



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
MARTHA YODER
DIRECTOR

STEVEN H. HILFINGER
DIRECTOR

CONSTRUCTION SAFETY STANDARDS COMMISSION MEETING

August 15, 2012- 9:30 A.M.
State Secondary Complex, General Office Building
1st Floor, Conference Room B, Lansing, Michigan

MINUTES

COMMISSIONERS PRESENT:

Gregg Newsom
Timothy Bedenis
Joe Gillespie

Mark Bulthuis
Valerie Bradley
Tapan Datta

Jack O'Donnell, Vice Chairperson
Don Hiltunen

COMMISSIONERS ABSENT:

Kathleen Dobson, Chairperson

DEPARTMENT PERSONNEL PRESENT:

Martha Yoder, MIOSHA Director
Ron Ray, MIOSHA Management & Technical Services Division Director
Debbie Merryfield, MIOSHA Standards Departmental Analyst
Toscha Densmore, MIOSHA Standards Secretary
Paul Wrzesinski, MIOSHA Construction Safety and Health Division Safety Manager

VISITORS

Robert Bonack, OSHA Lansing Area Director
Sandy Philips, Consumers Energy

Elias Olague, City of Grand Rapids

Mission statement

The mission of the construction safety standards commission is to provide the leadership and vision necessary to ensure a safe work environment for the Michigan construction community.

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.

It is our vision that we become a national leader in safety for industry by incorporating the changing needs of new technologies and methods into our standards.

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STANDARDS SECTION, MANAGEMENT & TECHNICAL SERVICES DIVISION
7150 HARRIS DRIVE • P.O. BOX 30643 • LANSING, MICHIGAN 48909
www.michigan.gov • (517) 322-1851

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Agenda Item #1 - Call to Order, Roll Call

The August 15, 2012, Construction Safety Standards Commission meeting was called to order at 9:34 a.m. by Commissioner O'Donnell. A roll call was taken and a quorum was present.

Agenda Item #2 - Approval of Minutes from May 16, 2012, Meeting

A motion was made by Commissioner Gillespie and was seconded by Commissioner Newsom to approve the minutes of the February 15, 2012, meeting. **MOTION CARRIED UNANIMOUSLY.**

Agenda Item #3 – MIOSHA Update – Martha Yoder, Director, MIOSHA

Ms. Martha Yoder provided a brief update on the Office of Regulatory Reinvention (ORR) project. A few rules that MIOSHA had concerns with are being evaluated by the ORR for possible elimination of the recommendation from the committee. Ms. Yoder recommended if the commissioners have any concerns, they voice them as soon as possible so that they can be reviewed. In regards to the recommendations of abolishing the commissions, these have not been presented as bills as they are awaiting sponsorship from the Senate or House. MIOSHA will continue to update the commissions as information is made available.

MIOSHA held our 8th Take a Stand Day (TASD) on August 8, 2012. A total of 225 requests were received. The record for requests is 249, and MIOSHA hopes to top that number in future years. TASD is a day that MIOSHA compliance officers, managers, supervisors, and consultants inspect establishments on a consultative basis. No fines are assessed on TASD.

The Occupational Safety and Health State Plan Association (OSHSPA) meeting will be held in September and MIOSHA will be hosting the meeting. The meeting will be held in downtown Detroit. All state plans get together to share information and get updates from OSHA. At the last OSHSPA meeting, which was held in Alaska at the end of May, it was discussed that a number of rules are in the process of being worked on. These rules are in regards to backing operations, reinforced and post tension steel construction, and confined space for construction. It is anticipated that the changes should be made available for comments around November. Also discussed were directives that will affect Michigan. Those included are Highway Workzones, Cranes & Derricks, PPE assessments, Guidance for working in attics, and Constructing walls.

MIOSHA has been working on the Global Harmonization changes for the Hazard Communication standards. It appears that revisions will need to be made to multiple MIOSHA standards as a result of the updates made to the Hazard Communication standards.

MIOSHA Leadership Institute (MLI) is currently being held and Mr. Dan Dykstra is in charge of the program. Mr. Dykstra is not in attendance today because he is attending and putting on the classes. The program is currently offered to MIOSHA staff only.

Federal OSHA has completed the financial audit of the MIOSHA 23g program and 21d program, they found the funding is properly being used and there are no significant financial issues. MIOSHA has also received the finalized Federal Annual Monitoring Evaluation (FAME) report from OSHA.

Agenda Item #4 – Management and Technical Services Division Update – Ron Ray, Director MTSD

Mr. Ron Ray provided an update on the budget within MIOSHA. Funding received for FY 12 will be depleted. Funding for FY 13 appears to be equal to that received for FY 12. MIOSHA is looking at ways to save money, as a major portion of the budget is going to go towards pay raises, retirement and health benefits.

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MIOSHA is currently finishing review of the applicants for Consultation, Education, and Training grants. MIOSHA focuses on awarding grants to non-profit outside entities to focus on areas we do not have a strong presence in. Some examples provided were high school students, agriculture, and those with disabilities.

MIOSHA hopes to finish the construction safety video by the end of 2013. There is currently already one for manufacturing and this one would be all the major sections for safety and health in construction. The project has been ongoing for approximately the last 5 years. The filming is being done at Disney studios. The video will be available for free and will be available online. After each module of the video, there will be a quiz.

MIOSHA is starting to work on the strategic plan for the next five years. Three focus groups are being created with between 10-15 people on each group. The three groups are: Labor, Construction, and General Industry. MIOSHA has three partners to help host these events. For the Labor focus group, Operating Engineers in Howell; for the Construction focus group, Michigan Infrastructure Transportation Association (MITA); and the General Industry focus group will be hosted by Michigan Manufacturers Association (MMA) in Lansing. All three meetings will be held at the end of October. Mr. Daniel Dykstra will be heading these meetings up. The focus groups will meet and provide feedback/suggestions on what is needed for the next strategic plan. This information will then be brought back to our Strategic Plan Initiative (SPI) team, for review to draft a plan. The plan will be drafted and will then be presented to a MIOSHA Stakeholders group for additional feedback. The plan will then be finalized based on the input from the Stakeholders. The finalized plan has to be submitted to Federal OSHA by June of 2013.

Agenda Item #5 - Standards Section Update – Ron Ray, Director MTSD

Mr. Ray provided a brief update on the progress of the Standards Section. Mr. Ray provided a handout of a link available on the MIOSHA Standards website page in regards to keeping updated on the standards revisions due to the ORR recommendations. Mr. Ray reminded the commissioners that public hearings are not required for these changes. Mr. Ray pointed out that CS Part 10 has been publicized in the Michigan Register today, August 15th. Mr. Ray reminded the commission to make sure they provide input on any of the revisions seen in the Michigan Register.

A brief discussion was held in regards to how MIOSHA is getting this information out to the public. Mr. Ray pointed out that information is available on our website, on our Facebook page, through Twitter, and through the MIOSHA ListSrvs.

All of the Construction standards affected by the ORR recommendations have been submitted to ORR with the exception of Part 30 which will be going down shortly. All of the General Industry standards affected by the ORR recommendations have also been submitted. The Occupational Health standards are still being worked on. Recommendation #5 is still waiting to be worked on. It covers reinstating the confined space rules for agriculture.

Outside the ORR recommendations, the standards section is also working on CS Part 22, Signals, Signs, Tags, and Barricades and CS Part 32, Aerial Work Platforms. Both standards are in the process of being updated due to the MMUTCD being updated. MIOSHA is currently working on the regulatory impact statements for these rule sets. CS 42, Hazard Communication is being updated due to the adoption of the global harmonization system.

Agenda Item #6 – Construction Safety & Health Division (CSHD) Update – Paul Wrzesinski, CSHD Manager

Mr. Paul Wrzesinski provided an update from the CSHD. The CSHD has investigated 5 fatalities in CY 2012. Three of the fatalities were fall-related, one electrocution, and one struck-by. A brief discussion was held in regards to one of the fatalities involving a fall while working on the Ambassador Bridge. There are no new significant enforcement cases since the last meeting.

Four new CSDH Fact Sheets have been released this year: Portable ladder safety; Erecting and dismantling scaffolds – is fall protection required?; Methylene chloride – bath tub refinishing operations; and MIOSHA and EPA lead rules: What's the difference?

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Mr. Wrzesinski provided a few comments on the ORR update. MIOSHA is continuing to work on keeping the public updated on the status of the ORR recommendations. The use of the MIOSHA website, E-News, Facebook, and Twitter are all being used to provide updates.

Ongoing partnerships in construction include five that are currently active, one that is close to being re-signed, and 13 that are complete. Currently active include: Detroit Edison – Monroe Power Plant Environmental Controls Project; Pioneer Construction Company – Grand Valley State University Mary Idema Pew Library; Christman Company – Reo Town Plant Electric-Steam Generation Facility; Barton Malow Company – St. Joseph Mercy Oakland Hospital Campus Regeneration Project; and Walbridge/dck Joint Venture – Wayne County consolidated jail facility project. A partnership with Christman/Kraus-Anderson on the Four Winds New Buffalo Expansion Project has recently completed, but a new signing for a facility in Dowagiac is currently being worked on and it is anticipated will be signed in September.

Agenda Item #7- Old Business

None

Agenda Item #8 – New Business

None

Agenda Item #9 – Public Comment

No public comment.

Agenda Item #10 – Next meeting

The next Construction Safety Standards Commission meeting will be held on Wednesday, November 7, 2012, 9:30 a.m., General Office Building in Lansing, Conference Room B.

Agenda Item #11 - Adjournment

With no further business before the Commission, a motion was made by Commissioner Newsom and seconded by Commissioner Bulthuis to adjourn this meeting. **MOTION CARRIED UNANIMOUSLY.**

Jack O'Donnell, Vice-Chairperson

Date