EMPLOYER REQUIREMENTS: MIOSHA requires that each employer:
1. Furnish to each employee employment and a place of employment which is free from recognized hazards that are causing or are likely to cause death or serious physical harm to the employee.
2. Comply with promulgated rules and standards and with orders issued pursuant to the Act.
3. Post this and other notices and use other appropriate measures to keep his or her employees informed of their protection and obligations under the Act, including the provisions of applicable rules and standards.
4. Notify the Michigan Department of Labor & Economic Growth within 8 hours of any fatality, or the hospitalization of 3 or more employees suffering injury or illness from the same incident. Notification may be accomplished by calling 1-800-858-0397.
5. Make available to employees, for inspection and copying, all medical records and health data in the employer’s possession pertaining to that employee.
6. Afford an employee an opportunity with or without compensation to attend all meetings between the Department of Labor & Economic Growth and the employer relative to any appeal of a citation by the employer.
7. Give the representative of employees the opportunity to accompany the department during the inspection or investigation of a place of employment and to prohibit the suffering of any loss of wages or fringe benefits or discriminate against the representative of employees for time spent participating in the inspection, investigation, or opening and closing conferences.
8. Provide personal protective equipment, at the employer’s expense, to employees.
9. Not permit an employee, other than an employee whose presence is necessary to avoid, correct or remove an imminent danger, to operate equipment or engage in a process which has been tagged by the Department and which is the subject of an order issued by the Department identifying that an imminent danger exists.
10. To promptly notify an employee who was or is being exposed to toxic materials or harmful physical agents in concentrations or at levels which exceed those prescribed by a MIOSHA standard.

COMPLAINTS: Employees and employee representatives who believe that an unsafe or unhealthful condition exists in their workplace have the right to request an inspection by giving written notice to the Department of Labor & Economic Growth. If a condition exists which may present an immediate danger, the Department should be notified in the most expedient manner without regard to a written notice. The names of complainants will be kept confidential and not revealed upon the request of the employee. Employees also have the right to bring unsafe or unhealthful conditions to the attention of the department representative during the conduct of an inspection or investigation.

The Act provides that employees may not be discharged or in any manner discriminated against for filing a complaint or exercising any of their rights under the Act. An employee who believes he or she has been discriminated against may file a complaint with the Michigan Department of Labor & Economic Growth within 30 days of the alleged discrimination.

The U.S. Department of Labor is monitoring the operation of the Michigan occupational safety and health program to assure the effective administration of the state act. Any person may make a written complaint regarding the state administration of the state act directly to the Regional Office of OSHA, 230 South Dearborn, Chicago, Illinois 60604.

THE MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT, 1974 P.A. 154, AS AMENDED, REQUIRES POSTING OF THIS DOCUMENT IN A CENTRAL AND CONSPICUOUS LOCATION. FAILURE TO DO SO MAY RESULT IN A PENALTY.

THE MICHIGAN SAFETY AND HEALTH PROTECTION ON THE JOB

CITATIONS: If upon inspection or investigation the Department of Labor & Economic Growth believes that a requirement of the Act has been violated, a citation alleging such violation and setting a time period for correction will be issued to the employer. The citation must be prominently posted at or near the place of the alleged violation for three days or until the violation is corrected, whichever is later.

The Act provides for first instance penalties of up to $7,000 for a violation. Penalties of up to $7,000 per day may be assessed for failure to correct a violation within a proposed abatement period. Any employer who willfully or repetitively violates the Act may be assessed penalties of up to $70,000 for each violation. Any employees or employer may appeal the citation or abatement order to the Michigan Department of Labor & Economic Growth.

Penalties or the abatement periods to the Department and to the Board of Health and Safety Compliance and Appeals. Employees may appeal the abatement period in a similar manner. Employees also may appeal to the Board of Health and Safety Compliance and Appeals any decision issued by the Department in response to an employer appeal.

Criminal penalties also are provided for in the Act. A person who knowingly makes a false statement or report pursuant to the Act upon conviction is punishable by a fine of up to $10,000 or may be imprisoned for not more than 6 months or both. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of up to $10,000 or imprisonment for up to three years.

VOLUNTARY ACTIVITY AND COMPLIANCE ASSISTANCE: The act encourages employers and employees to reduce workplace hazards voluntarily.

The Michigan Department of Labor & Economic Growth offers limited on-site consultation assistance to employers to assist them in achieving compliance with occupational safety and health standards. Training specialists are available and can give advice on the correction of hazardous conditions and on the development of safety and health programs. Department staff are available to conduct seminars and training relative to occupational safety and health for both employer and employee groups. Requests for service should be addressed to the director of the Michigan Department of Labor & Economic Growth.

The U.S. Department of Labor will continue to enforce federal standards governing maritime operations of long-shoring, shipbuilding, ship breaking and ship repairing. These issues are not covered by the Michigan Plan for Occupational Safety and Health.

MORE INFORMATION:
Department of Labor & Economic Growth
Michigan Occupational Safety & Health Administration
7150 Harris Drive, Box 30643
Lansing, Michigan 48909-8143

MICHIGAN SAFETY AND HEALTH PROTECTION ON THE JOB

THIS IS AN IMPORTANT DOCUMENT - DO NOT COVER!


MIOSHA Complaint Hotline .............................. 1-800-866-4674
Fatality Hotline ........................................ 1-800-858-0397
Consultation and Training Assistance ............. 1-517-322-1809

Additional information is available on our website at www.michigan.gov/miosha