

April 24, 2020

MNLA Members,

We are pleased to report that through our collective efforts our industry has been exempted in Executive Order No. 2020-59 and we are allowed to go back to work. REMEMBER: We are still in a pandemic and we must be diligent in following safety protocols in order to keep everyone in our industry safe. If you cannot work safely, then please do not go back to work.

Working is now a privilege that we must not take lightly or it will be taken away.

We are still under a stay at home order, which means that people are home and are going to be watching everything that goes on in their neighborhoods.

It is important that under this scrutiny our industry as a collective whole is showing that we are following the safety protocols and are keeping our employees and customers safe.

We're encouraging a peer-to-peer support group and whenever possible let's encourage each other to follow the rules and implement safety protocols. If you see someone not following the safety guidelines, please let me know so we can follow up and get them the information they need to safely work.

According to our attorney, here is what you have to know and do to go back to work under Executive Order NO. 2020-59:

- We were exempted in 10.(c) of the order:
 - Workers for garden stores, nurseries, and lawn care, pest control, and landscaping operations, subject to the enhanced social-distancing rules described in section 11(h) of this order.
- This Order has immediate effect and you can go back to work/open your stores as soon as you have done the following items.
- If you choose to go back to work, you MUST adhere to section 11:
 - 11. Businesses, operations, and government agencies that remain open for in-person work must adhere to sound social distancing practices and measures, which include but are not limited to:
 - (a) Developing a COVID-19 preparedness and response plan, consistent with recommendations in Guidance on Preparing Workplaces for COVID-19, developed by the Occupational Health and Safety Administration (attached). Such plan must be available at company headquarters or the worksite. Click [HERE](#) for the safety protocols we've assembled from our partners. They are in both English and Spanish.
 - (b) Restricting the number of workers present on premises to no more than is strictly necessary to perform the in-person work permitted under this order.
 - (c) Promoting remote work to the fullest extent possible.
 - (d) Keeping workers and patrons who are on premises at least six feet from one another to the maximum extent possible.

- (e) Increasing standards of facility cleaning and disinfection to limit worker and patron exposure to COVID-19, as well as adopting protocols to clean and disinfect in the event of a positive COVID-19 case in the workplace.
 - (f) Adopting policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person with a confirmed diagnosis of COVID-19.
 - (g) Any other social distancing practices and mitigation measures recommended by the CDC.
 - (h) For businesses and operations whose in-person work is permitted under sections 10(c) through 10(e) of this order, the following additional measures must also be taken:
 - (1) Barring gatherings of any size in which people cannot maintain six feet of distance from one another.
 - (2) Limiting in-person interaction with clients and patrons to the maximum extent possible, and barring any such interaction in which people cannot maintain six feet of distance from one another.
 - (3) Providing personal protective equipment such as gloves, goggles, face shields, and face masks as appropriate for the activity being performed.
 - (4) Adopting protocols to limit the sharing of tools and equipment to the maximum extent possible and to ensure frequent and thorough cleaning of tools, equipment, and frequently touched surfaces.
- To reiterate, Section 11(h)(2) says these resumed businesses should limit in-person interaction with clients and patrons to the maximum extent possible, barring any such interactions in which people cannot maintain 6 feet of distance from one another. Online order and curbside pickup would be the easiest way to do this. But, if a garden store or nursery can facilitate shopping and checkout without in-person interaction (between employees and patrons or among patrons) that is also permissible.
 - Section 7 is the place where individuals are given permission to leave their homes. Section 7(a)(4) gives permission to perform the resumed activities described in section 10 (our section) “after being designated to perform such work by their employers.” So, every business should draft a memo to file designating all of their employees to perform work under Section 10(c) and keep it on file, in case anyone requests it.
 - Section 15—Effective on April 26, 2020 at 11:59 pm:
 - (b) All businesses and operations whose workers perform in-person work must, at a minimum, provide non-medical grade face coverings to their workers.

One final note, it is no longer necessary to post the messages to social media that were sent out earlier today.

Thank you and please be safe out there.

Amy

Amy Upton
Michigan Nursery and Landscape Association
2149 Commons Parkway
Okemos, MI 48864
Ph (517) 381-0437
Fax (517) 381-0638
E-mail: amy@mnla.org

"The achievements of an organization are the results of the combined effort of each individual." – Vince Lombardi
