

**COVID-19 EMPLOYMENT RIGHTS (EXCERPT)**  
**Act 238 of 2020**

\*\*\*\*\* 419.401 This section is effective and applies retroactively beginning March 1, 2020: See 419.410  
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\*\*\*\*\* 419.401 THIS SECTION IS REPEALED BY ACT 138 OF 2022 EFFECTIVE JULY 1, 2023 \*\*\*\*\*

**419.401 Definitions.**

Sec. 1. As used in this act:

(a) "Close contact" means that term as defined in the United States Centers for Disease Control and Prevention's guidelines regarding COVID-19 at the time the contact occurred.

(b) "COVID-19" means the novel coronavirus identified as SARS-CoV-2 or a virus mutating from SARS-CoV-2.

(c) "Employee" means an individual employed by an employer and whose primary workplace is not the individual's residence.

(d) "Employer" means a person or a state or local governmental entity that employs 1 or more individuals.

(e) "First responder" means any of the following:

(i) A law enforcement officer.

(ii) A firefighter.

(iii) A paramedic.

(f) "Health care facility" means any of the following facilities, including those that may operate under shared or joint ownership, and a facility used as surge capacity by any of the following facilities:

(i) An entity listed in section 20106(1) of the public health code, 1978 PA 368, MCL 333.20106.

(ii) A state-owned hospital or surgical center.

(iii) A state-operated outpatient facility.

(iv) A state-operated veterans' facility.

(g) "Infected with COVID-19" means displaying the principal symptoms of COVID-19 or having tested positive for COVID-19 prior to the end of the isolation period.

(h) "Isolation period" means the recommended number of days that an individual be in isolation after the individual first displays the principal symptoms of COVID-19 as prescribed in the United States Centers for Disease Control and Prevention's guidelines regarding COVID-19.

(i) "Person" means an individual, partnership, corporation, association, or other legal entity.

(j) "Principal symptoms of COVID-19" has the definition provided by order of the director or chief medical executive of the Michigan department of health and human services. In the event that the term is not defined by the director or chief medical executive of the Michigan department of health and human services at the time of an action taken under section 5, principal symptoms of COVID-19 means either or both of the following:

(i) One or more of the following not explained by a known medical or physical condition:

(A) Fever.

(B) Shortness of breath.

(C) Uncontrolled cough.

(ii) Two or more of the following not explained by a known medical or physical condition:

(A) Abdominal pain.

(B) Diarrhea.

(C) Loss of taste or smell.

(D) Muscle aches.

(E) Severe headache.

(F) Sore throat.

(G) Vomiting.

(k) "Quarantine period" means the recommended number of days that an individual be in quarantine after the individual is in close contact as prescribed in the United States Centers for Disease Control and Prevention's guidelines regarding COVID-19.

**History:** 2020, Act 238, Imd. Eff. Oct. 22, 2020;—Am. 2020, Act 339, Imd. Eff. Dec. 29, 2020.