Summary: OH Part 470. Employee Medical Records and Trade Secrets is identical to 29 C.F.R. 1910.1020 Access To Employee Exposure and Medical Records except for the following provisions shown in the comparison:

- Compliance with rules.
- Trade secrets; employee requests, procedures; discrimination complaints.

The comparisons show only those provisions where MIOSHA rules are different than OSHA or where MIOSHA rules are not included in 29 C.F.R.

****means there is a comparable OSHA rule to this paragraph

<table>
<thead>
<tr>
<th>MIOSHA</th>
<th>OSHA</th>
</tr>
</thead>
<tbody>
<tr>
<td>R 325.3454 Compliance with rules. Rule 4. An employer is responsible for assuring compliance with these rules, except that the activities involved in complying with the access to medical records provisions of these rules may be carried out, on behalf of the employer, by a physician or other health care personnel in charge of employee medical records.</td>
<td>No comparable OSHA provisions</td>
</tr>
<tr>
<td>R 325.3472 Trade secrets; employee requests, procedures; discrimination complaints. Rule 22. (1) to (3)**** Equivalent No comparable OSHA provisions</td>
<td></td>
</tr>
</tbody>
</table>

(4) If trade secret information is provided to a health professional, employee, or designated representative, an employer may require, as a condition of access to the information, that the receiving party agree, in writing, not to use the trade secret information for the purpose of commercial gain and not to permit misuse of the trade secret information by a competitor or potential competitor of the employer.

(5) An employer who is aggrieved by a determination of an employer to delete trade secret information may appeal the determination of the employer by filing a discrimination complaint pursuant to the provisions of section 65 of the act.

Disclaimer:
Documents available from this server were prepared as a courtesy for informal guidance and assistance. This information is not intended to replace or supercede the actual MIOSHA standard or rule requirement. Please reference the specific MIOSHA standard or rule for the actual rule requirement language.

All information published online by MIOSHA is subject to change without notice. Every effort is made to ensure that the information provided at this site is accurate and up-to-date, but no legal responsibility is accepted for any errors, omissions, or misleading statement.