

HOUSE BILL NO. 4754

April 29, 2021, Introduced by Reps. Tyrone Carter, Sabo, Koleszar, Bolden, Hope, Shannon, Haadsma, Pohutsky, Anthony, Steckloff, Cavanagh, Hertel, Stone, Brenda Carter, Kuppa, Morse, Rogers, Young, Thanedar, O'Neal, Scott, Breen, Brabec, Weiss, Tate and Cynthia Johnson and referred to the Committee on Workforce, Trades, and Talent.

A bill to amend 1974 PA 154, entitled
"Michigan occupational safety and health act,"
(MCL 408.1001 to 408.1094) by adding section 47.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 **Sec. 47. (1) The infectious disease worker safety commission**
- 2 **is created within the department of labor and economic opportunity.**
- 3 **(2) The commission consists of the following members,**
- 4 **appointed by the director of the department of labor and economic**
- 5 **opportunity:**

1 (a) Two individuals representing labor unions from 1 or more
2 of the following sectors:

3 (i) Health care.

4 (ii) Law enforcement.

5 (iii) Food delivery.

6 (b) One individual representing private sector management.

7 (c) One individual representing public sector management.

8 (d) Three individuals who work in health care and specialize
9 in epidemiology or contagious diseases.

10 (e) Two individuals who work in health care and specialize in
11 occupational safety and health.

12 (3) The director shall appoint the first members to the
13 commission within 60 days after the effective date of this section.

14 (4) Members of the commission shall serve for terms of 3 years
15 or until a successor is appointed, whichever is later, except that
16 of the members first appointed, 2 shall serve for 1 year and 2
17 shall serve for 2 years.

18 (5) If a vacancy occurs on the commission the director shall
19 make an appointment for the unexpired term in the same manner as
20 the original appointment.

21 (6) The director may remove a member of the commission for
22 incompetence, dereliction of duty, malfeasance, misfeasance, or
23 nonfeasance in office, or any other good cause.

24 (7) The director shall call the first meeting of the
25 commission. At the first meeting, the commission shall elect from
26 among its members a chairperson and other officers as it considers
27 necessary or appropriate. After the first meeting, the commission
28 shall meet at least quarterly, or more frequently at the call of
29 the chairperson or if requested by 5 or more members.

1 (8) A majority of the members of the commission constitute a
2 quorum for the transaction of business at a meeting of the
3 commission. A majority of the members present and serving are
4 required for official action of the commission.

5 (9) A writing prepared, owned, used, in the possession of, or
6 retained by the commission in the performance of an official
7 function is subject to the freedom of information act, 1976 PA 442,
8 MCL 15.231 to 15.246.

9 (10) Members of the commission shall serve without
10 compensation. However, members of the commission may be reimbursed
11 for their actual and necessary expenses incurred in the performance
12 of their official duties as members of the commission.

13 (11) The commission shall do all of the following:

14 (a) Determine the best practices for employees during an
15 emergency declared because of an infectious disease, including, but
16 not limited to, all of the following:

17 (i) Appropriate personal protective equipment for use by
18 employees.

19 (ii) The number and placement of handwashing and hand
20 sanitizing stations.

21 (iii) Distancing requirements between employees and between
22 employees and the public.

23 (iv) Any process or protocol that the commission believes is
24 needed to protect the safety of employees and the public.

25 (b) Within 120 days after the effective date of the amendatory
26 act that added this section, prepare a report of the determinations
27 made under subdivision (a) and make the report available to the
28 public on the department of labor and economic opportunity's
29 website.

1 (12) An employer shall post the report described in subsection
2 (11) (b) in a conspicuous location at each of the employer's
3 workplaces. If the employer does not post the report as required
4 under this subsection, the employer shall not take disciplinary
5 action or otherwise discriminate against an employee who leaves
6 work or refuses to report to work during an emergency declared
7 because of an infectious disease.