

Criminal Charges Filed

State Files Criminal Charges for Workplace Fatalities—Against Lanzo Construction Co. and Vice President Angelo D’Alessandro—and Against J.A. Morrin Concrete Construction Co. and Foreman Jim Morrin Jr.

Morrin Concrete Construction Company

Michigan Department of Consumer and Industry Services (CIS) Director Kathy Wilbur announced on Aug. 20, 2001, that criminal charges have been filed by the Attorney General’s Office against J.A. Morrin Concrete Construction Company, Toledo, Ohio, and against their foreman Jim Morrin Jr. for a workplace fatality.

J.A. Morrin Concrete Construction Company contracted Sylvester Material Company, Sylvania, Ohio, to deliver gravel to a strip mall construction site at 119 Waterstradt Commerce Dr., in Dundee, MI. A 7600 volt energized power line ran across the entire east end of the site. Morrin had received notification and several warnings that no work was to be conducted under the power line until it was deenergized and moved.

On Aug. 11, 2000, foreman Jim Morrin
Cont. on Page 18

Lanzo Construction Company

On Aug. 20, 2001, Michigan Department of Consumer and Industry Services (CIS) Director Kathy Wilbur announced that criminal charges have been filed by the Attorney General’s Office against Lanzo Construction Company, Roseville, and against their vice president Angelo D’Alessandro, for a workplace fatality.

On May 24, 1999, a crew from Lanzo Construction Company was installing sewer pipe when a cave-in occurred on Lake Ravines Drive in Southfield. Robert James Whiteye, 52, a pipe layer, was pronounced dead at the scene after rescuers worked for several hours to extricate him from the trench. The excavation was approximately 18 feet deep with inadequate protection provided for employees against cave-ins.

“Lanzo Construction Company has shown a complete disregard for protecting their employees, as evidenced by their past history and the significant number of alleged wilful violations in this incident,” said Wilbur. “When employers willfully ignore MIOSHA regulations—they will be held criminally responsible for a workplace fatality.”

On March 2, 2000, 30 citations for civil violations of the Michigan Occupational Safety and Health Act (MIOSHA) were hand delivered to Lanzo Construction Company, including: 12 alleged wilful serious violations, 12 alleged serious

Cont. on Page 18



Robert Sorge was electrocuted when his fully extended truck bed came into contact with a 7600 volt overhead power line in Dundee, MI.

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Consumer and Industry Services

From the Bureau Director's Desk

*By: Douglas R. Earle, Director
Bureau of Safety & Regulation*



Mobilizing Employers for Workplace Safety

New MIOSHA Recordkeeping And Recording Requirements

How can we help employers reduce fatalities, injuries and illnesses on the job? That is the fundamental question facing the MIOSHA program. Our primary mission is to ensure that every Michigan worker goes home healthy and whole every night.

Improving Michigan work environments requires daily diligence and ongoing commitment by employers in the face of competing priorities for time, energy and resources. MIOSHA is committed to helping employers find the most effective and efficient ways to reduce injuries, illnesses, and deaths in the workplace.

There is no more critical component to an employers total safety and health effort, than accurate recordkeeping. Keeping accurate records reduces injuries and illnesses by helping employers identify the hazards that cause them in the first place. After an employer has taken corrective action, the records can be used as a management tool to track progress in reducing injuries and illnesses.

Recordkeeping also helps MIOSHA identify high-hazard industries and worksites, and helps us determine where our regulatory efforts should be directed. Accurate records give direction to our prevention efforts.

MIOSHA recordkeeping rules have been in effect since 1975. MIOSHA has revised our recordkeeping standard, in accordance with federal OSHA revisions—which will go into effect Jan. 1, 2002.

The revised standard has two major goals: to improve the quality of records kept by employers, and to reduce the burden on employers by simplifying forms and regulations and providing clear guidance. This revision won't lessen an employer's recordkeeping responsibilities—but it will make it easier to meet the requirements.

In Michigan, I'm proud that we educate before we regulate! MIOSHA has developed an extensive outreach program to help employers with the new recordkeeping requirements.

For the first time in our history—MIOSHA is using state-of-the-art interactive video technology to reach employers. We have partnered with community colleges across the state to sponsor two video teleconferences on the new requirements at 16 sites.

The MIOSHA Consultation Education and Training (CET) Division has taken the lead in recordkeeping outreach. CET Safety and Health Consultants have developed PowerPoint presentations, record training materials, and flow charts with medical treatment examples. In addition to the video teleconferences, CET has scheduled 10 recordkeeping training seminars across the state, and will present a session at the Michigan Safety Conference.

MIOSHA has also established a Recordkeeping Breakout Page on our Website (www.cis.state.mi.us/bsr) under the MIOSHA Initiatives heading. This site will have extensive information on the rule, the changes, the forms, and training opportunities.

I urge employers to take advantage of all the resources MIOSHA has available to understand the new requirements for recordkeeping.

Significant MIOSHA Criminal Charges

One of the most tragic events in the workplace occurs when an employee is killed or seriously injured on the job. Prevention strategies become acutely important when employers are confronted with the tragedy of a workplace fatality.

The lead article in this issue concerns the criminal charges brought by the Attorney General against Lanzo Construction Company and J.A. Morrin Concrete Construction Company, and two individuals within those companies. Because these criminal charges are related to the MIOSHA program, I believe it's important to make it clear that they are allegations of possible criminal conduct, as are the contested civil citations that the MIOSHA administration issued in these fatality cases. I believe, however, there are some important new directions concerning the charges brought by the Attorney General and I would like to place emphasis on these points.

Lanzo Construction Company

In this case the Attorney General charged both the corporation and the vice president for Lanzo Construction Company each with two charges of criminal conduct, one under the MIOSHA statute, and the other under the State of Michigan's general criminal provisions for manslaughter. The vice president of the company is the employee being charged individually in this case, not a front-line manager or supervisor.

This case illustrates that if there is sufficient evidence to support the charges, corporate managers may be held responsible.

J.A. Morrin Concrete Construction Company

Similarly, in the J.A. Morrin Concrete Construction Company case the Attorney General has brought charges against the corporation, as well as against an individual in the corporation. In this case the charges were brought against an on-site manager of J.A. Morrin Concrete Construction Company who was directing the activities of another employer's employee when the fatal accident occurred. The J.A. Morrin official expressly directed an employee of a vendor employer to unload materials in close proximity to highly charged electrical lines.

In most instances, both civil citations as well as criminal charges under MIOSHA are directed at the employer of the employee who was injured or killed. In this case the allegations are being lodged against a representative of the management controlling the work activity of another employer's employee.

We must wait to see what happens regarding both of these cases, but I believe they open new possibilities with respect to holding employers criminally responsible under the MIOSHA program.

Handwritten signature: Douglas R. Earle

Our Latest Star—TRW Fenton

TRW Chassis Systems' Fenton Plant Receives MVPP Star Award

TRW Chassis Systems' Fenton Plant has become one of only four facilities in the state to receive the prestigious Michigan Voluntary Protection Programs (MVPP) Star award for workplace safety and health excellence. CIS Director **Kathy Wilbur** presented the Star flag on June 15th at a special ceremony on behalf of the Michigan Department of Consumer & Industry Services (CIS).

"It is indeed an honor to present the MVPP Star flag to the employees and management of TRW Chassis Systems' Fenton Plant," said Wilbur. "Your outstanding achievement will serve as a model of excellence—for your industry, and for all Michigan employers."

The CIS Bureau of Safety and Regulation is responsible for the MIOSHA program. MIOSHA established the MVPP program to recognize employers actively working toward achieving excellence in workplace safety and health. It was developed in 1996 to reward private and public sector work sites that develop and implement outstanding safety and health programs that go beyond MIOSHA standards.

"Too many employers believe that workplace accidents are a part of doing business in a high-hazard industry," said Wilbur. "The Fenton Plant's outstanding safety and health record, which is significantly below their industry average, demonstrates that it is possible, and profitable, to protect workers."

Raising the Flag

Employees raised the MVPP Star flag during the ceremony. Accepting the Star award were members of the **Fenton Health and Safety Team**; as well as **Kathy Grisdela**,

Fenton Plant Manager; and **Steve Lunn**, Senior Vice President, Operations, TRW Chassis Systems. State and local elected officials, corporate leaders, as well as CIS and MIOSHA representatives, were on hand to congratulate the Fenton Plant.

The Fenton Plant's Incidence Rates and Lost Work Day Rates are significantly below the Michigan average for their industry and Standard Industrial Classification (SIC) code 3714, "Automotive Parts and Accessories." The Total Case Incidence Rate for the Fenton Plant was 3.65 in 1996, 2.0 in 1997, and 2.0 in 1998—compared to 22.7, 19.3, and 18.8, respectively, for Michigan. The Total Lost Work Day Cases for the Fenton Plant was 1.56 in 1996, 0.68 in 1997, and 0.31 in 1998—compared to 10.8, 6.8, and 7.1, respectively, for Michigan.

"Thanks to the diligence of our Fenton employees, we are gratified to be recognized as a Star location," said Steve Lunn. "While the numbers are impressive, the important thing to remember is that these statistics represent people, and our ultimate aim is to strive for zero injuries and a continually improving work environment."

Safety Diligence

TRW management at the Fenton Plant plays an active and visible leadership role in the day-to-day safety and health activities of the facility. They have continually made changes in machinery, equipment and programs that have greatly reduced the incidence of safety hazards. Management has an established safety and health program with clearly stated goals and objectives. Written policies have been developed for more than 16 program areas, including: Bloodborne Pathogens, Confined Space Entry, Ergonomics, Hazard Communication, and Lockout/Tagout.

"While management has been in full support of the plant's health and safety program, the credit for this success belongs to all of our employees, and in particular to our safety team," said Kathy Grisdela. "By using a team with representatives from all areas and shifts, we've been able to make the improvements that have made our safety record possible."

The Fenton Plant health and safety team consists of 12 members



Sen. Valde Garcia (R-District 26), Rep. Patricia Lockwood (D-District 51), Fenton Plant Manager Kathy Grisdela, and CIS Director Kathy Wilbur.

who represent the safety interests of all employees. Among their many activities, the team: coordinates employee orientation and safety training, is involved in accident investigation, reviews accident reports, conducts monthly safety audits, and publishes a daily newsletter.

Based on interviews with employees and observation, MIOSHA found employees are empowered to identify and correct safety and health infractions. Employees take responsibility for their own health, as well as their co-workers. The Fenton Plant received the MVPP Merit Award on Nov. 5, 1998. The MIOSHA onsite review team was comprised of **David Luptowski**, CET Safety Consultant, and **D.W. Johnson**, CET Industrial Hygienist.

TRW Chassis Systems

The Fenton Plant was purchased in 1988 by the former Kelsey-Hayes Company, which subsequently became LucasVarity, and finally, TRW. The plant has approximately 450 employees. It produces rear-wheel and four-wheel light vehicle braking systems for 28 automotive customers worldwide, and has combined with sister facilities in Fowlerville, Brighton, and Heerlen, the Netherlands, to produce more anti-lock braking systems than any company in the world.

TRW Chassis Systems is a world leader in braking, steering and suspension systems, commercial steering, engine components and aftermarket replacement parts for the global automotive industry. TRW Inc. provides advanced technology products and services to the automotive, aerospace and information technology markets. The company's 2000 sales were \$17 billion. ■



The TRW Fenton Health and Safety Committee celebrates the awarding of the MVPP Star.

NEW MIOSHA RECORDKEEPING SYSTEM

By: *Micshall Patrick, Safety Consultant*
Consultation Education & Training Division

MIOSHA recordkeeping rules have been in effect since the Michigan legislature created the modern MIOSHA program in 1975. The rules were designed to help employers recognize where workplace hazards were occurring, and thereby be in position to take corrective action to eliminate the hazards—by keeping track of work-related injuries and illnesses.

“Recordkeeping is an important part of a company’s total safety and health plan,” said MIOSHA Director **Doug Earle**. “Conscientious and detailed records are a valuable tool for the employer or employees to help recognize patterns of accidents or illnesses, and most importantly, to take preventative actions for a safer and healthier workplace.”

MIOSHA has revised the recordkeeping standard, in accordance with federal OSHA recordkeeping revisions, to provide clearer regulatory requirements which will simplify the overall recordkeeping system for employers. The revised MIOSHA rule, Part 11. Recording and Reporting of Occupational Injuries and Illnesses, will go into effect January 1, 2002.

The new rule increases employee involvement, creates simpler forms, and gives employers more flexibility to use technology to meet regulatory requirements. Written in plain language using a question and answer for-

mat, the regulation for the first time uses checklists and flowcharts to provide easier interpretations of recordkeeping requirements.

One of the least understood concepts of recordkeeping has been that of “restricted work.” The revised rule clarifies the definition of “restricted work” or “light duty” and makes it easier to identify and record those cases. “Work-related injuries” are also better defined to ensure the recording only of appropriate cases, while excluding cases clearly unrelated to work.

The revised rule includes a provision for recording needlestick and sharps injuries that is consistent with recently-passed federal legislation requiring OSHA, as well as the State Plan States, to revise their bloodborne pathogens standard to address such injuries. This provision is expected to result in a significant increase in recordable cases annually.

Like the former rule, employers with 10 or fewer employees are exempt from most requirements of the new rule, as are a number of industries classified as low-hazard, including certain industries in: retail, service, finance, insurance and real estate sectors. The new rule updates the list of exempted industries to reflect recent industry data. These exemptions from recordkeeping do not excuse any employer from other MIOSHA requirements or from compliance with all applicable MIOSHA safety and health standards.

The revised MIOSHA standard is substantially similar to the new federal OSHA standard, CFR29 Part 1904 Recording and Reporting Occupational Injuries and Illnesses. The final recordkeeping rule is the culmination of an effort that began in the 1980s to improve how the government tracks occupational injuries and illnesses.

OSHA is seeking comment on two proposed modifications to the rule’s recordkeeping requirements. First, OSHA will not implement for one year the criteria for recording work-related hearing loss, pending a review of the hearing loss definition. MIOSHA will continue to require the recording of work-related standard threshold shifts of 10dB or more.

Second, OSHA has delayed for one year the recordkeeping rule’s definition of musculoskeletal disorder (MSD). OSHA is in the process of developing a comprehensive plan to address ergonomic hazards, which will include appropriate ergonomic definitions. MIOSHA will continue to require recording of work-related musculoskeletal disorders which meet the recordability criteria, which has not changed in the revised standard.

Comparison Highlights

Current & New Recordkeeping Requirements

Occupational Illness/Injury

Eliminates different criteria for recording work-related injuries and work-related illnesses—one set of criteria will be used for both.

Current - Every nonfatal occupational illness is recordable.

New - Establishes the same recording criteria for injury and illness. A work-related injury or illness must be recorded if it results in one or more of the following: death, days away from work, restricted work, transfer to another job, medical treatment beyond first aid, loss of consciousness, a significant injury/illness diagnosed by a physician or licensed health care professional.

Counting Days Away From Work

Includes new rules that rely on calendar days instead of workdays.

Current - There is no “cap.” Employers must count the number of workdays (consecutive or not) in which the employee would have worked but could not because of occupational injury or illness. The number of lost workdays or restricted days should not include the day of injury or onset of illness, the day the employee returns to work, and any days on which the employee would not have worked even though able to work.

New - Count calendar days away from work, including holidays and weekends—instead of work days. Do not count the first day, or the day the employee returns to work. Employers may “cap” total days away at 180 calendar days.

Video Teleconferences

Occupational Injury & Illness Recording & Reporting Requirements

The MIOSHA CET Division—in partnership with 10 community colleges and two Michigan Technical Education Centers—will sponsor two MIOSHA recordkeeping training interactive video teleconferences at 16 sites across the state.

December 5, 2001

College	Contact	Telephone
Grand Rapids Com. College	Helen Anderson	616.234.3600
Jackson Community College	Bethany Rogers	517.796.8445
Kalamazoo Valley M-TEC*	Lesa Ward	616.353.1253
Lake Superior State U.	Cont. Education	888.800.5778
Lansing Community College	Hassae Jones	517.483.9853
Monroe Community College	Lifelong Learning	734.242.7300
Oakland Community College	Ronald Deadman	248.232.4580
Schoolcraft College	Cont. Educ. Services	734.462.4448

January 17, 2002

College	Contact	Telephone
Alpena Community College	Don McMaster	989.358.7344
Bay College M-TEC*	Jayne Bernard	906.786.5802
Grand Rapids Com. College	Helen Anderson	616.234.3400
Henry Ford Com. College	Jan Michaelis	314.845.9667
Kalamazoo Valley M-TEC*	Cindy Buckley	616.353.1253
Lansing Community College	Hassae Jones	517.483.9853
Macomb Community College	Geraldine Vehrenkamp	810.783.7817
Schoolcraft College	Cont. Educ. Services	734.462.4448

The teleconference starts promptly at 8:30 a.m., and will consist of three hours of interactive video training in the morning, followed by hands-on practice at the sites in the afternoon. There will be a CET consultant at each site to facilitate the training. To register, contact the co-sponsors listed above.

Transmissions will originate from the Kalamazoo Valley Community College M-TEC.
 *Michigan Technical Education Center

MIOSHA Revised Recordkeeping Rules—to Improve the System Employers Use to Track and Record Workplace Injuries and Illnesses—goes into Effect January 1, 2002

BLS Survey

The Bureau of Labor Statistics (BLS) Survey of Occupational Injuries and Illnesses is the primary source of statistical information concerning workplace injuries and illnesses.

Current - Employers shall promptly complete and return the BLS survey form.

New - If employers receive a BLS Survey, from BLS or a BLS designee (in Michigan it's the MIOSHA program), they must promptly complete the form and return it within 30 days. (The same applies to the OSHA Occupational Injury and Illness Data Collection Form.)

Exempt Industries

Current - There are some partially exempt industries in retail trade, finance, insurance, real estate and service.

New - There are some new industries which are partially exempt. Examples include offices and clinics of medical doctors and dentists, retail bakeries, re-upholstery and furniture repair, and more. (Specific exempt SICs will be listed in Appendix A of the new regulation.)

Recording Time

Current - Employer shall enter each recordable occupational injury and illness in the log and summary not later than six working days after receiving information that a recordable case has occurred.

New - Employers must enter each recordable injury and illness on the MIOSHA Forms 300 and 301 within seven calendar days of receiving the information that a recordable injury or illness has occurred.

Recording Location

Current - Regardless of the site where the injury to an employee occurred, it would be recorded at the employee's regularly assigned location.

New - An injury to an employee working at a different site than the employee's regularly assigned location, is recorded at the site where the injury occurred.

Certifying Records

Current - The summary must be signed and dated by the employer or whoever is delegated responsibility for completing it to certify that it is true and complete to the best of the person's knowledge.

New - A **company executive** must certify the MIOSHA Form 300A log. A company executive is the owner, officer of the corporation, highest-ranking official working at the establishment or immediate supervisor of the highest-ranking company official working at the establishment. The summary must be signed and dated by the employer or whoever is delegated responsibility.

Postings

Requires the annual summary to be **posted for three months** instead of one.

Current - The summary covering the previous

calendar year shall be posted not later than February 1 and shall remain in place until March 1.

New - The employer must post the Form 300A summary of the previous calendar year no later than February 1 and keep it in place until April 30.

Access to Records

Current - Establishes access to records for the employee, MIOSHA representative, and authorized employee representative, but doesn't give time lines.

New - Establishes time lines for providing copies of MIOSHA Form 300 log to employees, MIOSHA representatives, and authorized employee representatives.

Highlights of New Requirements

Updates the Three Recordkeeping Forms:

■ MIOSHA Form 300 (Log of Work-Related Injuries and Illnesses); simplified and printed on smaller, legal-sized paper.

■ MIOSHA Form 301 (Injury and Illness Incident Report); includes more data about how the injury and illness occurred.

■ MIOSHA Form 300A (Summary for Work-Related Injuries and Illnesses); a separate form updated to make it easier to calculate incident rates.

Lost Workdays - The revised rule eliminates the term "lost workdays" and focuses on days away or days restricted or transferred.

Chart - Provides a chart illustrating when a case occurs in the work environment and is **not** work-related and therefore, not recordable.

Privacy Case - The new rule protects employee privacy. If the employer and/or employee has a privacy concern, the employer may choose not to enter the employee's name on the MIOSHA Form 300. (E.g., sexual assaults, HIV infections, mental illnesses, etc.) If the employer has a privacy case, it must keep a separate, confidential list of the case numbers and employee names.

Medical Surveillance - When an employee is medically removed under the medical surveillance requirements of a MIOSHA standard, the employer must record the case on the MIOSHA Form 300.

Employee Involvement - Requires employers to establish a procedure for employees to report injuries and illnesses and inform employees how to report. For the first time, employee representatives will have access to those parts of the MIOSHA Form 301 relevant to the employees they represent.

Working at Home - Injuries and illnesses that occur while an employee is working at home, including work in a home office, will be considered work-related if the injury or illness occurs while the employee is performing work for pay or compensation in the home, and the injury or illness is directly related to the performance of work rather than to the general home environment or setting.

Heart Attacks - Heart attacks at work which result in a fatality are to be reported.

Unchanged Requirements

Fatality/Catastrophe - An employer must report a fatality or any hospitalization of three or more employees within 8 hours. A special "report line" is available 24 hours a day by calling: **800.858.0397**.

Retention - Records shall be retained for five years, following the end of the year to which they relate. The MIOSHA Form 300 must be transferred to the new owner, who must continue to maintain and update the log.

Travel Status - Injuries and illnesses that occur while an employee is in travel status are work-related if at the time of the injury or illness, the employee was engaged in a work activity "in the interest" of the employer.

Conclusion

The important thing to remember is to record any case you feel might be recordable—afterwards you can seek clarification and assistance. **Ron Morris**, Chief of the MIOSHA Information Division, which is the resource on recordkeeping states, "It is an employer's responsibility to keep accurate records. Because this is a different recordkeeping system, we urge employers to become familiar with the new requirements."

For detailed information on the new recordkeeping standard, forms or training—check the **MIOSHA Recordkeeping Page** on our website at www.cis.state.mi.us/bsr. You can also call the **MIOSHA Information Division** at 517.322.1848 for recordkeeping information and forms. For copies of the new standard check the MIOSHA website or call the **MIOSHA Standards Division** at 517.322.1845. For information on the recordkeeping teleconferences, seminars, and other training opportunities you can also call the **MIOSHA Consultation Education and Training Division** at 517.322.1809. ■

Recordkeeping Seminars - 2002

Date	Location
January 30	Lansing
February 7	Battle Creek
February 19	Grand Rapids
February 28	Jackson
March 5	Dearborn
May 7	Monroe
May 16	Saginaw
July 9	Belleville
September 10	Adrian
November 6	Southfield

The CET Division is also sponsoring 10 recordkeeping seminars in 2002. For information on the January and February seminars, see the Education & Training Calendar on Page 13. Details on the remaining seminars will be in future issues.

Henshaw Confirmed as Assistant Secretary of Labor for OSHA

John L. Henshaw was nominated by President **George W. Bush** to head OSHA on June 13, 2001. Secretary of Labor **Elaine L. Chao** announced that the United States Senate confirmed Henshaw as the new Assistant Secretary of Labor for Occupational Safety and Health on Aug. 3, 2001.

"American workers win with John Henshaw," Chao said. "John is the perfect person to lead an effort to create the safest and healthiest environment for American workers."

As Assistant Secretary of Labor for Occupational Safety and Health, Henshaw heads the Occupational Safety and Health Administration. Henshaw has more than 26 years' experience directing environmental, safety and health programs in the chemical industry. Most recently he served as director of environment, safety and health for Astaris LLC, a joint venture between Solutia and FMC Corporation. Previously, he held a similar position for Solutia and Monsanto.

On Aug. 27 Henshaw addressed the 17th annual conference of the Voluntary Protection Programs Participants' Association (VPPPA). Henshaw is the first OSHA Assistant Secretary who has come from a VPP company; Monsanto and Solutia are both strong VPP companies.

"I am very excited being a part of this agency—there is no greater honor, no greater responsibility and no greater opportunity than to head the Occupational Safety and Health Administration and positively impact the safety and health of so many American workers," said Henshaw at the conference.

Henshaw received his master's degree in environmental health administration and industrial health from the University of Michigan in 1974 and his undergraduate degree from Appalachian State University. He served as president of the 12,000-member American Industrial Hygiene Association (AIHA) from 1990 to 1991.

He has served on the EPA National Environmental Laboratory Accreditation Advisory Board, on the University of Michigan and St. Louis University advisory boards, the Registrar's Accreditation Board and the joint RAB-ANSI (American National Standards Institute) board for environmental programs.

Henshaw has authored articles on safety and health management as well as chapters in industrial hygiene and management textbooks. He also served three and a half years in the Air National Guard as a bio-environmental engineer with the rank of Captain and was honorably discharged in 2000.



John L. Henshaw at his confirmation hearing.



CIS Deputy Director Dr. Kalmin Smith, standing in front of the Quincy Mine shaft house, just north of Hancock. (Photo by: Michele Jokinen, Chief Photographer, The Daily Mining Gazette.)

State Transfers Mining Grant Administration to Michigan Technological University

The State of Michigan, under the authority of **Governor John Engler**, today transferred the grant recipient authority for the Michigan Mine Safety and Health Grant from the Michigan Department of Consumer & Industry Services (CIS) to Michigan Technological University (MTU). The transfer becomes effective Oct. 1, 2001.

For the past eight years, CIS has served as the grant recipient for the USDOL's Mine Safety and Health Administration (MSHA). This function transferred to MTU when CIS Deputy Director **Dr. Kalmin Smith** presented the Governor's letter of transfer to MTU President **Dr. Curtis J. Tompkins** on July 10th.

"Michigan Tech has provided outstanding safety training and services for Michigan's mining community," said Dr. Smith. "This transfer of authority will increase mining safety services by targeting more funding to safety training and less for administrative costs."

The CIS Bureau of Safety and Regulation is responsible for the MIOSHA program, which administers the MSHA Grant. As the designated subrecipient by MIOSHA, the MTU Mining Engineering Department conducts safety and health training for Michigan's mine operators and mine workers, and provides other mine safety and health outreach and assistance services.

"The Mining Engineering Department has in recent years received national and statewide recognition for innovations in safety training materials development, and exceeding the grant's objectives," said Dr. Tompkins. "We are pleased to receive this transfer of authority, and pledge to continue to provide excellent and innovative mine safety training."

During the past eight years, the number of miners trained by MTU has increased from about 1,300 to an estimated 2,500 in the current fiscal year. Much of this increase is due to the improved quality of their trainers and the training materials. In 1998 and 1999, MTU received first place awards in MSHA's annual training-materials-development competition.

With MTU as the designated recipient, they will prepare their own requests for funding, send reports directly to MSHA, and will receive funds more quickly, thereby greatly improving efficiency. In addition, transferring the authority will reduce administrative costs, allowing more funds to be used for actual training and services to the mining community.

MTU Professor **Dr. Francis Otuonye** directs the Michigan Mine Safety and Health Program, which employs a program coordinator, a part-time secretary, and a program developer/instructor, and subcontracts with three consultants/trainers. MTU utilizes an Advisory Board to help advise program staff of training needs in Michigan. The board helps to keep the program focused on the needs of the mines and mine contractors in Michigan.

The Bottom Line

Workplace Safety and Health Makes Good Business Sense

GR Spring & Stamping, Inc.

GR Spring & Stamping, Inc., (GRS&S) Grand Rapids, is a custom manufacturer of metal stampings, progressive dies, slide stampings, springs, wire forms and value added assemblies. They are a second tier supplier for the automotive industry, which is 70 percent of their market. Their pressroom has a capacity from 22 to 600 tons, with press bed length peaks at 144 inches.

GRS&S is a full service company with years of experience in the design and manufacturing of stamped metal products and springs, and employs 190 workers. They specialize in complicated part designs made from a variety of metals, as well as progressive stamping and slideforming—using a range of computer software technology. Their progressive dies have a minimum of five electronic sensors, which are used to ensure part quality, prevent tooling failures and process monitoring.

Empowered Workforce

For several years GRS&S has been using the mini company concept, following Kiyoshi Suzuki's book *The New Shop Floor Management*. The basic idea is that everyone working for the company is the president of his or her respective responsibility, and each department is considered a mini company. The major driving force behind the mini company is the measurement system of Quality, Cost, Delivery, Safety and Morale.

This organizational structure provides an atmosphere where "associates" feel part of the GRS&S family and understand their role in the team. Their goals are to constantly grow their associates, enhance their design and production processes, find ways of adding value to their products and services, and search or invent new methods, tools, equipment, and processes that will move them closer to their Vision, "To Be the Best at What They Do." They have been QS9000 compliant since 1996, and have received numerous awards for quality and development.

Safety and Health—Primary Importance

GR Spring & Stamping, Inc. has a safety statement that stresses the importance of workplace safety and health. The prevention of occupational-induced

injuries is given precedence over operating productivity whenever necessary. Their goal is zero accidents and injuries.

Their health and safety program includes:

- Providing mechanical and physical safeguards for personal health and safety in keeping with the highest standards;
- Conducting inspections to find and eliminate unsafe working conditions;
- Training all employees in good health and safety practices;
- Developing and enforcing health and safety rules; and
- Investigating every accident to find its cause and correct the problem.

GRS&S recognizes that there are shared responsibilities for workplace safety and health:

- The employer is responsible for leadership and providing the safeguards required to ensure safe working conditions;
- Supervisors are responsible for developing proper attitudes, and ensuring all operations are performed safely; and
- Associates are responsible for wholehearted, genuine cooperation with all aspects of the health and safety program.

The Cost Benefit

GRS&S has not had a lost time accident since 1988! That is a phenomenal record for a company that is in a high-hazard industry. The environment at GRS&S is based on cost containment. They know that a poor safety record is a significant cost to a company—therefore they strive to maintain a high level of awareness of safe practices.

According to **Mike Santoski**, Director of Marketing, "All of our associates have worked very hard to achieve 13 years without a lost time accident. They are all involved in the team effort of working safely—while providing the highest quality product to our customers."

CET Safety Consultant **Rob Stacy** recommended GRS&S for this column. Stacy recently presented the company with a CET Silver Award, in recognition of their outstanding workplace safety and health record.



An employee operates the 144" bed, 600 ton press.

This column features successful Michigan companies that have established a comprehensive safety and health program which positively impacts their bottom line. An accident-free work environment is not achieved by good luck—but by good planning! Creating a safe and healthy workplace takes as much attention as any aspect of running a business. Some positive benefits include: less injuries and illnesses, lower workers' compensation costs, increased production, increased employee morale, and lower absenteeism.

Successful Workers' Compensation Strategies

The Relationship of a Safety and Health Program to a Company's Bottom Line is Productivity

By: Sheila Ide, Supervisor
 Consultation Education & Training Division

Based upon a program developed by Doug Kimmel, Safety Consultant, Consultation Education & Training Division.

Are you one of those companies that is only paying attention to, and paying for, half a program? Are you complaining about the high cost of doing business with workers' compensation rates and medical costs rising every year? If someone told you about a program that provides four to six dollars return for every dollar spent would you want to know more? I thought so! What is this miracle business strategy that is making some companies more competitive in these leaner economic times? A comprehensive safety and health program of course.

Literally, every dollar spent on loss control comes back to a company in increased productivity, reduced injuries and illnesses, reduced workers' compensation and medical premiums and payments, and lowered turnover resulting in higher worker morale. Quite a return on your investment!

Direct vs. Indirect Costs

The relationship of a safety program to a company's bottom line is productivity. Although the obvious savings occur in less premium paid to the insurance company, or for the self-insured, less money paid directly for medical and workers' compensation benefits—there are many indirect costs as well. These include: equipment replacement, repair and rental; overtime or temporary employee costs; legal expenditures; work time spent dealing with and investigating the accident; and possible scheduling delays which

could lead to poor customer relations. Studies have shown that these indirect costs vs. direct costs can be as high as 20 to one! Twenty dollars for every dollar in direct payments for medical benefits and workers' compensation.

What about the impact on profits? Divide the total cost of an accident by the company profit margin to determine what amount of sales are required to pay for the accident. For example, if the profit margin is a modest one percent, a one thousand dollar accident requires \$100,000 in sales to make up for the loss. Or to look at it another way, to pay for an accident with a total direct cost of \$500 a soft drink bottler would have to sell over 61,000 cans of pop; a food packer would have to sell 235,000 cans of corn; or a contractor would have to pour and finish 3,000 square feet of concrete. For governmental units or non-profit organizations, a significant amount of taxpayer or contributor monies must be used to pay for preventable accidents before the business of the entity can be addressed. Yes, preventable!

Prevention can Control Costs

A safety and health program can be developed utilizing workers' compensation loss control personnel, the MIO SIA Consultation Education and Training (CET) Division, and a company's own employees who have been trained to recognize and reduce workplace hazards. Implementation can begin immediately by eliminating hazards, changing equipment and procedures, and training workers in safe work practices. However, sustaining the program takes a constant commitment. Therein lies the challenge. The continuing safety and health of the workers are a part of production, not in competition with it.

Controlling workers' compensation costs

requires preparation and adherence to policy. Begin with comprehensive job descriptions that truly describe the requirements of the position and assure the employees understand them as well. Communicate to your workers beginning with orientation that the company is serious about safety and train them to recognize hazards in their workplace.

Implement a policy of prompt response to accidents and early intervention through proper medical treatment. It is al-

ways more difficult and more costly to begin investigation or provide medical assistance several days, or weeks, after an event occurs. Train workers to report even the most minor accidents, including near misses, in a timely manner (within the work shift) so that appropriate follow-up action can ensue. It is estimated that \$10,000 to \$15,000 per claim can be saved by simply ensuring that an injury is reported within 48 hours. This benefits the employer in several ways. Employees will be assured prompt and appropriate medical attention; hazards will be eliminated immediately; and regulatory demands will be met in a timely manner, such as workers' compensation rules and MIO SIA recordkeeping requirements.

Choose a physician who is familiar with your operations and the treatment of occupational injuries. Invite the physician into your workplace and/or video tape your operations for physician review. Consider creating light duty or transitional positions so that injured employees can "ease" back into the workplace after a lost time injury or offer short-term restricted or accommodated work assignments. Early intervention and response to employee injuries benefits the worker and may make them more likely to accept recommendations such as an early return to work or restricted work assignments.

Effective Work-Comp Carriers

Work with your workers' compensation carrier or third party administrator (TPA) to provide meaningful medical intervention, loss control services and safety programs. Most loss control service representatives can generally provide safety reviews and training, and if they cannot, search for a carrier that will partner with your company to provide a safer workplace. Review the premiums on a regular basis to determine if your company is benefiting from the best possible rates, and understand the limits of the policy and how loss runs and experience ratings are calculated.

If the carrier cannot answer these questions satisfactorily, it may be time to shop for a new carrier. A company's experience modification rating is based upon its previous four policy years of loss experience excluding the current policy year. Consequently, experience modification factors are not reduced unless a company can show an improvement over a considerable period of time.

Make certain the compensation carrier or TPA is managing employees' claims promptly and fairly; checks are being sent on schedule; and contact is being maintained with the injured worker. Many times an employee will seek an advocate outside of the company if they feel they

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Jim Gothrup, Production Supervisor at Gaylord Precision Tool, gets advice from CET Safety Consultant Doug Kimmel on proper guarding techniques for their new presses. The press operator is Rick Wolf.

How Well Do You Know Your Workplace? Hazard Recognition is a Must

By: *Martha B. Yoder, Chief
General Industry Safety Division*

When the Michigan Occupational Safety and Health Act (MIOSHA) was adopted in 1974, the State Legislature took the unusual step of including a legislative declaration. This declaration states that all employees shall be provided safe and healthful work environments *free from recognized hazards* because the safety, health, and general welfare of employees are a primary public concern.

Under the MIOSHA General Duty Clause, Section 11(a), employers are required to furnish each employee, employment and a place of employment which is free from *recognized hazards* that cause or are likely to cause death or serious physical harm to employees.

The legislative declaration and General Duty Clause serve to highlight the responsibility that employers have for knowing the conditions of their workplace and taking steps to ensure that unsafe conditions are identified and controlled. In essence, when we ask someone to work for us, we accept responsibility for ensuring that the equipment we ask them to operate, the processes and procedures we ask them to follow, and the physical environment around them will not cause harm.

The only way to know whether your workplace is free from potential safety and health hazards is to become familiar with all facets of the operation, inventory the potential hazards, identify how hazards are to be controlled, then monitor to be certain unsafe conditions are routinely identified and corrected. There is just no other way.

Know Your Workplace Conditions

MIOSHA safety and health inspections provide a snap-shop picture of the conditions in a workplace on the days of the inspection. For employers with effective hazard recognition and control programs in place, the findings will not be a surprise. As an example, one of our inspectors recently relayed to me that while conducting a routine inspection at a manufacturing plant, she was impressed with the cleanliness of the facility, the excellent machine guarding that was in place, the up-to-date maintenance and inspection records, and employee training.

When the inspection was completed, the safety officer had identified only two Serious violations and a small number of Other-than-Serious violations. A good inspection by most standards for a manufacturing environment with more than 200 employees. However, this com-

pany which is extremely committed to their hazard identification and correction efforts, was upset that two Serious violations had not been detected by their own internal efforts.

Conversely, the same safety officer inspected another manufacturing plant with very dissimilar results. This 250 employee facility had many previous inspections by MIOSHA and had previously provided abatement assurance for machine guarding violations. Unfortunately, after the abatement was achieved the guards were apparently removed and no alternative means were provided to protect the employees, resulting in the same conditions being cited again.

In addition, the previous inspection included a safety recommendation that a procedure be put in place to ensure that semi-trailers would not move until the forklift driver was finished loading or unloading. The procedure was written and forklift drivers trained. The company truck drivers, however, were not. This past spring, a truck pulled away from the dock when the forklift driver was still in the trailer. The forklift fell off the trailer. Fortunately, the driver was not injured. This employer was obviously not giving adequate attention to hazard prevention and control activities.

Hazard Prevention & Control

A hazard prevention and control program begins with a comprehensive survey to identify and understand the potential hazards in your workplace. This comprehensive survey should provide the baseline information that you will use for routine workplace inspections. As such, it should be approached from a variety of perspectives to be certain nothing is overlooked.

Often times it is beneficial to use an approach that combines using knowledgeable people in the facility with resources from outside. Outside resources may include assistance from the MIOSHA Consultation Education and Training (CET) division, insurance company representatives, nonprofit organizations or private consultants.

The comprehensive survey to establish baseline information will take longer than routine inspections of your workplace. This is because you will need to examine all equipment, processes, machines, and physical conditions of the workplace both indoors and outside. From this information, you can identify how specific hazards will be addressed and develop inspection checklists specific to your operation. Sample inspection checklists might be useful in helping guide you through the comprehensive survey

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MIOSHA Strategic Plan Focus

As part of the MIOSHA Strategic Plan, MIOSHA compliance and outreach activities are focusing on the following illnesses, injuries and industries to improve the occupational safety and health of Michigan workers.

Targeted High-Hazard Industries

Nursing & Personal Care Facilities
Metal Forgings & Stampings
Meat Products
Fabricated Structural Metal Products
Construction
Education Services - Public Sector

Targeted Injuries & Illnesses Amputations

Millwork, Plywood & Structural Members
Fabricated Structural Metal Products
Metal Forgings & Stampings
Misc. Fabricated Metal Products
Motor Vehicle Parts/Accessories

Overexertion/Repetitive Motion

Meat Products
Fabricated Structural Metal Products
Metal Forgings & Stampings
Nursing & Personal Care Facilities

Noise-Induced Hearing Loss

Logging, Sawmills & Millwork
Household Furniture
Iron & Steel Foundries
Nonferrous Foundries
Fabricated Structural Metal Products

Workplaces with High Injury/Illness Rates

All companies experiencing high injury/illness rates will be subject to MIOSHA compliance and outreach activities.

Visit the bureau website at www.cis.state.mi.us/bsr to review the MIOSHA Strategic Plan.

CET GRANTS

\$1 Million to Promote Workplace Safety and Health

By: *Jerry Zimmerman*
CET Grant Administrator

On Sept. 19, 2001, **Director Kathleen Wilbur** announced the Michigan Department of Consumer & Industry Services (CIS) has awarded 17 Consultation Education and Training (CET) Grants totaling \$1 million to promote workplace safety and health.

“The safety and health of our workers is vital to our state’s overall well-being,” said Wilbur. “These grants are an excellent investment by the state to help employers protect their most valuable asset—their workers.”

The CET grant program is part of the CIS Bureau of Safety and Regulation (BSR), which is responsible for administering the Michigan Occupational Safety and Health Act (MIOSHA). The MIOSHA program is dedicated to increasing workplace safety and health.

The bureau’s CET Division provides direct staff assistance to employers in a variety of formats. The CET Grant program provides additional options for safety and health education and training to employers and employees.

“These CET grants will help employers identify problem areas and find practical solutions,” said BSR Director **Doug Earle**.

The 17 statewide projects will emphasize prevention strategies to reduce injuries and illnesses. Several of the grants will focus on ergonomics issues, particularly in the health care field. One grantee will develop a CD for emerging safety and health issues in the plastics industry.

One grantee will develop a CD for emerging safety and health issues in the plastics industry.

Sixteen of the projects will focus on training programs. This year a research grant was approved which will measure and quantify the average noise level exposures of employees in the wood products industries. This research grant relates directly to one of MIOSHA’s strategic plan performance goals, to reduce noise induced hearing loss by 15 percent.

Many of the grants will focus on the five high-hazard industries identified by the MIOSHA strategic plan: construction, nursing & personal care facilities, metal forgings and stampings manufacturers, fabricated structural metal products companies, and the meat products industry. Most of the programs funded will develop educational materials and provide training on a wide range of safety and health services. Other grants include: workplace violence, safety and health training for workers affected by new technology, fall protection, safe work habits and hazard recognition, and health issues in the construction industry.

CET grants are awarded on a competitive basis to management/ employer groups, labor/employee organizations, and nonprofit organizations, such as universities, hospitals and service agencies.

For information on the CET Grant Program or any of the individual grants, please contact, **Jerry Zimmerman**, CET Grant Administrator, 517.322.1865.

FY 2002 CET Grant Projects

Alpena Community College will conduct safety training seminars for targeted key employers and employees in four high-hazard occupations: Manufacturing; construction; health services industries; and maintenance, custodial, secretarial and support staff in publicly funded educational institution; in the five-county area served by Alpena Community College.

Associated General Contractors will provide on-site training on health issues in the construction industry. In addition, they will develop a Construction Health Newsletter which will be distributed to top managers and safety directors to alert them to the health problems within the industry.

The **Center for Workplace Violence Prevention** will provide training to small business owners and employees, human resource managers, field personnel in the following areas: Personal safety strategies; early warning signs of anger and aggression and early prevention, de-escalation and personal safety strategies; and managing high-risk situations such as terminations, downsizing, bomb threats, school violence.

Eastern Michigan University will provide a two-day seminar: Fall Protection and Rescue from Heights. Day one will be a Comprehensive Fall Protection training seminar which will provide



CET Grantee Michigan State University delivers comprehensive trenching rescue training for fire fighters and construction workers. In this simulated exercise they are reinforcing the trench to protect workers, before the rescue operation begins.

training for workers threatened by the possibility of a fall. Day two will provide the rescue team with the knowledge, hands-on-training and equipment needed to rescue a worker who may have fallen.

Ferris State University will develop a training program for entry-level employees in plastic injection molding facilities. The self-paced CD-ROM training program will be produced on a standard disc that can be run on most computers with a CD player. The program will be developed with two portions: Material Handling for Plastic Injection Molding, and Plastics injection Molding Press Operator Safety.

MARO Employment and Training Association will provide occupational safety and health training for new workers from special populations. These would include welfare recipients referred to *Work First!* programs, students with disabilities in special education school-to-work transition programs and persons with severe disabilities referred through MEDC Rehabilitation Services and Community Mental Health.



Bob Crone (kneeling right), confined space trainer, demonstrates confined space entry rescue techniques during a recent CET-funded training at Alpena Community College.

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What to Do With All Those Old MSDSs

By: *Marsha Parrott-Boyle, Specialist Standards Division, and*

Gerald Medler, Safety Consultant

Consultation Education & Training Division

Employers may be struggling with the storage of Material Safety Data Sheets (MSDSs) which are a key element of any Hazard Communication Program. The MSDS is a critical tool for workers and employers to obtain information about workplace chemicals. Most companies have several dozen MSDSs, while some may have several thousand MSDSs. Each one of these MSDS may be one to ten plus pages in length.

Questions have risen concerning the retention of original copies of MSDS, that have been revised or retained, of hazardous chemicals that are no longer used in the work place.

The MIOSHA Hazard Communication rules reside in three identical standards: Construction Safety Standard, Part. 42; General Industry Safety Standard, Part 92; and Occupational Health Standard, Part 430. These rules require that only the most current available copy of MSDSs for hazardous chemicals that are presently in use, be maintained in the workplace. There is no standard requirement to maintain original copies of MSDSs that have been revised or are no longer in the workplace.

However, another MIOSHA standard, Occupational Health Standard, Part 470., Medical Records and Trade Secrets, clearly identifies an MSDS as an "exposure record" for those employees who handled or were exposed to the chemical. Part 470 requires that exposure records must be kept for 30 years (see Rule 325.3452 (h)(iii) and (iv)).

As the years pass and as companies expand their operations, the volume of these data sheets grows. Storing this information, regarding employees exposure to chemicals in the workplace, can present a difficult challenge. The rules do provide for some alternate record maintenance options.

Rule 325.3457, paragraph (b), reads:

"Material safety data sheets...shall not be required" (to be preserved and maintained) "for any specified period of time **IF** some record of the identity of the substance or agent, such as the chemical name if known, where it was used, and when it was used is retained for not less than 30 years."

A viable alternative identity record could be the chemical inventory list which is required in the Hazard Communication Standard. An employer would need to assure that important information is included in their chemical inventory list, such as, dates for which each hazardous substance was used, and where that substance was used. Thereby, providing a history which will document who was exposed to which chemicals and for how long. This is genuinely valuable information. Many substances have serious but delayed health effects, but are no less troublesome to those who are effected. Physicians, families, researchers and businesses may need to know this history years after the exposure has ended. MIOSHA depends on employers to maintain this chronicle.

Storage space can further be reduced by using non-paper formats, which are acceptable under the Hazard Communication Standard. Electronic access, microfiche, and other alternatives to maintaining paper copies of the material safety data sheets are permitted, as long as no barriers to immediate employee access in each workplace are created by such options.

Remember, MSDSs provide critical chemical health and safety information to those who handling hazardous substances and must always be available to the employees who are currently using the material. As a example of an exposure record, employers must assure that MSDSs or an equivalent chemical inventory or history be available for reference no less than 30 years, from the time the exposure begins.

MIOSHA staff are available to answer your questions and help you understand these requirements. ■

Construction Fatalities Increasing in 2001

Construction is one of the most hazardous industries in the nation and Michigan. Construction employers and employees must view their daily tasks with a heightened awareness that an accident could happen on their project and could affect them personally.

2001 Fatal Accidents By Major Cause*

Fall	10
Caught Between (Cave-in 2)	9
Struck By (Struck by Traffic 0)	2
Electrocution	1
Other	0
Total	22

* (As of 9/10/01)

Fall Protection

In the construction industry, falls lead all other causes of occupational death.

MIOSHA construction standards require employers to design and use comprehensive fall-protection programs to reduce serious or fatal injuries. At a minimum, employers must:

- Incorporate safety in work planning,
- Identify all fall hazards at a work site,
- Conduct safety inspections regularly,
- Train employees in recognizing and avoiding unsafe conditions, and
- Provide employees with appropriate protective equipment and train them in its use.

In a new report, the National Institute for Occupational Safety and Health (NIOSH) recommends strategic precautions to prevent fatal, work-related falls. "[Worker Deaths by Falls: A Summary of Surveillance Findings and Investigative Case Reports](#)," provides a practical on-site resource for assessing individual workplaces, identifying risk factors for falls, and developing effective preventive measures.

The report is available at no charge by calling the NIOSH information number, 800.356.4674.

Construction Safety Division
517.322.1856

CET Awards

MIOSHA recognizes the safety and health achievements of Michigan employers and employees through CET Awards, which are based on excellent safety and health performance.



CIS Deputy Director Dr. Kalmin Smith (center) congratulates Donna and Brian Berryman on receiving a special CET Award. (Photo by: Olivia Bartlett, Photographer, The Daily Mining Gazette.)

Superior Rent-All & Sales

On July 9th, Superior Rent-All & Sales received the **CET Special Recognition Award**. CIS Deputy Director **Dr. Kalmin Smith** presented the award to **Brian and Donna Berryman**, owners of Superior Rent-All & Sales. Started in 1991 in their garage, Superior Rent-All & Sales has grown to nearly \$500,000 in rental equipment, with increasing retail sales and a warranty service center.

“Construction is one of the most high-hazard industries in the state,” said Smith. “Superior Rent-All & Sales has taken the initiative to train their customers—construction owners, contractors and workers—in the vital area of workplace safety.”

The Berrymans have for the past three years conducted extensive construction safety seminars, in cooperation with MIOSHA. Each year, the seminars have expanded, and this year they trained 40 contractors, foremen and supervisors on March 7th, 110 construction workers on March 8th; and 250 students on March 9th.

Superior makes all the arrangements for the seminars, including renting the facility, providing demonstration equipment, and providing lunch for all attendees. There is no charge for the seminars.

IMCO Alchem Aluminum

IMCO Recycling Inc.’s Alchem Aluminum plant in Coldwater received the **CET Silver Award** for an outstanding safety and health record on May 31st. The CET Silver Award recognizes one year without a lost time accident.

CIS Deputy Director **Dr. Kalmin Smith** presented the award to **Gary Barnett**, Vice President of Division Operations, Specialty Alloys Division, IMCO Recycling, Inc., and **Claude Dube**, Plant Manager.

“The IMCO Alchem Aluminum facility represents a high-hazard industry, and has worked diligently to achieve an accident-free work environment,” said Smith.

IMCO’s basic corporate purpose, as a part of the environmental industry’s recycling sector, is to provide services to industry to reclaim valuable materials for reuse. This process provides savings in energy, raw materials and landfill capacity, all of which reduce industry’s impact on the environment.

IMCO’s Specialty Alloys Division is a supplier of specification aluminum alloys to automobile original equipment manufacturers, to producers of castings, and to other auto industry suppliers. In 1998 the Coldwater facility, the division’s largest facility, received QS9000 and ISO9002 certifications.



Isaac Gomez, IMCO Bilingual Safety Trainer; Dr. Kalmin Smith, CIS Deputy Director; Claude Dube, IMCO Plant Manager; Gary Barnett, Vice President of Operations, Specialty Alloys Division.

IMCO “Forklift” Rodeo

Have you ever been to a forklift rodeo? On July 28th, **IMCO Recycling Inc./Michigan Operations** held their first annual forklift rodeo in conjunction with their company picnic, with 350 people in attendance.

The festivities started with the forklift rodeo, as 36 men put their skills on the line and competed for the grand prize, a solid brass belt buckle—and of course, bragging rights. There were five courses designed to test speed, accuracy, precision, skill, and overall safety. Each contestant maneuvered the forklift and was evaluated by a judge at each station.

Jim House, Alchem/Saginaw; **Hector Rivera**, Alchem/Coldwater; and **Doug Bryant**, IMCO/Coldwater were the plant champions. **Juan Valle**, material handler, Alchem/Coldwater was named Grand Champion for the highest overall score. CET Safety Consultant **Quenten Yoder** presented the prizes to the winners.

Accidents, injuries and fatalities due to lack of operator training continues to be a major concern in Michigan. “This forklift contest tested each contestant’s skill, and highlighted the importance of the safe operation of powered industrial trucks,” said Yoder.



Samuel De Paz competes in the “Hoops” portion of the IMCO Rodeo.

Education & Training Calendar

Date	Course Location	MIOSHA Trainer Contact	Phone
October			
29	Building An Effective Safety Program Southfield	Karen Odell Pat Murphy	248.353.4500
29, 30 & 31	Safety & Health Administrator Course Midland	Tom Swindlehurst Ron Monson	989.496.9415
30 & 31	Firefighters Safety & Health Seminar Auburn Hills	Lee Jay Kueppers Ron Deadman	248.232.4580
31, Nov. 7, 14	Safety & Health Administrator Course Benton Harbor	Quenten Yoder Kathy Burnett	616.926-2539
November			
1	Elements of a Safety & Health Program Saginaw	Richard Zdeb Jo Peterson Brownley	989.790.4475
1	Safety & Health For Educational Services Livonia	Suellen Cook School Craft College	734.462.4448
6	Electrical Hazard Awareness/Workplace Hazard Recognition Houghton	Dan Maki Philip Musser	906.482.6217
6	Supervisors' Role In Safety Temperance	Jennifer Clark-Denson Judith Hamburg	734.847.0559
8	Bloodborne Infectious Diseases Workshop Zeeland	Jenelle Thelen Janie Sagmoe	616.561.8212
8	Recordkeeping & Workers' Compensation Strategies Canton	Jennifer Clark-Denson Jacqueline Schank	734.464.9964
December			
5	Powered Industrial Truck "Train-the Trainer" Kalamazoo	Micshall Patrick Lisa Peet	616.373.7807
5 & 6	Safety & Health Issues in Meat & Food Processing Operations Southfield	Linda Long Ed Ratzenberger	248.557.7010
6	Supervisors' Role In Safety Saginaw	Richard Zdeb Jo Peterson Brownley	989.790.4475
January			
30	Recordkeeping Lansing	Debra Gundry Sandy Long	517.394.4614
February			
7	Recordkeeping Battle Creek	Micshall Patrick Staff	800.704.7676
12	Orientation for New Safety & Health Personnel Clinton Township	Brian Dixon Teri Gribbin	810.498.4002
19	Recordkeeping Grand Rapids	Jerry Swift Ravell Trook	616.698.1167
20 & 21	Mechanical Power Press Clarkston	Richard Zdeb Peggy Desrosier	248.625.5661
20 & 27	Construction 10-Hour Safety Seminar/Emphasizing Fatality Causes Southfield	Jerry Faber Keiyania Mann	248.948.7000
28	Recordkeeping Jackson	Quenten Yoder Jenny Carl	517.782.8268

Co-sponsors of CET seminars may charge a nominal fee to cover the costs of equipment rental, room rental, and lunch/refreshment charges. For the latest seminar information check our website, which is updated the first of every month: www.cis.state.mi.us/bsr/divisions/cet/cet_cal.htm.

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Standards Update

Steel Erection Standard Update

On July 17, 2001, OSHA published a notice in the Federal Register (66FR 37137-37139) of a delay in the effective date of the adoption of a final Steel Erection Standard (29 CFR 1926 Subpart R 1926.750-1926.761), that revised the construction industry safety standards for steel erection nationally. The effective date for these rules in OSHA-governed states is January 18, 2002. The standard, commonly known as SENRAC (Steel Erection Negotiated Rulemaking Advisory Committee), is effective on that date only in those states where federal OSHA has jurisdiction.

Michigan is a State Plan State and administers its own specific occupational safety and health laws. This gives MIOSHA the flexibility to adopt policies, procedures, and processes that improve workplace safety and health in Michigan. MIOSHA has not yet adopted the SENRAC standard. **Currently, MIOSHA Construction Safety Standard, Part 26. Steel and Precast Erection, continues to be in effect in Michigan.** MIOSHA is reviewing the SENRAC document to ascertain those areas where we need to excerpt requirements to be promulgated as an amendment to Part 26, in order to be "as effective as" the federal OSHA standard.

Some of the areas newly addressed by SENRAC will require site-specific erection plans and construction sequence, explicit requirements for hoisting and rigging, structural steel assembly of beams and columns, controlled decking zones, fall protection, and multiple lifts. After review, those areas among others, will be addressed in an amended MIOSHA Part 26. The final modifications for Part 26 will be made available on the MIOSHA web page when complete, or customers can request that they be placed on the MIOSHA Standards Mailing List for notification of this or any other standard promulgation change by contacting the **MIOSHA Standards Division**.

Any questions regarding the interpretation of Part 26 or SENRAC should be directed to the **Construction Safety Division** at 517.322.1856.

New Standards Commission Member

Darryl Lesoski, M.D., M.P.H., of Traverse City, Medical Director of Munson Occupational Health and Medicine Clinic, is the newest appointment to the **Occupational Health Standards Commission**. Dr. Lesoski was appointed by Governor John Engler to represent the general public on Aug. 23, 2001.

Dr. Lesoski's initial interest in occupational medicine began during his service as a Flight Surgeon and Primary Care Practitioner in the U.S. Navy, from 1990 - 1995. He completed an Occupational Medicine residency at the University of Michigan, and is board-certified in Occupational Medicine.

Since joining Munson Medical Center in 1997, Dr. Lesoski has solely practiced occupational and environmental medicine in a hospital-based clinic. At the Munson Occupational Health and Medicine Clinic they are able to deliver a complete line of occupational health services and products.

Dr. Lesoski believes his role as an occupational medical provider is not only to deliver efficient, cost-effective medical care, but to educate local employers and employees in all aspects of occupational health.

Born and raised in the Thumb area, Dr. Lesoski is married with three children. As a family they enjoy many outdoor activities, including: sports, fishing, boating and exercising. He received a B.S. from Alma College, an M.D. from Wayne State University, and an M.P.H. from the University of Michigan.

To contact Connie Munsch, Chief of the Standards Division, or any of the Commissioners, please call the Standards Division Office at 517.322.1845.

Status of Michigan Standards Promulgation

(As of September 7, 2001)

Occupational Safety Standards

General Industry

Part 18. Overhead and Gantry Cranes	At LSB for informal approval
Part 19. Crawler, Locomotives, Truck Cranes	At Advisory Committee
Part 20. Underhung and Monorail Cranes	Approved by Commission for review
Part 58. Vehicle Mounted Elevating & Rotating Platforms	Approved by Commission for review
Part 74. Fire Fighting/Amendment #2	At LSB for formal certification

Construction

Part 07. Welding & Cutting	Approved by Commission for review
Part 10. Lifting & Digging	Final, effective 1/4/01
Part 14. Tunnels, Shafts, Cofferdams & Caissons	At LSB for formal certification
Part 18. Fire Protection & Prevention	At Advisory Committee
Part 20. Demolition	Final, effective 1/4/01
Part 22. Signs, Signals, Tags & Barricades	Final, effective 7/31/01
Part 26. Steel and Precast Erection	RFR approved by ORR
Part 30. Telecommunications	Approved by Commission for review
Ad Hoc Communication Tower Erection	Approved by Commission for review

Occupational Health Standards

General Industry

Abrasive Blasting	Final, effective 6/6/01
Air Contaminants	Final, effective 5/9/01
Bloodborne Infectious Disease	Final, effective 10/18/01
Ergonomics	Withdrawn 3/13/01
Forging Machines R 3210	Rescinded due to duplication
Illumination R4104-4106 (Occupational Health rules only)	Final, effective 7/17/01
Lead	Final, effective 10/12/00
Medical Services/First Aid R4401	Final, effective 7/31/01
Powered Industrial Trucks R3225 (OH Rules only)	Rescinded due to duplication
Respirators in Dangerous Atmospheres (OH Rules only)	Rescinded due to replacement
Sanding Machines R 3230	Rescinded due to duplication
Ventilation for Certain Hazardous Locations R 3110	Rescinded due to duplication

Construction

Gases, Vapors, Fumes, Dust & Mist R6201	Informal approval by LSB
Noise in Construction R6260	Final, effective 10/6/00

Administrative Rules

Part 11. Recording and Reporting of Occupational Injuries and Illnesses	At LSB for informal review
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The MIOSHA Standards Division assists in the promulgation of Michigan occupational safety and health standards. To receive a copy of the MIOSHA Standards Index (updated May 2000) or for single copies and sets of safety and health standards, please contact the Standards Division at 517.322.1845.

RFR Request for Rulemaking
 ORR Office of Regulatory Reform
 LSB Legislative Services Bureau
 JCAR Joint Committee on Administrative Rules

Variations

Published October 22, 2001

Following are requests for variances and variances granted from occupational safety standards in accordance with rules of the Department of Consumer & Industry Services, Part 12, Variances (R408.22201 to 408.22251).

Variances Requested Construction

Part and rule number from which variance is requested
Part 8-Material Handling-Rule R408.40833, Rule 833(1)
Summary of employer's request for variance

To allow employer to tandem lift structural steel members under controlled conditions and with stipulations

Name and address of employer

Ace Steel Erection, Inc.

Location for which variance is requested

Mountain Grand Lodge & Spa, Grand Rapids

Name and address of employer

American Erectors, Inc.

Location for which variance is requested

Bluewater Technologies, Southfield

New Howell Middle School, Howell

Rochester High School Addition, Rochester

Name and address of employer

Assemblers, Inc.

Location for which variance is requested

The Willits, Birmingham

Center for Forensic Psychiatry, York Township

Name and address of employer

Johnson Steel Fabrication, Inc.

Location for which variance is requested

Saint Joseph Mercy Hospital, Ann Arbor

Name and address of employer

McGuire Steel Erection, Inc.

Location for which variance is requested

Main Place, Royal Oak

Lot#13-Metro Plymouth Business Park, Plymouth

Welch Rd. Center, Commerce Twp.

National Corp. Bldg. "C", Fowlerville

Brighton Ford Mercury Body Shop, Brighton

Municipal Employees Retirement System, Lansing

Oakland Towne Square Bldg. A, Southfield

Van Buren Commerce Center II, Van Buren

Rofin Sinar Laser Lot #12, Plymouth Twp.

NSK Corporation, Ann Arbor

47th District Court Bldg., Farmington Hills

Naccarato Industrial Park, Wixom

Huron Valley YMCA, Milford

GMBldg. 105-Proving Grounds, Milford

New Holt High School, Holt

Everest Academy-Kinder Bldg./Powerhouse, Clarkston

Southfield Public Library, Southfield

Detroit Institute of Arts, Detroit

Name and address of employer

Pioneer, Inc.

Location for which variance is requested

Grand Valley Health Professions, Grand Rapids

Name and address of employer

Sova Steel, Inc.

Location for which variance is requested

Eberspacher Project, Novi

Maple Office Building Project, Troy

Rochester Elementary, Oakland Township

Jackson County Medical Facility, Jackson

Optrex, Plymouth

Name and address of employer

Whaley Steel Corp.

Location for which variance is requested

Jonesville High School, Jonesville

Saline Elementary School, Saline

Name and address of employer

Whitmore Steel

Location for which variance is requested

Lake Orion Middle School, Lake Orion
Ford Motor Co., Dearborn

Part and rule number from which variance is requested

Part 10 - Lifting & Digging Equipment - Rule

R408.41015a(2)(d) & R408.41018a(1)

Summary of employer's request for variance

To allow the use of a work platform suspended on the loadline of a crane to be used without part of the guardrail system under certain stipulations.

Name and address of employer

Walter Toebe Construction Company

Location for which variance is requested

M-57 over Pine Creek Project, Gratiot County

Part and rule number from which variance is requested

Part 32 - Aerial Lift Platforms - Rule R408.43209,

Rule 3209(8)(c)

Summary of employer's request for variance

To allow employer to firmly secure a scaffold plank to the top of the intermediate rail of the guardrail system of an aerial lift for limited use as a work platform provided certain stipulations are adhered to.

Name and address of employer

Denn-Co Construction, Inc.

Location for which variance is requested

General Motors Tech Center, Warren

Name and address of employer

Master Mechanical Insulation

Location for which variance is requested

Northwest Airlines Midfield Terminal Site, Romulus

Name and address of employer

Pace Mechanical Services, Inc.

Location for which variance is requested

GM Proving Grounds, Milford

General Motors Tech Center, Warren

Variances Granted Construction

Part and rule number from which variance is requested

Part 8-Material Handling-Rule R408.40833, Rule 833(1)

Summary of employer's request for variance

To allow employer to tandem lift structural steel members under controlled conditions and with stipulations.

Name and address of employer

American Erectors, Inc.

Location for which variance is requested

Altair Engineering Building, Troy

Detroit Lion Training Facility, Dearborn

Name and address of employer

Bristol Steel & Conveyor Corp.

Location for which variance is requested

Compuware Headquarters, Campus Martis, Detroit

Ford Rouge Complex, Dearborn

Name and address of employer

Douglas Steel Erection Company

Location for which variance is requested

Troy Community Center, Troy

William Beaumont Hospital West Addition, Troy

Michigan Catholic Conference Headquarters, Lansing

Name and address of employer

McGuire Steel Erection, Inc.

Location for which variance is requested

MSX International, Southfield

Farmington Hills Corp. Center, Farmington

Solanus Casey Center, Detroit

Guernsey Farm Freezer Addition, Northville

Name and address of employer

Sova Steel, Inc.

Location for which variance is requested

Motorola Project, Farmington Hills

Taylor Sports Complex, Taylor

Name and address of employer

Whaley Steel Corp.

Location for which variance is requested

St. Joseph Mercy Hospital, Ypsilanti

Oakland U/Educ. & Human Services Bldg., Rochester

Name and address of employer

Whitmore Steel

Location for which variance is requested

Lion Stadium, Detroit

General Motors, Milford

Part and rule number from which variance is requested

Part 12 - Scaffolds and Scaffold Platforms - Rule

R408.41233, Rule 1233(1)

Summary of employer's request for variance

To allow employer to use a 14 inch wide platform on a swing stage scaffold according to certain stipulations.

Name and address of employer

D. C. Byers Company/Detroit

Location for which variance is requested

Midfield Terminal Parking Structure, Wayne County

Part and rule number from which variance is requested

Part 13 - Mobile Equipment-Ref.#1926.1000(a)(1&2)(b)

Summary of employer's request for variance

To allow the employer to work under overhead conveyor obstructions in an assembly plant to dig shallow foundation pad excavations without the use of rollover equipment providing certain stipulations are adhered to.

Name and address of employer

Nagle Paving

Location for which variance is requested

Walbridge Aldinger Vehicle Engineering Center

Parking Structure, Warren

Part and rule number from which variance is requested

Part 26 - Steel and Precast Erection - Rule

R408.42656(1)(a), Rule 2656(1)(a)

Summary of employer's request for variance

To allow employer to use Part 45, Safety Net Regulations, in lieu of Part 26

Name and address of employer

Contour Steel

Location for which variance is requested

GM Global Wintergarden Project, Detroit

Name and address of employer

Mero Structures, Inc.

Location for which variance is requested

GM Global Wintergarden Project, Detroit

Part and rule number from which variance is requested

Part 32 - Aerial Lift Platforms - Rule R408.43209,

Rule 3209(8)(c)

Summary of employer's request for variance

To allow employer to firmly secure a scaffold plank to the top of the intermediate rail of the guardrail system of an aerial lift for limited use as a work platform provided certain stipulations are adhered to.

Name and address of employer

Hi-Tech Electric Co.

Location for which variance is requested

Metro Airport Midfield Terminal Project, Detroit

Variances Requested General Industry

Part and rule number from which variance is requested

Part 17-Refuse Packer Units: Rule 1732(1)

Summary of employer's request for variance

Employer has requested to use an interlocked door, an elevated sill height and doghouse enclosure in lieu of the required standard barrier.

Name and address of employer

Sparrow Health System

Location for which variance is requested

Michigan Avenue, Lansing

Hazard Recognition

Cont. from Page 9

process. Some possible sources of inspection checklist samples include CET, insurance companies, safety organizations and others.

Once you know what you need to monitor, it is time to establish a schedule for regular site inspections. For medium and large fixed work sites, MIOSHA safety and health program guidelines recommend inspections be completed quarterly, with some part of the inspection occurring each month. Smaller fixed work sites might not need to have general inspections every month, but their inspections should cover the entire site at one time.

Employers use a variety of approaches for conducting workplace inspections. Some employers have a special group of employees and managers designated to conduct workplace safety inspections, others rely on the safety committee, still others make supervisors accountable for ensuring the inspections are completed in their department. One company had each employee assigned to inspect their immediate work area at the beginning and end of every shift, with a plant inspection monthly by a designated group. Medium and large employers may wish to have more than one type of regular inspection. This will help ensure that each area is viewed by "fresh eyes," as it is beneficial to have supervisors or

Work-Comp Strategies

Cont. from Page 8

are not being treated with courtesy and respect, creating an unnecessary adversarial relationship between company and worker.

When workers are cared for, accommodated and returned to work as soon as possible, recovery time is cut dramatically. The Bureau of Labor Statistics indicates that only 50 percent of employees who are off work for six months with a work-related injury will return to work; and only 25 percent of those off work for one year will ever return to work!

Safety & Health Commitment

Finally, make sure the workplace is free of recognized hazards and enforce safety rules. Communicate with workers to confirm the company's concern for their welfare. Become knowledgeable of workers' compensation regulations as well as the policy and services provided by the company compensation carrier or third party administrator. Utilize the free services of CET in developing a comprehensive safety and health program.

For interested employers, CET has developed a seminar that provides more detail on how a comprehensive safety and health program can affect workers' compensation titled, "Understanding Workers' Compensation & MIOSHA." To obtain information on this and other seminars or to request further assistance from the CET Division, please call 517.322.1809. ■

employees from one area looking at other areas.

Employee Involvement

The most effective hazard recognition and control programs are those that involve both management and employees. Including employees in safety and health inspections brings into the process people with the most experience or understanding of the working conditions on a day-to-day basis. Employee involvement also increases employee awareness of the expectations of the workplace and expands the number of people aware of the safety requirements that must be met.

The personnel you select for conducting inspections should be provided with training in hazard recognition and abatement, the hazards and safeguards for the workplace, and the applicable MIOSHA standard requirements. In addition, tips for inspecting, recording findings, and specific guidance on your company process for correcting hazards will be useful in ensuring thoroughness and consistency.

A Self-Correcting System

Whatever the process you develop to best fit your workplace, the key is implementation. Conducting the comprehensive survey is just the beginning. It is through regular monitoring, awareness activities, and effective abatement processes that a self-correcting system is developed. Over time, the process should ensure that

where worker safety and health is concerned, you have no surprises in the workplace. Remember the saying, "you get what you inspect, not what you expect?" With an effective hazard recognition and correction program, you should get both what you inspect and expect.

Employers are encouraged to work proactively to establish a program for hazard recognition and control. Under the MIOSHA Strategic Plan, employers in specific industries are targeted for greater enforcement activity. Employers should not let a MIOSHA inspection be the first comprehensive hazard survey of the workplace. Instead, it should help the employer assess whether current efforts to internally inspect and correct hazards are working and where improvements can be made. (See sidebar for a list of the MIOSHA Strategic Plan goals and industries).

For more information on how to establish a hazard recognition, prevention and control program for your workplace, contact the CET Division at 517.322.1809. CET has safety and health consultants available to work with employers at their workplace at no cost. In addition, CET has a variety of material available through the publications library to assist employers and employees. The division also conducts seminars on a variety of topics throughout the state for the public at a nominal fee. ■

Crisis Intervention Strategies After Worksite Traumatic Incidents

*By: Kenneth Wolf, Ph.D., and Marilyn Knight, MSW
Center for Workplace Violence Prevention*

The attacks on the World Trade Center and the Pentagon shook the business community, employees and the country. It shattered people's sense of invulnerability, mortality, safety and security.

Such workplace traumatic events differ from typical stressful life events by being outside the range of usual employee experience and would be markedly distressful to anyone who experienced, or witnessed, the incident.

Early intervention by union and management personnel is the best prevention against employees developing post-traumatic stress problems. Since acute stress reactions occur regardless of pre-incident personality, it is important to provide immediate crisis intervention services to all affected employees as a prevention measure. This is the ideal strategy for managing the potential risk of employees developing stress problems that may later interfere with their ability to work and to be productive.

It is helpful for leadership to acknowledge that the reactions employees may be experiencing are the normal reactions, normal

people have, to abnormal events. It is also helpful to have supervisors and union representatives hold structured team meetings to reaffirm a sense of unity, mission, compassion and morale.

Other strategies for consideration that managers and union representatives may want to demonstrate are to:

- Lead by example,
- Be available,
- Maintain office routines,
- Provide hope and reassurance, and
- Disseminate information frequently.

By maintaining open communications, employers can reaffirm their concern for their "work family" and mobilize the strength of their organization, to support and assist all of their employees during these difficult times.

We hope this material will be of help to you during this tragic time.

The **Center for Workplace Violence Prevention** is one of the CET Grantees, and provides training to small businesses. Kenneth Wolf, Ph.D., and Marilyn Knight, MSW, can be reached at **248.569.6200**.

Morrin Concrete Construction Company

Cont. from Page 1

Jr. had directed several gravel hauler tandem-rigs into the east end of the site to deliver crushed gravel. Robert Sorge, a 24-year-old driver was directed by Morrin into the area under the power line. Sorge dropped the first load, then pulled forward and unhitched the empty box. Morrin directed him back under the overhead line, and instructed him to raise the truck bed. Sorge was electrocuted when the truck bed contacted the energized wire. Sorge was severely burned and was pronounced dead at the scene.

“Jim Morrin Jr. knew the overhead power line presented a serious hazard to the truckers, and yet he callously directed those drivers right into the area of danger,” said Wilbur. “His actions that day were unconscionable, and he and the company will be held criminally responsible for this tragic fatality.”

On April 23, 2001, two citations for alleged wilful serious violations of the Michigan Occupational Safety and Health Act (MIOSHA) were issued to J.A. Morrin Concrete Construction Company, with penalties totaling \$140,000. The subcontractor, Sylvester Material Company, received two citations of the MIOSHA Act, one alleged wilful serious and one alleged serious, with penalties totaling \$56,000. The CIS Bureau of Safety and Regulation is responsible for administering the MIOSHA program.

The MIOSHA investigation was lengthy and complicated. According to information obtained by MIOSHA inspectors, on July 25, 2000, Morrin Concrete called Detroit Edison for temporary electrical service to a work trailer, and also requested rubber protection for the overhead line. Detroit Edison informed Morrin Concrete that they do not use rubber protection to de-energize overhead lines, and



The remains of the cab of the gravel hauler where Robert Sorge perished on 8/11/00, after his truck bed came into contact with the 7600 volt overhead power line.

told the company to fill out an application to relocate the line. Edison faxed the information and application form to the company. On July 27, 2000, Edison inspected the site and observed no major construction activity.

Detroit Edison inspected the site again on Aug. 9, 2001, and observed construction activity under the power line. The Edison inspector advised Jim Morrin to stop work immediately under the overhead line. Morrin moved the crew to the northwest section of the building. Morrin was again advised to make application to have the line moved. Detroit Edison then contacted the Village of Dundee building code inspector and advised him of the hazardous working conditions and asked him to visit the site.

Late in the afternoon on Aug. 9, 2001, the Dundee building inspector visited the Morrin construction site. He also advised Jim Morrin of the power line hazard, and told Morrin that no work was to be done in that area until the line was relocated. The building inspector also called owner Jeff Morrin about the hazardous conditions, and informed him about the warning that was given to his brother Jim Morrin that no one was to work at that end of the building until the line was moved.

Although the company received repeated warnings, the investigation revealed that Morrin Concrete continued to place workers in unsafe and hazardous conditions. Contact with energized electrical equipment is a leading cause of construction worker deaths in Michigan, and is an inspection focus for the MIOSHA Construction Safety Division.

Based on provisions in the MIOSHA Act, Public Act 154, as amended, every wilful violation, which is connected to a fatality, is referred to the Michigan Attorney General’s Office for criminal investigation and/or prosecution.

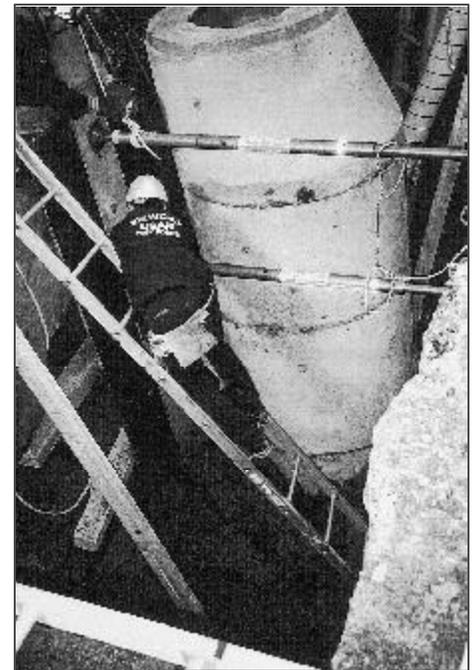
J.A. Morrin Concrete Construction Company, and foreman Jim Morrin Jr. personally, were each charged with separate counts of involuntary manslaughter and a MIOSHA Willful Criminal violation. MIOSHA and the Attorney General’s Criminal Division will work together on the prosecution of this case. A criminal charge is merely an accusation, and defendants are presumed innocent until and unless proven guilty. ■

Lanzo Construction Company

Cont. from Page 1

violations and six alleged other-than-serious violations. Six of the 12 alleged wilful violations relate directly to the fatality. The proposed penalties totaled \$657,500. The CIS Bureau of Safety and Regulation is responsible for administering the MIOSHA program.

Trench sloping and support systems are required by Part 9 of the MIOSHA construction standards. MIOSHA developed its own excavation standard in 1979, and it was last amended in 1996. This company violated even the most basic provisions of this standard. Three MIOSHA construction compli-



The emergency response team is attempting to recover the body of Robert Whiteye from the sewer line cave-in in Southfield, MI.

ance officers were involved in the accident investigation. The investigation was lengthy and complicated by further complaints of hazardous exposures to Lanzo employees on this project, the difficulty of interviewing witnesses living in Canada, and legal consultations.

The investigation revealed that Angelo D’Alessandro and Lanzo Construction knew of the substantial risk of injury to employees engaged in trenching work, and failed to provide trenching support to prevent injury to their employees. D’Alessandro and company officials were at the job site and made no effort to protect their employees. Additionally, they failed to furnish Whiteye a place of employment free from recognized hazards that were likely to cause death or serious physical harm.

Earlier news accounts of the accident in-

Cont. on Page 19

Lanzo Construction Company

Cont. from Page 18

dicated that Whiteye was protected by a trench box and stepped out of it for some reason. However, the MIOSHA inspection revealed that the trench was at least 18 feet deep, but only the top eight feet were protected by a trench box. In addition, Lanzo officials ordered the width of the trench box reduced from eight feet to four feet wide. Because a five-foot-wide manhole was being installed, no cave-in protection was provided to Whiteye at the point of installation. At the time of the accident, Whiteye was required to work outside of the trench box.

Based on provisions in the MIOSHA Act, Public Act 154, as amended, every willful violation, which is connected to a fatality, is referred to the Michigan Attorney General's Office for criminal investigation and/or prosecution.

Lanzo Construction Company, and Vice President Angelo D'Alessandro personally, were each charged with separate counts of involuntary manslaughter and a MIOSHA Willful Criminal violation. MIOSHA and the Attorney General's Criminal Division will work together on the prosecution of this case. Lanzo has appealed the 30 civil citations resulting from this incident, and the MIOSHA administrative appeal concerning the civil violations will be held in abeyance until the criminal case is concluded.



After a cave-in trapped Robert Whiteye, the Southfield Fire Department began the rescue operation at approximately 6:00 p.m. on 5/24/99. The backhoe excavator is attempting to stabilize the west side of the trench.

It has been Lanzo Construction Company's past practice to appeal most of citations they receive, and while contesting the violations they continue to place their workers in harm's way.

"Because of perceived cost considerations, some underground contractors do not take trench support seriously. Yet, for every dollar invested in safety and health programs, contractors can save \$4 to \$6 in

the costs of workplace injuries and illnesses," said Wilbur. "We simply cannot allow contractors to balance their budgets by subjecting their employees to dangerous work conditions."

Since Jan. 1, 1999, there have been seven trenching fatalities in Michigan.

A criminal charge is merely an accusation, and defendants are presumed innocent until and unless proven guilty. ■

CET Grants

Cont. from Page 10

Michigan AFL-CIO will provide generic and customized training to new employees and incumbent workers affected by new technology and new work processes, equipment or operation. Training topics will include back injuries, lifting techniques, workplace hazards and recognition, right-to-know and hazardous substances.

Michigan Chiropractic Council will provide back safety and ergonomics training to workers in the nursing home, manufacturing and construction industries. Prior to conducting the on-site training, the facilitators will conduct an on-site evaluation of the workplace.

The **Michigan Farm Bureau** will provide training that targets agricultural employers, managers, service providers and owners. The project will develop and provide realistic hazard identification guidance and minimization practices suitable for owners, employees and affiliated industry personnel utilizing computer and DVD formats.

Michigan Health and Hospital Association will continue to implement an ergonomics-related prevention program tailored to individual nursing and personal care facilities. The project will focus on back injury, but will also be designed to address shoulder strain, carpal tunnel

syndrome, pinched nerves, etc.

Michigan Road Builders Association will provide interactive presentations, workshops and courses for contractors, management, supervisory and line workers. The training will include Heavy/Highway Contractor Safety Administrator Course and Update, Bridge Contractor Safety seminars, Technical Assistance and a newsletter.

Michigan State University/Labor Program Service will deliver a series of 24-hour training programs for contractors, their employees, and fire service personnel exposed to the hazards of trenching and excavation operations. An 8-hour Awareness and Recognition program will enhance the ability of attendees to recognize the dangers and to take the necessary steps to protect employees from potential hazards.

Michigan Technological University/Bay de Noc Community College will provide statewide training and services for the logging industry with emphasis on sawmills and secondary wood manufacturing. The safety training program will offer on-site presentations with emphasis on awareness of hazards, personal protective equipment, chain saw safety, ergonomics and lockout.

North Central Michigan College will provide training to employers and employees in seven counties served by the college. They will

design, develop and deliver targeted safety training for nursing and personal care facilities, building construction and plastic industries.

PASSES will conduct 4-hour workshops in four high schools in Wayne County. Students will be trained in hazard recognition, workplace size-up and the use of protective equipment. The focus will be on five high-risk areas: chemical handling, lifting, working alone, operating equipment and on-the-job rights. They will also train teachers to present the workshops.

The **Safety Council for West Michigan** will provide training programs to nursing homes and long-term care facilities on: lifting safety, proper use of lifting equipment, bloodborne pathogens and tuberculosis, dealing with aggressive behavior and personal protective equipment (PPE). The Safety Council will also offer technical assistance to organizations that need support in developing a written safety and health program.

Research Grant -Bay de Noc Community College will measure and quantify the average noise level exposures of employees in the wood products industries. The data will be used to: establish more accurate industry standards for hearing protection; assist in the creation of more comprehensive hearing conservation programs; and increase worker awareness of noise level hazards. ■

How To Contact Us

MIOSHA Complaint Hotline 800.866.4674
 Fatality/Catastrophe Hotline 800.858.0397
 General Information 517.322.1814

Free Safety/Health Consultation 517.322.1809

Director 517.322.1814 Doug Earle
 Deputy Director 517.322.1817 Deborah Grether
 Deputy Director 517.322.1817 Doug Kalinowski

DIVISION	PHONE	CHIEF
Appeals	517.322.1297	Diane Phelps
Construction Safety	517.322.1856	Richard Mee
Consultation Education & Training	517.322.1809	Maryann Markham
Employee Discrimination	248.888.8777	Jim Brogan
General Industry Safety	517.322.1831	Martha Yoder
Information	517.322.1851	Ron Morris
Occupational Health	517.322.1608	John Peck
Standards	517.322.1845	Connie Munsch
Wage & Hour	517.322.1825	Bill Strong

Website: www.cis.state.mi.us/bsr

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Consumer & Industry Services
 Bureau of Safety & Regulation
 P.O. Box 30643
 7150 Harris Drive
 Lansing, Michigan 48909-8143



Consumer & Industry Services
 Bureau of Safety & Regulation
 Director: Douglas R. Earle

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