

Subject Minnesota Occupational Safety and Health (MNOSHA)

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Overview

This bill makes primarily technical modifications and clarifications to Minnesota Occupational Safety and Health (MNOSHA) provisions under chapter 182. Provisions modified include section 182.6526, the Warehouse Distribution Worker Safety Act; sections 182.664 and 182.665, covering powers, duties, and judicial review of the Occupational Safety and Health Review Board; section 182.666 on MNOSHA citation penalties; section 182.667 on criminal penalties; and section 182.677, warehouse ergonomics.

Summary

Section	Description
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| 1 | Definitions. [§ 182.6526, subd. 1]
Makes technical changes to definitions in the Warehouse Distribution Worker Safety Act to use existing definitions for “employee” and “employer” under MNOSHA, section 182.651, subdivisions 7 and 9. Clarifies meaning of “nonexempt” employee by cross-reference. |
| 2 | Powers and duties of board. [§ 182.664, subd. 3]
Exempts deliberative hearings and meetings of the occupational safety and health review board (the “board”) from Open Meeting Law requirements under chapter 13D, including notice and recording requirements, when the board is deliberating its decision on petitions or appeals. |
| 3 | Authority of board; scope of review. [§ 182.664, subd. 5]
Adds clarifying language to specify the scope of the board’s authority to review administrative law judge orders and decisions and petitions to vacate a final order of the commissioner. Adds mistake of law by the commissioner as a good cause basis to vacate a commissioner’s final order. |

Section	Description
4	Judicial review. [§ 182.665] Adds consistent language clarifying that appeals to the Minnesota Court of Appeals of the board’s final orders, including petitions to vacate final orders of the commissioner, are covered by the Minnesota Administrative Procedure Act.
5	Authority to assess fines; consideration. [§ 182.666, subd. 6] Adds technical cross-reference to clarify that the more specific standards under this section apply to penalties for MNOSHA citations.
6	Investigative data. [§ 182.667, subd. 4] Provides for criminal penalties. Allows investigative data to be shared with city and county attorneys, consistent with section 13.39 that allows investigative data to be shared to “aid the law enforcement process.”
7	Authority to assess fines; consideration. [§ 182.677, subd. 1] Makes clarifying technical change to the definition of “warehouse distribution center” and “meatpacking site” in the warehouse ergonomics section.
8	Authority to assess fines; consideration. [§ 182.677, subd. 2] Makes technical change to the warehouse ergonomics section.



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