

MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT (EXCERPT)
Act 154 of 1974

***** 408.1004 THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE
2024 REGULAR SESSION SINE DIE *****

408.1004.amended Definitions; A to M.

Sec. 4. (1) "Agricultural operations" means the work activity designated in major groups 01 and 02 of the Standard Industrial Classification Manual, United States Bureau of the Budget, 1972 edition. Agricultural operations include any practices performed by a farmer or on a farm as an incident to or in conjunction with farming operations including preparation for market or delivery to storage or market or to carriers for transportation to market.

(2) "Asbestos" means a group of naturally occurring minerals that separate into fibers, including chrysotile, amosite, crocidolite, anthophyllite, tremolite, and actinolite.

(3) "Asbestos-related violation" means a violation of this act, an order issued under this act, or a rule or standard promulgated under this act that involves the demolition, renovation, encapsulation, removal, or handling of friable asbestos material or otherwise involves the exposure of an individual to friable asbestos material.

(4) "Authorized employee representative" or "representative of employee" means a person designated by a labor organization certified by the National Labor Relations Board or the employment relations commission created under section 3 of 1939 PA 176, MCL 423.3, as the bargaining representative for the affected employees. In the absence of certification, it shall be a person designated by the organization having a collective bargaining relationship with the employer and designated as having a collective bargaining relationship with the employer by the affected employees. If a labor organization has not been certified, or if no organization has a collective bargaining relationship with the employer, "authorized employee representative" or "representative of employee" means a person designated by the affected employees to represent them for the purpose of proceedings under this act.

(5) "Board" means the board of health and safety compliance and appeals created in section 46.

(6) "Construction operations" means the work activity designated in major groups 15, 16, and 17 of the Standard Industrial Classification Manual, United States Bureau of the Budget, 1972 edition.

(7) "Director" means the director of the department of labor and economic opportunity.

(8) "Department attorney" means the attorney general or the authorized representative of the attorney general.

(9) "Domestic employment" means that employment involving an employee specifically employed by a householder to engage in work or an activity relating to the operation of a household and its surroundings, whether or not the employee resides in the household.

(10) "Friable asbestos material" means any material that contains more than 1% asbestos by weight and that can be, by hand pressure, crumbled, pulverized, or reduced to powder when dry.

(11) "Mines", except as provided in subsection (12), means all of the following:

(a) An area of land from which minerals are extracted in nonliquid form, or if in liquid form, are extracted with workers underground.

(b) Private ways and roads appurtenant to an area of land described in subdivision (a).

(c) Lands, excavations, underground passageways, shafts, slopes, tunnels and workings, structures, facilities, equipment, machines, tools, or other property, including impoundments, retention dams, and tailings ponds, on the surface or underground, used in, or to be used in, or resulting from, the work of extracting minerals from their natural deposits in nonliquid form, or if in liquid form, with workers underground, or used in, or to be used in, the milling of minerals, or the work of preparing coal or other minerals, and includes custom coal preparation facilities.

(12) "Mines" does not include industrial borrow pits, or sand, gravel, or crushed and dimension stone quarrying operations, or surface construction operations.

History: 1974, Act 154, Eff. Jan. 1, 1975;—Am. 1977, Act 300, Eff. Mar. 30, 1978;—Am. 1979, Act 149, Eff. Mar. 27, 1980;—Am. 2012, Act 416, Eff. Dec. 27, 2012;—Am. 2024, Act 17, Eff. (sine die).