

Michigan Executive Order 2020-70: Return to Work Issues for Construction

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Where are we?

- Still in a global pandemic
- A new normal - COVID-19 unlikely to disappear for a long time
- Governor ends “emergency” as required by law then un-ends “emergency” through 5/28
- Legislature expected to file lawsuit
- For now, Stay-at-Home Order until 5/15
- Gov. Whitmer expected to slowly lift restrictions - but said it will be “like a dial”

Finally! Construction can resume

- Executive Order #70 - Construction Industry is a permitted “resumed activity” as of 12:01 am on 5/7.
- Must implement and follow:
 - prior “in person” work requirements, and
 - new “enhanced social distancing rules”

Don't Forget About “Stay Home, Stay Safe” EO Protecting Workers

- EO 36: Mandated self-quarantine and employment protection for:
 - Employees with COVID-19
 - Employees with symptoms of COVID-19
 - Employees who have had “close contact” with either COVID-19 or symptoms in last 14 days

What Do We Need to Do? “In Person” Work Requirements

- COVID-19 Preparedness and Response Plan
- Only necessary employees; promote telework
- Social distancing practices – six foot rule
- Increased cleaning and disinfection
- Protocol for cleaning after positive test
- Policies/screening to prevent employees w/ symptoms or in “close contact” with a confirmed case of COVID-19 from working
- Make non-medical grade face coverings available to employees

What Do We Need to Do? “Enhanced” Requirements

- Prohibit gatherings/meetings where you can't social distance
- Limit in-person contact with owners, suppliers, other trades, etc.
- Provide PPE: gloves, goggles, face shields, masks
- Limit sharing of tools and equipment
- Designate “site-specific” supervisor to monitor and oversee COVID-19 control strategies (must be on site but can wear more than one hat)

What Do We Need to Do? “Enhanced” Requirements

- Conduct daily entry screening for workers/visitors entering each jobsite with questionnaire covering symptoms, possible exposure to COVID-19, and temperature screen if possible
- Create dedicate entry points at each site for the daily screening; document screening and consider issuing stickers or other indicators to show daily screen was completed
- Require face shield or masks to be worn if workers cannot consistently stay 6 feet apart
- Provide instructions for PPE and designate on-site locations for soiled masks

What Do We Need to Do? “Enhanced” Requirements

- Identify and control “choke points” and high-risk areas (hallways, hoists, elevators, water stations, break areas, etc.) to ensure social distancing
- Ensure sufficient hand-washing or hand-sanitizing stations are available for easy access by workers
- Notify contractors and owners of any COVID-19 cases among workers at the site
- Create protocols for minimizing personal contact for material deliveries/supplies

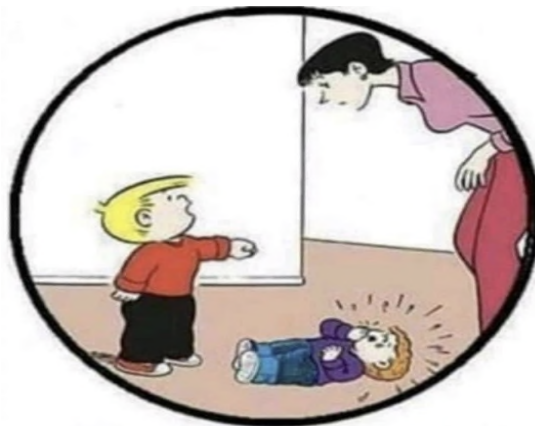
Additional Thoughts

- Communicate with owners, GCs and CMs – meet their expectations and coordinate efforts
- Develop plan/requirements for subcontractors
- Develop communication strategy for your own employees and others on the site
- Develop protocols for employee travel
- Review potential application of FFCRA and related issues such as refusals to work
- Ensure all contractors understand return to work parameters for positive test or exposure/close contact – EO 36 & CDC requirements for potentially exposed workers

How Long Must an Exposed Worker Stay Home under EO 2020-36?

1. Directly impacted workers: stay home until:
(a) three days after their symptoms have resolved, and (b) seven days after their symptoms first appeared or since they were swabbed, or they receive a negative test.
2. Workers in “close contact”: stay home until 14 days have passed since their last contact with an “at risk” person, or they receive a negative test.
3. Consider requiring return to work clearance.

Stay safe and be careful out there



**"He coughed on me so
I social distanced his ass!"**



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