



STATE OF MICHIGAN

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DEPARTMENT OF LABOR & ECONOMIC GROWTH
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Michigan Occupational
Safety & Health Administration
(MIOSHA)

GENERAL INDUSTRY SAFETY STANDARDS COMMISSION MEETING

October 10, 2007--9:30 A.M.

STATE SECONDARY COMPLEX, 7150 HARRIS DRIVE, LANSING
GENERAL OFFICE BUILDING, CONFERENCE ROOM G

MINUTES

MEMBERS PRESENT:

Mr. Thomas Pytlik
Mr. Dennis Emery
Mr. AJ Hale

Mr. William Borch
Ms. Elizabeth Koto
Mr. Karl Heim

MEMBERS ABSENT:

Mr. Jeffrey Radjewski

Mr. Dwayne Betcher

DEPARTMENT PERSONNEL PRESENT:

Mr. John Brennan, Division Director GISHD
Ms. Eva Hatt, Safety & Health Manager GISHD
Ms. Cindy Eicher, Standards Section
Mr. John Peck, Division Director, MTSD

Ms. Martha Yoder, Deputy Director, MIOSHA
Ms. Marsha Parrott-Boyle, Program Manager
Standards Section

VISITORS ATTENDING:

Mr. Jim Fisk, USWA 12075
Mr. George Reamer

Mr. Tycho Fredericks

MISSION STATEMENT

THE MISSION OF THE GENERAL INDUSTRY SAFETY STANDARDS COMMISSION IS TO PROVIDE THE LEADERSHIP AND VISION NECESSARY TO ENSURE A SAFE WORK ENVIRONMENT FOR THE PEOPLE OF MICHIGAN.

THE COMMISSION INVOLVES EMPLOYEES AND EMPLOYERS IN THE DEVELOPMENT OF SAFETY STANDARDS AS IT ENDEAVORS TO CONTINUALLY EXAMINE AND IMPROVE THOSE STANDARDS FOR PURPOSE, CLARITY, APPLICABILITY, ENFORCEABILITY, AND COST EFFECTIVENESS.

OUR VISION IS TO BE A RECOGNIZED LEADER IN SAFETY FOR THE WORK ENVIRONMENT FOR THE PEOPLE OF MICHIGAN BY INCORPORATING THE CHANGING NEEDS OF NEW TECHNOLOGIES AND METHODS INTO OUR STANDARDS.

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Agenda Item #1--Call to Order and Roll Call

The October 10, 2007 General Industry (GI) Safety Standards Commission meeting was called to order by Vice Chairperson Emery. A roll call was taken and a quorum was present.

Agenda Item #2—Introduction of New Commissioners (AJ Hale and Elizabeth Koto)

Ms. Marsha Parrott-Boyle advised that Commission Betcher and Commission Pytlik have recently been reappointed for new terms on the commission. Ms. Parrott-Boyle advised that we have two new commissioners Ms. Elizabeth Koto representing public employers, Ms. Koto is a city planner and work with facilitation commission for the city. Mr. Parrott-Boyle introduced AJ Hale who is filling the vacancy left by Mr. Ekhert. He works with Tenneco, he has twenty years as a leader in health and safety and service as the president for the MI safety conference.

All staff and commissioners introduced themselves. Commissioner Emery thanked Georger Reamer for his years of service with the commission. Ms. Martha Yoder presented Mr. Reamer with a plaque from MDLEG. Mr. Reamer wished the commissioners luck in their future endeavors.

Agenda Item #3--Approval of Minutes for August 8, 2007

A motion was made by Commissioner Borch and was seconded by Commissioner Pytlik to approve the minutes of the August 8, 2007 Commission meeting. **MOTION CARRIED UNANIMOUSLY.**

Agenda Item #4--Standards Section Update—Marsha Parrott-Boyle

Ms. Parrott-Boyle reviewed with the commissioners the MIOSHA Strategic Goals for FY04-08 as it relates to standards. Ms. Parrott-Boyle gave an overview of Strategic Plan Goal 3.3b. Ms. Parrott-Boyle advised that one new item had been added to the list of pending standards since the last meeting, OH Part 350 Carcinogens. Ms. Parrott-Boyle continued with a detailed progress report for rules under revision.

The ergonomic standards Advisory Committee's Appendix work group continues to meet. The Liaison for the Commission, Mr. Tycho Fredericks will be providing a status update later in the meeting.

A public hearing was held on September 17, 2007 in Lansing, Michigan on three standards, GI Part 58, Aerial Work Platforms, CS Part 32, Aerial Work Platforms and GI Part 5, Scaffolding. The changes dealt with fall hazards and employees going up on aerial lifts. Previously the construction and general industry standard varied greatly in requirements for similar type work. Vice Chairperson Emery attended the public hearing representing the Commission. A public hearing report will be forwarded to the commission upon its completion. Three comments were received. There will be some changes made to the proposed standard based upon suggestions received at the public hearing. Mr. John Brennan explained the major areas of change and the reasons behind the proposed changes.

Staff will be working on the current three diving standards in MIOSHA. The Standards Sections plans to consolidate these three standards internally and may not need to convene an advisory committee for this work. Another standard that will be worked on internally is the Welding, Cutting and Brazing standard, this is due to the 1998 changes in respiratory protection provisions, this will include consolidating GI part 12 and OH Part 529. This will be similar to the work done for the spray finishing.

Ms. Parrott-Boyle advised that in the near future we will be working on prioritizing the additional standards that have been added to the list. Two of the added on standards fall under the jurisdiction of this commission. They are GI Part 74 Fire Fighting and GI Part 17 Refuse Packer Units.

Ms. Parrott-Boyle advised that the Standards Section no longer has a student assistant working in the division.

Agenda Item #5--Old Business

a. Ergonomics Update—Tycho Fredericks

Mr. Tycho Fredericks gave an overview of the history of the work of the Ergonomics Advisory Committee and the subcommittee that was formed to work on developing the appendices for the proposed draft standard. Mr. Fredericks gave a brief overview of the current draft of the standard and the appendices. This standard is receiving a lot of attention from various organizations. Written comments that were received at the last subcommittee meeting were provided to commissioners. Mr. Fredericks invited commissioners to attend subcommittee and/or advisory committee meetings to help them get a greater understanding of the work and progress that is being made. Discussion was held regarding examples of employers who have saved money by implementing an ergonomics program.

Agenda Item #11--Public Comment

Ms. Amy Shaw expressed her appreciation that the commissioner were provided with copies of the written comments submitted to the subcommittee meeting on Monday. She stated they were not opposed to ergonomics but do not agree that an ergonomic standard is the way to go. They feel voluntary rather than mandatory ergonomic programs are the way to go.

Agenda Item #5--Old Business

b. Part 74, Fire Fighting Advisory Committee

A

The commissioners received a copy of the current roster for the Fire Fighting Advisory Committee. At the last meeting there was discussion as to the correct designation for Mr. Jim Rose's assignment. After discussion with Mr. Rose it was determined he would serve best designated as a management representative. Mr. Pytlik moved to appoint Mr. Rose as a management rep. supported by Commissioner Borch. The motion carries.

B and C

New applications were received after the last meeting. The two applications for Mr. Karl Barr and Mr. Patrick DuVall were reviewed. The committee currently has 4 labor, 4 management and one technical advisor which is the average size for advisory committees. Discussion was held regarding the options of either appointing additional members or tabling the applications until more members may be needed. The commissioners also discussed that AJ Hale who has now been appointed as a commissioner was previously appointed to the advisory committee. A motion was made by Commissioner Pytlik to table the two new applications until support by Commissioner Borch. The motion carries.

The commissioners stated they did not have any concerns with commissioner hale continuing to serve on the Part 74 Fire Fighting Advisory Committee.

Agenda Item #6--New Business

a. Strategic Plan Development, Phase 1—Martha Yoder, Deputy Director

Ms. Martha Yoder advised we are in the 5th year of a 5 year strategic plan so we have started the development process for the next strategic plan. The goals need to be decided for the next 5 years. MIOSHA has a strategic plan implementation team to work on this, the first meeting was held in September. They looked at the top 20 hazardous industries and the highest hazard occupation in addition to inspection data and came up with proposals to be considered in developing the next plan. Workgroups will be put together to work on the individual areas. The first sp had 3 overall goals, these would be kept, within the goals there would be changes. In the next plan these would be blended together. The workgroup is trying to incorporate as many of the top 20 hazardous industries as possible. This may be accomplished by having different industries targeting during different parts of the 5 year plan. Pipeline transportation, Courier and messenger service, accommodations (temp lodging), wood product manufacturing, food manufacturing, primary metal manufacturing, and truck transportation, and furniture and related product manufacturing. That leaves us reaching out to all the rest of the remaining industries on the list. Miosha is interested in commissioners input and suggestions on how we might impact the industries selected and if there are any concerns about the ones that may not be included in this strategic plan. Many of the goals from the sp will still be used, may be tweaked. 2.4 may be removed, we feel we have implemented this, we have emergency mgmt coordination, disaster response teams established, its rolling along and does not need to be included. Adding under rule 3 connecting miosha to industry initiative, interest outreach and more collaborative efforts. Most of the rest will continue with some modifications. A pAprby mid march proposed timeline was distributed,

Agenda Item #7--General Industry Safety and Health Division Update—John Brennan, Director

Mr. John Brennan informed the Commissioners that to date there have been 14 fatalities under GI's jurisdiction in 2007. Mr. Brennan provided a summary of fatalities.

Mr. Brennan has reassigned a safety officer to assist in the Employee Discrimination Section (EDS) section to try and help reach the strategic plan goal of resolving 75% of all MIOSHA discrimination cases within 90 calendar days.

MIOSHA is continually trying to have joint training and had training on Part 76 and dipping and coating, and when and how to document general duty violations. Cshd, gi and cet all trained together

339 companies in a sp insp in 2004 if 5 or more serious, were reassigned out for inspection 59 of 124 reinspection 59 showed improvement in s and h program. 50 of those had 5 or less violatin and improved s and h management systems, a letter of recognition and certificate sent to those ers thanking them for their effort, the other will be added to targeted list and will be revisited in 2008. 184 new assignment for reinspection were sent out yesterday for companies that were inspected in 2005.

Mr. Brennan reported on a few significant enforcement cases since the last commission meeting.

Mr. Brennan also updated the commission on the Division's progress towards relevant strategies, performance goals, and partnerships/alliances. Met with approx 30 employers through mi green industry associations landscapers and treetrimmers. They are looking into working out an alliance with MIOSHA.

2nd annual take a stand day held on august 15, 2007.

The General Industry Safety and Health Division currently has 27 Safety Compliance Officers, 21 Health Compliance Officers and 2 Field Investigators with the Employee Discrimination Section. The division is in the process of filling the emergency management coordinator. Are letting three student assistants go due to budget constraints.

Agenda Item #8--MIOSHA Update—Doug Kalinowski, MIOSHA Director

Mr. Doug Kalinoawski thanked George Reamer for his years of service on the commission. 1.75 billion dollar deficit in general fund money does not affect miosha. ½ of 1% of general funds go to out department budget. Rest is federal money. Some fees that are reimbursed we have to match federal and state money. Ms. Yoder reviewed the Occupational Safety and Health State Plan Association's (OSHSPA) *Impact and Funding of State Occupational Safety and Health Programs 2007* special report covering funding for state programs. Federal osha has gotten 15 % over the last 7 years, miosha has only received 3% over those 7 years. We have 11 vacancies. Over the summer 3 mill deficit to overcome. Cannot fill those 11 positions, still need to come up with more savings. They considering eliminated 3 full time positions. Question of how to justify keeping students and letting go permanent employees, gave them a months notice. Other programs in state government have done the same thing. MIOSHA is trying to reduce about a million dollars out of the state program budget. Division directors are all taking a serious look at how money is spent and what is the best use of our money. MIOSHA has traded in some vehicles to save money 58,000 a year savings due to changes in vehicles. and consolidating use of copy machines. Looking at rented office space the agency uses. State of Michigan has option of cutting back hours (Plan A) and not getting paid for them to realize some savings.

The MIOSHA Training Institute went live October 1, 2007. Course objectives have been developed and exams created to obtain an Institute Level I Certificate. Macomb Community College is keeping track of classes and credits. 8 different courses have already been conducted. Staff is currently working on Level II which will hopefully be launched in 2008.

Dleg director wanted briefing on ergo. Cost benefits need to be updated and ready to deal with. The department director comes from engineer, gm, general elecdrtric, was with focus hope in Detroit. He has a business perspective and a worker perspective. When the draft comes out for commissions to review. May want to consider a joint meeting of the OH and GI commissioners to allow all comments to be reviewed and discussed together. Commissioner pytlik moved and commissioner hale supported requesting a join meeting of the two commissions. Staff will work on the logistics and dates for this special meeting

Agenda Item #9--OSHA Update--Cynthia Hutchens-Smith, Lansing Area Director

Ms. Hutchens-Smith was unable to attend.

Agenda Item #10--Next Meeting

The next meeting is scheduled for January 9, 2008 at the General Office Building, 7150 Harris Drive, Lansing. The commissioners received a proposed meeting schedule for 2008.

Agenda Item #11--Public Comment

Mr. Fisk introduced himself to the new commissioners. Mr. Fisk requested a copy of fatality report. Mr. Fisk also requested a copy of the cost benefits program that was discussed with regard to the proposed ergonomics standard. Mr. Fisk gave his appreciation to Mr. Reamer for his his years of serve and his perspective.

Mr. Reamer stated he hopes the commissioner will be diligent in attending meetings.

Agenda Item #12--Adjournment

A motion was made by Commissioner Borch and was seconded by Commissioner Hale that with no further business before the Commission, the meeting be adjourned. **MOTION CARRIED UNANIMOUSLY**

Mr. Dennis Emery, Vice Chairperson

Date

