

Michigan's Phased Reopening: Executive Orders 2020-91 and 2020-92

Article By:

Seth W. Ashby

Eric R. Post

Ashleigh E. Draft

On May 18, 2020 Gov. Whitmer issued Executive Orders No. 2020-91 and 2020-92 which provide clarification regarding worker protection during the coronavirus pandemic and amendments to the Stay Home, Stay Safe order. The Stay Home, Stay Safe order now divides Michigan into eight separate regions, with different regions subject to differing reopening timelines based on their respective progress in the fight against COVID-19. Most notably, restaurants and retail stores in Northern Michigan and the Upper Peninsula are permitted to reopen beginning May 22 subject to certain restrictions.

Executive Order 2020-91

This order replaces what was formerly Section 11 of Executive Order 2020-77. Specifically, the new order provides for various workplace safety standards and enhanced enforcement of these rules.

Executive Order 2020-92

The new iteration of the Stay Home, Stay Safe order generally provides for the following changes:

- Michigan is now [divided into eight different regions](#), each of which is subject to its own timeline and schedule regarding phased reopening plans.
- Beginning May 22, 2020 the following workers in certain areas of Northern Michigan and the Upper Peninsula (i.e., Regions 6 and 8), are permitted to resume operations subject to the specified workplace standards:
 - Retail workers
 - Office workers performing work that is not able to be performed remotely

- Restaurant and bar staff (at 50 percent capacity)
- Any workers that are necessary to prepare a workplace to follow the standards described in Executive Order 2020-91 are deemed workers who perform resumed activities and may resume in-person work effective immediately.
- The order does not limit the ability of cities, villages or townships to take a more cautious approach, such as limiting restaurants to outdoor seating.
- The order does **not** permit the reopening of other places of public accommodation that have been closed pursuant to Executive Order 2020-69 (e.g., salons, theaters, libraries, etc.).

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