

Act No. 437
Public Acts of 1996
Approved by the Governor
December 17, 1996
Filed with the Secretary of State
December 18, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Rep. Green

ENROLLED HOUSE BILL No. 5861

AN ACT to amend section 61 of Act No. 154 of the Public Acts of 1974, entitled as amended "An act to prescribe and regulate working conditions; to prescribe the duties of employers and employees as to places and conditions of employment; to create certain boards, commissions, committees, and divisions relative to occupational and construction health and safety; to prescribe their powers and duties and powers and duties of the department of labor and department of public health; to prescribe certain powers and duties of the directors of the departments of labor, public health, and agriculture; to impose an annual levy to provide revenue for the safety education and training division; to provide remedies and penalties; to repeal certain acts and parts of acts; and to repeal certain acts and parts of act on specific dates," being section 408.1061 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 61 of Act No. 154 of the Public Acts of 1974, being section 408.1061 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 61. (1) An employer shall make, keep, and preserve accurate and timely records and reports of work illnesses and injuries and report the information to the appropriate department in a form and in accordance with rules promulgated by the departments under authority of this act for the purpose of developing information regarding the causes and prevention of occupational illnesses and injuries. The employer shall notify the department of consumer and industry services within 8 hours of a fatality or any hospitalization of 3 or more employees suffering injury from the same accident or illness from exposure to the same health hazard associated with their employment.

(2) An employer shall maintain accurate records of employee exposures to potentially toxic substances or harmful physical agents that are required to be monitored or measured by standards promulgated by the commissions. An employee or former employee shall have access to those records that indicate the employee's or former employee's own exposure to toxic materials or harmful physical agents.

(3) An employer shall promptly notify an employee who was or is being exposed to toxic materials or harmful physical agents in concentrations or at levels that exceed those prescribed by a rule or standard promulgated under this act, and shall inform an employee who is being exposed to those toxic materials or harmful physical agents of the corrective action being taken.

(4) This act does not negate the record keeping and reporting requirements prescribed by sections 18 and 24 of the occupational safety and health act of 1970, Public Law 91-596, 29 U.S.C. 667 and 673.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.