and wear a face covering at all times while in the workplace for 14 days after last possible exposure.

One of our employees self-reported that they came into contact with someone who had a presumptive positive case of COVID-19. What should we do?

Take the same precautions as noted above. Treat the situation as if the suspected case is a confirmed case for the purposes of sending home potentially infected employees (no social distancing, prolonged communication within 6 feet, no face covering).

If we learn or suspect that one of our employees has COVID-19, do we have a responsibility to report this information to the CDC?

The healthcare provider and local health department that receives the confirmation of a positive test result is a mandatory reporter who will handle that responsibility.

Can the employer ask employees about symptoms they observe at the workplace?

Yes. The EEOC has confirmed that during a Pandemic employers can inquire into an employee’s symptoms, even if such questions are disability-related, as you would be considered to have a “reasonable belief based on objective evidence that the severe form of pandemic influenza poses a direct threat.” Employers can send employees home based on the symptoms communicated to them by the employee until they are symptom free. All information about employee illness will be treated as a confidential medical record in compliance with the ADA. Please note employees who are not required to be quarantined but feel they have had enough exposure that they desire to do so will not be denied the opportunity to do so.

Can the employer mandate employees be vaccinated for Covid-19?

The U.S. Equal Employment Opportunity Commission released its first guidance on workplace coronavirus vaccination requirements on December 16, 2020, stating the in general, employers can require workers to get a Covid-19 Vaccine. There are exceptions for employees with disabilities or “sincerely held” religious beliefs. ***At this time, Great Lakes Safety Training Center strongly encourages its employees to be vaccinated for the health and safety of employees, students and visitors in the workplace, but is not mandating vaccination.***

Mental Health/Counseling Services for Employees

Employees are encouraged to use the services of our Employee Assistance Program (EAP) should they feel anxious, overwhelmed or feel they need the services of a mental health provider during this time. Contact our EAP Provider, Family & Children’s Services, at 989-631-5390.

RETURN TO WORK GUIDELINES

Any GLSTC employee diagnosed with COVID-19 or undiagnosed but with symptoms and out for at least three consecutive days, will be required to be cleared by a health care professional (primary care provider, occupational healthcare provider, etc.) before being able to return to work.

If the employee plans to rely on a negative test to return, please note GLSTC will only accept the results of PCR tests that were performed at least 5 days after the date of potential exposure.

A letter from a health professional stating clearance to return to work must be provided to their manager or the Executive Director before entering the worksite.

Executive Order 2020-117 (COVID-19)

Safeguards to protect Michigan's workers from COVID-19 (previously EO 2020-97)

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, I issued Executive Order 2020-4. This order declared a state of emergency across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401 et seq., and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31 et seq.

Since then, the virus spread across Michigan, bringing deaths in the thousands, confirmed cases in the tens of thousands, and deep disruption to this state's economy, homes, and educational, civic, social, and religious institutions. On April 1, 2020, in response to the widespread and severe health, economic, and social harms posed by the COVID-19 pandemic, I issued Executive Order 2020-33. This order expanded on Executive Order 2020-4 and declared both a state of emergency and a state of disaster across the State of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, and the Emergency Powers of the Governor Act of 1945. And on April 30, 2020, finding that COVID-19 had created emergency and disaster conditions across the State of Michigan, I issued Executive Order 2020-67 to continue the emergency declaration under the Emergency Powers of the Governor Act, as well as Executive Order 2020-68 to issue new emergency and disaster declarations under the Emergency Management Act.

The Emergency Management Act vests the governor with broad powers and duties to “cop[e] with dangers to this state or the people of this state presented by a disaster or emergency,” which the governor may implement through “executive orders, proclamations, and directives having the force and effect of law.” MCL 30.403(1)-(2). Similarly, the Emergency Powers of the Governor Act of 1945 provides that, after declaring a state of emergency, “the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control.” MCL 10.31(1).

To suppress the spread of COVID-19, to prevent the state's health care system from being overwhelmed, to allow time for the production of critical test kits, ventilators, and personal protective equipment, to establish the public health infrastructure necessary to contain the spread of infection, and to avoid needless deaths, it is reasonable and necessary to direct residents to remain at home or in their place of residence to the maximum extent feasible. To that end, on March 23, 2020, I issued Executive Order 2020-21, ordering all people in Michigan to stay home and stay safe. In Executive Orders 2020-42, 2020-59, 2020-70, and 2020-77, I extended that initial order, modifying its scope as needed and appropriate to match the ever-changing circumstances presented by this pandemic.

The measures put in place by these executive orders have been effective: the number of new confirmed cases each day has started to drop. Although the virus remains aggressive and persistent—on May 17, 2020, Michigan reported 51,142 confirmed cases and 4,891 deaths—the strain on our health care

system has begun to relent, even as our testing capacity has increased. We have now begun the process of gradually resuming in-person work and activities that were temporarily suspended under my prior orders. In so doing, however, we must move with care, patience, and vigilance, recognizing the grave harm that this virus continues to inflict on our state and how quickly our progress in suppressing it can be undone.

In particular, businesses must do their part to protect their employees, their patrons, and their communities. Many businesses have already done so by implementing robust safeguards to prevent viral transmission. But we can and must do more: no one should feel unsafe at work. With this order, I am creating an enforceable set of workplace standards that apply to all businesses across the state. These standards will have the force and effect of agency rules and will be vigorously enforced by the agencies that oversee compliance with other health-and-safety rules. Any failure to abide by the rules will also constitute a failure to provide a workplace that is free from recognized hazards within the meaning of the Michigan Occupational Safety and Health Act, MCL 408.1011.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. All businesses or operations that are permitted to require their employees to leave the homes or residences for work under Executive Order 2020-92, and any order that follows it, must, at a minimum:
 - a. Develop a COVID-19 preparedness and response plan, consistent with recommendations in Guidance on Preparing Workplaces for COVID-19, developed by the Occupational Health and Safety Administration and available [here](#). By June 1, 2020, or within two weeks of resuming in-person activities, whichever is later, a business's or operation's plan must be made readily available to employees, labor unions, and customers, whether via website, internal network, or by hard copy.
 - b. Designate one or more worksite supervisors to implement, monitor, and report on the COVID-19 control strategies developed under subsection (a). The supervisor must remain on-site at all times when employees are present on site. An on-site employee may be designated to perform the supervisory role.
 - c. Provide COVID-19 training to employees that covers, at a minimum:
 - i. Workplace infection-control practices.
 - ii. The proper use of personal protective equipment.
2. Steps the employee must take to notify the business or operation of any symptoms of COVID-19 or a suspected or confirmed diagnosis of COVID-19.
3. How to report unsafe working conditions.
 - a. Conduct a daily entry self-screening protocol for all employees or contractors entering the workplace, including, at a minimum, a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19.
 - b. Keep everyone on the worksite premises at least six feet from one another to the maximum extent possible, including through the use of ground markings, signs, and

physical barriers, as appropriate to the worksite.

- c. Provide non-medical grade face coverings to their employees, with supplies of N95 masks and surgical masks reserved, for now, for health care professionals, first responders (e.g., police officers, fire fighters, paramedics), and other critical workers.
- d. Require face coverings to be worn when employees cannot consistently maintain six feet of separation from other individuals in the workplace, and consider face shields when employees cannot consistently maintain three feet of separation from other individuals in the workplace.
- e. Increase facility cleaning and disinfection to limit exposure to COVID-19, especially on high-touch surfaces (e.g., door handles), paying special attention to parts, products, and shared equipment (e.g., tools, machinery, vehicles).
- f. Adopt protocols to clean and disinfect the facility in the event of a positive COVID-19 case in the workplace.
- g. Make cleaning supplies available to employees upon entry and at the worksite and provide time for employees to wash hands frequently or to use hand sanitizer.
 - i. When an employee is identified with a confirmed case of COVID-19, within 24 hours, notify both:
 - The local public health department, and
 - ii. Any co-workers, contractors, or suppliers who may have come into contact with the person with a confirmed case of COVID-19.
- h. Follow Executive Order 2020-36, and any executive orders that follow it, that prohibit discharging, disciplining, or otherwise retaliating against employees who stay home or who leave work when they are at particular risk of infecting others with COVID-19.
- i. Establish a response plan for dealing with a confirmed infection in the workplace, including protocols for sending employees home and for temporary closures of all or part of the worksite to allow for deep cleaning.
- j. Restrict business-related travel for employees to essential travel only.
 - i. Encourage employees to use personal protective equipment and hand sanitizer on public transportation.
- k. Promote remote work to the fullest extent possible.
- l. Adopt any additional infection-control measures that are reasonable in light of the work performed at the worksite and the rate of infection in the surrounding community.

COVID-19 EMPLOYMENT RIGHTS ACT, Michigan Public Act 238

AN ACT to prohibit an employer from taking certain actions against an employee who does not report to work under certain circumstances related to COVID-19; to prohibit an employee from reporting to work under certain circumstances related to COVID-19; to prohibit discrimination and retaliation for engaging in certain activities; and to provide remedies. History: 2020, Act 238, Imd. Eff. Oct. 22, 2020.

*The People of the State of Michigan enact: ******

419.401 This section is effective and applies retroactively beginning March 1, 2020: See 419.410 *****

419.401 Definitions.

Sec. 1. As used in this act:

- (a) "Close contact" means being within approximately 6 feet of an individual for 15 minutes or longer.
- (b) "COVID-19" means the novel coronavirus identified as SARS-CoV-2 or a virus mutating from SARS-CoV-2.
- (c) "Employee" means an individual employed by an employer and whose primary workplace is not the individual's residence.
- (d) "Employer" means a person or a state or local governmental entity that employs 1 or more individuals.
- (e) "First responder" means any of the following: (i) A law enforcement officer. (ii) A firefighter. (iii) A paramedic.
- (f) "Health care facility" means any of the following facilities, including those that may operate under shared or joint ownership, and a facility used as surge capacity by any of the following facilities: (i) An entity listed in section 20106(1) of the public health code, 1978 PA 368, MCL 333.20106. (ii) A state-owned hospital or surgical center. (iii) A state-operated outpatient facility. (iv) A state-operated veterans' facility.
- (g) "Person" means an individual, partnership, corporation, association, or other legal entity.
- (h) "Principal symptoms of COVID-19" has the definition provided by order of the director or chief medical executive of the Michigan department of health and human services. In the event that the term is not defined by the director or chief medical executive of the Michigan department of health and human services at the time of an action taken under section 5, principal symptoms of COVID-19 means either or both of the following:
 - (i) One or more of the following not explained by a known medical or physical condition:
 - (A) Fever.
 - (B) Shortness of breath.
 - (C) Uncontrolled cough.
 - (ii) Two or more of the following not explained by a known medical or physical condition:
 - (A) Abdominal pain.
 - (B) Diarrhea.
 - (C) Loss of taste or smell.
 - (D) Muscle aches.
 - (E) Severe headache.
 - (F) Sore throat.

(G) Vomiting. History: 2020, Act 238, Imd. Eff. Oct. 22, 2020.

***** 419.403 This section is effective and applies retroactively beginning March 1, 2020: See 419.410

419.403 Employer prohibitions related to employees who test positive or symptomatic for Rendered
Wednesday, December 30, 2020 Page 1 Michigan Compiled Laws Complete Through PA 249 of 2020 
Legislative Council, State of Michigan Courtesy of www.legislature.mi.gov

COVID-19; exception.

Sec. 3. (1) Except as provided in subsection (2), an employer shall not discharge, discipline, or otherwise retaliate against an employee who does any of the following:

(a) Complies with section 5, including where an employee who displays the principal symptoms of COVID-19 does not report to work and later tests negative for COVID-19.

(b) Opposes a violation of this act.

(c) Reports health violations related to COVID-19.

(2) Subsection (1) does not apply to an employee described in section 5 who, after displaying the principal symptoms of COVID-19, fails to make reasonable efforts to schedule a COVID-19 test within 3 days after receiving a request from their employer to get tested for COVID-19. History: 2020, Act 238, Imd. Eff. Oct. 22, 2020.

***** 419.405 This section is effective and applies retroactively beginning March 1, 2020: See 419.410

419.405 Employees that are COVID-19 positive, symptomatic, or exposed; duty not to report; conditions.

Sec. 5. (1) An employee who tests positive for COVID-19 or displays the principal symptoms of COVID-19 shall not report to work until all of the following conditions are met:

(a) If the employee has a fever, 24 hours have passed since the fever has stopped without the use of fever-reducing medications.

(b) Ten days have passed since either of the following, whichever is later:

(i) The date the employee's symptoms first appeared.

(ii) The date the employee received the test that yielded a positive result for COVID-19.

(c) The employee's principal symptoms of COVID-19 have improved.

(2) Except as provided in subsection (3), an employee who has close contact with an individual who tests positive for COVID-19 or with an individual who displays the principal symptoms of COVID-19 shall not report to work until 1 of the following conditions is met:

(a) Fourteen days have passed since the employee last had close contact with the individual.

(b) The individual with whom the employee had close contact receives a medical determination that they did not have COVID-19 at the time of the close contact with the employee.

(3) Subsection (2) does not apply to an employee who is any of the following:

(a) A health care professional.

(b) A worker at a health care facility.

(c) A first responder.

(d) A child protective service employee.

(e) A worker at a child caring institution, as that term is defined in section 1 of 1973 PA 116, MCL 722.111.

(f) A worker at an adult foster care facility, as that term is defined in section 3 of the adult foster care facility licensing act, 1979 PA 218, MCL 400.703.

(g) A worker at a correctional facility. History: 2020, Act 238, Imd. Eff. Oct. 22, 2020.

***** 419.407 This section is effective and applies retroactively beginning March 1, 2020: See 419.410

419.407 Employer violation; civil action; damages.

Sec. 7. (1) An employee aggrieved by a violation of this act may bring a civil action for appropriate injunctive relief or damages, or both, in the circuit court for the county where the alleged violation occurred or for the county where the employer against whom the action is filed is located or has its principal place of business.

(2) A court shall award to a plaintiff who prevails in an action brought under this act damages of not less than \$5,000.00. History: 2020, Act 238, Imd. Eff. Oct. 22, 2020.

***** 419.409 This section is effective and applies retroactively beginning March 1, 2020: See 419.410

419.409 Applicability to public employers and employees.

This act applies to public employers and public employees, except to the extent that it is inconsistent with section 5 of article XI of the state constitution of 1963. History: 2020, Act 238, Imd. Eff. Oct. 22, 2020. 419.410 Retroactive effective date. Sec. 10. This act is effective retroactive to March 1, 2020. History: 2020, Act 238, Imd. Eff. Oct. 22, 2020.

***** 419.412 This section is effective and applies retroactively beginning March 1, 2020: See 419.410

******* 419.412 Effect of act on worker's disability compensation act.**

Sec. 12. This act does not affect rights, remedies, or protections under the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941, including the exclusive application of that act. History: 2020, Act 238, Imd. Eff. Oct. 22, 2020.

Rendered Wednesday, December 30, 2020

Department of Labor and Economic Opportunity Michigan Occupational Safety and Health Administration General Rules

Emergency Rules Coronavirus Disease 2019 (Covid-19)

These rules take effect upon filing with the secretary of state and shall remain in effect until October 14, 2021.

(By authority conferred on the director of the department of labor and economic opportunity by sections 19, 21, and 24 of the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1019, 408.1021, and 408.1024, and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2008-4, 2011-4, and 2019-3, MCL 330.3101, 445.2001, 445.2011, 445.2025, 445.2030, and 125.1998)

FINDING OF EMERGENCY

These rules are promulgated by the Director of the Michigan Department of Labor and Economic Opportunity to establish requirements for employers to control, prevent, and mitigate the spread of coronavirus disease 2019 (COVID-19) among employees. Based on the best available scientific evidence and public health guidance published by the U.S. Centers for Disease Control (CDC) and other public health authorities, COVID-19 is an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARSCoV-2). SARS-CoV-2 is easily transmitted through the air from person-to-person through respiratory aerosols. In addition to its contagious nature, COVID-19 is dangerous and deadly. As of May 11, 2021, the State of Michigan had a total of 867,341 confirmed cases and 18,338 deaths.

Work, by its nature, removes people from the confines and relative safety of their homes to interact with others who may be carrying the virus including coworkers, customers, patients, or the public at large. Employees who come into contact with others at work are at elevated risk of infection.

Since March 2020, employers have reported 61 worker deaths from COVID-19 in Michigan and 173 in-patient hospitalizations for COVID-19 potentially linked to workplace exposure to SARS-CoV-2. MIOSHA has received over 15,000 complaints from employees alleging uncontrolled COVID-19 hazards in the workplace and 580 referrals from local government, including local health departments, indicating that businesses were not taking all the necessary measures to protect their employees from SARS-CoV-2 infection.

To date, the Food and Drug Administration has granted emergency use authorization to three vaccines to prevent COVID-19, providing a path to end the pandemic. The State of Michigan is part of the largest mass vaccination effort in modern history and is presently working toward vaccinating at least 70% of its residents 16 and older as quickly as possible.

The Legislature has declared that “all employees shall be provided safe and healthful work environments free of recognized hazards.” MCL 408.1009. Employers must provide employees with “a place of employment that is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to the employee.” MCL 408.1011(a). Nonetheless, Michigan’s experience with COVID-19 demonstrates that the disease can spread rapidly without protective measures and standards in place. Workplaces, where employees, customers, and members of the public congregate, pose a

particular threat for COVID-19's spread. To mitigate and limit COVID-19's spread in workplaces and to protect employees across Michigan, it is necessary to impose these rules and standards.

Businesses must do their part to protect employees, their patrons, and their communities. Many businesses have already done so by implementing robust safeguards to prevent viral transmission. But we can and must do more: no one should feel unsafe at work. Pursuant to section 21(2) of the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1021, I find that these emergency rules are necessary to protect employees during the ongoing COVID-19 pandemic.

Based on the best available scientific evidence and public health guidance available regarding the spread of COVID-19 in the workplace, I find that these emergency rules are necessary to protect employees. If the non-emergency rulemaking process specified in the administrative procedures act of 1969 (APA), 1969 PA 306, MCL 24.201 to 24.328, for the promulgation of rules was followed, employees across Michigan may be unnecessarily exposed to SARS-CoV-2 during the rule promulgation process. Further, existing MIOSHA rules do not directly address COVID-19's spread in the workplace and employees are likely to experience an increased probability of infection at work until the protective measures in this rule are in place. Accordingly, following the non-emergency rulemaking process would undermine the effectiveness of Michigan's emergency response to COVID-19, and expose Michigan workers to a higher risk of contracting the disease in their places of employment.

The Director, therefore, for the preservation of the public health, safety, and welfare, finds that a clear and convincing need exists for the promulgation of emergency rules as provided in section 48 of the APA, MCL 24.248, without following the notice and participation procedures required by sections 41 and 42 of the APA, MCL 24.241 and 24.242.

Rule 1. Scope and application.

These rules apply to all employers covered in the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1001 to 408.1094, for SARS-CoV-2 coronavirus and COVID-19.

Rule 1a. Application of other rules.

These emergency rules supersede the entirety of the emergency rules filed on October 14, 2020, and the extension of these emergency rules filed on April 13, 2021.

Rule 1b. Suspension of previous rule.

In the event these emergency rules issued on May 24, 2021 are deemed invalid by a court of competent jurisdiction, the previously filed rules will remain effective for the duration of the extension.

Rule 2. Definitions.

As used in these rules:

(a) "Close contact" means close contact as defined by the latest United States Centers for Disease Control and Prevention (CDC) guidelines at the time of contact.

(b) "COVID-19" means a viral respiratory illness characterized by symptoms defined by the CDC.

(c) "Known cases of COVID-19" means persons who have been confirmed through diagnostic testing to have COVID-19.

(d) “SARS-CoV-2” means the novel coronavirus identified as SARS-CoV-2 or a virus mutating from SARS-CoV-2 (severe acute respiratory syndrome coronavirus 2), the virus which is the causative agent of COVID-19.

(e) “Suspected cases of COVID-19” means persons who have symptoms of COVID-19 but have not been confirmed through diagnostic testing or unvaccinated persons who have had close contact with a person who has been confirmed through diagnostic testing to have COVID-19.

(f) “Fully vaccinated persons” means persons for whom at least 2 weeks have passed after receiving the final dose of an FDA-approved or authorized COVID-19 vaccine.

Rule 3. COVID-19 preparedness and response plan for all employers.

(1) The employer shall develop and implement a written COVID-19 preparedness and response plan consistent with these rules and current guidance for COVID-19 from the CDC and the Occupational Health and Safety Administration (OSHA).

(2) The preparedness and response plan shall include the measures the employer will implement to prevent employee exposure, including any applicable: (a) Engineering controls. (b) Administrative controls. (c) Basic infection prevention measures. (d) Personal protective equipment. (e) Health surveillance. (f) Training.

(3) The employer shall make the preparedness and response plan readily available to employees and their representatives, whether via website, internal network, or by hard copy.

Rule 4. Basic infection prevention measures for all employers.

(1) The employer shall promote frequent and thorough hand washing, including by providing workers, customers, and worksite visitors with a place to wash their hands. If soap and running water are not immediately available, the employer shall provide antiseptic hand sanitizers or alcohol-based hand towelettes containing at least 60 percent alcohol.

(2) The employer shall require workers who are experiencing symptoms of COVID-19 to not report to work or work in an isolated location.

(3) The employer shall increase facility cleaning and disinfection to limit exposure to SARS-CoV-2, in accordance with the latest CDC guidance.

(4) The employer shall use Environmental Protection Agency (EPA)-approved disinfectants that are expected to be effective against SARS-CoV-2 based on data for harder to kill viruses.

Rule 5. Health surveillance for all employers.

(1) The employer shall conduct a daily entry self-screening protocol for all employees or contractors entering the workplace, including, at a minimum, a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19.

(2) The employer shall direct employees to promptly report any signs and symptoms of COVID-19 to the employer before or during the work shift.

(3) The employer shall physically isolate any employees known or suspected to have COVID-19 from the remainder of the workforce, using measures such as, but not limited to: (a) Not allowing known or

suspected cases to report to work. (b) Sending known or suspected cases away from the workplace. (c) Assigning known or suspected cases to work alone at a remote location (for example, their home), as their health allows.

(4) When an employer learns of an employee, visitor, or customer with a known case of COVID-19, the employer shall, within 24 hours, notify any co-workers, contractors, or suppliers who may have come into contact with the person with a known case of COVID19.

(5) The employer shall allow employees with a known or suspected case of COVID-19 to return to the workplace only after they are no longer infectious according to the latest guidelines from the CDC.

Rule 6. Workplace controls for all employers.

(1) The employer shall designate 1 or more worksite COVID-19 safety coordinators to implement, monitor, and report on the COVID-19 control strategies developed under these rules.

(2) The employer shall ensure that any employees, except fully vaccinated persons, remain at least 6 feet from one another to the maximum extent feasible while on worksite premises.

(3) The employer shall provide non-medical grade face coverings to their employees at no cost to the employee. Employers are not required to provide non-medical grade face coverings to fully vaccinated persons.

(4) The employer shall require any employee, except fully vaccinated persons, to wear face coverings when employees cannot consistently maintain 6 feet of separation from other individuals indoors in the workplace. However, fully vaccinated persons must continue to wear face coverings when in the healthcare setting where patients may be present and when using airplane or public transportation if required by the latest CDC guidance.

(5) Compliance with subrules (2) and (4) of this rule may be accomplished in a manner deemed effective for the place of employment. This may include: (a) Keeping records of whether employees are fully vaccinated persons, and exempting them from subrules (2) and (4) of this rule accordingly. (b) Posting signs in the work area reminding employees that are not fully vaccinated to wear face coverings and maintain appropriate distancing. (c) Allowing or requiring remote work. (d) Requiring face coverings and social distancing for all employees regardless of vaccination status.

Rule 7. Training requirements for all employers.

(1) The employer shall provide training to employees on SARS-CoV-2 and COVID-19.

(2) The employer shall provide any communication and training on COVID-19 infection control practices in the primary languages common in the employee population.

(3) The training shall cover all of the following: (a) Workplace infection-control practices, including information on vaccinations available for COVID-19. (b) The proper use of personal protective equipment. (c) Steps the employee must take to notify the business or operation of any symptoms of COVID-19 or a suspected or confirmed diagnosis of COVID-19. (d) How to report unsafe working conditions.

(4) The employer shall provide updated training if it changes its preparedness and response plan, or new information becomes available about the transmission of SARSCoV-2 or diagnosis of COVID-19.

Rule 8. Recordkeeping requirements for all employers.

(1) Employers must maintain a record of the following requirements: (a) Training. The employer shall maintain a record of all COVID-19 employee training. (b) Health screening protocols. The employer shall maintain a record of health screening for each non-vaccinated employee or contractor entering the workplace. (c) If proceeding under Rule 6(5)(a), vaccination information sufficient for implementation (d) Records of required notifications. The employer shall maintain a record of each notification required by Rule 5 of these rules.

(2) Employers must maintain records for 6 months from time of generation.

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

05/21/2021
Date


Susan Corbin
Acting Director

Pursuant to Section 48(1) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.248(1), I hereby concur in the finding of the Department of Labor and Economic Opportunity that circumstances creating an emergency have occurred and the public interest requires the promulgation of the above rules.

5/23/2021
Date


Honorable Gretchen Whitmer
Governor

MIOSHA UPDATES COVID-19 EMERGENCY RULES

June 22, 2021

Media Contact: [Camara Lewis](#), 517-930-4928

Today, the Michigan Occupational Safety and Health Administration (MIOSHA) [filed COVID-19 emergency rules](#) to align with [Federal OSHA's Emergency Temporary Standard](#) (ETS). The updated rules are effective today and set to expire Dec. 22, 2021. The rules rescind the emergency rules issued on May 24, 2021 and focus on health care.

The updated MIOSHA emergency rules adopt the Federal OSHA ETS and focus on health care settings where known or suspected COVID-19 patients may be present. These workplaces may have a higher exposure risk for employees and need continued protections to mitigate the spread of COVID-19.

"As we continue to get Michigan back to work, our priority remains keeping workplaces safe for employees and protecting customers as they support these businesses," said Governor Whitmer. "With our state at full capacity, we can boost our economic Jumpstart and ensure businesses can emerge from the pandemic stronger than ever while keeping their workers safe."

Dialing back workplace rules for non-health care settings allows employers to use their best judgment in determining whether to maintain:

- Daily health screenings;
- Face covering requirements; and
- Social distancing requirements.

Nevertheless, MIOSHA strongly encourages workplaces to follow the available CDC and OSHA recommendations to mitigate hazards.

MIOSHA has a duty to protect Michigan workers and the agency's emergency rules have provided employers and employees with the guidance and certainty they needed to stay safe. These updated rules demonstrate that the agency has the flexibility it needs to ensure consistency with federal OSHA.

Non-healthcare settings should align policies with [CDC guidelines](#) to ensure they help contain the spread of COVID-19. [Federal OSHA has updated guidance](#) for non-healthcare employers as well.

"These updates recognize the great progress we have made in Michigan to contain COVID-19 and the power of vaccinations. We will continue to provide critical workplace protections more focused on areas of increased COVID-19 risk," said Michigan COVID-19 Workplace Safety Director Sean Egan. "In non-health care settings, it's important that all employers recognize that they have a general duty to provide a safe workplace."

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY
MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

GENERAL RULES

EMERGENCY RULES

CORONAVIRUS DISEASE 2019 (COVID-19)

These rules take effect upon filing with the secretary of state and shall remain in effect for 6 months.

(By authority conferred on the director of the department of labor and economic opportunity by sections 19, 21, and 24 of the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1019, 408.1021, and 408.1024, and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2008-4, 2011-4, and 2019-3, MCL 330.3101, 445.2001, 445.2011, 445.2025, 445.2030, and 125.1998)

FINDING OF EMERGENCY

These rules are promulgated by the Director of the Michigan Department of Labor and Economic Opportunity to establish requirements for healthcare employers to control, prevent, and mitigate the spread of coronavirus disease 2019 (COVID-19) among employees. Based on the best available scientific evidence and public health guidance published by the U.S. Centers for Disease Control (CDC) and other public health authorities, COVID-19 is an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). SARS-CoV-2 is easily transmitted through the air from person-to-person through respiratory aerosols. In addition to its contagious nature, COVID-19 is dangerous and deadly. As of June 15, 2021, the State of Michigan had a total of 892,651 confirmed cases and 19,574 deaths.

Since March 2020, employers have reported 64 worker deaths from COVID-19 in Michigan and 173 in-patient hospitalizations for COVID-19 potentially linked to workplace exposure to SARS-CoV-2. MIOSHA has received over 15,000 complaints from employees alleging uncontrolled COVID-19 hazards in the workplace and 584 referrals from local government, including local health departments, indicating that businesses were not taking all the necessary measures to protect their employees from SARS-CoV-2 infection.

The Legislature has declared that “all employees shall be provided safe and healthful work environments free of recognized hazards.” MCL 408.1009. Employers must provide employees with “a place of employment that is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to the employee.” MCL 2 408.1011(a). Nonetheless, Michigan’s experience with COVID-19 demonstrates that the disease can spread rapidly without protective measures and standards in place. To mitigate and limit COVID-19’s spread in healthcare workplaces, it is necessary to impose these rules and standards.

Pursuant to section 21(2) of the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1021, I find that these emergency rules are necessary to protect employees during the ongoing COVID-19 pandemic.

If the non-emergency rulemaking process specified in the administrative procedures act of 1969 (APA), 1969 PA 306, MCL 24.201 to 24.328, for the promulgation of rules was followed, healthcare employees

across Michigan may be unnecessarily exposed to SARS-CoV-2 during the rule promulgation process. Further, existing MIOSHA rules do not directly address COVID-19's spread in the healthcare workplace and healthcare employees are likely to experience an increased probability of infection at work until the protective measures in this rule are in place. Accordingly, following the non-emergency rulemaking process would undermine the effectiveness of Michigan's emergency response to COVID-19, and expose Michigan's healthcare workers to a higher risk of contracting the disease in their places of employment.

The United States Department of Labor, Occupational Safety and Health Administration (OSHA) is issuing an emergency temporary standard (ETS) to protect healthcare workers from occupational exposure to COVID-19 in settings where people with COVID-19 are expected to be present. During the period of the emergency standard, covered healthcare employers must develop and implement a COVID-19 plan to identify and control COVID-19 hazards in the healthcare workplace.

The Director, therefore, for the preservation of the public health, safety, and welfare, finds that a clear and convincing need exists for the promulgation of emergency rules as provided in section 48 of the APA, MCL 24.248, without following the notice and participation procedures required by sections 41 and 42 of the APA, MCL 24.241 and 24.242.

Rule 1. Suspension of previous rules.

These emergency rules supersede the entirety of the emergency rules filed on May 24, 2021.

Rule 2. Scope, application, and adoption by reference.

(1) These rules apply to all healthcare employers covered in the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1001 to 408.1094, for SARS-CoV-2 coronavirus and COVID-19.

(2) The following federal Occupational Safety and Health Administration (OSHA) regulations are adopted by reference in these emergency rules:

(a) 29 CFR 1910, Subpart U, "COVID-19 Emergency Temporary Standard."

(b) 29 CFR 1910.502, "Healthcare," as amended June 10, 2021. 3

(c) 29 CFR 1910.504, "Mini Respiratory Protection Program," as amended June 10, 2021. (

d) 29 CFR 1910.505, "Severability," as amended June 10, 2021.

(e) 29 CFR 1910.509, "Incorporation by Reference," as amended June 10, 2021.

(3) The OSHA regulations adopted in these rules are available from the United States Department of Labor, Occupational Safety and Health Administration website, www.osha.gov, at no charge, as of the time of adoption of these rules.

(4) The regulations adopted in these rules are available for inspection at the Department of Labor and Economic Opportunity, MIOSHA Standards and FOIA Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(5) The regulations adopted in these rules may be obtained from the Department of Labor and Economic Opportunity, MIOSHA Standards and FOIA Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143. Up to 5 copies of these standards may be obtained at no charge. For quantities greater than 5, the cost is 4 cents per page, plus \$20.00 for shipping and handling.

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

6/18/2021

Date



Susan Corbin
Acting Director

Pursuant to Section 48(1) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.248(1), I hereby concur in the finding of the Department of Labor and Economic Opportunity that circumstances creating an emergency have occurred and the public interest requires the promulgation of the above rules.

6/20/2021

Date



Honorable Gretchen Whitmer
Governor

IMPORTANT LINKS

Michigan Department of Health & Human Services Guidelines www.michigan.gov/coronavirus

CDC Website <https://www.cdc.gov/coronavirus/2019-ncov/index.html>

MIOSHA Emergency Rules 10/14/20

https://www.michigan.gov/documents/leo/Final_MIOSHA_Rules_705164_7.pdf

Small Business Association of Michigan https://www.sbam.org/covid-19-resources/stay-home-stay-safe-executive-order/?_ga=2.170400864.159067705.1604949162-1408117714.1600185169