



ALERTS

Michigan's Governor Extends Shelter In Place Order, Eases Some Restrictions

April 27, 2020 | [Southeast Michigan](#) | [Grand Rapids](#)

On April 24, Michigan Gov. Gretchen Whitmer signed [Executive Order 2020-59](#), which extends the duration of the measures contained in her previous "Stay Home, Stay Safe" orders – [Executive Order 2020-21](#) and [Executive Order 2020-42](#) – but eases some of those restrictions. It is effective immediately and continues through May 15, 2020.

Specifically, the new order amends certain previous restrictions in an effort to gradually resume in-person work and activities that were previously suspended.

Changes for Individuals

Gov. Whitmer's new order keeps in place the original "Stay Home, Stay Safe" executive order's requirement that all individuals are to remain at home or in their place of residence except for certain limited activities. In addition to the previous permissible activities, the new order permits boating (including power boating) and golfing as recreational activities, and it lifts the ban on traveling between residences within the state. Individuals are now also permitted to attend addiction recovery meetings, provided that there are no more than 10 people in attendance.

One significant change is that individuals, starting April 26, must wear a face covering (e.g., homemade mask, scarf, bandana, or handkerchief) in any enclosed public space. Importantly, the protections against discrimination in the [Elliott-Larsen Civil Rights Act](#), which prohibit discriminatory practices, policies and customs based upon religion, race, color, national origin, age, sex, height, weight, familial status, or marital status, apply to those who wear a mask under this new order.

RELATED PEOPLE



Keith J. Brodie

Partner
Grand Rapids

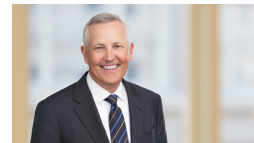
P 616-742-3958
F 616-742-3999
keith.brodie@btlaw.com



Grant T. Pecor

Partner
Grand Rapids, Southeast
Michigan, Chicago

P 616-742-3911
F 616-742-3999
GPecor@btlaw.com



Kenneth J. Yerkes

Partner
Indianapolis

P 317-231-7513
F 317-231-7433
ken.yerkes@btlaw.com



John T.L. Koenig

Partner
Atlanta

P 404-264-4018
F 404-264-4033
john.koenig@btlaw.com

Certain Businesses Permitted to Resume In-Person Operations

The new order's restrictions on work continues to be construed broadly to prohibit in-person work that is not necessary to sustain or protect life; however, it now permits businesses that employ workers in the following categories (referred to as "resumed activities") to perform in-person operations:

- Workers who process or fulfill remote orders for goods for delivery or curbside pickup
- Workers who perform bicycle maintenance or repair
- Workers for garden stores, nurseries, and lawn care, landscaping, and pest control operations
- Maintenance workers and groundskeepers that are necessary to maintain safety and sanitation of places of outdoor recreation not otherwise closed under [Executive Order 2020-43](#) or any subsequent related order, provided that those workers do not provide goods, equipment, supplies or services to individuals
- Workers for moving or storage operations

These businesses, however, must abide by the following additional social distancing measures when performing business operation in-person and must:

- Ban gatherings of any size in which people cannot maintain 6 feet of distance from one another
- Limit in-person interaction with clients and patrons to the maximum extent possible
- Provide personal protective equipment (PPE) such as gloves, goggles, face shields, and face masks as appropriate for the activity being performed
- Adopt protocols to limit the sharing of tools and equipment to the maximum extent possible and the frequent cleaning of tools, equipment, and frequently touched surfaces

Reduced Restrictions on Businesses and Operations Open for In-Person Sales

The new order also eases restrictions for stores that remain open for in-person sales, including grocery and convenience stores. While stores must still adhere to the applicable occupancy limits detailed in Gov. Whitmer's previous order, stores may continue to sell goods other than necessary supplies if the sale of such goods is in the ordinary course of business. As such, the new order no longer requires large stores to close areas that are dedicated to carpet or flooring, furniture, garden centers and plant nurseries, and paint. It also eliminates the restriction on advertising or promoting goods that are not groceries, medical supplies,



David B. Ritter

Partner
Chicago

P 312-214-4862
F 312-759-5646
david.ritter@btlaw.com



William A. Nolan

Partner
Columbus

P 614-628-1401
F 614-628-1433
bill.nolan@btlaw.com



Mark S. Kittaka

Partner
Fort Wayne, Columbus

P 260-425-4616
F 260-424-8316
mark.kittaka@btlaw.com



Peter A. Morse, Jr.

Partner
Indianapolis, Washington, D.C.

P 317-231-7794
F 317-231-7433
pete.morse@btlaw.com



Scott J. Witlin

Partner
Los Angeles

P 310-284-3777

or items that are necessary to maintain the safety, sanitation and basic operation of residences. All stores, however, must consider establishing curbside pickup to reduce in-store traffic and mitigate outdoor lines.

To obtain more information, please contact the Barnes & Thornburg attorney with whom you work, or Keith Brodie at 616-742-3958 or keith.brodie@btlaw.com, Grant Pecor at 616-742-3911 or grant.pecor@btlaw.com or Alex Petrik at 947-215-1322 or alex.petrik@btlaw.com.

You can also contact another member of the Labor and Employment Department:

Kenneth J. Yerkes, Chair
317-231-7513

John T.L. Koenig, Atlanta
404-264-4018

David B. Ritter, Chicago
312-214-4862

William A. Nolan, Columbus
614-628-1401

Mark S. Kittaka, Fort Wayne
260-425-4616

Frank T. Mamat, Detroit Metro
947-215-1320

Keith J. Brodie, Grand Rapids
616-742-3978

Peter A. Morse, Indianapolis
317-231-7794

Scott J. Witlin, Los Angeles
310-284-3777

Michael P. Palmer, South Bend and Elkhart
574-237-1139

© 2020 Barnes & Thornburg LLP. All Rights Reserved. This page, and all information on it, is proprietary and the property of Barnes & Thornburg LLP. It may not be reproduced, in any form, without the express written consent of Barnes & Thornburg LLP.

This Barnes & Thornburg LLP publication should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only, and you are urged to consult your own lawyer on any specific legal questions you may have concerning your situation.

F 310-284-3894
scott.witlin@btlaw.com



Michael Palmer

Partner

South Bend, Grand Rapids,
Chicago

P 574-237-1135
F 574-237-1125
michael.palmer@btlaw.com

RELATED PRACTICE AREAS

COVID-19 Resources
Labor and Employment