

● MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT

STATUTORY CITATION: Mich. Comp. Laws §§ 408.1001 – 408.1094

RELATED REGULATIONS: Mich. Admin. Code R. 408.45101 and 408.45301

GENERAL SUMMARY: The Michigan Occupational Safety and Health Act imposes a duty on employers in the state to furnish their employees with a job and workplace free from recognized hazards that could cause death or serious injury, and to comply with the specific safety and health standards adopted under the Act's rulemaking authority and applicable to their respective places of employment.

PROVISIONS APPLICABLE TO AGRICULTURE: Using the statutory authority referred to above, the state has adopted workplace safety standards covering roll-over protections on tractors and safety measures on other agricultural equipment. Michigan's agricultural safety regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and likewise apply only to farm operations that employ more than 10 workers in a given year or that maintain a temporary labor camp.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Michigan Occupational Safety and Health Administration (MIOSHA), Michigan Department of Licensing and Regulatory Affairs, Lansing, Michigan 48909 (517-284-7777)*. MIOSHA is responsible for administering and enforcing the provisions of the Act relative to occupational safety. Representatives of the agency may enter any workplace in the state to inspect conditions, equipment and materials, and to question the employer and workers regarding safety issues. In investigating a complaint or suspected violation, MIOSHA may compel testimony by witnesses and the production of evidence. Employers found to have violated the Act or a specific occupational safety rule will be cited and given an opportunity to take corrective action. Failure to correct a violation may lead to civil money penalties.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*