

**MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT (EXCERPT)**  
**Act 154 of 1974**

**408.1044 Review of report of hearing officer; powers of board; order affirming or modifying abatement requirements; judicial review of order or standard.**

Sec. 44.

(1) In reviewing a report of a hearing officer, the board by a vote of not less than a majority of its members may:

- (a) Dismiss the citation.
- (b) Modify the citation.
- (c) Modify the abatement time of the citation.
- (d) Issue a final order sustaining the citation, the abatement time, or the assessed penalty.
- (e) Vacate or modify assessed penalties.

(2) Upon a showing by an employer that a good faith effort has been made to comply with the abatement requirements of a citation that has become a final order of the board as provided in this act, and that the abatement has not been completed because of circumstances beyond the reasonable control of the employer, the board, after a hearing, if requested by the employer, affected employees, or the department, shall issue an order affirming or modifying the abatement requirements in the citation.

(3) A person or department adversely affected or aggrieved by an order of the board issued under this act or a standard promulgated by a commission pursuant to this act may obtain judicial review of the order or standard pursuant to Act No. 306 of the Public Acts of 1969, as amended.

**History:** 1974, Act 154, Eff. Jan. 1, 1975