

April 16, 2020

Good Afternoon MNLA Members:

- 1) ACT NOW to Demonstrate that the Green Industry can work safely!
- 2) Accumulating snow predicted for tomorrow—can you legally do snow removal for all of your clients?

1) Garden Center, Lawn Care, and Landscapers—ACT NOW to Demonstrate that the Green Industry can work safely!

On April 7th, Senate Majority Leader Shirkey announced the formation of the “Safe Behavior for Safe Workplaces” workgroup led by Senator Horn. The workgroup was established to gather information from businesses, medical professionals and citizens across Michigan to create recommendations for best practices in the workplace in preparation for a transition back to work.

They’ve established a website and WE NEED ALL GREEN INDUSTRY COMPANIES AND EMPLOYEES to click [HERE](#) to go to this website and fill in the safety protocols that you will implement/use, should you be allowed to go back to work. The responses they receive will be put into recommendations and sent to the Governor for consideration. *Please note: this Call to Action does NOT apply to our nursery and greenhouse grower operations that fall under the agriculture exemption.*

The MNLA has compiled safety protocols for our independent retail garden centers/retail greenhouse growers, our lawn care, and our landscape firms. These protocols are attached and you can copy and paste the ones you will implement/use directly into the area provided on this website.

2) Accumulating snow predicted for tomorrow—can you legally do snow removal for your clients?

We are expecting accumulating snow for tomorrow and the MNLA team is asking the Governor for clarification on which of your customers you can service. When and if we get clarification from her office we’ll let you know. Until then we can only refer back to and use our best judgement on EO 2020-42 and the subsequent FAQ put into effect on April 9, 2020 (language is below and attached):

1. **You can provide snow removal service IF you are designated a supplier, distribution center, or service provider by a critical infrastructure business!** In Section 9. (b) (1) – (4) of the Executive Order (attached) you can continue to work if you are designated a supplier, distribution center, or service provider by a critical infrastructure business. These designations should be made in writing.
2. **FAQ/EO 2020-42: May landscaping, lawncare, tree service, irrigation, and related outdoor maintenance companies operate under this order?**

In nearly all cases, no. A business cannot designate workers to perform these services unless the service is necessary to maintain the safety, sanitation, and essential operations of a residence. This is a narrow exception that only permits in-person work that is strictly necessary to address a circumstance that immediately and genuinely impairs the habitability of a home during the emergency; the exception will be satisfied, at most, rarely. Routine concerns, such as about longer grass increasing insects, pests, or allergies, do not qualify. Nor can workers leave the home to perform these services at business facilities: the exception applies only to residences. Any necessary in-person work that is permitted under the order must be done in accordance with the mitigation measures required under section 10 of the order. The order does not prohibit homeowners from tending to their own yards as they see fit.

You can contact me at either amy@mnl.org should you have any questions.

Working together we will get through this, be safe and prosper!

Amy

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"The achievements of an organization are the results of the combined effort of each individual." – Vince Lombardi
