

# MIOSHA news

First Quarter 1975 Vol.1 No.1

## MIOSHA BEGINS

The Legislature expressed its purpose in enacting MIOSHA by stating that, "The safety, health and general welfare of employees are primary public concerns. The Legislature hereby declares that all employees shall be provided safe and healthful work environments..." (Section 9).

The Michigan Department of Labor's Bureau of Safety and Regulation realized its goal of obtaining an approved State Plan for Occupational Safety and Health from the Federal Government and also the necessary legislation to support the Plan in the 1973-1974 fiscal year.

The development of the State Plan began in October 1971 and Federal approval was received on September 24, 1973.

The supporting legislation was introduced in the House of Representatives, House Bill 4861, on June 6, 1973 and in the Senate on June 12, 1973. Senate Bill 698. Governor Milliken signed the Michigan Occupational Safety and Health Act (MIOSHA) Act 154, Public Acts of 1974, on June 18, 1974.

The Michigan Occupational Safety and Health Act enables the State of Michigan to administer and enforce its own occupational safety and health program.

The legislation signed by Governor Milliken on June 18, 1974, went into effect January 1, 1975. The Assistant Secretary of Labor in Washington, D.C., by publication in the February 28, 1975 issue of the Federal Register, approved MIOSHA and also approved the inter-departmental agreement between the Michigan Department of Labor and the Michigan Department of Public Health through which both departments administer MIOSHA.

Many of the provisions of MIOSHA are similar to the federal Occupational Safety and Health Act. Such similarity is not accidental, but required by the federal government when it granted authority to states for their own safety and health programs.

MIOSHA applies to all employers, whether private or public, who have one or more employees. The two exceptions to coverage are domestic employment (household help) and mines.

The Michigan Department of Labor is charged with the responsibility of administering and enforcing MIOSHA with respect to occupational safety, and the Michigan Department of Public Health is responsible for occupational health matters under MIOSHA. (Section 13).

MIOSHA provides for three, nine-member, standards-setting Commissions: general industry, construction and occupational health. These Commissions, appointed by the Governor and composed of representatives from management, labor and the public, have the authority to promulgate, modify, or revoke occupational safety and health standards. They are assisted by advisory committees which are made up of representatives of interests affected by the particular standard that is being considered. (Sections 15, 18, and 23).

Finally, there is a seven-member Board of Health and Safety Compliance and Appeals, which hears appeals from employers and employees concerning citations that are issued by the department enforcing the provisions of the Act. (Section 46). The Board is appointed by the Governor, with three members representing labor, three representing management, and one the public. The membership must be composed of individuals with experience in one or more of the following areas: construction, general industry, or occupational health.

# Governor Makes Appointments To Offices

Gov. William G. Milliken has made the following appointments to office. They are subject to Senate confirmation.

## OCCUPATIONAL SAFETY STANDARDS COMMISSION

Dr. Dewey F. Barich, The Detroit Institute of Technology, representing the general public, for a term expiring March 26, 1977.

Albert W. Blackmon, Mechanical Design and Engineering Company, management representative, for a term expiring March 26, 1978.

Francis J. Dery, Ford Motor Company, management representative, for a term expiring March 26, 1977.

Paul M. Hansen, Continental Insurance Company, management representative - public employers, for a term expiring March 26, 1978.

Richard Nolan, Advanced Stamping, management representative of a company of 200 or fewer employees, for a term expiring March 26, 1976.

Francis J. Rapp, United Auto Workers of America, labor representative, for a term expiring March 26, 1978.

John Sadvery, United Steelworkers of America, AFL-CIO, labor representative, for a term expiring March 26, 1978.

Conrad F. Springer, Michigan Council No. 7 - A.F.S.C. & M.E. Union, labor representative - public employees, for a term expiring March 26, 1977.

Nicholas C. Vrataric, United Papermakers and Paperworkers, AFL-CIO, labor representative, March 26, 1976.

## HEALTH AND SAFETY COMPLIANCE AND APPEALS BOARD

James P. Malley, International Brotherhood of Electrical Workers, Local 58, labor representative (construction industry), for a term expiring March 18, 1976.

Edward J. McNamara, United Steelworkers of America - District 29, AFL-CIO, labor representative (health industry), for a term expiring March 18, 1977.

Dr. Richard G. Pfister, Michigan State University, chairman and a public member, for a term expiring March 18, 1979.

George M. Van Peurse, Michigan Manufacturers Association, management representative (general industry), for a term expiring March 18, 1978.

William E. Stewart, Associated General Contractors, management representative (construction industry), for a term expiring March 18, 1977.

George W. Strugs, Jr., United Auto Workers - Social Security Dept., labor representative (general industry), for a term expiring March 18, 1978.

Paul F. Woolrich, Upjohn Company, management representative (health industry), for a term expiring March 18, 1976.

## CONSTRUCTION SAFETY STANDARDS COMMISSION

Stanford D. Arnold, Michigan State Building & Construction Trades, labor representative - construction at employee level, for a term expiring March 18, 1978.

William W. Bowman III, Thompson-Brown Company, management representative - construction at management level, for a term expiring March 18, 1977.

Daniel Diamond, International Brotherhood of Electrical Workers, Local 58, labor representative - construction at employee level, for a term expiring March 18, 1978.

John S. Edison, Croton Development Company, management representative - public employers, for a term expiring March 18, 1978.

Michael Harrison, Ingham County Corporation Counsel, member-at-large representing the general public, for a term expiring March 18, 1977.

Jack L. Korb, A. J. Etkin Construction Company, management representative - construction at management level, for a term expiring March 18, 1976.

Dorvil T. Shank, A.F.S. & M.E., AFL-CIO Metropolitan Council No. 23, labor representative - public employees, for a term expiring March 18, 1976.

Lonnie West, Ironworkers Local 25, labor representative - construction at employee level, for a term expiring March 18, 1977.

Gordon N. Yager, Rowen & Blair Electric Company, management representative - construction at management level, for a term expiring March 18, 1978.

## OCCUPATIONAL HEALTH STANDARDS COMMISSION

Appointments to the commission were not made as of the date of this publication.

# Variations Granted

The following are the variations granted by the respective divisions during the period January 1, 1975 through March 31, 1975.

### GENERAL INDUSTRY SAFETY DIVISION

Teledyne Electro Finishing, Grand Rapids  
FLOOR & WALL OPENING STAIRWAY & SKY-LIGHTS

R408.10219: Plating tanks 29-inches high and of narrow enough width to prevent an employee from falling into them will be allowed to continue in use without installing additional barrier.

Fruehauf Corporation-Research Development, Detroit  
POWER PRESSES

R408.12321: One hydraulic press used as a straightening press and only on prototype work, will be allowed to be used with one hand control provided the free hand remains remote from the point of operation.

Fruehauf Corporation-Research Development, Detroit  
GENERAL RULES

R408.10034(3): One press brake used for maintenance and prototype work may be used without guards or devices provided that when the operator's hands are within four inches of the point of operation, hand tools will be used.

Valley G.M.C. Sales, Inc., Saginaw  
GUARDS FOR POWER TRANSMISSION

R408.10727(1): Air compressors allowed to be operated within an enclosure provided doors are electrically interlocked to shut off both compressors when the doors are open. Restart of compressor must be from outside the enclosure after door is closed.

Molle Wood Products, Warren  
WOODWORKING MACHINERY

R408.12730(1): Allowing the installation of box type guard which prevents exposure of employee to saw blade.

Will-Flow Corporation, Charlevoix  
Buhr Machine Tool Corporation, Ann Arbor  
OVERHEAD AND GANTRY CRANES

R408.11859(2): The hooker directing the lift on cranes is not required to wear head protection provided the load is not lifted above his head.

Kenward Gage & Engineering Co., Bronson  
METALWORKING MACHINERY

R408.12622: Surface grinders with magnetic chucks operated and located in a manner that building wall serves as a guard to be allowed without additional guards or interlocking.

Associated Spring Corporation, Plymouth  
METALWORKING MACHINERY

R408.12650: Multiple slide machines are allowed to be operated if equipped with full enclosure presence sensing safety device.

Melchecks, Inc., Reese  
CONVEYORS

R408.11433(3): Fifteen foot conveyor allowed to have stop and start buttons at each end provided only one employee is allowed to work at conveyor.

Hygrade Food Products Corporation, Livonia  
CONVEYORS

R408.11441: Auger conveyor allowed to be operated without conveyor guard provided operator has two hand constant pressure control switches located eight feet from the auger opening and the auger opening is not accessible to other employees.

Acromatic Tool Co., Troy  
Acar Broach, Warren  
Dimatic Corporation, Detroit  
ABRASIVE WHEELS

R408.10121(1)(2): Surface grinder allowed to be operated with a 180 degree adjustable guard which may be opened for wheel dressing.

Buhr Machine Tool Corporation, Ann Arbor  
ABRASIVE WHEELS

R408.10121(1)(2): Allow the installation of a retractable guard for use in performing specific and specialty grinding operations.

Stearns-Stafford, Inc., Lawton  
Perforated Tubes, Inc.  
Murray Tool & Engineering, Inc., Fraser  
Industrial Steel Treating Company, Jackson  
Inter-City Trucking Service, Inc., Detroit  
Fraser Machine Products Company, Fraser  
Fruehauf Corporation-Research & Development, Detroit

Clark Equipment Company, Jackson  
Accurate Tool & Machine Corp., Howell  
Apollo E.D.M. Company, Fraser  
Tru Die Cast Corporation, New Troy  
Oak Packing Incorporated, Detroit  
McFarland's Sports Center, Mt. Pleasant  
Hard Chrome Plating Company, Grand Rapids  
Georgia Pacific Corporation, Kalamazoo  
Gay Hose Div. Smith Monroe Company, Niles  
**POWERED INDUSTRIAL TRUCK STANDARD**  
R408.12143: Allow high lift powered industrial truck(s) to be operated without overhead canopy guard under the following conditions:

- (a) No stacking or handling material over operator's head
- (b) trucks are not used in area where materials are stacked over operator's head
- (c) sign installed on truck with specific operator instructions.

#### CONSTRUCTION INDUSTRY SAFETY DIVISION

The Austin Company (Upjohn Research Lab. - Kalamazoo)  
**STEEL ERECTION**  
R408.42603(2): To allow the lapping of plank overhead steel beams of a minimum of 12 inches and place plywood over the lap in lieu of the butt joints.

Clark Construction Company (Waverly Administration Center - Lansing and Gyer Park Community Center - Lansing)  
**FIRE PROTECTION & PREVENTION**  
R408.41829(1): To allow storage of L.P. Gas Containers within the interior of the buildings under controlled conditions.

G. R. Industrial Painting Company (General)  
**FIRST AID**  
R408.40501(1): Accept an employee from another contractor who is a qualified first aid man to render first aid in lieu of this contractor furnishing, under agreed conditions.

Klug & Smith Company (Steel Tank Construction - Ludington)  
**GUARDRAILS; RUNWAYS, RAMPS AND STAIRWAYS**  
R408.42105(1): To allow the barricading of an area beneath the scaffold in lieu of toeboards.

County of Ottawa - Board of County Road Commission (Ottawa County)  
**MOBILE EQUIPMENT**  
R408.41306: To allow the use of mobile equipment without rollover protection to allow time for acquisition and installation of the equipment.

Mississippi Valley Erection (Pontiac Stadium - Pontiac)  
**LIFTING & DIGGING EQUIPMENT**  
R408.41012(2): Reference ANSI B30.5 - 1968 Chapter 5 - 3.2.3 (e). To allow the use of a crane to transport ironworkers to work elevation not accessible with ladders under controlled conditions.

Brown Brothers, Inc. (Bridge Job - Lansing)  
Darin & Armstrong, Inc. (Huron Cement Plant - Alpena)  
Klug & Smith Company (Steel Tank Construction - Ludington)  
Michigan Boiler & Engineering (Detroit Edison Powerhouse - St. Clair)  
Michigan Boiler & Engineering (Consumers Power Plant - Essexville)  
Riley Stoker Corporation (Karnes Power Plant - Essexville)  
**LIFTING & DIGGING EQUIPMENT**  
R408.41012(2): Reference ANSI B30.5 - 1968 Chapter 5 - 3.2.3 (e). To allow the use of a steel cage work platform for two (2) employees. Cage attached and moved with a crane under controlled conditions.

#### DIVISION OF OCCUPATIONAL HEALTH

No variances were granted by the Division of Occupational Health during the first quarter of 1975.

#### REPORT FATALITIES AND CATASTROPHES TO 24-HOUR ANSWERING SERVICE IN LANSING

The Michigan Department of Labor now has a 24-hour automatic telephone answering service in Lansing to receive notification of fatalities and catastrophes. The phone number is 517/485-3448.

Section 61(1) of Act 154 requires that "the employer shall notify the department of labor within 48 hours of a fatality or any hospitalization of 5 or more employees suffering injury from the same accident or illness from exposure to the same health hazard associated with their employment."

## MIOSHA NEWS

MIOSHA NEWS is a quarterly newsletter published under the authority of the Michigan Occupational Safety and Health Act (Public Act 154 of 1974) by the Safety Education and Training Division, Bureau of Safety and Regulation, Michigan Department of Labor, 300 E. Michigan Ave., Lansing, Michigan 48926.

Anyone wishing to receive MIOSHA NEWS free of charge should write to the Michigan Department of Labor at the above address or to the Michigan Department of Public Health, 3500 N. Logan St., Lansing, Michigan 48914.

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