

November 11, 2021

Michigan House of Representatives  
State Capitol Building  
Lansing, MI 48909-7514

Representatives,

Today, I am returning Enrolled House Bill 4501 without my approval.

Every Michigander has the right to a safe workplace under both state and federal law. Among other requirements, federal law requires our state to maintain workplace standards at least as effective as requirements set forth in the federal Occupational Health and Safety Act. By prohibiting the Michigan Occupational Health and Safety Administration (MIOSHA) from assessing a fine for an employer's first violation of a COVID-19 emergency standard, HB 4501 would cause Michigan to fall below the minimum standard required by federal law, including 29 C.F.R. § 1902.37(12). That would have disastrous consequences for our state.

When a state fails to maintain the minimum standard, it loses control over enforcement of workplace standards. That would mean higher penalties, an end to voluntary safety outreach services, and the loss of Michigan stakeholder voices in our occupational health and safety program. I will not let that happen.

The past two years have been hard on all of us—especially small businesses. I am grateful to our state's small businesses for demonstrating unmatched resiliency, buoying our communities and families during a trying time, and helping keep Michiganders safe. To help small businesses weather the pandemic, Michigan implemented dozens of economic relief programs, supporting more than 25,000 companies and retaining more than 200,000 jobs. This support helped our economy grow 7.6% in the first quarter of 2021, the best in the Midwest, higher than the national average, and among the top 10 states nationwide.

I hope we can continue to work together to support small business by investing in building MI New Economy:

- The Michigan Mainstreet Initiative will support the businesses that anchor our communities by offering grants to restaurants, place-based businesses, and microenterprises.
- Through Michigan Small Business SmartZones and the Business Accelerator and Resiliency Initiative, we can make small investments deliver huge dividends for families and communities by supporting Michigan entrepreneurs.

- And with programs like the Startup Resiliency Initiative, we can catalyze the development of high-growth start-ups that create the high-paying jobs of the future by investing in building a more conducive business environment for technology companies

We all want business in Michigan to thrive, from large, innovative companies to small, beloved Main Street shops. Maintaining a flexible and responsive occupational health and safety program is a key part of Michigan's success. Because HB 4501 would undermine those goals, I am vetoing it.

Respectfully,

Gretchen Whitmer  
Governor