



MEMORANDUM

TO: Members of the Senate Committee on Labor

FROM: Wendy Block, Michigan Chamber of Commerce

SUBJECT: MI Chamber Seeks Amendment to SB 49

DATE: Oct. 23, 2025

This memorandum is submitted to express the MI Chamber's support for aligning the Michigan Occupational Safety and Health Act (MIOSHA) with "floor" established under the federal OSHA statute.

While the penalty provisions in Senate Bill 49 (SB 49) take a step toward achieving that goal, **we respectfully urge the Committee to consider an additional amendment that would align Michigan's statute of limitations with that of federal OSHA.**

As currently drafted, SB 49 proposes inserting the phrase "completion of the physical inspection or investigation" into the statute. This change would codify a prior administrative law decision, effectively allowing MIOSHA to ignore the current 90-day statute of limitations and, instead, delay the start of the statute of limitations until it conducts an Inspection Closing Conference. Because MIOSHA alone determines when this conference occurs (i.e., no statutory deadline governs this step), employers and employees may be left in prolonged uncertainty, with no clear end to MIOSHA's window for issuing citations.

To prevent this open-ended authority and promote regulatory consistency, **we recommend amending SB 49 to mirror the federal OSHA statute of limitations found in 29 U.S. Code § 658.** Specifically, we suggest striking the language on page 27, lines 12–19 ("If, as the result...described in section 29(8).") and replacing it with:

"No citation may be issued under this section after the expiration of six months following the occurrence of any violation."

This amendment would establish a clear and reasonable deadline for issuing citations, consistent with the federal "floor" and in line with widely accepted standards.

Thank you for your time and thoughtful consideration.