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Vol. 18, No. 4, Fall 2014

DIRECTOR'S *corner*



Martha Yoder,
Director

Great things are happening at MIOSHA! We continue to be committed to being proactive and making a difference in keeping people safe and healthy at work.

Fiscal Year (FY) 2014 brought several new innovations, including:

- A first meeting of alliance partners to share information and ways to work together.
- New Public Service Announcements on heat stress, air contaminants, fall prevention, and the need to work safe.
- A "Building Up Residential Safety Initiative" in connection with the Homebuilders Association of Michigan.
- A special forum for the health-care industry.
- Stepping up information available on our webpage.

Exciting new services will be launched as we lift up the benefits of workplace safety and health during MIOSHA's 40th anniversary in FY 2015, including:

- Special MIOSHA "Safety and Health Improvement Program" (MiSHIP) grants for employers that will provide up to \$5,000 in matching grants for projects focusing on safety/health equipment purchases.
- Video streaming to the CET video-lending library.
- 24/7 online training opportunities.
- Level Two Boot Camp to the MIOSHA Training Institute (MTI).
- MTI course materials on a flash drive in place of paper.
- Video tool box talks for the Construction industry.
- Special forums for targeted industries.

Please use MIOSHA programs and services and tell others about what is available. Also, tell us what more we can do to continue our commitment to being proactive partners with you!

MIOSHA Take-A-Stand Day – 10 Years of Safety and Health Success

Sherry Scott, Safety and
Health Manager,
Consultation, Education and
Training (CET) Division

A gubernatorial proclamation announced this year's MIOSHA Take-A-Stand Day (TASD), marking 10 years of MIOSHA inviting employers across Michigan to "Take a Stand" for safety and health.

The inaugural installment of TASD in September 2005 significantly changed the way MIOSHA connects to industry. TASD allows all MIOSHA staff, both enforcement and consultation, to provide employers with a consultative inspection/survey without penalties or citations issued for identified hazards.

MIOSHA enforcement not enforcing for one day a year? With over 2,100 employers participating since 2005, Michigan employers have answered with a resounding "yes!"

As in past years, industry participation spanned a broad range of work operations. There were 162 total participants in TASD 2014.

Industry participants included:

- Construction – 39 requests
- Hospitals – 1 request
- Transportation Equipment Mfg. – 19 requests
- Nursing Homes – 6 requests

MIOSHA had 72 new companies participate!

As a primary condition of participation in TASD, employers must agree to correct any serious hazards identified. Participating employers were asked to complete a short survey at the close of their TASD 2014 visit. Survey comments overall repeated employer appreciation for MIOSHA staff's professionalism and expertise, and identified many safety improvements to employers' work operations and workflow.

*Eric Waters, CSHD, at Auch
Construction HFHS
Wyandotte Templing Building*

(Continued on page 2)



MIOSHA Take-A-Stand Day – 10 Years of Safety and Health Success (Cont'd)

Some of the things employers said include:

"We think of TASD as one of MIOSHA's best programs."

"MIOSHA staff did an outstanding job identifying concerns and was very prompt with information. Thank you for making this happen, especially during tough economic times."

"I would like to do it quarterly. I feel that it is a great way for our business, and our employees to work together with MIOSHA. It is very difficult for a small business to keep up on all of the changing rules and regulations. This program allows us the opportunity to create a safer workplace for our employees."

"I feel it was very worthwhile participating in the TASD and would do it again."

{ We think of TASD as one of MIOSHA's best programs. }

There was one recurring recommendation for TASD improvement, and that was to let more people know that it is available.

Overall, comments rated TASD as a useful program that should be continued. And continue, we will. MIOSHA will focus efforts on improving the promotion of the event by publicizing further

in advance; promoting through trade associations, unions, and media; and continuing to encourage participation through the MIOSHA training courses, website, distributed flyers, email, and

agency staff.

TASD is MIOSHA's premier event for connecting MIOSHA to industry; working with employers and employees in a proactive manner is value added for everyone.



Jim Getting, CET, at Wolverine Construction



Heidi Lyttle, GISHD, with Hearthside Food Solutions



Gerry Dike, GISHD, with Mayser Polymer USA

CONNECTING UPDATE

Bart Pickelman, Certified Industrial Hygienist,
Deputy Director



Connecting Through Advisory Committees

Partnering and collaborating with employers, employees, and other groups provides the opportunity to identify the best way to control workplace hazards. One example of MIOSHA's collaboration is the use of advisory committees.

In 2013, MIOSHA adopted a policy of convening an advisory committee when significant changes to a MIOSHA rule are being contemplated, or prior to adopting a new rule. MIOSHA believes there is great value in convening subject matter experts who are familiar with the industry and hazards being discussed. Since adopting the policy, the agency has convened two advisory committees to assist with reviews of two existing MIOSHA standards that federal OSHA requested be evaluated to determine if the rules that differed from the federal rules were still necessary and ensure MIOSHA rules are as protective as the federal rules.

The first advisory committee was formed for the MIOSHA Construction Standard Part 28, Personnel Hoisting in Steel Erection. The issue involved rules that allow construction workers to "ride the headache ball" of cranes to access work areas during certain stages of construction. Michigan has allowed this practice for many years without any reported incident. MIOSHA convened an advisory committee to determine if Michigan should continue to allow this practice. The advisory committee members, and public comment indicated that the practice is still utilized by some contractors and is valuable. The advisory committee recommended that the rules allowing the practice of "riding the headache ball" not be rescinded. MIOSHA agreed with the recommendation of the advisory committee to keep the rules, but developed an enforcement instruction to ensure it is done as a means of last resort.

The second advisory committee was for the MIOSHA General Industry Standard Part 62, Plastic Molding. When the lockout/

tagout standard was developed in the early 1990's, the new requirements reportedly increased the time needed to change a mold drastically. One of the issues was the amount of time it took to bring machines and plastic resin back up to the proper temperature, after the heating elements were shut down during full lockout procedures. Another issue was the need to reprogram the logic controller after the loss of power for the mold change. Due to these factors, it was found that many companies were not complying with lockout requirements during mold changes. To address the potential risk to employees during mold changes, MIOSHA worked with the plastic industry to find a solution to protect Michigan workers. The agency made changes to Part 62 to accomplish the goal. The alternate procedures to full lockout established in Part 62 for mold changes were developed and the current rules became effective in early 2000.

Technological advances have provided separate energy isolating devices that allow the power to be maintained to the heating elements and the computer controls, while locking out the power to other equipment that exposed employees to a hazard. Because of these advances, OSHA requested that MIOSHA conduct a review of the alternate procedures in Part 62 to determine whether they were still necessary. MIOSHA convened an advisory committee to perform the evaluation. The committee, comprised of members from the plastic industry, met and determined there are advances that allow for the rescission of the alternate procedures in Part 62, and approved a rule language change that would allow the alternate provisions to sunset by January 2017.

Helping to ensure that Michigan employees have a safe and healthy workplace is of the highest priorities for the agency, and the use of advisory committees is one tool MIOSHA uses to accomplish that mission. We encourage anyone interested in assisting MIOSHA on a future advisory committee, to please visit the website and complete an application at [Standards & Legislation](#).

MIOSHA Announces \$865,000 for Worker Protection Grants

In September 2014, Michigan Department of Licensing and Regulatory Affairs (LARA) Deputy Director Stephanie Comai announced the award of 20 MIOSHA Consultation, Education and Training (CET) Grants for FY 2015, totaling \$865,000, to promote worker safety and health across the state.

"We are pleased to expand the reach of the MIOSHA program by offering this additional investment to protect the safety and health of Michigan's working men and women," said Comai. "Employers who create a safe and healthy working environment protect their most valuable asset – their workers."

The MIOSHA CET Grant Program provides additional options for safety and health education and training to employers and

employees. Most of the grants focus on the performance goals identified in the FY 2014-2018 MIOSHA Strategic Plan, with a particular emphasis on hazard recognition and prevention for high-hazard industries.

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

The objectives of the CET Grant Program are to:

- Increase the number of employers and employees receiving occupational safety and health education, training and prevention services – especially employers with less than 100 employees;

(Continued on page 4)

Tanya Baker,
Communications Representative, MIOSHA

MIOSHA Announces \$865,000 for Worker Protection Grants (Cont'd)

- Encourage the development of new strategies for providing occupational safety and health education, training and prevention services;
- Encourage new providers of occupational safety and health education, training and prevention services for Michigan businesses;
- Evaluate the effectiveness of those alternative strategies and providers.

The 20 statewide projects will include a wide range of training activities and proficiency levels, and many will offer interactive computer-based training modules. Training topics include: machine rescue operations; workplace violence prevention; healthcare and long-term care hazards; asbestos awareness; ergonomics; youth safety; fall protection; road construction; dairy and swine agriculture; and construction site walkthroughs.

"Protecting workers is the mission of the MIOSHA program," said MIOSHA Director Martha Yoder. "Working collaboratively with the

CET grantees, we can provide Michigan employers and workers with creative and powerful tools to prevent workplace injuries and illnesses."

Grant recipients must detail in their proposals how their efforts will meet specific objectives. The grantees must also file quarterly activity and financial reports with MIOSHA to ensure compliance with CET Grant reporting requirements. MIOSHA representatives monitor the grant programs and observe on-site each program's operations.

For many years, the CET Grants have increased the awareness of safety in the workplace. The FY 2015 CET grants continue MIOSHA's commitment to greater training on safety practices and fewer workplace injuries, illnesses, and fatalities.

To view the list of the FY 2015 CET grant projects, visit www.michigan.gov/mioshagrants and click on "FY 2015 Consultation, Education and Training (CET) Grant Projects."

MIOSHA Training Institute (MTI) – What can it do for you?

Have you recently been assigned new duties and are looking for an initial education on safety and health? Are you charged with creating an effective safety and health management system that anticipates hazards and reduces injuries? Do you need a more thorough understanding of specific standards that apply to your workplace and how MIOSHA interprets those rules? Do you understand the health issues that could impact your employees for a lifetime? The MTI provides some answers to those questions at a very reasonable cost.

The Level One General Industry or Construction tracks provide students with an overview of many of the basic injury and illness producing issues that can affect a workplace. **Level One** contains a mixture of topics most helpful to the beginning safety professional or safety committee member, or as a refresher for veteran practitioners.

The Level Two General Industry and Construction compliance tracks provide an in-depth review of common standards affecting most workplaces and leading to the most frequent or serious violations written by MIOSHA enforcement. Not only are the standards thoroughly discussed, but the means to reduce hazards is provided through discussion and interactive exercises. The cafeteria style curriculum allows students to customize their learning experience by choosing electives that most closely represent the hazards present in their specific workplace.

The Safety and Health Management Systems track provides tools to develop an effective program and is designed for those having direct responsibility and authority to implement the com-

pany's system. These courses provide a more in-depth exploration of how to motivate employee involvement, elicit management support, conduct root-cause worksite and hazard assessments and develop effective training concepts. The **Occupational Health** track recognizes the student's achievement in identifying the most common occupational disease issues that impact workers – health issues that may have a long-term impact on current and former employees.

The MTI Boot Camp concept was developed in response to customer input. Students willing to commit can complete all of the classes required for the **Level One General Industry or Level Two Safety and Health Management Systems** certificates in a condensed time frame.

Another value of the MTI is the relationships that develop among the students. In classes devoted solely to safety and health topics, students know they are interacting and networking with others who have the same challenges, questions, and possible solutions.

In every class, taught entirely by MIOSHA consultants, students gain an understanding of the services provided by the MIOSHA Consultation, Education and Training (CET) Division that will enhance and support their efforts in the workplace. Often, students will have a chance to interact and ask questions of MIOSHA enforcement staff who attend and support the MTI classes as well.

To learn more about the MTI and what it can do for you and your company, contact the CET office at 517-322-1809 or visit the MTI website at www.michigan.gov/mti or training webpage at www.michigan.gov/mioshatraining.

Sheila Ide, Supervisor,
Consultation, Education and Training (CET) Division

MIOSHA Investing \$1 Million in Worker Safety and Health

Tanya Baker,
Communications Representative, MIOSHA

In celebration of the 40th anniversary of Michigan's program for workplace safety and health, MIOSHA is offering matching grant awards of up to \$5,000 to improve workplace safety and health. The grants are open to qualifying employers to purchase safety and health-related equipment. The goal of this special grant program is to create safer and healthier work environments and reduce the risk of injury and illness to workers in Michigan.

"We are encouraging employers to step up workplace safety and health during MIOSHA's 40-year anniversary," said Martha Yoder, MIOSHA Director. "We are pleased to partner with small employers by offering matching grants of up to \$5,000 to make improvements in workplace safety and health. With a total of \$500,000 available from MIOSHA, that's a \$1 million investment in keeping Michigan's workers safe and healthy."

To qualify for the MIOSHA Safety and Health Improvement Program (MiSHIP) Grant, an employer must meet the following conditions:

- Have 250 employees or less.
- Come under the jurisdiction of MIOSHA.
- A qualified safety professional or a safety committee must have conducted a site-specific evaluation, and there must be a written report with recommendations based on the evaluation unless the project is for lifting equipment in residential care facilities, or fall protection equipment in residential construction.
- The grant project must be consistent with the recommendations of the safety and/or health evaluation and must directly relate to improvements that will lead to a reduction in the risk of injury or disease to employees.
- The employer must have the knowledge and experience to complete the project, and must be committed to its implementation.
- The employer must be able to match the grant money awarded and all estimated project costs must be covered.

The MiSHIP Grant requires that an eligible project is one designed to reduce the risk of injury to employees as identified in a site-specific safety and/or health evaluation conducted at the site. The site-specific evaluation must identify the injury and illness risks associated with a work task or area, and the recommended actions of the grant project must directly relate to eliminating or minimizing the risks. Please note that requests for residential fall protection and lifting equipment for in-home care or residential care facilities do not require a hazard evaluation to be performed.

The MiSHIP places priority on those projects that impact employment sites that affect the majority of workers and businesses within the current [MIOSHA Strategic Plan](#) and other high-hazard workplaces.

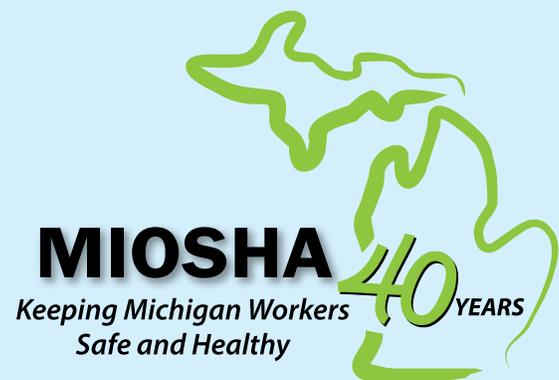
Some examples include:

- Residential Fall Protection Systems
- Lifting Equipment or Portable Lifting Equipment for In-home Care or Small Nursing/Residential Care Facilities
- Monitoring Equipment for Confined Space Entry
- Noise Reduction Engineering Controls
- Lock Out/Tag Out Systems
- Cooling Systems for Agriculture-based Worksites
- Eyewash Stations for the Accommodations Industry

A limited number of MiSHIP Grants will be available to training organizations. To be eligible, the training organization must make the equipment available to its members for use.

For more information about the MiSHIP grants and how to apply, please visit www.michigan.gov/mioshagrants.

“We are encouraging employers to step up workplace safety and health during MIOSHA’s 40-year anniversary.”



Construction Safety and Health Division Update

Patricia Meyer, Division Director,
Construction Safety and Health Division (CSDH)

“Building up Residential Safety” Day

MIOSHA received 15 requests from residential contractors across Michigan to participate in **Building up Residential Safety Day** on August 14, 2014. Construction safety officers visited jobsites in Kalamazoo, Temperance, Grand Rapids, Traverse City, Wixom, and all the way up to Negaunee and Munising in the Upper Peninsula! Building up Residential Safety Day was set up specifically to assist residential home builders in identifying and correcting hazards on their jobsites, developing their accident prevention programs, and to provide additional assistance on injury prevention as requested. There were no citations and penalties for those who participated, as long as the hazards were corrected. It was a great day for all involved!

Building up Residential Safety Day is one of the strategies of the MIOSHA Residential Construction Initiative to assist home builders with protecting their employees from the most common, serious hazards associated with residential construction: **falls, scaffolding, ladders, personal protective equipment, tool guarding, and electrical hazards.**

Below is a sample of the hazards and issues that were addressed during Building up Residential Safety Day. All of the hazards were corrected.

Fall Protection

- Unguarded window openings; window sills that are not 42” high are required to have a guardrail.
- No stair railing or hand railing installed on stairways; all stairways are required to have a stair railing, hand railing, or both.
- No guardrail installed at stairway landing on the second floor; all landings that are over 6’ high are required to have a guardrail.



Construction Safety Officer Tom Hansen (left) met with the crew from Habitat for Humanity of Kent Co. during Building up Residential Safety Day

- Stud walls that were 2’ on center were not guarded; walls that are framed 2’ on center still need to have a guardrail installed. Walls that are framed 16” or less are not required to have additional guarding.
- The top rail was either too high or too low; the required height for the top rail of a guardrail system is 39”- 45”.
- Missing a mid-rail; a mid-rail is required to be installed mid-point for a guardrail system.
- Floor openings were not covered or guarded; all openings 2” or greater are required to be securely-covered and marked. For larger openings (i.e., stairway openings), install a guardrail around the opening.
- Fall Protection Plans; clarification that a fall protection plan may be used during framing, but only when it is infeasible or a greater hazard to use conventional fall protection.
- Anchor (tie off) points for fall protection equipment; secure your lanyards or ropes to an anchor point that is rated for 5,000 pounds.

Scaffolding

- Scaffolding was not fully decked; the entire working level should be fully decked.
- Hooks on type work platforms were not secured; these types of platforms must be secured to the frame to prevent sliding and uplift.
- Mudsills were not installed; a mudsill is required underneath each of the base plates.

Tool Guarding

- No guard on a table saw; a guard is required when using a table saw. If ripping, the guard may be removed temporarily, provided a jig or push stick is used. Afterward, the guard must be reinstalled over the blade or the blade is lowered down below the table – even when not in use.

Ladders

- Standing on top of a 4’ ladder; do not stand on the top step or cap of a step ladder.

Personal Protective Equipment

- Eye protection – Not wearing properly rated safety glasses; safety frames and lenses must have ANSI Z-89.1-1986 rating with side shields. Properly rated safety goggles can be worn over non-safety prescription glasses.

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“Building up Residential Safety” Day (Cont’d)

- Tennis shoes – Work boots are required on a construction site.
- Hard Hats – Must wear a hard hat if someone is working above you or if your head can contact an object, (i.e., swinging lumber or nail guns.)

Housekeeping

- Nails were protruding from discarded lumber and scrap lumber was located at the top of stairway. Keep the jobsite free of debris and scrap lumber. Remove or bend over protruding nails.

Excavations

- Discussed sloping and shoring requirements around the foundations.

Fire Extinguishers

- Have a minimum of one fire extinguisher at each jobsite.

The feedback from the participating contractors was very positive. MIOSHA hopes to hold another Building up Residential Safety Day next year and double the number of participants!

For additional information about the MIOSHA Residential Construction Initiative, visit www.michigan.gov/mioshareidential.



Construction Safety Officer Reo Rodriguez (left) assisted a crew from Helmus Plumbing Services

Fatality Summary

Operator – Struck by/Crushed

On September 8, 2014, at approximately 8 a.m., a road worker was struck and killed by a road grader that was being operated by another employee. The deceased was checking and marking the road grade in front of the road grader for approximately one hour, prior to being run over. The operator stated prior to the accident that he had witnessed the deceased employee about 100 feet in front of him.

Patricia Meyer, Division Director,
Construction Safety and Health Division (CSHD)

MIOSHA Violations

Part 1, General Rules

- **408.40114(1)** — Accident prevention program lacked specific instructions for employees working around heavy equipment.



SIGNIFICANT CASE STUDY

Rick Pfander Jr., Safety Officer, General Industry Safety and Health Division (GISHD)

Permit-Required Confined Space Chemical Burn Inspection

The MIOSHA General Industry Safety and Health Division (GISHD) conducted an inspection of an electro-deposition primer (E-coat) line at an automotive parts manufacturer in response to a report of an employee sustaining a chemical burn. The incident occurred when the conveyor line that transports the parts through the dip tanks in the E-coat process became jammed at the first uphill section. The E-coat process is enclosed. Employees entered the space through a set of doors located on a catwalk above the dip tanks (see Photo 1). To the left of the doors on the inside of the E-coat line was the first tank, with inward converging walls and a depth of approximately seven feet. The tank contained a caustic cleaner heated to approximately 147°F.

The employees placed two wood planks (see Photo 2) inside the opening to span the gap of the tank and to gain access to the parts jammed on the inside. The injured employee was bending down to pick up parts when his left leg slipped on the wood planks and went into the tank, up to the knee. An employee on the catwalk grabbed the employee before he fell further into the tank. The injured employee suffered a second-degree burn to his left leg.

MIOSHA determined that the space met the requirements of a permit-required confined space. The dip tank had inward converging walls and posed a drowning hazard. The space also contained a recognized serious safety hazard (i.e., a moving conveyor line).

The company was cited for the following MIOSHA violations:

Part 1, General Provisions

- **408.10015(4)** — Walking/access planks are not slip-resistant.

Part 85, The Control of Hazardous Energy Sources

- **1910.147(c)(4)(i)** — Not enforcing lockout for employees entering a permit-required confined space to perform maintenance and servicing activities.
- **1910.147(c)(7)(i)(A)** — No lockout training for authorized employees who enter permit-required confined space to perform maintenance and servicing activities that require lockout

Part 90, Permit Required Confined Spaces

- **1910.146(c)(2)** — No sign or other effective means to notify employees of permit-required confined space dangers.

- **1910.146(c)(4)** — Inadequate written and implemented permit-required confined space program. Employer's permit-required confined space program did not have specific information on how or who will provide rescue services.
- **1910.146(d)(2)** — No hazard evaluation of the permit-required confined spaces the employees enter.
- **1910.146(d)(3)** — No policies and procedures developed and implemented for employees who enter permit-required confined spaces.
- **1910.146(d)(4)** — Equipment required to enter a permit-required confined space was not made available and the use of the equipment available to employees was not utilized.
- **1910.146(d)(5)(i)** — Employees entered a permit-required confined space to clear a line wreck without performing air monitoring before entering the space.
- **1910.146(d)(5)(ii)** — No periodic/continuous air monitoring conducted during a permit-required confined space entry.
- **1910.146(d)(8)** — Employees who participated in a confined space entry did not have active roles designated.
- **1910.146(d)(9)** — Inadequate rescue procedures developed.
- **1910.146(e)(1)** — No confined space entry permit.
- **1910.146(g)(1)** — No training provided to employees who entered a permit-required confined space.



Photo 1



Photo 2

WAREHOUSING AND STORAGE

Series on the 10 High-Hazard Industries in Michigan

The MIOSHA strategic plan for 2014-2018 has targeted 10 high-hazard industries in general industry in an effort to reduce injury and illness rates. The five-year goal is to reduce the injury and illness rate by 15 percent. According to the US Bureau of Labor Statistics, the warehousing and storage industry (NAICS 493) has an average rate of 5.7 injuries and illnesses per 100 workers per year, compared to the rate of 4.0 for all of private industry.

Warehousing and storage operations present a wide variety of potential hazards that can result in injuries and illnesses. These hazards stem from manual material handling, the use of forklift trucks, working at heights, conveyor systems, and the stored items themselves.

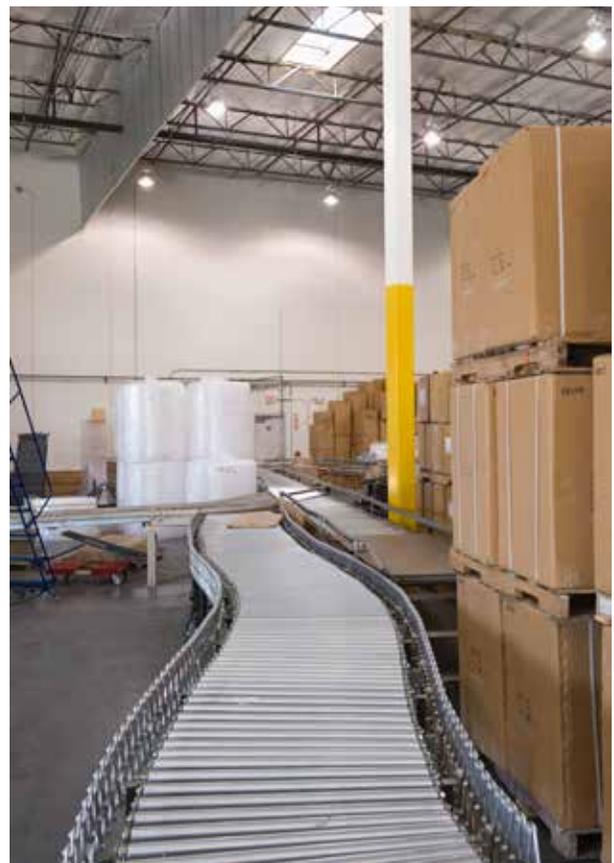
The issues include:

- Manual lifting of heavy items can lead to back and shoulder injuries, as well as strains and sprains of other parts of the body.
- Forklift truck accidents can cause fatalities when workers are struck or pinned between the truck and another object.
- When working at heights, employees must wear proper fall protection.
- Pinch points, nip points, and falling objects can be created by forklift trucks, conveyors and other material handling equipment.
- Lack of proper guarding of floor and wall openings can result in employee falls or material handling equipment to tip, flip or hit employees.
- Conveyor systems and other machines must be properly locked out during maintenance and servicing so employees are not crushed or entangled in the equipment or machine.



- Improper housekeeping produces slip, trip, and fall hazards on floors.
- High carbon monoxide exposures can result from poorly tuned propane-powered forklift trucks and lack of fresh air ventilation.
- Chemical exposures can result from spills or leaks from chemical storage units. Explosions at battery charging stations for electric forklift trucks can seriously injure workers.
- Ammonia refrigeration systems in cold storage facilities require compliance with the Process Safety Management Standard to prevent ammonia leaks.
- Personal protective equipment must be worn when the eyes, hands, or head of employees are exposed to hazards.

MIOSHA's general industry standards cover the hazards listed above and can be found on the MIOSHA website at www.michigan.gov/miosha. Employers can contact MIOSHA's Consultation, Education and Training (CET) Division for free consultation services and compliance assistance. Contact information and further information on CET services can be found at www.michigan.gov/cet.



General Industry Division Update

Inspection Targeting List: How Companies are Selected for Random Inspection

Victor Lynch, Certified Safety Professional,
General Industry Safety and Health Division (GISHD)

The General Industry Safety and Health Division (GISHD) generates a targeted priority list to assign programmed inspections to its compliance officers. The targeted list is developed using stratified, random sampling from an employer register based on the North American Industry Classification System (NAICS) code. The resulting list is shared by GISHD with the Consultation, Education and Training (CET) Education Division. CET mails letters to all employers on the list, offering free consultative assistance. After the employers have had a chance to contact CET, the list is sent out as inspection assignments to compliance officers in GISHD.

Fifty-to-sixty percent of the establishments on the list are in the high-hazard industries targeted by the MIOSHA strategic plan, and the rest of the assignments are from other NAICS codes. A computer selects the establishments at random from a list of employers in the state. Therefore, any general industry employer under MIOSHA jurisdiction can receive a programmed, comprehensive inspection.

For the MIOSHA 2014-2018 Strategic Plan, the high-hazard industries in general industry are:

- Beverage & Tobacco Product Manufacturing (312)
- Primary Metal Manufacturing (331)
- Fabricated Metal Product Manufacturing (332)
- Machinery Manufacturing (333)
- Transportation Equipment Manufacturing (336)
- Support Activities for Transportation (488)

- Warehousing and Storage (493)
- Hospitals (622)
- Nursing & Residential Care Facilities (623)
- Accommodations (721)

A variety of conditions can cause an industry to be added to the targeted list.

Examples include a high rate or number of injuries, illnesses, or fatalities; a new safety or health standard that impacts the industry; a new special emphasis program at the state or federal level; a new initiative with the CET Division; or public concern. Meeting one of the triggers does not automatically place an industry on the targeted list. MIOSHA evaluates each industry to determine if they should be added to the targeting list.

For more detail on the priority list and selection of high-hazard industries, see the following documents posted on the MIOSHA website:

- [General Industry Inspection Priority System for Scheduled Programmed Inspections](#)
- [Targeting Industries Under Emphasis 1.1 and 1.2 of the Strategic Plan](#)



Best Practices

Doug Kimmel, Michigan Voluntary Protection Program (MVPP) Specialist,
Consultation, Education and Training (CET) Division

This is the final installment on a series of articles highlighting some of the best safety and health practices identified at the Georgia-Pacific, Albion plant – a Michigan Voluntary Protection Program (MVPP) star site. Other best practices identified at the site were covered in the Summer and Fall 2013 editions, and the 2014 Spring edition.

Georgia-Pacific, Albion produces corrugated sheets that are sold to customers and used to make industrial packaging, retail packaging, or point-of-purchase displays. The plant has been a long-standing participant in the MVPP and works diligently to maintain its MVPP status. To continually improve its systems, it has implemented safety and health policies, procedures, and programs, including:

Primary Person Responsible (PPR)

PPRs are responsible for written safety/health programs. Generally, one or two employees are dedicated to each of the site's safety/health programs (more may be added if needed). The PPRs are then empowered to ensure that the program is implemented appropriately. Working with site management, these individuals are responsible for the periodic review and compliance with company and regulatory program requirements.

Hazard Identification & Risk Assessment (HIRA)

HIRA is a systematic approach to the risk assessment of specific pieces of equipment, machinery, or operational task.

The system consists of the following:

- 1) Identify the hazard(s)
- 2) Evaluate the risk of the hazard(s)
- 3) Develop a plan to control the hazard(s) and/or potential loss
 - Terminate – eliminate or substitute
 - Treat – reduce severity or probability
 - Hierarchy of controls
 - Engineering
 - Administrative
 - Work Practices
 - Personal Protective Equipment
 - Tolerate – acceptable level of risk
 - Transfer – insurance, contract labor, etc.
- 4) Implement the Control Plan
- 5) Evaluate Progress
 - Unsuccessful > Hold Gains > Share Knowledge
 - Successful > Hold Gains > Share Knowledge

Safety Promotions

Georgia-Pacific, Albion realizes that in order to keep employees engaged, they must be given the opportunity to get involved. In its efforts to raise awareness and keep employees enthused

about safety, the plant has developed promotions such as Safety Football.

Safety Football is designed to involve all employees at the facility. Management is involved by acting as referees, which includes wearing striped shirts every Monday at the daily safety tailgate meeting. All site employees, except management, are divided into teams and the teams play for total yardage every week, with a different team getting a home field each week in the nine-week regular season.

Teams gain “yards” by participating in and completing safety related activities such as Total Job Observations (TJO), participating in safety audits, submitting safety catch hazard reports, entering safety related work orders, leading safety presentations, wearing safety shirts or other attire at safety tailgate meetings, etc. (every 100 yards equals seven points). Team members can double the number of “yards” awarded if they are able to address and correct an identified issue themselves, such as moving an electrical cord running across a walkway (trip hazard). Teams can also be penalized (yellow flag) and lose yards if a member of an opposing team observes one of their team members committing an unsafe act.

All games are scored at the end of each week and the winner is determined by the team with the most yards/points. At the end of the regular season, the top eight teams are determined and these teams go on to the play-offs. Each play-off game is single elimination with the winners advancing and the top two teams eventually playing in the “Super Bowl.”

Another promotional activity is safety lunches. The lunches are awarded based on this site's performance related to their identified leading indicators. Lunches are not awarded based on the results of lagging indicators such as injury/illness rates. Employees are involved with the planning and coordination of the meal, where their commitment to, and involvement in the safety and health management system is recognized.

Management commitment

Management commitment is vital to the effectiveness of any safety and health management system. The management at Georgia-Pacific, Albion demonstrates their commitment through leading by example; being involved in the safety and health management system; and participating in activities such as training sessions, safety tailgate meetings, and safety committee meetings (all three shifts). Management's commitment is also demonstrated by regularly spending time on the plant floor (including the off-shifts) and ensuring that the necessary financial resources and time are devoted to ensure the effectiveness of the safety and health management system.

Look for more best practices and hints from other MVPP sites in upcoming editions of the MIOSHA News!

Consultation, Education and Training (CET) Division Update – MIOSHA Mailing

Nella Davis-Ray, Division Director,
Consultation, Education and Training
(CET) Division

Site-specific targeting (SST) is part of MIOSHA's programmed inspection plan for non-construction workplaces. It is MIOSHA's practice to inform sites targeted for a programmed inspection. On August 25, 2014, 3,240 SST letters were mailed to general industry employers throughout Michigan. The letter informs the recipient that they may receive an enforcement investigation. These sites were randomly selected establishments in industries identified in the strategic plan as high-hazard, as well as randomly selected establishments in a wide range of other industrial classifications.

The letter encourages the recipient to request assistance through MIOSHA's CET Division. Direct mail campaigns typically see a 1-2 percent response rate. At the time of this writing, the CET Division had received 68 requests for assistance (RCAs) as a result of this mailing.



Appeals Division Update – MIOSHA Cases Under Circuit Court Review

Dawn Jack, Division Director, Appeals Division

Currently, there are seven MIOSHA-related cases under review in the state circuit courts. Three cases involve review of Board of Health and Safety Compliance and Appeals, or "Board" decisions on late petitions and appeals. Two more cases involve employer appeals of hearing decisions which upheld citations and penalties. One case involves an employee representative's appeal of the Board's approval of a settlement agreement between MIOSHA and the employer. And lastly, one case involves an employee appeal of a hearing decision concerning the employee's discrimination complaint. While appeals of MIOSHA cases to the circuit court level are very infrequent, every employer and employee can benefit from knowing about the availability of this appeal process.

Orders and decisions from both contested discrimination determinations and safety and health citations can be subject to review by the circuit court. Either side of a contested case who is dissatisfied with the order of the Board (i.e., safety and health), or the order of the Administrative Law Judge (ALJ) (i.e., discrimination) can petition for judicial review of the order. To obtain judicial review, the party seeking review is required to file a notice with the circuit court, commonly known as a "Petition for Review." The deadline to file a petition for review is 60 days after the decision or order to be reviewed was mailed. A copy of the order or decision being contested must accompany the petition for review. It is important to understand that the filing of a petition for review does not automatically stay enforcement of the agency action. That means that any penalties, abatement, or employment conditions which were authorized by the order or decision can be pursued, even while the order is being reviewed by the circuit court. However, MIOSHA may grant a stay, or the court may order one.

Once the petition for review is filed, the entire record of the proceedings held must be provided to the circuit court for review. The circuit court is confined to the record; however, upon request by a party, the court will receive oral arguments and written briefs. The circuit court may affirm, reverse, or modify the decision or order, or remand the case back to the Board or ALJ for further proceedings. To reverse or set aside a decision or order, the circuit court must find that the party seeking review has been prejudiced because the decision or order is any of the following:

- In violation of the constitution or statute.
- In excess of the statutory authority or jurisdiction of the agency.
- Made upon unlawful procedure resulting in material prejudice to a party.
- Not supported by competent, material and substantial evidence on the whole record.
- Arbitrary, capricious or clearly an abuse or unwarranted exercise of discretion.
- Affected by other substantial and material error of law.

There is no timeframe in which the circuit court must issue its decision.

To learn more information about the Petition for Review process, consult Chapter 6 of the [Michigan Administrative Procedures Act](#), Act 306 of 1969, as amended.

STANDARDS UPDATE

MIOSHA Standards Recently Revised

MIOSHA Standards Recently Revised

The following MIOSHA standards were recently revised due to changes in the federal OSHA regulations, and are in effect:

- OH Part 472 Medical Services and First Aid
- GI Part 77 Grain Handling Facilities

These revised standards can also be viewed at [standards web page](#).

MIOSHA Standards Being Revised

The following MIOSHA standards are in the process of being revised:

- OH Part 306 Formaldehyde
- CS Part 6 Personal Protective Equipment
- CS Part 10 Lifting and Digging Equipment
- CS Part 11 Fixed and Portable Ladders
- CS Part 16 Power Transmission and Distribution
- CS Part 45 Fall Protection
- GI Part 33 Personal Protective Equipment
- GI Part 39 Design Safety Standards for Electrical Systems
- GI Part 40 Electrical Safety – Related Work Practices
- GI Part 86 Electric Power Generation, Transmission and Distribution
- CS Part 8 Handling and Storing Materials
- CS Part 15 Excavators, Hoists, Elevators, Helicopters and Conveyors
- GI Part 62 Plastic Molding

Check the MIOSHA standards web page (see link above) for final versions once they are approved. For more information regarding these proposed changes, go to the [ORR proposed rule status page](#) and click on “proposed revision info” adjacent to the specific standard.

Wage and Hour Rules in the Promulgation Process

The following Wage and Hour rules are in the promulgation process:

- 2013-019LR proposed amendment to Payment of Wages and Fringe Benefits Rules is pending review of the public hearing report by the Joint Commission on Administrative Rules (JCAR).

Again, for more information regarding these proposed changes, go to the [ORR proposed rule status page](#) and click on “proposed revision info” adjacent to the specific standard.

Radiation Safety Rules in the Promulgation Process

The Radiation Safety Section is in the process of promulgating a new rule set that will be applicable only to radiation machines. The status can be viewed on the [ORR pending revisions](#) page.

MIOSHA EVENTS

Michigan Safety Health Achievement Recognition Program (MSHARP) Awards

Cintas Corporation #301 Receives MSHARP Award for Workplace Safety and Health Excellence

October 8, 2014 – Cintas Corporation #301 of Walker was awarded its first Michigan Safety and Health Achievement Recognition Program (SHARP) award today for an exemplary safety and health management system.

The North American Industry Classification System (NAICS) Code for Cintas Corporation #301 is 812332, which is classified as Industrial Launderers. The facility has 114 employees. The MIOSHA

onsite review team consisted of Dave Henderson, senior safety consultant and Harvey Johnson, senior industrial hygienist.

In 2013, Cintas Corporation #301 had a Total Case Incident Rate (TCIR) and a Days Away from Work and Restricted/Transfer Cases (DART) rate below the Bureau of Labor Statistics (BLS) averages for their industry. Their TCIR was 4.5 compared to the BLS rate of 6.0 for this type of industry.

Michigan Safety Health Achievement Recognition Program (MSHARP) Award Renewals

AW Transmission in Plymouth Receives Renewed MIOSHA Recognition for its Workplace Safety and Health Excellence

October 20, 2014 – AW Transmission Engineering USA, Inc. (AWTEC) in Plymouth recently received renewal of its prestigious Michigan Safety and Health Achievement Recognition Program (MSHARP) Award certification from MIOSHA.

Onsite consultants work with employers to help them become self-sufficient in managing occupational safety and health. The MIOSHA review team consisted of George Zagresky, senior safety consultant and D.W. Johnson, industrial hygienist. The site manufactures automatic transmissions and car navigation systems for

its parent company, Aisin AW. The North American Industry Classification System (NAICS) Code for AWTEC is 33635.

Some of AWTEC's new improvements include:

- Installed safety railings where forklift and pedestrian traffic converge.
- Posted new PPE/Emergency Action signs in the work area.
- Installed E-Stop cables along all powered conveyors.

MIOSHA Consultation, Education and Training (CET) Grants

MIOSHA Awards \$20,000 Grant to Builders Education Services and Training of Michigan, Inc. to Provide Training in Occupational Safety and Health Education

October 30, 2014 – The Builders Education Services and Training (BEST) of Michigan, Inc. today received a check from the Michigan Occupational Safety and Health Administration (MIOSHA) for \$20,000 as part of the agency's FY 2015 CET grant projects.

BEST of Michigan will be using the grant money to create and organize a "Build Safe" pavilion that will be utilized during the two-day Great Lakes Builders Trade Show at Ford Field in Detroit in March 2015.

Pavilion presentations will include training on such topics as falls, scaffolds, ladders, personal protective equipment, tool guarding, working with subcontractors, risk transfer, and more.

The organization is one of 20 small and medium-sized companies to receive a grant. MIOSHA awards CET grants on an annual basis to develop and implement safety and health training and services and supplement CET division activities. The CET grant program was initiated as part of the MIOSHA effort to help assure a safe and healthful workplace. These grants are awarded on an open competitive basis to Michigan management/employer groups, labor/employee organizations and other non-profit groups such as universities, hospitals and service organizations.

CONTACT MIOSHA

Michigan Department of Licensing and Regulatory Affairs (LARA)
Michigan Occupational Safety & Health Administration (MIOSHA)
P.O. Box 30643
7150 Harris Drive
Lansing, Michigan 48909-8143

Phone Numbers:

MIOSHA Hotline	(800) TO-MIOSH or (800) 866-4674
Fatality or Catastrophe Hotline	(800) 858-0397
General Information (automated attendant)	(517) 322-1814
Appeals Division	(517) 322-1297
Asbestos Program	(517) 322-1320
Construction Safety and Health Division	(517) 322-1856
Consultation Education and Training Division (CET)	(517) 322-1809
CET Grant Program	(517) 322-1865
Employee Discrimination Section	(313) 456-3109
Freedom of Information Section	(517) 322-1295
General Industry Safety and Health Division	(517) 322-1831
Technical Services Division	(517) 322-1851
Recordkeeping	(517) 322-1848
Radiation Safety Section	(517) 636-6800
Regulatory Services Section	(517) 322-1845
Wage & Hour Program	(517) 322-1825

MIOSHA Redirects:

MIOSHA's website: www.michigan.gov/miosha
Regulatory Services Section homepage: www.michigan.gov/mioshastandards
Asbestos Program homepage: www.michigan.gov/asbestos
Laboratory & Equipment Services Section homepage: www.michigan.gov/less
Consultation Education & Training Division homepage: www.michigan.gov/cet
Consultation Education & Training Calendar: www.michigan.gov/mioshatraining
To view/order Publications, Posters, Forms & Media: www.michigan.gov/mioshapublications
Recordkeeping & Statistics: www.michigan.gov/recordkeeping
MIOSHA Policies and Procedures (Instructions, Memos, and Standard Interpretations): www.michigan.gov/mioshapolicies
Telephone, mailing and email addresses: www.michigan.gov/contactmiosha
Michigan Voluntary Protection Plan (MVPP): www.michigan.gov/mvpp
Michigan Safety & Health Achievement Recognition Program (MSHARP): www.michigan.gov/msharp
CET Grants: www.michigan.gov/mioshagrants
CET Request for Consultative Services: www.michigan.gov/cetrca
MIOSHA Training Institute: www.michigan.gov/mti
MIOSHA Variances: www.michigan.gov/mioshavariations
DVD/Video Library Service: www.michigan.gov/mioshavedios
Ask MIOSHA: www.michigan.gov/askmiosha
Construction Safety & Health Division: www.michigan.gov/mioshaconstruction
MIOSHA News: www.michigan.gov/mioshanews
Michigan Alliances: www.michigan.gov/alliance
Employee Safety, Health and Discrimination Complaint Forms: <http://www.michigan.gov/mioshacomplaint>
Strategic Plans & Initiatives: www.michigan.gov/mioshastrategicplan
General Industry Safety & Health Division: www.michigan.gov/mioshageneralindustry
Wage & Hour Program: www.michigan.gov/wagehour
Radiation Safety Section: www.michigan.gov/rss
Sign up to receive [emails](#) from MIOSHA!



The Mission
of the MIOSHA Program is:

**To Protect the Safety,
Health, Earned Wages
and Fringe Benefits of
Michigan Workers.**

The MIOSHA News is a publication
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Its purpose is to educate Michigan
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workplace safety and health and
we encourage reprinting.

Director: Martha B. Yoder
Deputy Director: Barton G. Pickelman
Editor: Tanya Baker
MIOSHA Hotline: 800-866-4674
Fatality Hotline: 800-858-0397
General Information: 517-322-1817

Michigan Department of Licensing
and Regulatory Affairs (LARA)
Michigan Occupational Safety and Health
Administration (MIOSHA)

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