

The Continued Value of COVID-19 Preparedness and Response Plans

By: Rebecca Seguin-Skrabucha, Senior Associate, Workplace Law Group

As we reported last week, the Michigan Occupational Safety and Health Administration (“MIOSHA”) updated its Emergency Rules to mirror the safety requirements disseminated by the federal Occupational Safety and Health Administration (“OSHA”). In short, covered healthcare employers should ensure compliance with the Emergency Temporary Standard, and all other employers should review OSHA’s “Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace” for a summary of best practices.

Though the “Protecting Workers” guidance does not impose legal obligations on employers, it highlights the workplace safeguards recommended by OSHA for a “safe and healthful workplace.” All employers must provide a “safe and healthful workplace” under state and federal law.

One such best practice specifies: “Educate and train workers on your COVID-19 policies and procedures using accessible formats and in language they understand.” The enforcement of a COVID-19 Preparedness and Response Plan remains the most consistent and convenient tool through which to complete training.

The Plan also documents employers’ ongoing preventative measures, evidencing the provision of the requisite “safe and health workplace,” including cleaning and disinfection protocols and the requirement that certain employees are prohibited onsite (i.e., any employee who is symptomatic of and/or diagnosed with COVID-19 and any employee who is not fully vaccinated and experienced close contact with a confirmed case of COVID-19 in the preceding 14 days).

Bodman has updated its template Plan to comply with OSHA’s “Protecting Workers” guidance. Employers should contact any member of **Bodman’s Workplace Law Group** to receive a copy of the template Plan and to discuss the effectiveness of their COVID-19 policies and procedures. Bodman cannot respond to your questions or receive information from you without first clearing potential conflicts with other clients. Thank you for your patience and understanding.

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