



Update MIOSHA Emergency Rules in the Workplace

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On Friday May 14, Governor Whitmer officially lifted the indoor mask mandate for individuals that are fully vaccinated against the COVID-19 virus. All other broader Michigan mask mandates, for those vaccinated or not, are set to expire on July 1.

The Michigan Occupational Safety and Health Administration (MIOSHA) filed updated emergency rules concerning COVID-19 on Friday, May 21. These changes took effect May 24 and are expected to expire on Thursday, October 14.

Now that the state has reached the 55% vaccination threshold, MIOSHA has removed the requirement that employers must create a:

"Policy prohibiting in-person work for employees to the extent that their work activities can feasibly be completed remotely."

Among the updated aspects of the emergency rules from MIOSHA that reflect guidance from the Centers for Disease Control (CDC) and the Michigan Department of Health and Human Services (MDHHS) include:

- Employers may allow fully vaccinated employees to not wear face coverings and social distance provided they have a policy deemed effective to ensure non-vaccinated individuals continue to follow these requirements.
- Employers should continue to have and implement a written COVID-19 preparedness and response plan in accordance with the updated rules.

In order to ensure compliance with the mask rule, MIOSHA states an Employer may:

- Keep records of whether employees are fully vaccinated persons, and exempting them from wearing masks;
- Post signs in the work area reminding employees that are not fully vaccinated to wear face coverings and maintain appropriate distancing.
- Allow or require remote work.

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- Require face coverings and social distancing for all employees regardless of vaccination status.

For more information on MIOSHA's COVID-19 Emergency Rules, visit [Michigan.gov](https://www.michigan.gov).

If you have further questions about employees returning to work or about updating your response plan, please contact a Foster Swift labor & employment law attorney.

With businesses beginning to return to normal operations, it is essential to stay updated on the latest developments to avoid a crisis. For other legal topics, visit our labor blog at [michlaborlaw.com](https://www.michlaborlaw.com) or our [Coronavirus Resource page](#).