

CHAPTER 182

OCCUPATIONAL SAFETY AND HEALTH

182.655	Occupational safety and health standards.	182.661	Enforcement.
182.656	Occupational safety and health advisory council.	182.666	Penalties.
		182.676	Safety committees.

182.655 OCCUPATIONAL SAFETY AND HEALTH STANDARDS.

Subdivision 1. Standards and variances shall be proposed, granted, adopted, modified or revoked by the commissioner in accordance with the procedures of this section. The standards and variances are exempt from the Administrative Procedure Act but, to the extent authorized by law to adopt rules, the commissioner may use the provisions of section 14.386, paragraph (a), clauses (1) and (3). Section 14.386, paragraph (b), does not apply to these rules.

[For text of subs 2 to 14, see M.S.1996]

History: 1997 c 187 art 5 s 27

182.656 OCCUPATIONAL SAFETY AND HEALTH ADVISORY COUNCIL.

[For text of subd 1, see M.S.1996]

Subd. 3. A majority of the council members constitutes a quorum. The council shall meet at the call of its chair, or upon request of any six members. A tape recording of the meeting with the tape being retained for a one-year period will be available upon the request and payment of costs to any interested party. The council shall expire and the terms, compensation, and removal of members shall be as provided in section 15.059, except that the council shall not expire before June 30, 2001.

History: 1997 c 192 s 30

182.661 ENFORCEMENT.

[For text of subs 1 to 3a, see M.S.1996]

Subd. 3b. **Service of notices.** The contesting party shall serve a copy of the notice of contest and notice to employees, on forms provided by the commissioner, upon unrepresented affected employees and authorized employee representatives on or before the date the notice of contest is filed with the commissioner. For purposes of this section, filing may be accomplished by United States mail addressed to the commissioner. Filing is timely if the document is deposited in the United States mail and postmarked within the time fixed for filing or otherwise timely received by the commissioner.

[For text of subs 4 to 6, see M.S.1996]

History: 1997 c 81 s 1

182.666 PENALTIES.

[For text of subs 1 to 6, see M.S.1996]

Subd. 7. Fines imposed under this chapter shall be paid to the commissioner for deposit in the special compensation fund and may be recovered in a civil action in the name of the department brought in the district court of the county where the violation is alleged to have occurred or the district court where the commissioner has an office. Unpaid fines shall be increased to 125 percent of the original assessed amount if not paid within 60 days after the fine becomes a final order. After that 60 days, unpaid fines shall accrue an additional penalty of ten percent per month compounded monthly until the fine is paid in full or until the fine has accrued to 300 percent of the original assessed amount.

History: 1997 c 180 s 4

182.676 SAFETY COMMITTEES.

Every public or private employer of more than 25 employees shall establish and administer a joint labor-management safety committee.

Every public or private employer of 25 or fewer employees shall establish and administer a safety committee if:

(1) the employer has a lost workday cases incidence rate in the top ten percent of all rates for employers in the same industry; or

(2) the workers' compensation premium classification assigned to the greatest portion of the payroll for the employer has a pure premium rate as reported by the workers' compensation rating association in the top 25 percent of premium rates for all classes.

A safety committee must hold regularly scheduled meetings unless otherwise provided in a collective bargaining agreement.

Employee safety committee members must be selected by employees. An employer that fails to establish or administer a safety committee as required by this section may be cited by the commissioner. A citation is punishable as a serious violation under section 182.666.

The commissioner may adopt rules necessary to implement this section.

History: 1997 c 7 art 5 s 18