



# HOUSE BILL No. 5401

March 9 1994 Introduced by Reps Harder Curtis and Barns and referred to the Committee on Labor

A bill to amend section 5 of Act No 154 of the Public Acts of 1974, entitled as amended

'Michigan occupational safety and health act," as amended by Act No 80 of the Public Acts of 1986, being section 408 1005 of the Michigan Compiled Laws

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 5 of Act No 154 of the Public Acts of  
2 1974, as amended by Act No 80 of the Public Acts of 1986, being  
3 section 408 1005 of the Michigan Compiled Laws, is amended to  
4 read as follows

5 Sec 5 (1) "Employee" means a person permitted ~~to work~~  
6 by an employer TO WORK, BUT DOES NOT INCLUDE A PERSON WHO PER-  
7 FORMS A SEERVICE WHILE RECEIVING TRAINING OR EDUCATION UNDER THE  
8 SUPERVISION OF AN EMPLOYER

1 (2) "Employer" means an individual or organization,  
2 including the state or a political subdivision, which employs 1  
3 or more persons

4 (3) "Imminent danger" means a condition or practice in a  
5 place of employment ~~which is such that a danger exists which~~  
6 THAT could reasonably be expected to cause death or serious phys-  
7 ical harm either immediately or before the imminence of the  
8 danger can be eliminated through the enforcement procedures oth-  
9 erwise provided A container of an unknown and unlabeled chemi-  
10 cal or a container of A hazardous ~~chemicals~~ CHEMICAL that is  
11 not labeled or for which a material safety data sheet is not  
12 available as required by the standard incorporated by reference  
13 in section 14a ~~shall be considered~~ IS an imminent danger ~~after~~  
14 ~~meeting the provisions of~~ IF IDENTIFIED AS AN IMMINENT DANGER  
15 PURSUANT TO section 31

16 (4) "Inspection" means the examination or survey of a place  
17 of employment to detect the presence of an existing or potential  
18 occupational safety or health hazard or to determine compliance  
19 with this act rules or standards promulgated UNDER THIS ACT, or  
20 orders issued pursuant to this act

21 (5) "Investigation" means the detailed evaluation or study  
22 of working conditions, including equipment, processes, sub-  
23 stances, air contaminants, or physical agents with respect to the  
24 actual or potential occurrence of occupational accidents, ill-  
25 nesses, or diseases