

Legislative Analysis



REPEAL CERTAIN EMPLOYEE COVID-19 PROTOCOLS

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<http://www.house.mi.gov/hfa>

House Bill 5244 as introduced

Sponsor: Rep. Andrew Fink

Committee: Government Operations

Complete to 5-4-22

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5244 would repeal 2020 PA 238, which provides requirements for employees who are diagnosed with COVID-19, who display the principal symptoms of the disease, or who have had close contact with someone else who tests positive.

Generally speaking, the act prohibits an employee who has tested positive for COVID-19 or who displays its principal symptoms from reporting to work until certain conditions are met (e.g., a negative test, a clearing of symptoms, the end of the isolation period) and prohibits, with exceptions for specified critical workers, an employee who has had close contact with someone else who tests positive for COVID-19 from reporting to work until the quarantine period has ended. The act also prohibits employer actions against an employee who complies with those prohibitions, opposes a violation of the act, or reports a COVID-19 health violation. An employer's compliance with relevant guidance and orders is a defense in an action concerning an alleged violation of the act.

The act was passed¹ in October 2020 and substantially amended² in December 2020.

MCL 419.401 to 419.413 (repealed)

FISCAL IMPACT:

A fiscal analysis is in progress.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

¹ See <https://www.legislature.mi.gov/documents/2019-2020/billanalysis/House/pdf/2019-HLA-6030-3229150B.pdf>

² See <https://www.legislature.mi.gov/documents/2019-2020/billanalysis/House/pdf/2019-HLA-1258-DE587F99.pdf>