

Dealer Advisory

November 16, 2020



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Michigan Begins a 3-Week "Pause" on Nov. 18

Governor Whitmer held a [press conference on Sunday](#) to announce a new emergency order that enacts a three-week pause targeting indoor social gatherings and other group activities in an effort to curb rapidly rising COVID-19 infection rates. The order was issued by the Michigan Department of Health and Human Services (MDHHS). **It takes effect on November 18, 2020 and remains in effect through December 8, 2020.**

Dealers around Michigan should continue to enforce the requirements for masks (employees and customers) and strengthen gathering restrictions in the workplace. Please keep the following in mind:

- **Social Distance.** If there is a possibility a line may form in any area of your dealership, social distance markers should be in place. Section 4(a)1 states that retail stores must establish lines to regulate entry and checkout, with markings for patrons to enable them to stand at least six feet apart from one another while waiting.
- **Customer Appointments.** While not mandatory, appointments should be made available to customers who may want one. This will provide an additional level of comfort to some customers, and can also help with maintaining occupancy limits.
- **Gatherings and Clusters.** Occupancy limits are still a critical concern for the state. Small gatherings are a significant cause of virus transmission, which is why the state continues to focus on occupancy limits and gathering restrictions. Please continue to enforce occupancy limits and distance restrictions as referenced in Section 4(a) of the epidemic order.
























The new epidemic order is aimed at limiting residential and non-residential gatherings where COVID-19 spreads rapidly. Indoor residential gatherings are limited to two households at any one time. Bars and restaurants will be open for outdoor dining, carry-out and delivery only. Gyms will remain open for individual exercise with strict safety measures in place. Casinos, movie theaters and group exercise classes will be closed. Professional and college sports meeting extraordinary standards for risk mitigation may continue without spectators, however all other organized sports must stop. Colleges and high schools may proceed with remote learning, but must end in-person classes.

As a reminder, for the purposes of this order, "gathering" means any occurrence, either indoor or outdoor, where two or more persons from more than one household are present in a shared space. *A gathering would include a situation such as a salesperson working with a customer.*

New MDHHS Epidemic Orders - in effect Nov. 18


- [Gatherings and Face Mask Order](#)
- [Epidemic Order Infographic](#) (see below graphic)
- [Epidemic Order Social Gathering Guidance](#)
- [Epidemic Order Safe Social Pods Guidance](#)
- Also see, [Nov. 4 guidance for keeping a safe workplace](#)

COVID-19
PAUSE TO SAVE LIVES

Open		Not open	
 Two-household gathering (high precautions)*	 Hair salons, barber shops, other personal services	 High schools (in-person learning)	 Theaters, movie theaters, stadiums, arenas
 Small outdoor gatherings (25 people)	 Gyms and pools (for individual exercise)	 Colleges and universities (in-person learning)	 Bowling centers, ice skating rinks, indoor water parks
 Retail	 Restaurants and bars (outdoor dining, takeout, and delivery)	 Workplaces, when work can be done from home	 Bingo halls, casinos, arcades
 Preschool through 8th grade (local district choice)	 Professional sports** (without spectators)	 Restaurants and bars (indoor dining)	 Group fitness classes
 Childcare	 Parks and outdoor recreation	 Organized sports, except professional sports	
 Manufacturing, construction, other work that is impossible to do remotely	 Funerals (25 people)		
 Public transit	 Health care		

*See Social Gathering Guidance.
**includes a limited number of NCAA sports.

For more information about the order, visit Michigan.gov/Coronavirus.
Questions or concerns can be emailed to COVID19@michigan.gov.



Q&A: What metrics were used to decide on a three-week pause?

Health officials have found this virus to have a two to three week incubation period. For this three-week pause to work, and avoid the possibility of a continued shutdown, the governor reminds everyone to do their part. If that happens, Michigan should see a drastic improvement in the number of COVID-19 cases.

MIOSHA Remote Work Policies

MIOSHA further clarified its expectations for remote work in a [November 12 press release](#). We have heard from a number of dealers looking for more guidance on this topic.

We remind dealers to continue offering remote work to the greatest extent possible. Also keep in mind that **the state recognizes in-person work may be appropriate for jobs involving protected data that cannot be accessed remotely**. While you may have some employees who can feasibly work from home, there is also a large aspect to your business that deals with personal protected data and the employees who access this information will often need to work in the dealership.

MIOSHA’s COVID-19 Emergency Rules Regarding Remote Work

To be in compliance with MIOSHA’s COVID-19 Emergency Rules, employers are required to create a policy prohibiting in-person work for employees to the extent that their work activities can feasibly be completed remotely. **MIOSHA can cite employers, require abatement, and fine them up to \$7,000 for failing to produce a remote work policy or if the employer’s preparedness and response plan is non-compliant.**

To help ensure compliance, MIOSHA launched a State Emphasis Program (SEP) focused on office settings that addresses the need for increased vigilance, education and enforcement on remote work policies.

We remind dealers that MIOSHA inspections are ongoing, and they are involved. MIOSHA continues to follow up on employee and customer complaints, plus referrals from local health

departments or other state departments. Make sure your preparedness plan is current and covers all the topics required by MIOSHA - and that your employees understand the expectations. This preparedness plan must include your policy for remote work.

Additional Guidance from MIOSHA

- [MIOSHA's COVID-19 Emergency Rules](#)
- [Nov. 4 Interim Enforcement Plan](#)
- [Nov. 10 State Emphasis Program for offices](#)
- [Workplace Safety Resources at Michigan.gov/COVIDWorkplaceSafety](https://www.michigan.gov/COVIDWorkplaceSafety)

Dealers are again reminded that Colombo & Colombo, P.C. has developed a sample/template [preparedness plan](#) dealers may use. The plan is updated as new guidance and requirements are released. The most current version is dated Nov. 10, and this plan should be tailored to your specific dealership.

Throughout this pandemic, dealerships have remained open as an essential workforce to provide important transportation needs to residents and businesses - to keep Michigan moving ahead. You have put a lot of time and effort into doing this safely and properly, helping to keep our state open. DADA and MADA commend you for your efforts. Continue with the good work; we all hope to move beyond this tragic crisis soon.

Please contact DADA at (248) 643-0250 or MADA at (800) 292-1923 if you have further questions about this issue.

*This advisory has been prepared in conjunction with
Colombo & Colombo, P.C., and Abbott Nicholson, P.C.*

Michigan Automobile Dealers Association

1500 Kendale Boulevard, P.O. Box 2525
East Lansing, MI 48826-2525
www.michiganada.org
Phone (517) 351-7800
Fax (517) 351-3120

Detroit Auto Dealers Association

1900 West Big Beaver
Troy, MI 48084-3537
www.dada.org
Phone (248) 643-0250
Fax (248) 643-8788