



2501 Jolly Road, Suite 110  
Okemos, MI 48864  
517.372.8898  
michiganchemistry.com

*Submitted by*

*John Dulmes*    Opposition to Legislation Interfering with Employer Rights (HB 4471)  
*Executive Director*    House Committee on Workforce, Trades, and Talent  
Thursday, August 19<sup>th</sup>, 2021

The Michigan Chemistry Council is the voice for Michigan's chemical industry, one of our state's largest manufacturing sectors. 96% of all manufactured goods are directly touched by the business of chemistry, making our industry essential to every facet of Michigan's economy.

Throughout the pandemic, our industry has continued to operate safely as critical infrastructure producing goods essential to COVID response and everyday life. Our facilities have proven able to implement protections to limit COVID spread in the workplace while accommodating employee needs, growing jobs, and meeting customer demands. Our members have done so thoughtfully and with keen regard to employee perspectives. At the same time, the MCC has remained engaged to ensure that federal, state, and local policies allow our members to operate successfully.

Unfortunately, the proposed legislation (HB 4471) would negatively impact our industry's ability to manage a safe and effective workplace. As introduced, the legislation is overbroad and would prohibit numerous everyday COVID precautions, not just mandated vaccinations (which our members have not yet done). Federal and state law have long held that such decisions belong squarely within an employer's rights.

It's important to note that this legislation would directly limit an employer's ability to follow federal OSHA guidance<sup>1</sup>, which is the basis for our members' safety programs, MIOSHA enforcement, and the COVID liability protections passed by the Legislature last year<sup>2</sup>.

Further, the legislation would interfere with the provisions and implementation of collective bargaining agreements that many of our members have negotiated, and would needlessly encourage trial attorneys to seek frivolous damages through lawsuits against employers.

Moreover, the MCC fundamentally opposes any policy that interferes with an employer's rights and abilities to manage a safe and effective workplace. As such, we oppose HB 4471 and appreciate your consideration of our perspective.

<sup>1</sup> "Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace" - updated June 10<sup>th</sup> at <https://www.osha.gov/coronavirus/safework>

<sup>2</sup> 2020 Public Act 236

Represent our members to influence policies that promote and grow a safe, sustainable, and competitive business of chemistry in Michigan.