

HOUSE BILL No. 5757

January 20, 2010, Introduced by Reps. Roberts, Tlaib, Miller, Mayes, Bettie Scott, Kandrevas, Switalski, Smith, Coulouris, Scripps, Haugh and Lindberg and referred to the Committee on Labor.

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," (MCL 408.1001 to 408.1094) by adding section 25.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 25. (1) EXCEPT AS PROVIDED IN SUBSECTION (2) OR (3), TO
2 PROTECT THE HEALTH AND SAFETY OF EMPLOYEES AGAINST SILICOSIS AND
3 OTHER RESPIRATORY DISEASES, AN EMPLOYER SHALL PROHIBIT EMPLOYEE USE
4 OF HANDHELD, GAS- OR ELECTRIC-POWERED, PORTABLE CHOP SAWS OR SKILL
5 SAWS TO DRY-CUT MASONRY.

6 (2) IF USING WATER IN CUTTING OR GRINDING MASONRY HAS BEEN
7 DETERMINED TO BE UNFEASIBLE UNDER THE APPLICABLE FEDERAL STANDARDS
8 PROMULGATED UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970,
9 PUBLIC LAW 91-596, 84 STAT. 1590, THE EMPLOYER SHALL COMPLY WITH

1 ALL OF THE FOLLOWING REQUIREMENTS AS TO EMPLOYEES WHO DRY-CUT
2 MASONRY UNITS:

3 (A) USE ENGINEERING AND WORK PRACTICE CONTROLS OR SYSTEMS,
4 SUCH AS A VACUUM WITH A HIGH-EFFICIENCY PARTICULATE AIR FILTER, TO
5 CONTROL THE DUST.

6 (B) DESIGNATE THE AREA FOR DRY CUTTING AND KEEP OTHER WORKERS
7 AWAY FROM THAT AREA, IF POSSIBLE.

8 (C) PROVIDE WORKERS WITH FULL-FACE RESPIRATORS AND A
9 RESPIRATORY PROGRAM THAT INCLUDES TRAINING IN THE PROPER SELECTION
10 OF RESPIRATORY CARTRIDGES, FIT-TESTING, AND OTHER MEASURES TO
11 ENSURE THAT THE WORKERS ARE ABLE TO EFFECTIVELY WEAR AND USE THE
12 RESPIRATORS.

13 (3) THE REQUIREMENTS OF SUBSECTIONS (1) AND (2) DO NOT APPLY
14 TO EMERGENCY SERVICE PERSONNEL RESPONDING TO AN EMERGENCY
15 SITUATION.