

## CONNECTING UPDATE

### Best Practices

**G**eorgia-Pacific (GP) is one of the nation's leading producers of corrugated packaging products. GP readily acknowledges that their foundation is their people and that promoting and ensuring the safety of their people is essential to their business — as well as being the right thing to do.

The Georgia-Pacific Albion, Michigan plant produces corrugated sheets that are sold to customers and used to make industrial packaging, retail packaging, or point-of-purchase displays. The site was approved for the Michigan Voluntary Protection Program (MVPP) in 2005 and continues to maintain their status as a Star site.

As difficult as it may be to develop a truly outstanding safety and health management system many sites have found that it is even more difficult to maintain and continually improve that system. So, how has GP, Albion done it? They actively seek employee input and change and update programs and promotions so that they are always fresh and interesting.

Some of the programs and techniques used at GP, Albion include:

#### Monday morning tailgates

The first hour of every shift is dedicated to training on specific safety requirements. In addition, any safety concerns, Safety Alerts, incidents, near misses, first aid incidents, and other plant or Packaging Division issues are discussed. If time allows, quality or maintenance issues may also be discussed.

#### 15 minute pre-shift meetings

15 minutes prior to the start of each shift all team members meet to discuss any new safety concerns, Safety Alerts, incidents, near misses, first aids or observations from other GP Sheetfeeder plants. During these meetings, team members have the opportunity to share safety concerns or discuss things that they may have observed. After reviewing the safety issues the remainder of the meeting is focused on machine or quality issues.

#### Risk Acceptance & Tolerance – Unsafe but Accepted (RATUBA)

RATUBA is a risk identification and reduction tool that team members use to ensure that potential hazards, when they cannot be eliminated, are reduced to the lowest level possible. When a hazard is identified a RATUBA form is used to evaluate task/job/action to determine the risk associated using Risk Assessment Mental Model (RAMM). The team member documents all details and develops a corrective action. Photos are taken before and after, which fosters recognition and communication of hazards and the potential risk(s) before performing steps/tasks. The process also fosters communication between team members and supervision.

These are only a few of the innovative methods that Georgia-Pacific, Albion has implemented to maintain and continually invigorate their safety and health management system. Stay tuned for the Fall edition of the MIOSHA News when we will share more ideas about what GP, Albion is doing to keep their safety program fresh and employees engaged.

Doug Kimmel

MVPP Program Specialist

## WAGE & HOUR PROGRAM

### *MIOSHA Celebrates 35th Anniversary of Public Act 390 Michigan Payment of Wages and Fringe Benefits*



**T**he Wage and Hour Program has been enforcing Act 390, Michigan Payment of Wages and Fringe Benefits Act since 1978. At this time, the Wage and Hour Program has received more than 200,000 complaints and collected more than \$61 million in wages for Michigan's working men and women.

Act 390 requires that wages be paid on a regular basis, whether the frequency is weekly, biweekly, monthly, or semi-monthly. It requires employers to have the employees' written consent to make deductions other than deductions required by law or a collective bargaining agreement. It also requires employers to provide check stubs on payday. Act 390

also defines fringe benefits as vacation pay, sick pay, holiday pay, bonuses and expenses pursuant to the employer's written policy or contract.

Act 390 has been amended several times. Some of the changes include: allowing employers to pay employees via debit cards or direct deposit, allowing employers to recoup overpayments based on miscalculations or clerical errors under certain circumstances without the employees' written consent, and allowing wage claims to be filed by employees online at the Wage and Hour Program website. In addition to these procedural changes, the Act also established a reciprocal agreement with Canada.

There is staff available to present information to employers about the three acts enforced. The program also provides on-site educational consultations to provide information and answer questions.

For more information about the Wage and Hour Program you may call the new toll-free number at **1-866-4MI-WAGE** or visit the website at [www.michigan.gov/wagehour](http://www.michigan.gov/wagehour).

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## ***MIOSHA Training Institute (MTI)***

**New Pilot** – Presenting a topic that affects every tradesperson, supervisor, laborer, manager or owner working around masonry walls in the State of Michigan, the MTI recently piloted the course “Part 2-Masonry Wall Bracing”. Improperly supported walls erected on initial construction sites have collapsed causing extensive property damage, injury and death. The course explains how to safely work around unsupported masonry walls, including identification of the proper external bracing, what work is allowed to be done around it, and the Restricted Zone requirements. The course will be added to the electives listed for construction starting October 1, 2013.

**Graduates** – The 83rd Michigan Safety Conference was the setting for the MTI annual graduation recognition ceremony. Although only in existence since October 1, 2007 the MTI has more than 14,000 participants and more than 700 graduates from the various certificate tracks.

**Upcoming Courses** – In March of 2014 a new course will be added to the Safety & Health Management Systems track on how to create safe behaviors in the work-place entitled “Behavioral Safety”. This course will explore the application of behavior analysis to work performance: specifically safe and unsafe execution of a task. Using scientific principles of motivation, systems are analyzed to identify what is motivating safe and unsafe performance. Also new in March, 2014 the MTI will present a combined “Work Site Inspection” course that will use universal principles applicable to all workplaces, either General Industry or Construction.

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 of the MIOSHA program. Its purpose is to educate Michigan employers and employees about workplace safety and health

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LICENSING AND REGULATORY AFFAIRS



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# MIOSHA *news*

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## DIRECTOR'S *corner*



**Martha Yoder**  
Director

A new Five-Year Strategic Plan to guide MIOSHA activities during fiscal years 2014–2018 has been finalized and submitted to federal OSHA. This is MIOSHA's fourth plan to help strategically target

program resources.

Since implementation of our first strategic plan in 1999, overall trends in injury/illness rates and fatalities have declined. Michigan's overall injury/illness rate has dropped to 3.8 in 2011 from 8.1 in 1999. MIOSHA program-related fatalities fell from 87 to 37 during that same time-frame.

Our new five-year plan builds on these successes and challenges us to achieve even greater gains.

The industries identified for increased outreach and enforcement have been reviewed and updated.

MIOSHA will continue to actively promote the benefits of implementing safety and health management systems and expand outreach to new areas.

We challenge ourselves to continue building public confidence and trust through programs that are transparent and consistent.

The plan is available on our website at [www.michigan.gov/miosha](http://www.michigan.gov/miosha), then click on Strategic Plan. Your input is welcome! Please email your comments to me at [yoderm@michigan.gov](mailto:yoderm@michigan.gov).

## Top 10 Most Frequently Cited MIOSHA Standards

**W**orkplace injuries, illnesses and fatalities are preventable. The costs of reacting to workplace injuries and illnesses far exceed the costs of preventing them.

The Michigan Occupational Safety and Health (MIOSH) Act (Act 154 of 1974, as amended), requires employers to provide a safe and healthy workplace, free from recognized hazards. MIOSHA standards set minimum requirements and provide guidelines for identifying and correcting the hazards contributing to injuries and illnesses.

The MIOSHA program monitors the safety and health conditions in workplaces covered by the MIOSH Act. MIOSHA citations are classified according to the seriousness of an injury. A serious violation is a hazardous condition that has a substantial probability of causing serious physical harm or death to workers.

Below are the Top 10 Most Frequently Cited MIOSHA Standards. These are the serious violations most frequently cited by the General Industry Safety and Health Division and the Construction Safety and Health Division in fiscal year 2012 (October 1, 2011 – September 30, 2012).

Top 10 Most Cited MIOSHA Standards – FY 2012		
Part	Standard	Citations
45	1926.501(b) – Fall Protection: Unprotected Sides and Edges, Construction	498
85	1910.147(c) – Control of Hazardous Energy Sources (lockout/tagout) General Industry	383
06	408.40622(1) – Personal Protective Equipment (PPE): Head Protection, Construction	200
39	1910.303(g) – Electrical Systems Design: Grounding, General Industry	197
07	408.10727(1) – Guards for Power Transmission: Belts, General Industry	152
33	408.13312(1) – PPE: Face and Eye Protection, General Industry	125
11	408.41124(5) – Ladders: Portable Ladders, Construction	112
01	408.10034(9) – General Provisions: Guarding for Pinch Points, General Industry	111
06	408.40624(1) – PPE: Face and Eye Protection, Construction	98
02	408.10213(2) – Floor & Wall Openings: Guards for open-sided floors or platforms, General Industry	98

If a standard listed on the Top 10 list applies to your workplace, review the specific requirements of the standard to assess how well your safety and health system is addressing these issues. MIOSHA standards can be viewed and downloaded from the MIOSHA website: [www.michigan.gov/mioshastandards](http://www.michigan.gov/mioshastandards).

For information on compliance, enforcement or education and training assistance, contact MIOSHA at 517-322-1814.



## Connecting Through Consultation, Education and Training



Bart Pickelman, CIH  
Deputy Director

**D**o you find that some MIOSHA standards or rules are too technical or difficult to understand? Are there gray areas that you would like some interpretation on?

If so, contact the MIOSHA Consultation Education and Training (CET) Division for help. The services CET provides is one way MIOSHA connects with industry on a proactive basis to help protect the safety and health of Michigan workers.

Free CET services are offered statewide and the staff of experienced, professional safety experts, construction safety consultants, and industrial hygienists can provide a range of customized assistance.

An onsite visit to your workplace can be scheduled to help you identify hazards and then provide you with suggestions to address those hazards to create a safer and healthier work environment. There are no citations or penalties issued as a result of the CET visit.

You have probably heard the phrase, "Give a man a fish and he will eat for a day, teach a man to fish and he will eat for a lifetime." It is better to teach someone to do something rather than do it for them. CET carries this philosophy during consultative interventions by teaching employers and employees how to identify and correct safety and health hazards at your workplace. If you would like assistance, please contact CET at (517) 322-1809 or visit the MIOSHA website at [www.michigan.gov/miosha](http://www.michigan.gov/miosha) and click the

**Consultation Education & Training** link on the left side of the page to learn more about the services CET provides. Have a very safe and healthy summer and good luck fishing!



CET onsite consultation — going over procedures to make safety a first priority.

## TECHNICAL INFORMATION

### Status of Changes to MIOSHA Standards

Ron Ray, Director, Wage Hour and Technical Services Division

MIOSHA Standards Section staff continue to work with the Office of Regulatory Reinvention to complete the changes required due to the Workplace Safety Advisory Rules Committee recommendations. Initially 104 standards were proposed for revisions in some fashion. Of those 104 standards, approximately 75 have now been filed with the Secretary of State and are in effect. We hope to have the remaining standards in effect by the end of this fiscal year (September 30, 2013).

We continue to have inquiries regarding when final versions of the standards will be available. Only those changes that have been filed with the Secretary of State are reflected in our current print or website versions of our standards.

To help communicate these changes, we continue to regularly update our Standard Revisions Update Table on the

website at [http://www.michigan.gov/documents/lara/lara\\_miosha\\_standards\\_progress\\_table\\_a\\_418480\\_07.pdf?20130821145237](http://www.michigan.gov/documents/lara/lara_miosha_standards_progress_table_a_418480_07.pdf?20130821145237)

In addition to the above referenced changes, several other changes to standards became effective recently:

Occupational Health Parts 301 and 601 – Air Contaminants for General Industry and Construction, were updated regarding diisocyanates and the Chromium (VI) Permissible Exposure Limit (PEL) and became effective March 21, 2013.

General Industry Part 74 - Fire Fighting, was updated regarding definitions and referenced NFPA standards, and became effective April 24, 2013.

Construction Safety Part 22, Construction Safety Part 32 and General Industry Part

58 were updated to the current Michigan Manual on Uniform Traffic Control Devices per the Michigan Department of Transportation, and became effective May 6, 2013.

### Variations

Variations from MIOSHA standards must be available to the public in accordance with Part 12, Variations (R408.22201 to 408.22251). MIOSHA variations are published on the MIOSHA News website: [www.michigan.gov/mioshavariations](http://www.michigan.gov/mioshavariations)

**CORRECTION:** In the Spring 2013 issue, the article titled **Fatal Accident Investigation on page 5** incorrectly identified Precision Forestry Inc. as the employer of the worker who died. Precision Forestry Inc. is not the employer of the victim. We apologize to Precision Forestry for this unintentional error.

## APPEALS DIVISION

# New Appeal Web Resources Now Available

Dawn C. M. Jack, Director  
Appeals Division  
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The MIOSHA Appeals Division represents the interests of MIOSHA in contested citation and discrimination appeals. There are several sets of written laws and rules that outline these appeals processes, such as:

- **Michigan Occupational Safety and Health Act** (Act 154 of 1974 as amended);
- **Administrative Procedures Act** (Act 306 of 1969 as amended); and
- **Parts 4 and 13** of the MIOSHA Administrative Standards Section of the Michigan Administrative Code.

But even after reading these rules and laws, many people are often still left with questions or confusion as to what is required of them during an appeal of a MIOSHA matter.

In an effort to educate employers, employees, and their respective representatives about the MIOSHA appeals process, the MIOSHA Appeals Division has recently expanded its information section on the MIOSHA website. The new content includes information about the Board of Health and Safety Compliance and Appeals, including a description of the scope of the Board's authority; a listing of its members; and scheduled meeting dates. In addition, the Appeals Division section of the MIOSHA website has new Fact Sheets to explain some of the most frequently misunderstood aspects of the appeals process:

- MIOSHA Legal Research Resources
- Obtaining Prior Case Decisions
- Out-of-State Attorney Procedures

- Prehearing Conferences—How to Prepare & What to Expect
- Late Appeals
- Citation Hearings
- Discrimination Hearings

These new Appeals Division information resources may be found on the MIOSHA website at [www.michigan.gov/miosha](http://www.michigan.gov/miosha) under the Compliance page. The Appeals Division encourages employers, employees, and representatives to review these helpful resources and contact the division with any further questions.

## CONSULTATION AND TRAINING UPDATE

# Revised Hazard Communication Employee Training Deadline: December 1, 2013

MIOSHA's Hazard Communication Standard (HCS) is now aligned with the United Nations' Globally Harmonized System of Classification and Labeling of Chemicals (effective December, 2012). This update to the HCS provides a common and coherent approach to classifying chemicals and communicating hazard information on labels and safety data sheets.

This change affects all Michigan manufacturers, importers and distributors of hazardous chemicals as well as employers and employees who use hazardous chemicals. MIOSHA Consultation Education and Training Division is offering several free 2-hr training sessions for those affected by these changes. There are also intensive 1-day training programs being offered for a nominal fee through the MIOSHA Training Institute to assist manufacturers and employers in complying with the new provisions.

In addition, MIOSHA has prepared materials that explain the new changes to the requirements of the HCS as follows: a summary of the changes to the standard; sample written program; modifiable PowerPoint training program; a list of frequently asked questions and links to Federal OSHA resources. These and other materials are available on MIOSHA's Hazard Communications page.

The first deadline in the implementation phase is Dec. 1, 2013, the date by which employers must train workers on the new label elements and safety data sheets.

Refer to the MIOSHA Hazard Communication webpage for additional information: [www.michigan.gov/lara/0,4601,7-154-61256\\_11407-284831--,00.html](http://www.michigan.gov/lara/0,4601,7-154-61256_11407-284831--,00.html)

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## CONSTRUCTION UPDATE

# Top Five Violations for Residential Construction

There has been an increase in residential construction projects in 2013. In April and May the Construction Safety and Health Division conducted 115 inspections on residential projects, involving 139 contractors. Residential inspections cover a variety of employers and different work activities; from rough framing to the finish work. If the final project is a structure that will be lived in, i.e. house or apartment, it is considered residential.

Falls continue to be the most prevalent hazard on residential projects and a prime focus area for inspectors. In 2012, MIOSHA investigated nine construction fatalities

— three were in the residential sector. In 2013, as of July first, there have been eight construction fatalities — three were in the residential sector. Half of the residential construction fatalities in these two years were fall-related.

The five most frequent serious violations identified during residential inspections in April and May 2013 can be seen in the chart below:

Not having an accident prevention program and no person certified in first-aid on the job site are two other common violations on residential projects.

Standard	Rule	Description
Part 45 – Fall Protection	1926.501.b13	No fall protection at 6 feet or higher – residential construction
Part 6 – (PPE) Personal Protective Equipment	622.1	No hard hats (i.e. falling objects/obstructions/material handling/moving equipment/nail guns)
Part 19 – Tools	1937.4	No eye protection using pneumatic nail guns
Part 11 – Ladders	1124.5	Portable ladders not extended 3' above landing area
Part 6 – PPE	624.1	No eye protection (i.e. cutting/grinding/drilling/sanding)

Patty Meyer, Director  
Construction Safety & Health Division  
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## Crane Operator Certification Extended to Nov. 10, 2017

On May 22, 2013, OSHA announced their intent to extend the compliance date for crane operator certification an additional three years. In order for MIOSHA to issue a similar extension, a rule change would need to be promulgated.

In recognition of the federal OSHA action, MIOSHA will issue a Notice of Potential Hazard between now and November 10, 2017 for non-compliance with Rule 1008a (9)(a), Part 10 Lifting and Digging Equipment, which establishes November 8, 2014 as the deadline for crane operators to be certified. MIOSHA will continue to enforce all other rules pertaining to operator qualification and certification in Rule 1008a.

For additional information please visit the MIOSHA website at [www.michigan.gov/miosha](http://www.michigan.gov/miosha).

## GENERAL INDUSTRY UPDATE

# OSHA's New Mobile App: Heat Safety Tool

In summer, it is critical for employers to be aware of the dangers of heat-related illnesses. In 2011, there were 61 employees who died on the job in the U.S. due to environmental heat. One way to stay informed of the heat-related dangers in your area is to download OSHA's new mobile app, Heat Safety Tool.

The app allows users to calculate the heat index for their area, by entering the temperature and humidity. Then the app explains the precautions needed at that heat index. The app is for outdoor workers but can be used by workers in factories, kitchens, and hot indoor envi-

ronments. The app also gives the signs and symptoms of heat illnesses, first aid instructions, and OSHA contact information.

The high air temperature, high humidity, and working in direct sunlight can lead to a range of heat-related illnesses from heat rash to heat stroke, which can be fatal. Employers need to train their employees and supervisors on the early signs and symptoms of heat illness and control measures. The three key measures are drinking plenty of water, rest breaks, and shade. If employees start to feel light headed, dizzy, or they stop sweating and

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their skin becomes hot, seek medical attention immediately.

All OSHA publications for the "Water.Rest.Shade." campaign, including the app, can be found on the OSHA webpage [www.osha.gov/heat](http://www.osha.gov/heat)

