

MIOSHA Emergency Workplace Rules Generally No Longer in Effect

June 22, 2021

On June 22, 2021, The Michigan Occupational Safety and Health Administration posted a new set of **Emergency Rules** on the Department of Labor and Economic Opportunity's COVID-19 Workplace Safety Guidance **website**. These emergency rules, which "supersede the entirety of the **emergency rules** filed on May 24, 2021," remove all previous requirements to identify and control COVID-19 hazards in the general workplace. It is no longer necessary for most 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), daily employee screening, training, and record keeping. For health care workplaces, however, the newest version of MIOSHA emergency rules adopted the recently issued **COVID-19 Emergency Temporary Standard** to protect workers in those settings where people with COVID-19 are expected to be present.

Employers still have a general duty under the Michigan Occupational Safety and Health Act to provide a workplace that is free from recognized hazards that are causing or likely to cause death or serious physical harm to the employee. MIOSHA has indicated that while there are no longer specific workplace requirements, workplaces are strongly encouraged to follow the available CDC and OSHA recommendations to mitigate workplace hazards related to COVID-19.

If you have any questions about the updated MIOSHA emergency rules or how the changes impact your workplace, please contact the authors of this alert or your Miller Canfield attorney.

This information is based on the facts and guidance available at the time of publication and may change.