

April 6, 2020

PLEASE POST: IMPORTANT REMINDERS FOR EMPLOYERS

ONLY ESSENTIAL EMPLOYEES MAY WORK DURING THE COVID-19 PANDEMIC.

During the COVID-19 pandemic no one may operate a business that requires workers to leave their homes “except to the extent that those workers are necessary to sustain or protect life or to conduct minimum basic operations.” Essential employees are defined as “those whose in-person presence is strictly necessary to allow the business or operation to maintain the value of inventory and equipment.”

EMPLOYERS MAY NOT RETALIATE AGAINST EMPLOYEES WHO COMPLY WITH EO-2020-21.

During the COVID-19 pandemic Michiganders who test positive or show symptoms of COVID-19, or who live with someone who tests positive or shows symptoms, should not leave their homes unless absolutely necessary. Therefore, employers may not discharge, discipline, or otherwise retaliate against an employee for staying home from work if they or one of their close contacts tests positive for COVID-19 or has symptoms of the disease.

EMPLOYERS MUST SCREEN EMPLOYEES FOR COVID-19. THOSE WITH SYMPTOMS MAY NOT WORK.

During the pandemic employers are required to adopt policies to prevent workers from entering the worksite if they display respiratory symptoms or fever or have had contact with a person who is known or suspected to have COVID-19. The Mid-Michigan District Health Department has clarified that this means employers must ask employees daily whether they or someone they live with has symptoms of respiratory illness or fever. If the employee answers yes, they must not be permitted to work. Employers must keep records of these screenings. If a complaint is filed against an employer alleging they are not screening, the employer may be asked to produce documentation of screenings.

EMPLOYERS MUST IMPLEMENT SOCIAL DISTANCING IN THE WORKPLACE.

Employees must work at least 6 feet apart. Other measures may include cautionary signage, limiting the number of people in a workspace, physical barriers and staggered schedules.

These requirements are spelled out in Michigan’s Emergency Orders-2020-21 and 2020-36, and in MMDHD’s Emergency Order 2020-2. For more information visit [Michigan.gov/coronavirus](https://www.michigan.gov/coronavirus) or call the health department at any of the numbers above.