

2023 legislative session summary for Minnesota OSHA

All legislation is effective July 1, 2023, unless otherwise noted.

Regular session laws

Jobs/Labor Omnibus [SF3035/Ch. 53](#) (Champion/Hassan)

MNOSHA

Ergonomics

Ergonomics program requirements will apply to warehouse distribution center employers with 100 or more employees, meatpacking and poultry processing sites with 100 or more employees, and health care facilities. One-time funding of \$2 million from the General Fund is also included for ergonomics safety grants to be awarded to qualifying employers for projects designed to reduce the risk of ergonomic injury to their employees. This program is estimated to result in \$12.6 million in workers' compensation cost savings to employers from reductions in workplace ergonomic injuries. Effective Jan. 1, 2024; the ergonomics safety grants are effective July 1, 2023. (Article 1, Section 21.)

Warehouse worker safety

This law establishes workplace safety requirements that warehouse employers with 250 employees or more at one site (or at least 1,000 employees across one or more warehouse distribution centers in the state) must comply with and gives MNOSHA Compliance authority.

If a particular work site or employer is found to have an employee incidence rate at least 30% higher than that year's average for the National American Industry Classification System (NAICS) codes included in the bill, the DLI commissioner shall open an investigation of violations under this law. In addition, such employers must hold safety committee meetings monthly until the incidence rate is not 30% above the average for the relevant NAICS code. Effective Aug. 1, 2023. (Article 9 of SF3035; based on stand-alone bill HF36/SF58 (Greenman/Murphy).)

Federal OSHA penalty conformity

Penalties under Minn. Stat. 182.666 are increased to conform with federal OSHA penalty levels. Penalties for willful and repeat violations are increased to a maximum of \$156,259 for each violation, while penalties for serious violations, nonserious violations, failure to correct violations and posting violations are increased to a maximum of \$15,625 for each violation. Future increases are now tied to inflation, ensuring continued conformity to federal penalty levels and protecting the state-plan status of MNOSHA. (Article 1, Sections 15-20.)

MNOSHA policy and technical changes

Includes making MNOSHA Compliance citations public, clarifying employee interviews conducted by MNOSHA Compliance are private and free from employer representatives, updating language to clarify when a small employer needs to have a safety committee, providing MNOSHA with an expedited hearing process through which employers could be required to abate serious workplace hazards even when a citation is contested and clarifying former MNOSHA employees are not subject to subpoena. (Article 11, Sections 39-43 of SF3035; based on stand-alone bill HF1522/SF1384, the OSHA policy and technical bill (Nelson M/McEwen).)