

# Michigan: Gradual Reopening of Businesses

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## Meet the Authors



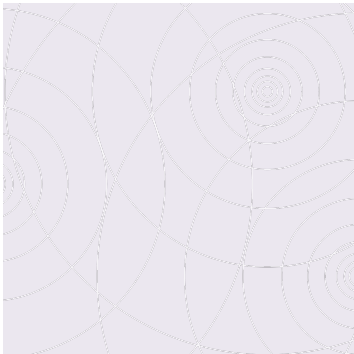
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## Related Services

COVID-19

Workplace Safety and Health

To gradually reopen businesses in the state while continuing to slow the spread of COVID-19 in Michigan, Governor Gretchen Whitmer's Executive Order (EO) [2020-59](#) would permit *some* businesses to resume operations if they meet certain, substantial requirements.

EO 2020-59, issued on April 24, 2020, went into effective immediately, subject to certain additional protections that will become effective on April 26, 2020 at 11:59 p.m. (EO 2020-59 rescinds EO 2020-42, which suspended many business operations.) Except as noted, all previous restrictions remain in effect until May 15, 2020.

New Requirements for Employers, Public Effective April 26, 2020, 11:59 p.m.

The following requirements affect businesses and individuals:

- Every person able to medically tolerate a face covering must wear one that covers both nose and mouth (such as a mask, scarf, bandana, or handkerchief) when in any enclosed public space;
- All businesses and operations whose workers perform in-person work, at a minimum, must provide non-medical-grade face coverings to their workers; and
- Anti-discrimination provisions of the Michigan Elliott-Larsen Civil Rights Act apply in full force to persons wearing masks.

### Resumed Business Activities

Workers who perform the following services may resume work, subject to enhanced social distancing rules:

- Workers who process or fulfill remote orders for goods for delivery or curbside pick-up;
- Workers who perform bicycle maintenance or repair;
- Workers for garden stores, nurseries, and lawn care, pest control, and landscaping operations (this also allows big box stores selling such supplies to reopen those areas of the facility);
- Maintenance workers and groundskeepers necessary to maintain the safety and sanitation of places of outdoor recreation not closed under Executive Order 2020-43;
- Workers for moving or storage operations; and
- Businesses that do not sell necessary supplies may sell any good through remote sales by delivery or at the curbside, but must otherwise remain closed to the public.

### Required Measures to Protect Workers

For workers whose in-person presence is necessary, businesses operations must:

- Provide personal protective equipment such as gloves, goggles, face shields, and face masks appropriate for the activity being performed;

- Bar any gatherings of any size in which people cannot maintain six feet of distance from one another;
- Limit in-person interaction with clients and patrons to the maximum extent possible, and bar all interactions in which people cannot maintain six feet of distance from one another;
- Provide personal protective equipment such as gloves, goggles, face shields, and face masks appropriate for the activity being performed;
- Adopt protocols to limit the sharing of tools and equipment to the maximum extent possible and to ensure frequent and thorough cleaning of tools, equipment, and frequently touched surfaces;
- If open to customers, explore alternatives to lines, including allowing customers to wait in their cars for a text message or phone call; and
- Adhere to any other social distancing practices and mitigation efforts recommended by the Centers for Disease Control and Prevention (CDC).

### **Resumed Non-Business Activities**

Michigan residents may resume:

- Visits to an individual under the care of a healthcare facility, residential care facility, or congregate care facility, to the extent otherwise permitted;
- Attending funerals and addiction recovery mutual aid societies, provided that not more than 10 people are in attendance; and
- Travel between two residences in Michigan.

### **New Requirements for Public**

Every person able to medically tolerate a face covering must wear one that covers both nose and mouth, such as a mask, scarf, bandana, or handkerchief, when in any enclosed public space.

Jackson Lewis has a [dedicated team](#) tracking and responding to the developing issues facing employers as a result of COVID-19. Please contact a team member or the Jackson Lewis attorney with whom you regularly work if you have questions or need assistance.

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