

It's "Vacc to Normal" for Michigan



Miriam L. Rosen | Friday, April 30, 2021

Michigan Governor Gretchen Whitmer has issued a unique challenge for our unprecedented times. With much of the state still under a remote work requirement and other restrictions, on April 29, 2021 Governor Whitmer announced a new plan that ties easing the COVID-19 restrictions to increasing vaccination levels. The “MI Vacc to Normal Challenge” establishes four key benchmarks for easing restrictions based upon escalating vaccination rates in the state.

As of April 29, Michigan’s population was 48.8% vaccinated. From that foundation, the Governor’s plan sets out the following vaccination benchmarks for easing restrictions:

- **Step 1:** Two weeks after 55% of the state’s population ages 16 and older receives at least their first COVID-19 vaccination, the Michigan Department of Health and Human Services (MDHHS) will permit in-person work for all sectors of business. Although MIOSHA recently extended the remote work requirement through October 2021, reaching the 55% milestone would effectively lift the requirement.
- **Step 2:** Two weeks after 60% of the Michigan population ages 16 and older receives at least their first COVID-19 vaccination, the state will allow an increase in indoor capacity limits for banquet centers, arenas and stadiums to 25% of capacity. Gym capacities will be increased to 50% and the curfew on bars and restaurants will be lifted.
- **Step 3:** Two weeks after 65% of the Michigan population ages 16 and older receives at least their first COVID-19 vaccination, indoor capacity limits will be lifted and residential social gathering limits will be

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relaxed.

- **Step 4:** Two weeks after 70% of the Michigan population ages 16 and older receives at least their first COVID-19 vaccination, the gatherings and face mask order will be lifted.

Based on current vaccination trends, the Governor estimated that the 55% threshold could be reached in the first week in May, which would result in a lifting of the in-person work restrictions two weeks later.

In anticipation of a return to office in late May, on April 29 the Michigan Return-to-Office Workgroup comprised of business, labor, and public health experts issued **recommendations** for a phased return to in-person work. The Workgroup focused on four key areas: physical workplaces, human resources policies, public health issues, and employee support. The Workgroup recommendations address the need for state agencies to provide more practical, “real-world” guidance as well as suggested best practices for employers. The Workgroup’s recommendations for best practices include:

1. Reduce Office Density

- Consider utilizing hybrid work strategies to promote social distancing.
- Consider task-based collaboration options for in-person work and continue to allow remote work when feasible.

2. Operational Obstacles

- Daily Health Screenings – stagger entry times to avoid congregation at screening checkpoints, consider using screening apps to provide information prior to entry.
- Entry/exit through common entrances and elevators – stagger start and end times as practical to avoid congregation.

3. Communication

- Ensure effective and continuous communication with employees on plans, procedures and updates on return to the office.
- Provide fact sheets and signage on safe office practices, such as social distancing, face coverings, and hygiene.

4. Quarantine, Isolation and Testing Guidelines

- Ensure policy clearly articulates the ability of employees to quarantine/isolate/test without risk of job loss.
- Promote the use of **sick and family leave tax credits** available for employers with 500 or fewer employees to provide paid leave.

5. Travel Policy

- Consider implementing travel policies that recognize potential exposures and require quarantine periods, if necessary.

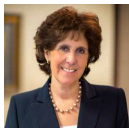
6. Vaccines

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- Set vaccination goals employer-wide and consider achievement rewards.
- Provide up-to-date information to employees on the vaccines and links to vaccination sites/sign-up information.
- Consider partnering where possible with local public health to offer on-site vaccination.

With the “Vacc to Normal Challenge” as an inducement to speed up the rate of vaccinations, a return to the office is seemingly on the horizon. This means that now is the time for Michigan employers to focus on the details of return to office plans that were likely prepared, but shelved, months ago. In addition to the best practices suggested by the Workgroup, employers should also consider the practical issue of re-acclimating employees to working in the office environment after so many months of working at home. For most employers, leaving the workplace in March 2020 was sudden and unexpected, returning will require thoughtful planning to minimize risks and create a safe environment.

The McDonald Hopkins Labor and Employment Law Team will continue to keep employers updated on COVID-19 and return to work developments. Please contact your McDonald Hopkins employment lawyer with any questions.



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