

REQUIREMENTS FOR RESUMPTION OF OFFICE WORK

**CURRENTLY ONLY PERMITTED IN REGIONS 6 AND 8
TRAVERSE CITY AND UPPER PENINSULA**

**AN EMPLOYER THAT RECALLS "OFFICE" WORKERS TO WORK AT
THE FACILITY OF THE EMPLOYER MUST COMPLY WITH ALL OF THE FOLLOWING
REQUIREMENTS**

MAY 29, 2020

**REGULATIONS APPLICABLE TO ALL BUSINESSES OPERATING WHICH REQUIRE
WORKERS TO LEAVE THEIR HOMES:**

"6. Businesses and operations that employ critical infrastructure workers or workers who perform resumed activities [including permitted office work] may continue in-person operations, subject to the following conditions:

(a) ... businesses and operations must determine which of their workers are critical infrastructure workers or workers who perform resumed activities and inform such workers of that designation. Businesses and operations must make such designations in writing, whether by electronic message, public website, or other appropriate means. Workers need not carry copies of their designations when they leave the home or place of residence for work. ...

(c) Businesses and operations maintaining in-person activities must adopt social distancing practices and other mitigation measures to protect workers and patrons, as described in Executive Order 2020-97 and any orders that may follow from it.

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11.m. *For Regions 6 and 8, beginning at 12:01 am on May 22, 2020, workers who work in an office setting, but only to the extent that such work is not capable of being performed remotely.*

Source for quoted material: [EO 96 Sections 6 and 11.m.](#)

"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:
 - (1) Workplace infection-control practices.
 - (2) The proper use of personal protective equipment.
 - (3) 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.
 - (4) How to report unsafe working conditions.
- (d) 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 COVID19.
- (e) 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.
- (f) 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.
- (g) 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.
- (h) 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).
- (i) Adopt protocols to clean and disinfect the facility in the event of a positive COVID-19 case in the workplace.
- (j) 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.
- (k) 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 contact with the person with a confirmed case of COVID-19.
- (l) An employer will allow employees with a confirmed or suspected case of COVID19 to return to the workplace only after they are no longer infectious according to the latest guidelines from the Centers for Disease Control and Prevention (“CDC”).
- (m) 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.
- (n) 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.
- (o) Restrict business-related travel for employees to essential travel only.

- (p) Encourage employees to use personal protective equipment and hand sanitizer on public transportation.
- (q) Promote remote work to the fullest extent possible.
- (r) 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."
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10. Employers must maintain a record of the requirements set forth in Sections 1(c), (d), and (k).

ADDITIONAL REGULATIONS APPLICABLE TO WORK IN "OFFICES"

"7. Offices must:

- (a) Assign dedicated entry point(s) for all employees to reduce congestion at the main entrance.
- (b) Provide visual indicators of appropriate spacing for employees outside the building in case of congestion.
- (c) Take steps to reduce entry congestion and to ensure the effectiveness of screening (e.g., by staggering start times, adopting a rotational schedule in only half of employees are in the office at a particular time).
- (d) Require face coverings in shared spaces, including during in-person meetings and in restrooms and hallways.
- (e) Increase distancing between employees by spreading out workspaces, staggering workspace usage, restricting non-essential common space (e.g., cafeterias), providing visual cues to guide movement and activity (e.g., restricting elevator capacity with markings, locking conference rooms).
- (f) Turn off water fountains.
- (g) Prohibit social gatherings and meetings that do not allow for social distancing or that create unnecessary movement through the office.
- (h) Provide disinfecting supplies and require employees wipe down their work stations at least twice daily.
- (i) Post signs about the importance of personal hygiene.
- (j) Disinfect high-touch surfaces in offices (e.g., whiteboard markers, restrooms, handles) and minimize shared items when possible (e.g., pens, remotes, whiteboards).
- (k) Institute cleaning and communications protocols when employees are sent home with symptoms.
- (l) Notify employees if the employer learns that an individual (including a customer, supplier, or visitor) with a confirmed case of COVID-19 has visited the office.
- (m) Suspend all nonessential visitors.
- (n) Restrict all non-essential travel, including in-person conference events."

Source for quoted material: [Sections 1 and 7 of Michigan EO 2020-97, "Safeguards to protect Michigan's workers from COVID-19"](#)

This alert serves as a general summary, and does not constitute legal guidance. All statements made in this article should be verified by counsel retained specifically for that purpose. Please contact us with any specific questions.



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