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WHAT'S HAPPENING

Michigan Worker Deaths of 2015

The 26th and 27th Michigan worker deaths of 2015 occurred on November 7, 2015, and November 10, 2015. Employers and employees are urged to use extreme care and safety diligence in all work activities.

Summary of incident #26: On November 7, 2015, at approximately 9:00 a.m., a 47-year-old laborer was working in an excavation approximately 6.5 feet deep when the sides of the excavation caved in on him.

Summary of incident #27: On November 10, 2015, at approximately 11:25 a.m., employees were trying to load a bull into a trailer when the bull got away from them and ran into a nearby barn. Once in the barn, the bull attacked a 60-year-old herdsman, slamming into his chest several times resulting in fatal injuries.

There were 37 MIOSHA-related deaths in 2014. 2009 saw the lowest number with 24. Every life is precious. Our mutual goal must be that every employee goes home at the end of their shift every day!

If you need help or assistance in ensuring your workplace is safe, MIOSHA is here with resources to help. The Consultation Education & Training (CET) Division provides workplace safety and health training and consultations to employers and employees throughout Michigan free of charge. Contact CET today at 800-866-4674 or submit a request [online](#).

MIOSHA YouTube Channel

Have you checked out our MIOSHA [YouTube](#) channel yet? If not, be sure to do so and subscribe to get all the latest videos.

Please subscribe and share our channel with your colleagues, friends, and family to help us spread the message of workplace safety and health!

Michigan Asbestos Training: What Regulatory Agencies Are Involved?

In Michigan, training is required by three different state agencies when asbestos is handled, removed, and transported as a hazardous waste.

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The Department of Licensing and Regulatory Affairs, MIOASHA Asbestos Program, requires that asbestos supervisors (competent person) and workers be trained as specified by the Asbestos Workers Accreditation Act (Act 440 of 1988) and the MIOASHA asbestos regulations for general industry (Part 305) and construction (Part 602). For more information about training requirements, contact the MIOASHA Asbestos Program at 517-284-7680 or visit their website at www.michigan.gov/asbestos.

The Department of Environmental Quality, Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP) Program requires at least one trained supervisor be present when asbestos-containing material is stripped, removed, disturbed, or otherwise handled. Additional information is available at www.epa.gov/asbestos and www.michigan.gov/air.

Asbestos, transported for disposal as a hazardous material, is regulated under 49 CFR Parts 100-185. The Hazardous Materials and Investigations Unit of the MSP is responsible for enforcing these U.S. Department of Transportation's regulations regarding shipping and transporting of packaged materials by highway. Employers are required to certify and document that employees who transport asbestos receive training. Questions related to the transportation of asbestos can be addressed by the U.S. Department of Transportation's Hazmat Information Center at 202-467-4922. Additional information is available at <http://phmsa.dot.gov/hazmat>.

Common Questions for the Wage & Hour Program

The Wage and Hour Program enforces Act 390 Michigan Payment of Wage and Fringe Benefits, the Workforce Opportunity Wage Act (minimum wage and overtime law) and Act 166 Prevailing Wage on State Funded Construction Projects. Wage and Hour receives about 130 calls per day. Callers with technical questions are referred to speak with the Wage and Hour investigator on phone duty.

How many hours a day can an employer have me work without a break or a lunch?

None of the laws enforced by Wage and Hour require a break or lunch for an employee over the age of 18. Questions about breaks for employees under the age of 18 should be referred to the Michigan Department of Education at 517-335-6041.

I quit my job or was fired from my job. When should I receive my paycheck?

When an employee quits or is fired wages should be paid on the next regular payday. Employees involved in hand harvesting that are fired must be paid within one day.

When is minimum wage going up?

On January 1, 2016, minimum wage will increase to \$8.50 per hour. 30 days before the increase, Wage and Hour will have the updated posters and handouts available.

I have unused sick or vacation days. Does my employer have to pay me for those days?

Vacation pay, sick pay, holiday pay, authorized expenses and bonuses are all defined as fringe benefits pursuant to the employer's written policy or written contract. Wage and Hour can only enforce what is in writing. If there is no written policy or contract, there is no requirement that these fringe benefits be paid.

How do I file a claim for unpaid wages, fringe benefits, minimum wage, overtime or prevailing wage?

Wage claims can be filed online at www.michigan.gov/wageclaim or by calling Wage and Hour at 855-464-9243 and asking for a claim form to be mailed. If an employee or an employer has questions about the three Acts enforced by Wage and Hour, they can call our office and speak to

an investigator or visit our website www.michigan.gov/wagehour.

Trench Right App

Excavation of trenches might seem simple but if you aren't using a trench box or shoring then your trench must be excavated in a way so that the angles of repose (the angle made between the sides of your trench and the level ground around it) are within the limits of the soil you are digging in.

Sound complicated? Don't worry, Trench Right makes these calculations super easy! Just enter in some information about your trench's dimensions as well as the soil type as well as your penetrometer's TSF reading and they'll do the rest. Developed by Ingenious Robot, Inc. and sponsored by the Michigan Infrastructure & Transportation Association (MITA).

Download the app from the [Google Play Store](#) or the [Apple Store](#).

AGENCY INSTRUCTIONS/MEMOS ISSUED

October 30, 2015 - [MIOSHA Safety and Health Management System \(SHMS\)](#)

MEDIA

October 18, 2015 - [MIOSHA Awards \\$867,000 in Grants to Nonprofits for Worker Protection](#)

November 19, 2015 - [MIOSHA, O'Brien Edwards Brinkmann Joint Venture form Partnership to Protect Workers on Detroit Mixed Housing Project](#)

All of the MIOSHA Press Releases can be viewed from our [website](#).

VARIANCES

Variations from MIOSHA standards must be made 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.

QUICK LINKS

[Asbestos Program](#)

[Ask MIOSHA](#)

[CET Request for Consultative Assistance Services](#)

[CET Training Calendar](#)

[Construction Safety & Health Division \(CSDH\)](#)

[General Industry Safety & Health Division \(GISHD\)](#)

[MIOSHA Recordkeeping](#)

[MIOSHA Standards](#)

[MIOSHA Training Institute \(MTI\)](#)

[Radiation Safety Section](#)

[Telephone, Mailing and Email Addresses](#)

[Wage & Hour Program](#)

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