

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE		EFFECTIVE DATE 12/17/2018	NUMBER 04.03.101
SUBJECT OCCUPATIONAL SAFETY AND HEALTH		SUPERSEDES 04.03.101 (10/24/2016)	
		AUTHORITY MCL 408.1001 et seq., MCL 791.203, MCL 791.204; 1974 PA 154 The Michigan Occupational Safety and Health Act (MIOSHA)	
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POLICY STATEMENT:

The Department shall provide for the occupational safety and health of employees and offenders Department-operated correctional facilities, who work wherever tools, machinery and other equipment are used.

RELATED POLICY:

- 01.03.110 Environmental and Waste Management Program
- 04.03.100 Preventative and Emergency Maintenance for Correctional Facilities
- 04.03.120 Fire Safety
- Occupational Safety and Health Manual

POLICY:

GENERAL INFORMATION

- A. CFA Assistant Deputy Directors (ADDs), FOA ADDs, the Administrator of the Offender Success Administration, and Wardens shall ensure that employees required to conduct inspections pursuant to this policy attend relevant Michigan Occupational Safety and Health Act (MIOSHA) training. Information on relevant MIOSHA training shall be made available to CFA and FOA ADDs, the Administrator of the Offender Success Administration, and Wardens by the Manager of the Environmental Health, Fire Safety and County Jail Services Section of the Physical Plant Division, and in conjunction with the Training Division, Budget and Operations Administration (BOA).
- B. The Manager of the Environmental Health, Fire Safety and County Jail Services Section shall maintain a manual identifying MIOSHA occupational safety and health criteria that employees and offenders are required to follow, including information on the following:
 - 1. Controlling hazardous energy sources;
 - 2. Applicable MIOSHA safety and health standards;
 - 3. Selecting and using personal protective equipment;
 - 4. Requirements for confined-space entry;
 - 5. Developing a respiratory protection plan including selecting and using respiratory protection equipment.
- C. The Manager of the Environmental Health, Fire Safety and County Jail Services Section shall ensure the Occupational Safety and Health Manual is available to all employees.
- D. All work area supervisors shall enforce applicable Occupational Safety and Health standards in their respective area(s) and ensure that offenders and employees working in their area have received the necessary training and proper equipment to complete their tasks.
- E. All employees shall report to their supervisor any recognized hazard and shall comply with MIOSHA standards regarding employee conduct.

OCCUPATIONAL SAFETY AND HEALTH PROGRAM ADVISORY COMMITTEE

- F. There is an Occupational Safety and Health Program Advisory Committee comprised of the Manager of the Environmental Health, Fire Safety and County Jail Services Section, the Department's Performance Audit Specialist, all BOA Fire Safety Supervisors, and BOA Sanitarians. The Committee also shall include at least one employee from the Bureau of Health Care Services (BHCS), CFA, FOA, Michigan State Industries (MSI) and the Training Division, as designated by the appropriate Deputy Director. The Manager of the Environmental Health, Fire Safety and County Jail Services Section shall chair the Committee. The Committee shall meet at least bi-annually and shall be responsible for addressing all occupational safety and health issues within Department facilities covered by this policy. Committee recommendations for changes in policy, procedure, or practice shall be sent to the BOA Deputy Director for review.

FACILITY OCCUPATIONAL SAFETY AND HEALTH COMMITTEE

- G. Each Warden shall appoint an Occupational Safety and Health Committee that will meet monthly. The Occupational Safety and Health Committee shall be chaired by a Deputy Warden, and shall include a designated Sanitation Specialist, facility Hazardous Material Control Coordinator, and at least one employee representing each of the following: physical plant, Health Care, vocational trades (if applicable), each collective bargaining unit represented at the facility, and, if applicable, food service and Michigan State Industries (MSI). Each BOA Fire Safety Inspector serves on their respective committee in an advisory capacity. Meeting minutes shall be forwarded to the Warden each month.
- H. Occupational Safety and Health Committee members shall be responsible for coordinating/reviewing occupational safety inspections as required by this policy and shall be familiar with relevant MIOSHA occupational safety and health requirements for their respective facilities. They also shall be responsible for establishing and maintaining a documentation system for such inspections.

INSPECTIONS/REPORTS

- I. In correctional facilities operated by the Department, Occupational Safety and Health Committees shall conduct occupational safety inspections of randomly selected potentially hazardous areas within their respective facilities at least monthly. In FOA, the safety inspections shall be conducted in accordance with a schedule developed by the FOA Deputy Director or designee in conjunction with the Manager of the Environmental Health, Fire Safety and County Jail Services Section. A report shall be prepared identifying all MIOSHA violations found and corrective action taken, using the Job Safety Inspection Checklist - Weekly/Random Monthly (CAJ-944). Inspections of potentially hazardous areas within the facility shall be conducted and reported as set forth in Paragraphs J and O.
- J. Each Occupational Safety and Health Committee shall ensure that an annual occupational safety and health inspection of each potentially hazardous area within their respective facilities in which tools, machinery or other equipment are used is conducted by the BOA Fire Safety Supervisors. If a BOA Fire Safety Supervisor is not available to conduct the inspection, the Department of Licensing and Regulatory Affairs (LARA/MIOSHA) shall be requested to conduct the inspection. If LARA/MIOSHA cannot conduct the inspection, the CFA or FOA ADD, Administrator of the Offender Success Administration, or Warden, as appropriate, shall contract to have the inspection performed. The Manager of the Environmental Health, Fire Safety and County Jail Services Section shall maintain a list of employees and contractors qualified to conduct such inspections. The CFA or FOA ADD, Reentry Administrator, or Warden, as appropriate, shall ensure that any deficiencies noted during the annual occupational safety and health inspection are addressed on a Facility Inspection Response Report (CRX-113) and corrected in a timely manner.
- K. LARA/MIOSHA may conduct occupational health and safety enforcement inspections of Department facilities upon its own initiative. The following employees shall be notified through the appropriate chain of command whenever information is received that an inspection will occur or has occurred:
1. The Deputy Director;
 2. The ADD;

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3. The Administrator of the Offender Success Administration;
4. The Michigan Department of Corrections (MDOC) Occupational Safety and Health Coordinator;
5. The Manager of Environmental Health, Fire Safety, and Jail Services;
6. The Environmental Sanitarian;
7. Fire Safety Supervisor;
8. BOA Fire Safety Inspector; and
9. The Administrator of the Office of Legal Affairs.

Note: See section 8 of the MDOC Occupational Safety and Health (OSH) Manual for additional information on MIOSHA inspections.

- L. Whenever a MIOSHA violation is found which poses a substantial risk of death or serious physical harm, the supervisor or Occupational Safety and Health Committee shall stop all work in the immediate area of the violation and notify the ADD, Administrator of the Offender Success Administration, or Warden, as appropriate, of this action as soon as possible. The ADD, Administrator of the Offender Success Administration, or Warden shall ensure that corrective action is completed prior to work resuming in that area. The Occupational Safety and Health Committee shall identify such incidents in the monthly committee report submitted pursuant to Paragraph G.

POTENTIALLY HAZARDOUS AREAS WITHIN A FACILITY

- M. Each Facility Occupational Safety and Health Committee shall prepare a risk assessment to identify potentially hazardous areas in their respective facilities on at least an annual basis. A potentially hazardous area is an area where a high risk of death or serious injury exists (e.g., MSI factory operations, food service, warehouse, Health Care and maintenance shops). Upon request, the Manager of the Environmental Health, Fire Safety and County Jail Services Section shall assist in the identification of potentially hazardous areas.
- N. Each supervisor of a potentially hazardous area shall be familiar with required MIOSHA standards for his/her respective areas. Supervisors shall ensure all machinery, equipment, tools and personal protective equipment are used properly, and that all required safety devices are in place and functional. All employees and offenders working in such areas must properly use required safety and personal protective devices.
- O. BOA Fire Safety Inspectors shall conduct a monthly safety inspection for all facilities to which they are assigned. Results of the inspection shall be recorded on the Monthly Safety Inspection Checklist (CAJ-943). The CAJ-943 shall be submitted to the Facility Occupational Safety, Health Committee, and the Warden.
- P. Supervisors of potentially hazardous areas shall enforce applicable MIOSHA standards in their respective areas. They shall be alert for safety hazards and take steps to replace or repair any missing, malfunctioning or non-operating safety devices. They shall remove immediately from use machines, tools, equipment, and personal protective equipment that are unsafe due to missing safety devices, damage or excessive wear. They also shall instruct each offender and employee under their supervision in the safe handling and operation of equipment and tools and require them to properly use required safety and personal protective equipment.
- Q. Offenders and employees who refuse to properly use required safety and personal protective equipment, or to follow applicable MIOSHA standards after being directed to do so, shall be removed immediately from the assignment pending investigation. Offenders may be subject to discipline pursuant to PD 03.03.105 "Prisoner Discipline," or PD 06.03.104 "Residential Reentry Program Facilities," as appropriate. Employees may be subject to discipline pursuant to PD 02.03.100 "Employee Discipline."

ORIENTATION AND TRAINING

- R. Supervisors shall ensure that all employees and prisoner workers in their respective area have received orientation and training to safely operate any assigned equipment, in accordance with applicable MIOSHA standards. Employees and prisoners shall not operate equipment until they have received safety orientation and training.
- S. Employee orientation and training shall be documented on the Individual Training Program Report (CAR-854) and forwarded to the Human Resource Developer (HRD) for entry into the Training Automated Documentation System (TADS). Additionally, an Employee Safety Training Record (CAJ-1018) shall be completed for each employee working in potentially hazardous areas. The CAJ-1018 form shall be retained by the supervisor for the duration of the employee's employment plus three years.
- T. Prisoner worker orientation and training shall be documented on the Prisoner Worker Safety Training Record (CAJ-900). This form shall be kept on file at the workplace for the duration of the prisoner's employment plus three years. Prisoners shall not start working on an assignment until prisoner worker orientation and training has been completed.

ACCIDENT/INJURY REPORTING

- U. The SOM Accident/Illness Report (CS-1846) shall be used to report accidents and illnesses for MDOC employees as instructed in the Occupational Safety and Health Manual. In CFA, all accidents resulting in serious injury to an employee shall also be reported on an Incident Report (CHJ-708) and accidents resulting in death shall be reported on a Critical Incident Report (CAJ-570). In FOA and the Offender Success Administration, accidents involving serious injury or death to an employee shall also be reported on a Critical Incident Notification (CFJ-144). Accidents resulting in the hospitalization of employees or a fatality shall be reported immediately to the Manager of the Environmental Health, Fire Safety and County Jail Services Section of the Physical Plant Division, and a detailed report shall be sent to MIOSHA within 8 hours for deaths and 24 hours for hospitalizations.
- V. Accidents involving prisoner workers shall be reported using the Prisoner Injury Report (CSJ-156) in accordance with PD 03.04.125 "Medical Emergencies."
- W. Accidents involving visitors or contractors shall be reported on a Visitor Accident Report (CAJ-243). In CFA, all accidents resulting in serious injury to a visitor or contractor shall also be reported on an Incident Report (CHJ-708) and accidents resulting in death shall be reported on a Critical Incident Report (CAJ-570). In FOA and the Offender Success Administration, accidents involving serious injury or death to a visitor or contractor shall also be reported on a Critical Incident Notification (CFJ-144). In addition, accidents involving contractors resulting in a fatality or hospitalization of their employees shall be reported immediately to the Manager of the Environmental Health, Fire Safety and County Jail Services Section of the Physical Plant Division, and to MIOSHA within 8 hours for deaths and 24 hours for hospitalizations.
- X. Employees shall report a safety/health hazard that may cause serious injury or illness to an individual and/or damage to equipment and property on the Occupational Safety and Health Report of Hazard (CAJ-614).
- Y. All near-miss accidents, as defined by MIOSHA, shall be investigated and recorded on the Occupational Safety and Health Close Call/Near-Miss Accident Report (CAJ-618) and shall be investigated by the supervisor.
- Z. When completing the Occupational Safety and Health Supervisor's Accident Investigation Report (CAJ-613), the investigation process shall be performed when medical treatment (beyond first aid) for injury/illness or property damage occurs in the workplace. This includes cumulative trauma disorders and other ergonomic-related injuries and illnesses that may not be the result of a single incident.

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OPERATING PROCEDURES

- AA. If necessary, to implement requirements set forth in this policy directive, Assistant Deputy Directors, the Administrator of the Offender Success Administration, and Wardens shall ensure that procedures are developed or updated. Operating procedures shall be submitted to the appropriate MDOC Sanitarian for review before issuance.

AUDIT ELEMENTS

- BB. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist with self-audit of this policy pursuant to PD 01.05.100 "Self-Audits and Performance Audits."

APPROVED: HEW 12/11/2018