

COVID-19 Masking Updates

From: Michigan Department of Labor and Economic Opportunity <LEO@govsubscriptions.michigan.gov>

Sent: Fri, Aug 20, 2021 at 12:49 pm

To: news@workcompcentral.com



COVID-19 Masking Updates

Memo

August 20, 2021

From: Jack Nolish, WDCA Director

To: State Bar of Michigan, Workers' Compensation Section and all others visiting hearing sites

Re: COVID-19 masking updates

After some sixteen months of locked doors, and as both the COVID-19 infection rate went down and the vaccination rate went up, we were able to open the hearing sites. It was not a full return to the "good old days," but it was as close as we could get. Things seemed to be going well BUT with the arrival of the Delta variation of COVID-19 coupled with loosening of the guidelines for gatherings, etc., the state-wide infection rate has surged back with MDHHS reporting an average of 1,345 new confirmed cases each day.

Recently, but too late to take remedial action, we became aware that an attorney visiting our Okemos hearing site, a couple days after the visit, was found to be infected. Standard state protocols were followed but the time delay between the visit and the information coming to us made "deep cleaning" of no value, so we did not close the office.

In the meantime, since the announcement requiring masking by all persons visiting our hearing sites was made on August 6, the state has now issued a formal policy regarding entry into state owned or leased buildings. This applies, of course, to ALL of our facilities. WDCA shall apply this policy to ALL PERSONS ENTERING ALL OF OUR HEARING SITES FOR ANY REASON. This applies REGARDLESS of vaccination status.

State of Michigan

Administrative Guide to State Government

0210.11 COVID-19

Face Mask Policy For Visitors

Issued: August 19, 2021

This policy is effective as of August 23, 2021

PURPOSE The state is committed to ensuring that any visitor accessing state government services in a state building is as safe as possible. The highly transmissible Delta variant is spreading rapidly across the nation, making it essential for the state to adopt prevention policies to reduce COVID-19 transmission. Accordingly, the Department of Technology, Management, and Budget adopts the following policy to protect any visitors to state buildings.

APPLICATION Except as otherwise provided in this paragraph, **this policy applies to any visitor while inside a state building. For purposes of this policy, “state building” means a building accessible by the public over which the Department of Technology, Management, and Budget has jurisdiction or control, including buildings or parts of buildings and other real estate occupied by the State as lessee.** This policy does not apply in a room inside a state building being used for the meeting of a public body subject to the Open Meetings Act, MCL 15.261 et seq.

CONTACT AGENCY Department of Technology Management and Budget (DTMB)
Cybersecurity and Infrastructure Protection (CIP) Office of Infrastructure Protection (OIP)
Telephone: 517-335-6735 Fax: 517-241-5639 and State Facilities Administration (SFA) Building Operations Division (BOD) Telephone: 517-284-7943 DTMB Building & Parking Services Email: DTMB-Building-Parking-Services@michigan.gov

SUMMARY Procedures for any visitor to follow while inside a state building.

DEFINITIONS: Face Mask: A N95/KN95/KN94 respirator or other multi-layered breathable fabric that completely covers the nose and mouth, fitting snugly against the sides of the face.

PROCEDURES

Visitor

1. A visitor inside a state building must wear a face mask.
2. A visitor inside a state building may remove their face mask if they are in an enclosed space where no other person from outside their household is present.
3. The following visitors are exempt from the requirements of this policy:
 - a. Individuals who cannot medically tolerate a face mask.
 - b. Individuals who are deaf, deafblind, or hard of hearing or otherwise disabled or who are communicating with someone who is deaf, deafblind, or hard of hearing or otherwise disabled and where the ability to see the mouth is essential to communication.
 - c. Individuals who enter a building or receive services and are asked to temporarily remove a face mask for identification purposes.
 - d. Individuals who are actively engaged in a public safety role/emergency, such as law enforcement officers, firefighters, or emergency medical personnel.

In addition, any person exhibiting the symptoms identified by the CDC, **should not appear** at a

hearing site but should contact the magistrate or staff. The symptoms identified include:

People with COVID-19 have had a wide range of symptoms reported – ranging from mild symptoms to severe illness. Symptoms may appear 2-14 days after exposure to the virus. Anyone can have mild to severe symptoms. People with these symptoms may have COVID-19:

- o Fever or chills
- o Cough
- o Shortness of breath or difficulty breathing
- o Fatigue
- o Muscle or body aches
- o Headache
- o New loss of taste or smell
- o Sore throat
- o Congestion or runny nose
- o Nausea or vomiting
- o Diarrhea

This list does not include all possible symptoms. CDC will continue to update this list as we learn more about COVID-19. Older adults and people who have severe underlying medical conditions like heart or lung disease or diabetes seem to be at higher risk for developing more serious complications from COVID-19 illness. [Symptoms of COVID-19 | CDC](#)

The state and agency positions are consistent with the rules announced the Michigan Supreme Court for the state courts and the Michigan Office of Administrative Hearings and Rules (MOAHR), the successor to SOAR, where our Board of Magistrates and Appellate Commission used to reside and with which we share some hearing sites:

All persons granted access to the hearing office must wear an appropriate non-medical grade face covering (mask) at all times of the hearing process, including entering and exiting the hearing office, unless the face covering cannot be medically tolerated, or temporary removal of the face covering is necessary to make an accurate record. For persons incapable or unwilling to wear a face covering, arrangements will be made to allow for their participation or testimony to be accomplished via remote access. (MOAHR)

All persons granted access to the hearing office shall maintain social distancing of at least six feet from one another to the maximum extent possible (except for immediate family groups), including the questioning of witnesses by attorneys/representatives and the placement of chairs in a hearing room.

Office postings will be updated shortly. Even with full compliance with these guidelines, it is likely that an infected person will visit a hearing site. Such a person might not even know they are infected at the time and may never exhibit symptoms suggesting a need for testing. There is nothing we can do about that. Somebody else, as described above, might be feeling great on the day of their visit to the site and unaware of their infection until sometime after their visit.

Any person who is diagnosed with or experiences symptoms of COVID-19 within 14 days after

attending a hearing must, within 24 hours, notify WDCA's worksite representative, Laurie Rospond telephone at (517) 284-8911 or by e-mail to: RospondL1@michigan.gov. If you are not able to reach Laurie a backup contact is Mark Long at (517) 284-8901, LongM1@michigan.gov.

WDCA does not have an effective way of giving notice to all those that might have been exposed to an infected individual who was in a hearing site on a particular date. Exposures will be reported in accord with the Department of Management and Budget (DTMB) and posted by their staff. Since we have not restricted the flow of visitors to hearing participants only or required a tight time schedule, it would be impossible to assure that we have gotten the word out to every person that might have been exposed.

Fortunately, there is a workable no-cost solution. "There's an app for that."

This free app is for all mobile phones and will help users notify each other and slow the spread of coronavirus in Michigan. It is secure and confidential. Using the MI COVID Alert app along with the existing public health measures will help us all stay safe when we meet up, socialize, work or travel. Details at: [Coronavirus - COVIDAlert \(michigan.gov\)](https://www.michigan.gov/coronavirus). Detailed information on how the system works can be found on the site: [Coronavirus - Privacy and data \(michigan.gov\)](https://www.michigan.gov/coronavirus).

It does, however, require voluntary participation and self-reporting. IT IS NOT AN EMERGENCY NOTIFICATION SYSTEM like that used for tornado warnings, etc. It operates completely independent of WDCA. We do not use it as an information distribution system. Users report their infection anonymously through the app and the system notifies the other users who have been in proximity to the reporting individual during a specific time period.

Although this appears to be a good way to help protect our visitors, it will require cooperation. It is recommended that any attorney that handles cases at our hearing sites become a participant in the system. It is also recommended that clients and witnesses of any description should also be encouraged to sign-up for this useful tool. It also requires people to voluntarily report infections. We realize that this is a "big ask", but we are facing a VERY big problem.

We are continuing our recommendation that eligible individuals get vaccinated, including any recommended booster, as soon as possible. It is a key part in the 4 layer protection set that includes vaccination, masking, social distancing and frequent hand washing.

So, stay home if have symptoms or recent exposure; get and use the app, get your shots, keep your distance, mask-up, wash-up and let's stay safe.

Thank you for your cooperation in these challenging times.

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