

Labor & Employment Client Alert | March 16, 2021

MIOSHA Announces Intent to Extend Emergency Rules Regarding In-Person Office Work

MIOSHA hosted a live webinar on March 16, 2021, focusing on its October 14, 2020 Emergency Rules regarding in-office work. MIOSHA has recorded 275 COVID-19 outbreaks in office settings and has indicated the Emergency Rules will be extended beyond the current April 14, 2021 end date.

MIOSHA clarified that it has not “banned” in-person work, and that it is up to employers under the Emergency Rules to determine for themselves whether it is feasible for their employees to work remotely. Below are slides from the presentation:

MIOSHA Emergency Rules

- Extension is expected.
- Rules can accommodate a phased-in return.
- **Does not prohibit in-person work.**
- Require employers to determine whether remote work is feasible to help ensure COVID-19 transmission is mitigated to maximum extent possible.
- MIOSHA to begin formal rulemaking process for permanent COVID-19 rules. Rules can be rescinded once the pandemic has ended.



MIOSHA also stated that employer in-person work policies and the feasibility of working remotely can be adjusted as business needs change. This is welcome news for the business community after receiving mixed messages over the past several months about what is and is not allowed.

MIOSHA has also established “work groups” that, over the next 4-6 weeks, will be providing recommendations to the Governor and the Michigan DHHS on how to safely bring employees back to work in phases.

The Next Step

A new work group consisting of Business, Labor and Public Health leaders will provide recommendations on Back-to-Work policies.

- Feedback first
- Ongoing recommendations

The group is expected to complete its work in 4-6 weeks.



For more information, please contact attorney Brian Kreucher.



Brian A. Kreucher
bkreucher@howardandhoward.com
248.723.0441

