



37TH DISTRICT
STATE CAPITOL
P.O. BOX 30014
LANSING, MI 48909-7514
PHONE: (517) 373-1793
E-MAIL: christinegreig@house.mi.gov

MICHIGAN HOUSE OF REPRESENTATIVES

CHRISTINE GREIG
HOUSE DEMOCRATIC LEADER

October 12, 2020

The Honorable Lee Chatfield
Speaker of the House of Representatives
162 Michigan State Capitol Building
Lansing, MI 48933

Dear Mr. Speaker:

As we prepare to return to Lansing for legislative session tomorrow, I am writing once again to implore you to take action on two pressing workplace safety issues that endanger both Members and staff: (1) a flawed COVID-19 preparedness and response plan; and (2) the continued presence of firearms within the State Capitol and House Office Buildings. Last week's shocking revelation of a terrorist plot targeting Governor Whitmer and the Capitol underscores the need for urgent action on your part. Mr. Speaker, you have a duty to ensure that steps are taken to safeguard the lives of each Member of the House and the hardworking legislative staff who assist us. To date, what little action has been taken has been grossly inadequate to address either of these issues and our workplace remains unsafe as a result.

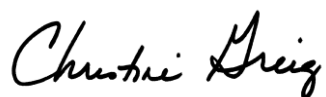
Under the House's COVID-19 Preparedness and Response Plan ("Plan"), only House employees, not Members, are required to wear a face-covering in public areas of the Capitol and House Office Buildings, including during session and committee meetings. The Plan must require all Members to also wear a face-covering. Based upon the guidance of the Centers for Disease Control and Prevention ("CDC"), we know that COVID-19 is generally transmitted by respiratory droplets from infected persons, especially when they cough, sneeze, talk, sing, yell, or by touching a surface or object that has the virus on it. People can transmit this virus even if they are not showing any symptoms. Both the CDC and the Occupational Safety and Health Administration ("OSHA") have issued guidance that the best ways to protect employees and the public are physical distancing and masks. The Michigan Occupational Safety and Health Administration ("MIOSHA") has interpreted OSHA and CDC guidance to require masks when social distancing and physical barriers are not possible, as is the case in the House. Our Plan, such as it is, flies in the face of this guidance and leaves Members, staff, and the general public vulnerable to COVID-19 transmission. Moreover, anyone observing the House will readily note that many members of your caucus, routinely ignore social distancing and refuse to wear a mask to help protect others. To note but one glaring example, the conduct of our colleague from the 108th District, during the week of September 21, 2020, placed everyone, including legislators, staff, and the public at risk. You, Mr. Speaker, have the authority and the responsibility to address this dangerous situation without further, indefensible delay. Months of inaction is, to speak frankly, unacceptable.

Continued inaction regarding the presence of firearms in the State Capitol and House Office Building is equally dangerous and unacceptable. The recently revealed plot by the Wolverine Watchmen to kidnap the Governor and seize control of state government, a plan that included harming legislators, is perhaps the best evidence to date of the need to ban firearms in both the Capitol and House Office Buildings. Some of the very same individuals arrested in this plot were among those who entered the Capitol Building brandishing firearms, demanding to be allowed on the floor of both chambers, and menacing Members. Must we wait until tragedy strikes our statehouse for action from you? I sincerely hope not, Mr. Speaker.

The Legislature has long had an interest in monitoring, investigating, and ensuring workplace safety for all employees in this state. Thus, in its enactment of The Michigan Occupational Safety and Health Act (MIOSHA), Public Act 154 of 1974, the Legislature ensured that it applies to all Michigan employers, including the state and local units of government, who employ one or more employees regardless of their formal organizational structure (MCL 408.1005). Mr. Speaker, MIOSHA places an affirmative duty on Michigan employers to furnish each employee a place of employment that is free from recognized hazards that are causing or are likely to cause, death or serious injury to the employees, which parallels the federal general duty clause (MCL 408.1011(a)). MIOSHA's legislative declaration specifically states "that the safety, health, and general welfare of employees are primary public concerns. The Legislature hereby declares that all employees shall be provided safe and healthful work environments free of recognized hazards." MCL 408.1009. Surely, Mr. Speaker, you don't believe that the Legislature intended our own workplace to be held to a laxer standard?

Mr. Speaker, immediate action on these health and safety concerns is long overdue. There's no excuse for asking Members and staff to return to the Capitol tomorrow without you having addressed them. While it is my sincere hope that you will act, if these health and safety hazards are not addressed, the House Democratic Caucus will take further steps to ensure a safe workplace, including filing a complaint with MIOSHA. Now is not the time for continued obfuscation or equivocation. It is not the time for excuses or more political theatre. Now is the time for action.

Sincerely,

A handwritten signature in cursive script that reads "Christine Greig".

Christine Greig
Democratic Leader
Michigan House of Representatives

CEG/nat