




COVID-19

UPDATE:
April 14, 2020

**Coronavirus / COVID-19
Response Team**


MILLER 
JOHNSON
Attorneys

1

MILLER 
JOHNSON
Attorneys

**COVID-19 Preparedness
& Response Plan
Requirements**

» Sandy Andre
Sarah Willey

MILLER 
JOHNSON
Attorneys

The materials and information have been prepared for informational purposes only. This is not legal advice, nor intended to create or constitute a lawyer–client relationship. Before acting on the basis of any information or material, readers who have specific questions or problems should consult their lawyer.

3

Agenda

- Executive Order 2020-42 Requirements
- Resources
 - OSHA Guidance on Preparing Workplaces for COVID-19
 - CDC Guidance for Businesses and Employers
- Framework

4

EO 2020-42: Updated Stay at Home Order

- **Not New:**

1. Restricting the # of workers present on premises to no more than is strictly necessary
2. Promoting remote work to the fullest extent possible
3. Keeping workers and patrons who are on premises at least 6 feet from one another to the maximum extent possible, including for customers who are standing in line

EO 2020-42: Updated Stay at Home Order

- **Not New:**

4. Increasing standards of facility cleaning and disinfection to limit worker and patron exposure to COVID-19, as well as adopting protocols to clean and disinfect in the event of positive COVID-19 case in the workplace
5. Adopting policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person who is known or suspected to have COVID-19

EO 2020-42: Updated Stay at Home Order

- **Not New:**
 - 6. Any other social distancing practices and mitigation measures recommended by the CDC
 - <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

EO 2020-42: Updated Stay at Home Order

- **New:**
 - Developing a COVID-19 preparedness and response plan, consistent with the recommendations in *Guidance on Preparing Workplaces for COVID-19*, developed by OSHA
 - <https://www.osha.gov/Publications/OSHA3990.pdf>

OSHA Guidance Components – Plan Should

1. Outline and help guide the protective actions the organization is taking against COVID-19 in the workplace
2. Include a mechanism for how the organization plans to stay abreast of guidance from federal, state, local health agencies and how it will incorporate those recommendations and resources into its workplace plans

OSHA Guidance Components – Plan Should (Cont.)

3. Consider and address the levels of risk associated with various worksites and job tasks, including:
 - Where, how, and to what sources of COVID-19 employees may become exposed
 - Non-occupational risk factors at home and in community settings
 - Workers' individual risk factors
 - Controls necessary to address those risks

OSHA Guidance Components – Plan Should (Cont.)

4. Develop contingency plans for situations such as:
 - Increased rates of worker absenteeism
 - Need for social distancing
 - Options for conducting essential operations with a reduced workforce
 - Interrupted supply chains or delayed deliveries

Framework

- Identify potential sources to spread COVID-19
- Identify Risk Categories
 - Low:
 - Medium
 - High
 - Very High
- Identify Workplace Coordinator

Framework

- Responsibilities
 - Supervisors and Managers
 - Employees
 - Control and preventative guidance:
 - Hand hygiene:
 - Respiratory Etiquette
 - Social Distancing behaviors
 - Educate employees on symptoms and exposure risks
 - Development of symptoms (or close contact with someone with symptoms): No work, report to supervisor, Company will work to identify employees who have close contact

Framework

- Worksite Prevention Measures
 - Educate employees on protective behaviors and provide with the necessary tools for these protective behaviors
 - Develop protocol for social distancing practices
 - Restrict employees from the worksite if they display symptoms of COVID-19
 - Actively encourage sick employees to stay home
 - Actively encourage employees to stay home if they have been in close contact with a confirmed or suspected case of COVID-19

Framework

- Worksite Prevention Measures (cont.)
 - Develop a protocol to follow if an employee has a confirmed case of COVID-19
 - Implement a protocol for return to work, including workplace contact tracing and CDC-recommended cleaning and disinfecting in all affected areas
 - Perform increased routine environmental cleaning and disinfection
 - Eliminate/restrict work-related travel if possible, and limit employees' exposure to returning travelers

Framework

- Worksite Prevention Measures (cont.)
 - Consider engineering controls
 - Increase ventilation rates
 - Increase the percentage of outdoor air that circulates into the system
 - Evaluate options for employees at higher risk for serious illness due to COVID-19
 - Plan to monitor and respond to absenteeism
 - Remind employees of EAP resources and community resources (as needed)
 - Communicate the importance of sick employees staying home with shared staffing companies

Framework

- **Minimize Exposure to Customers**
 - Evaluate what business practices are needed to maintain critical operations
 - Develop protocol for social distancing practices
 - Post information on reducing spread of COVID-19
 - Evaluate options for assessing symptoms of COVID-19 and removing individuals from the workplace with symptoms
 - Consider physical barriers between employees and customers
 - Consider making gloves/masks available to customers

Framework

- **Minimize exposure from visitors/vendors**
 - Talk with business partners about your organization's plan
 - If needed, identify alternate supply chains for critical goods and services
 - If possible, limit the number of visitors to the worksite
 - Develop a protocol for health screening/questionnaire for visitors/vendors
- **Minimize exposure from the general public**
 - Be prepared to change business practices if needed to maintain critical operations

Resources

- Executive Order 2020-42 Requirements
 - https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-525182--,00.html
- OSHA Guidance on Preparing Workplaces for COVID-19
 - <https://www.osha.gov/Publications/OSHA3990.pdf>
- CDC Guidance for Businesses and Employers
 - <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>



Sandy Andre

616.831.1731

andres@millerjohnson.com



Sarah Willey

269.223.2957

willeys@millerjohnson.com

millerjohnson.com

45 Ottawa Ave SW
Suite 1100
Grand Rapids, MI 49503

100 W Michigan Ave
Suite 200
Kalamazoo, MI 49007