

Part 1. General Rules
Detailed Comparison With
29 C.F.R. 1926 Subpart C – General Safety and Health Provisions

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.

MIOSHA	OSHA
<p>R 408.40114. Employer responsibilities; accident prevention program Rule 114. (1) An employer shall develop, maintain, and coordinate with employees an accident prevention program, a copy of which shall be available at the worksite.</p> <p>(2)(e)(vi) Designation of the qualified employee or person who is responsible for administering the program.</p> <p>(2)(e)(vi) Applicable first aid procedures to be used in the event of injury.</p> <p>(a) Designation of the qualified employee or person who is responsible for administering the program.</p> <p>(b) Instruction to each employee regarding the operating procedures, hazards, and safeguards of tools and equipment when necessary to perform the job.</p> <p>(c) Inspections of the construction site, tools, materials, and equipment to assure that unsafe conditions which could create a hazard are eliminated.</p> <p>(d) Instruction to each employee in the recognition and avoidance of hazards and the regulations applicable to his or her work environment to control or eliminate any hazards or other exposure to illness or injury.</p> <p>(e) Instruction to each employee who is required to handle or use known poisons, toxic materials, caustics, and other harmful substances regarding all of the following:</p> <p>(i) The potential hazards.</p> <p>(ii) Safe handling.</p> <p>(iii) Use.</p> <p>(iv) Personal hygiene.</p> <p>(v) Protective measures.</p> <p>(vi) Applicable first aid procedures to be used in the event of injury.</p> <p>(f) Instruction to each employee if known harmful plants, reptiles, animals, or insects are present regarding all of the following:</p> <p>(i) The potential hazards.</p> <p>(ii) How to avoid injury.</p> <p>(iii) Applicable first aid procedures to be used in the event of injury.</p> <p>(g) Instruction to each employee who is required to enter a confined space regarding all of the following:</p> <p>(i) The hazards involved.</p> <p>(ii) The necessary precautions to be taken.</p> <p>(iii) The use of required personal protective equipment.</p> <p>(iv) Emergency equipment.</p> <p>(v) The procedures to be followed if an emergency occurs.</p> <p>(h) Instruction in the steps or procedures to be followed in case of an injury or accident or other emergency.</p> <p>R 408.40115. Employer responsibilities generally. Rule 115. (2)(c) An employee other than the operator to ride any piece of moving equipment not covered by a specific standard, unless there is a seat or</p>	<p>1926.21(b) Employer responsibility.</p> <p>1926.21(b)(1) The employer should avail himself of the safety and health training programs the Secretary provides.</p> <p>1926.21(b)(2) The employer shall instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to his work environment to control or eliminate any hazards or other exposure to illness or injury.</p> <p>1926.21(b)(3) Employees required to handle or use poisons, caustics, and other harmful substances shall be instructed regarding the safe handling and use, and be made aware of the potential hazards, personal hygiene, and personal protective measures required.</p> <p>1926.21(b)(4) In job site areas where harmful plants or animals are present, employees who may be exposed shall be instructed regarding the potential hazards, and how to avoid injury, and the first aid procedures to be used in the event of injury.</p> <p>1926.21(b)(5) Employees required to handle or use flammable liquids, gases, or toxic materials shall be instructed in the safe handling and use of these materials and made aware of the specific requirements contained in Subparts D, F, and other applicable subparts of this part.</p> <p>1926.21(b)(6) 1926.21(b)(6)(i) All employees required to enter into confined or enclosed spaces shall be instructed as to the nature of the hazards involved, the necessary precautions to be taken, and in the use of protective and emergency equipment required. The employer shall comply with any specific regulations that apply to work in dangerous or potentially dangerous areas.</p> <p>1926.20(a) Contractor requirements.</p> <p>1926.20(a)(1) Section 107 of the Act requires that it shall be a condition of each contract which is entered into under legislation subject to Reorganization Plan Number 14 of 1950 (64</p>

<p>other safety feature provided for use by the employee. Acceptable safety features could include a guardrail, enclosure, or a seat belt. An employer shall not knowingly permit an employee to work while under the influence of intoxicating beverages or substances which could impair the employee's ability to perform a task in a safe manner.</p> <p>Employees not specifically covered by Part 16. Power Transmission and Distribution, Part 17. Electrical Installations, or Part 30. Telecommunications of the construction safety standards commission standards, being R 408.41601 et seq., R 408.41701 et seq., and R 408.43001 et seq. of the Michigan Administrative Code, shall not be allowed by the employer to work or be closer to energized electrical line, gear, or equipment exposed to contact than the minimum clearance prescribed in table 1.</p> <p>See Table 1</p>	<p>Stat. 1267), as defined in 1926.12, and is for construction, alteration, and/or repair, including painting and decorating, that no contractor or subcontractor for any part of the contract work shall require any laborer or mechanic employed in the performance of the contract to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health or safety.</p> <p>1926.20(b) Accident prevention responsibilities.</p> <p>1926.20(b)(1) It shall be the responsibility of the employer to initiate and maintain such programs as may be necessary to comply with this part.</p> <p>1926.20(b)(2) Such programs shall provide for frequent and regular inspections of the job sites, materials, and equipment to be made by competent persons designated by the employers.</p> <p>1926.20(b)(3) The use of any machinery, tool, material, or equipment which is not in compliance with any applicable requirement of this part is prohibited. Such machine, tool, material, or equipment shall either be identified as unsafe by tagging or locking the controls to render them inoperable or shall be physically removed from its place of operation.</p> <p>1926.20(b)(4) The employer shall permit only those employees qualified by training or experience to operate equipment and machinery.</p> <p>1926.20(c) The standards contained in this part shall apply with respect to employments performed in a workplace in a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, Trust Territory of the Pacific Islands, Wake Island, Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act, Johnston Island, and the Canal Zone.</p> <p>1926.20(d) 1926.20(d)(1) If a particular standard is specifically applicable to a condition, practice, means, method, operation, or process, it shall prevail over any different general standard which might otherwise be applicable to the same condition, practice, means, method, operation, or process.</p> <p>1926.20(d)(2) On the other hand, any standard shall apply according to its terms to any employment and place of employment in any industry, even though particular standards are also prescribed for the industry to the extent that none of such particular standards applies.</p> <p>1926.20(e) In the event a standard protects on its face a class of persons larger than employees, the standard shall be applicable under this part only to employees and their employment and places of employment.</p>
<p>R 408.40116. Employee responsibilities.</p>	<p>No comparable OSHA provision</p>

<p>Rule 116. (1) An employee shall immediately report hazardous conditions or equipment to the employer. (2) An employee shall not do any of the following: (a) Engage in any act which would endanger another employee. (b) Work while under the influence of intoxicating beverages or substances which would impair his or her ability to perform a task in a safe manner. (c) Remove a guard or other safety device from a machine or equipment, except for authorized servicing purposes. The guard or other safety device shall be replaced or equivalent guarding shall be provided before the machine or equipment is returned to normal operation.</p> <p>R 408.40118. Leased and rental equipment. Rule 118. The employer of the operator is responsible for the condition and operation of rented, leased, or loaned equipment.</p> <p>R 408.40119. Housekeeping and disposal of waste materials. Rule 119. (1) Materials, including scrap and debris, shall be piled, stacked, or placed in a container in a manner that does not create a hazard to an employee. (2) Garbage capable of rotting or becoming putrid shall be placed in a covered container. Container contents shall be disposed of at frequent and regular intervals. (3) The floor of a work area or aisle shall be maintained in a manner that does not create a hazard to an employee. (4) Combustible scrap and debris shall be removed in a safe manner from the work area at reasonable intervals during the course of construction. A safe means shall be provided to facilitate this removal. (5) Material which may be dislodged by wind and that could create a hazard when left in an open area shall be secured.</p> <p>R 408.40120. Work in hazardous spaces. Rule 120. When an employee enters a hazardous space, such as a bin, silo, hopper, or tank, that contains bulk or loose material which could engulf the employee, the employee shall wear a safety belt or a safety harness and a lanyard affixed by a rope grab to a lifeline, all components of which shall be in compliance with the requirements of Part 45. Fall Protection, being R 408.44501 et seq. of the Michigan Administrative Code. The uppermost elevation of the stored material shall not be higher than the shoulder height of the employee.</p> <p>R 408.40121. Confined or enclosed spaces; testing; neutralizing hazard. Rule 121. (1) An employee required to enter into confined or enclosed spaces shall be instructed as to the nature of the hazards involved, the necessary precautions to be taken, and in the use of required protective and emergency equipment. The employer shall comply with any specific rules that apply to work in dangerous or potentially dangerous areas. (2) Before an employee enters a manhole, well, shaft, tunnel, or other confined space where the atmosphere</p>	<p>No comparable OSHA provision</p> <p>1926.25 Housekeeping. (a) During the course of construction, alteration, or repairs, form and scrap lumber with protruding nails, and all other debris, shall be kept cleared from work areas, passageways, and stairs, in and around buildings or other structures. 1926.25(b) Combustible scrap and debris shall be removed at regular intervals during the course of construction. Safe means shall be provided to facilitate such removal. 1926.25(c) Containers shall be provided for the collection and separation of waste, trash, oily and used rags, and other refuse. Containers used for garbage and other oily, flammable, or hazardous wastes, such as caustics, acids, harmful dusts, etc. shall be equipped with covers. Garbage and other waste shall be disposed of at frequent and regular intervals.</p> <p>1926.250(b) Material storage. (2) Each employee required to work on stored material in silos, hoppers, tanks, and similar storage areas shall be equipped with personal fall arrest equipment meeting the requirements of Subpart M of this part.</p> <p>1926.21(b)(6)(i) All employees required to enter into confined or enclosed spaces shall be instructed as to the nature of the hazards involved, the necessary precautions to be taken, and in the use of protective and emergency equipment required. The employer shall comply with any specific regulations that apply to work in dangerous or potentially dangerous areas.</p>
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<p>might be hazardous due to a condition such as a deficiency of oxygen, or might be toxic in excess of the maximum allowable limits prescribed by the department of consumer and industry services, the atmosphere shall be tested and the results recorded. The records shall be maintained at the job site. If the atmosphere is hazardous, either sufficient ventilation to eliminate the hazard shall be provided or respiratory equipment prescribed by the department of consumer and industry services shall be worn.</p> <p>(3) If an atmosphere is found to be explosive, sparks, flame, and other sources of ignition shall be prohibited, and ventilation shall be provided until the hazard has been reduced and maintained at or below the maximum allowable limits prescribed by the department of consumer and industry services.</p> <p>R 408.40122. Boilers and pressure vessels. Rule 122. (1) The installation, inspection, testing, marking, and certification of a pressure vessel shall be as prescribed in section viii on unfired pressure vessels of the ASME boiler and pressure vessel code of 1989, which is adopted by reference in these rules and may be inspected at the Lansing office of the department of consumer and industry services. This code may be purchased at a cost as of the time of adoption of these rules of \$310.00 from either the American Society of Mechanical Engineers, Standards Department, United Engineering Center, 345 E. 47th Street, New York, New York 10017, or from the Michigan Department of Consumer and Industry Services, Safety Standards Division, 7150 Harris Drive, Box 30643, Lansing, Michigan 48909.</p> <p>(2) An employer shall not use a boiler to perform construction operations unless the employer has a valid certification issued by the boiler division of the Michigan department of consumer and industry services.</p> <p>R 408.40123. Guarding, belts, gears, pulleys, sprockets, and moving parts. Rule 123. Means of power transmission, such as, but not limited to, belts, gears, shafts, pulleys, sprockets, spindles, drums, fly wheels, chains, or other reciprocating, rotating, or moving parts of equipment, shall be guarded as prescribed in the general industry safety standards commission standard, Part 7. Guards for Power Transmission, being R 408.10701 et seq. of the Michigan Administrative Code, if the part is exposed to contact by an employee or otherwise constitutes a hazard.</p> <p>R 408.40125. Aisles and floors. Rule 125. When equipment and employees use the same aisle, dock, or doorway, clearances shall be provided and maintained to assure safe passage for the equipment and employees.</p> <p>R 408.40126. Derailers, bumper blocks, and clearance signs. Rule 126. (1) Where rolling railroad cars on a spur track could make contact with a rail car being loaded or unloaded, repaired, or serviced, or enter a building, work</p>	<p>1926.29(a) Pressure vessels. Current and valid certification by an insurance company or regulatory authority shall be deemed as acceptable evidence of safe installation, inspection, and testing of pressure vessels provided by the employer.</p> <p>1926.29(b) Boilers. Boilers provided by the employer shall be deemed to be in compliance with the requirements of this part when evidence of current and valid certification by an insurance company or regulatory authority attesting to the safe installation, inspection, and testing is presented.</p> <p>No comparable OSHA provision</p> <p>No comparable OSHA provision</p> <p>No comparable OSHA provision</p>
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or traffic area, derailleurs, bumper blocks, a blue flag or blue light, or other equivalent protection shall be used.

(2) A visible "close clearance" sign shall be used to indicate close clearance between a rail car and an adjacent fixed object if the fixed object is located less than 8 ½ feet from the center of a straight track or less than 9 feet from the center of a curved track.

R 408.40127. Machine installations and guarding.

Rule 127. (1) A machine shall be located so that there will be space for an employee to handle the material and operate the machine without interference to or from another employee or machine.

(2) A machine installed on a bench, table, or stand shall be designed or secured to prevent unintentional movement or tipping.

(3) The power source of any machine that is to be repaired, serviced, or set up, where unexpected motion or an electrical or other energy source would cause injury, shall be locked out by each employee doing the work, except when motion is necessary during setup, adjustment, or troubleshooting. Any residual pressure shall be relieved before and during the work. A machine connected by a cord and plug to an electric power source shall be considered in compliance if the plug is disconnected and tagged and the disconnection is within view of the operation.

(4) Where 1 or more crews are working on the same machine with a single energy source, 1 of the following provisions shall be complied with:

- (a) Each employee shall place his or her lock as prescribed in subrule (3) of this rule.
- (b) An authorized employee of each crew shall be responsible for placing the lock required in subrule (3) of this rule and for ascertaining that his or her crew is clear of the machine before removing the lock.
- (c) A supervisor shall place a departmental lock for which he or she has the only key, and he or she shall ascertain that all crews are clear from the machine before removing the lock.

(5) The tagging referred to in subrule (3) of this rule shall be as prescribed in Part 22. Signals, Signs, Tags, and Barricades, being R 408.42201 et seq. of the Michigan Administrative Code.

(6) When unexpected motion would cause injury, provision shall be made to prevent a machine from automatically restarting upon restoration of power after a power failure.

(7) Blades of a fan which is located within 8 feet of a floor or working level and which is used for ventilation or cooling of an employee, shall be guarded with a firmly affixed or secured guard. Any opening in the guard shall have not more than 1 of its dimensions more than 1 inch, and the distance to the blade shall be not less than that prescribed in table 2.

(8) An employee shall not place his or her body beneath equipment such as a machine, or materials, that is supported only by a jack, overhead hoist, chain fall, or any other temporary single supporting means, unless safety stands, blocks, or another support system that is capable of supporting the total imposed weight is used to

No comparable OSHA provision

protect the employee if the temporary single supporting means fails.

(9) Table 2 reads as follows: See Table 2

R 408.40129. Toilets at construction sites.

Rule 129. (1) Toilets at construction sites shall be provided for employees as follows:

- (a) 1 to 20 employees – 1 toilet.
- (b) 21 to 40 employees – 2 toilets.
- (c) 41 or more employees – 1 additional toilet for each additional 40 or less employees.

(2) A jobsite that is not provided with a sanitary sewer shall be provided with 1 of the following toilet facilities, unless prohibited by local codes:

- (a) A privy, if use of the privy will not contaminate groundwater or surface water.
- (b) A chemical toilet.
- (c) A recirculating toilet.
- (d) A combustion toilet.

(3) The requirements of this rule for sanitation facilities shall not apply to a mobile crew that has transportation readily available to nearby toilet facilities.

(4) To assure sanitation, a toilet shall be serviced and maintained on a regular basis.

(5) A toilet shall be supplied with toilet paper.

R 408.40132. Medical services and first aid.

Rule 132. (1) An employer shall ensure the availability of medical personnel for advice and consultation on matters of occupational health.

(2) Before beginning a project, provision shall be made for prompt medical attention in case of serious injury.

(3) A person who has a valid certificate in first aid training shall be present at the worksite to render first aid. A certificate is valid if the requirements necessary to obtain the certificate for first aid training meet or exceed the requirements of the United States bureau of mines, the American red cross, the guidelines for basic first aid training programs, or equivalent training.

(4) Where a remote location or a single employee worksite exists, an employer shall provide a written plan that includes alternate methods of assuring available treatment for employees at a remote location or single-employee worksite. The plan shall be communicated to all affected employees.

(5) An employer shall assure that there are first aid supplies at each jobsite and that the supplies are readily accessible.

(6) The contents of a first aid kit shall be approved by a consulting physician. First aid kit supplies shall be sealed

1926.51(c) "Toilets at construction jobsites."

1926.51(c)(1)

Toilets shall be provided for employees according to the following table:

Table D-1

Number of Employees	Minimum number of facilities
20 or less	1.
20 or more	1 toilet seat and 1 urinal per 40 workers
200 or more	1 toilet seat and 1 urinal per 50 workers

1926.51(c)(2)

Under temporary field conditions, provisions shall be made to assure not less than one toilet facility is available.

1926.51(c)(3)

Job sites, not provided with a sanitary sewer, shall be provided with one of the following toilet facilities unless prohibited by local codes:

1926.51(c)(3)(i)

Privies (where their use will not contaminate ground or surface water);

1926.51(c)(3)(ii)

Chemical toilets;

1926.51(c)(3)(iii)

Recirculating toilets;

1926.51(c)(3)(iv)

Combustion toilets.

1926.51(c)(4)

The requirements of this paragraph (c) for sanitation facilities shall not apply to mobile crews having transportation readily available to nearby toilet facilities.

1926.23 "First aid and medical attention.

"First aid services and provisions for medical care shall be made available by the employer for every employee covered by these regulations. Regulations prescribing specific requirements for first aid, medical attention, and emergency facilities are contained in Subpart D of this part.

in individual packages, stored in a weatherproof container, and checked by an employer or designated person before being sent out on each job and at least weekly on each job to ensure that expended items are replaced.

(7) An employer shall provide proper equipment for the prompt transportation of an injured person to a physician or hospital and a communication system for contacting the necessary emergency service. The telephone numbers of a physician, hospital, or emergency service shall be conspicuously posted at the jobsite.

(8) This rule replaces OH rule 6610.

R 408.40133. Illumination.

Rule 133. (1) A minimum illumination intensity of 10 footcandles shall be provided on a jobsite where construction work is being performed.

(2) A minimum illumination intensity of 5 footcandles shall be provided to areas on a jobsite where work is not being immediately performed but where workers may pass through.

(3) A minimum illumination intensity of 50 footcandles shall be provided for first aid stations and infirmaries.

(4) For areas or operations not covered by subrules (1) to (3) of this rule, refer to the American National Standard A11.1-1965, R 1970, Practice for Industrial Lighting, for recommended values of illumination. ANSI Z11.1-1965, R 1970, is adopted by reference in this rule. Printed copies of ANSI Z11.1-1965, R 1970, are available from Global Engineering Documents, 15 Inverness Way East, Englewood, Colorado 80112, telephone number 1-800-854-7179, website: www.global.ihc.com, at a cost as of the time of adoption of these amendatory rules of \$54.00 or is available for inspection at the Michigan Department of Consumer and Industry Services, Standards Division, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan 48909.

1926.26 Illumination.

Construction areas, aisles, stairs, ramps, runways, corridors, offices, shops, and storage areas where work is in progress shall be lighted with either natural or artificial illumination. The minimum illumination requirements for work areas are contained in Subpart D of this part.

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