



## Updates & Information May 15, 2020

To Our Valued Green Industry Members:

On behalf of the MNLA Team we continue to work to keep you in compliance, provide information to keep you and your employees safe, advocate for and administer the services you need, and keep you up-to-date on pertinent items and issues. Here are topics included in today's communication:

1. COVID-19 Update
2. Safety, Safety, Safety!
3. Commercial Pesticide Applicator Certification Program
4. Unemployment Update
5. Secretary of State Services
6. Work Permits for Youth
7. This Week's Frost and Japanese Maples--by Dr. Dave Roberts

### COVID-19 Update

On May 7, Governor Gretchen Whitmer issued [Executive Order 2020-77](#) a new stay-at-home order which now runs through May 28<sup>th</sup>. The Governor issued the new Executive Order, which is rebranded as "Safer at Home", ahead of her previous one which was set to expire on May 15<sup>th</sup>. All segments of our industry are still included in this new order, which allowed manufacturing workers to resume work on Monday, May 11<sup>th</sup>. This is in addition to the construction industry and other skilled trades occupations that were allowed to open on May 7<sup>th</sup>.

Here is the minimum of what you must do to remain open for in-person work (#11 in Executive Order 2020-77):

- (a) Develop a COVID-19 preparedness and response plan, consistent with recommendations in Guidance on Preparing Workplaces for COVID-19, developed by the Occupational Health and Safety Administration. Such plan must be available at company headquarters or the worksite. We've developed plans for Landscape Contractors, Lawncare Managers, and Retail Garden Centers and have attached them for your use.
- (b) Restrict the number of workers present on premises to no more than is strictly necessary to perform the in-person work permitted under this order.
- (c) Promote remote work to the fullest extent possible.
- (d) Keep workers and patrons who are on premises at least six feet from one another to the maximum extent possible.
- (e) Require masks to be worn when workers cannot consistently maintain six feet of separation from other individuals in the workplace, and consider face shields when workers cannot consistently maintain three feet of separation from other individuals in the workplace.
- (f) Increase standards of facility cleaning and disinfection to limit worker and patron exposure to COVID-19, as well as adopting protocols to clean and disinfect in the event of a positive COVID-19 case in the workplace.
- (g) Adopt policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person with a confirmed diagnosis of COVID-19.
- (h) Adopt any other social distancing practices and mitigation measures recommended by the CDC.
- (i) Businesses or operations whose in-person work is permitted under sections 10(c) through 10(e) of this order must also:
  - (1) Prohibit gatherings of any size in which people cannot maintain six feet of distance from one another.
  - (2) Limit in-person interaction with clients and patrons to the maximum extent possible, and bar any such interaction in which people cannot maintain six feet of distance from one another.
  - (3) Provide personal protective equipment such as gloves, goggles, face shields, and face masks as appropriate for the activity being performed.
  - (4) Adopt protocols to limit the sharing of tools and equipment to the maximum extent possible and to ensure frequent and thorough cleaning and disinfection of tools, equipment, and frequently touched surfaces.

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### **Safety, Safety, Safety!**

Please remember that we are allowed to work only under strict social distancing guidelines. It is important to follow these guidelines verbatim in order to keep everyone in your company safe and protected. It's also important to remember that within your employees and between coworkers there are various levels of fear of and tolerance to the virus and it's important to maintain compliance with the guidelines and to insist that all employees are properly using their personal protective equipment.

***It is important that we remain vigilant and follow the safety guidelines in order to keep our employees and customers safe and to retain our ability to work!*** We encourage you to participate in our peer-to-peer support group and if you see a firm not following these guidelines please let us know and we will contact them directly. Your report will remain anonymous. Please contact Amy at [amy@mnl.org](mailto:amy@mnl.org) to place a report.

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## Commercial Pesticide Applicator Certification Program

We continue to work with the MI Dept. of Ag & Rural Development (MDARD), the MI Pest Management Association, and the legislature to encourage implementation of an alternative way of certifying employees as Commercial Pesticide Applicators. MDARD has developed a workable and reasonable solution and is just awaiting approval from the Governor's office. This has been in process now for over 8 weeks. We continue to work on this and will apprise you of updates as they come.

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## Unemployment Update

The U.S. Dept. of Labor has put together a helpful site titled "[Unemployment Insurance Relief During COVID-19 Outbreak](#)". Answers to one of the questions that we're hearing from our members can be found in the Frequently Asked Questions portion of this site. The question we're hearing is this:

Question: My employer has remained open because it is essential. I'm not sick, nor is anyone in my household sick. I do not have children or care for someone who cannot care for themselves. However, I'm afraid of getting coronavirus from customers coming to the store, so I quit and filed for unemployment. Can I obtain benefits under the CARES Act?  
Answer: No. Under the CARES Act, you may be eligible for benefits if you meet one of the circumstances listed in the Act, but none include the scenario described. On these facts, you are not eligible for Pandemic Unemployment Assistance (PUA) because you do not meet any of the qualifying circumstances.

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## Secretary of State Services

Through the shutdown of State offices, MNL continues to be the Green Industry's connection to the services that our Secretary of State provides. If you are in need of licensing

and/or plate services please contact Amy at [amy@mnl.org](mailto:amy@mnl.org) so we can forward you the form that needs to be completed and get you in the queue for services.

## Work Permits for Youth

For those that employ minors please note that on May 11, 2020 [Executive Order No. 2020-79](#) temporarily suspends certain aspects of the Youth Employment Standards Act. Here are the orders:

1. Strict compliance with section 5 of the Youth Employment Standards Act, 1978 PA 90, MCL 409.105, is temporarily suspended to the extent it requires an application of a work permit to be made in person. An issuing officer may accept and examine a work permit application (including any accompanying materials) submitted by alternative means including mail, e-mail, fax, or web-based form. Issuing officers must make information on how such application materials may be submitted publicly available.
2. Strict compliance with section 6 of the Youth Employment Standards Act, MCL 409.106 is temporarily suspended such that the color of work permits for minors under 16 years of age does not need to be distinct from that of work permits for minors 16 years of age and over.
3. This order is effective immediately and continues through June 8, 2020 at 11:59 pm.

## This Week's Frost and Japanese Maples—by Dr. Dave Roberts

In regards to Japanese Maple and the frost this week, "These trees should recover just fine from frost damage. If the leaves were severely frosted, secondary buds will open up and by mid-summer there should be no lingering effects. If not severely affected, leaves may exhibit some symptoms through the season--nothing to worry about. I'd recommend moderate fertilization and water to help them build vigor this summer, but not too late so they harden off before fall/winter.

That being said, these trees are very susceptible to winter injury and Verticillium Wilt, both of which are lethal. So, different trees may be affected by more than just frost."

**Please stay safe and visit our website for more information!**

Amy

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

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