As Michigan returns to full capacity, gathering restrictions and face mask orders have been lifted. On Monday, June 22, 2021, the Michigan Occupational Safety and Health Administration (MIOSHA) filed new COVID-19 emergency rules to align with the federal OSHA’s Emergency Temporary Standards. Most notably, MIOSHA’s new emergency rules “supersede the entirety of the emergency rules filed on May 24, 2021,” and expressly adopt the federal OSHA standards for the healthcare industry.

Given the new MIOSHA rules, employers in non-healthcare settings are now able to dial back their workplace rules and may use their “best judgment” in determining whether to maintain:

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

In other words, it is no longer necessary for these employers to implement a COVID-19 preparedness and response plan with engineering and administrative controls,
basic infection prevention measures (including requiring face coverings and social distancing for unvaccinated workers), and daily employee screening, training, and record-keeping.

With the changed rules, MIOSHA encourages workplaces to follow the available CDC and OSHA recommendations to mitigate hazards. Employers remain obligated to provide a safe and healthy work environment. In evaluating their options, employers may decide to follow OSHA’s federal guidelines for protecting unvaccinated or otherwise at-risk workers. These guidelines can be found on OSHA’s website: osha.gov/coronavirus/safework

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