

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 6031

A bill to amend 1974 PA 154, entitled
"Michigan occupational safety and health act,"
(MCL 408.1001 to 408.1094) by adding section 85.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 85. (1) Notwithstanding any other provision of this act,
2 an employer is not liable under this act for an employee's exposure
3 to COVID-19 if the employer was operating in compliance with all
4 federal, state, and local statutes, rules, and regulations,
5 executive orders, and agency orders related to COVID-19 that had
6 not been denied legal effect at the time of the exposure. An
7 isolated, de minimis deviation from strict compliance with such
8 statutes, rules, regulations, executive orders, and agency orders
9 unrelated to the employee's exposure to COVID-19 does not deny an

1 employer the immunity provided in this section.

2 (2) This section does not do any of the following:

3 (a) Create, recognize, or ratify a claim or cause of action of
4 any kind.

5 (b) Eliminate a required element of a claim of any kind
6 including, but not limited to, a causation or proximate cause
7 element.

8 (c) Amend, repeal, alter, or affect any other immunity or
9 limitation of liability.

10 (d) Affect a right, remedy, or protection under the worker's
11 disability compensation act of 1969, 1969 PA 317, MCL 418.101 to
12 418.941, including the exclusive application of this act.

13 (3) This section applies retroactively to an exposure to
14 COVID-19 that occurs after March 1, 2020.

15 Enacting section 1. This amendatory act does not take effect
16 unless all of the following bills of the 100th Legislature are
17 enacted into law:

18 (a) House Bill No. 6030.

19 (b) House Bill No. 6032.

20 (c) House Bill No. 6101.