

# MIOSHA

Consultation Education and Training (CET) Division  
Michigan Occupational Safety and Health Administration (MIOSHA)  
Department of Labor and Economic Opportunity (LEO)

## DIVISION INSTRUCTION

DOCUMENT IDENTIFIER:

CETD-ADM-17-1R2

DATE:

April 24, 2025

**SUBJECT: Michigan Voluntary Protection Program Policies and Procedures**

- I. Purpose. This instruction outlines the policies and procedures for the Michigan Voluntary Protection Program (MVPP) and revises and clarifies processes and procedures for administering and monitoring the program.
- II. Scope. This instruction applies to all MIOSHA Consultation Education and Training (CET) Division MVPP activities.
- III. References.
  - A. Agency Instruction MIOSHA-ADM-24-1, [Michigan Challenge Program](#), as amended.
  - B. American National Standards Institute (ANSI)/American Society of Safety Professionals (ASSP), ANSI/ASSP Z16.1-2022 Safety and Health Metrics and Performance Measures.
  - C. [Michigan Occupational Safety and Health Act](#), MCL 408.1001 et seq., P.A. 154 of 1974, as amended (The Act).
  - D. MIOSHA [Field Operations Manual](#), as amended (FOM).
  - E. [MIOSHA Strategic Plan FY 2024-2028 Summary](#).
  - F. [MVPP Application](#), as amended.
  - G. Occupational Safety and Health Administration Instruction CPL 02-00-164, April 14, 2020, [Field Operations Manual \(FOM\)](#).
  - H. Occupational Safety and Health Administration Instruction CSP 01-00-005, May 6, 2020, [State Plan Policies and Procedures Manual](#).
  - I. Occupational Safety and Health Administration Instruction CSP 03-01-004, July 30, 2015, [Special Government Employee \(SGE\) Program Policies and Procedures Manual for the Occupational Safety and Health Administration's \(OSHA\) Voluntary Protection Programs](#).
  - J. Occupational Safety and Health Administration Directive CSP 03-01-005, January 30, 2020, [Voluntary Protection Programs Policies and Procedures Manual](#).
- IV. Distribution. MIOSHA Staff; Federal OSHA; S-drive Accessible; MIOSHA Messenger.
- V. Cancellations. All previous versions of this division instruction.
- VI. Next Review Date. This instruction will be reviewed five (5) years from date of issuance.

VII. History. History of previous versions includes:

CET-ADM-17-1R1, October 15, 2020

CET-ADM-17-1, November 28, 2017

VIII. Contact. [Tarah M. Kile](#), Director CET.

IX. Originator. Tarah M. Kile, Director CET.

X. MVPP Overview. MVPP is a recognition and partnership program designed for both general industry and construction worksites that implement outstanding systems to manage worker safety and health. The managers, employees, and any authorized representatives at these sites voluntarily implement comprehensive safety and health management systems (SHMS) that go beyond basic compliance with MIOSHA standards.

The highest level of acknowledgement that can be achieved through the MVPP is the Star Award. Establishments that do not yet meet the rigorous requirements of the Star Program may qualify for the Rising Star Program. Rising Star sites have the desire and potential to achieve Star status in one to three years. Exemptions from programmed inspections are granted for both Star and Rising Star sites.

XI. Significant Changes.

A. Added language to specific exemptions.

1. One method that may be utilized to develop and implement leading performance indicators of a site's safety and health management system, would be to adopt ANSI/ASSP Z16.1-2022 Safety and Health Metrics and Performance Measures, or some other effective methodology. See Chapter XIII, Section B, Item 11.
2. A vetting process is utilized for employers applying for MIOSHA recognition and awards programs which will be submitted through a standard vetting process. See Chapter XIII, Section 17.

B. Removed Specific Exemption. Demonstration programs are no longer applicable. See Chapter XIII, Section B, Item 6.

C. Changed Specific Exemptions.

1. Adopted the National Voluntary Protection Program (VPP) Policy and Procedures Manual with the exception of the Michigan specific program elements listed in this instruction. See Chapter XIII.
2. There is now a second alternative method for calculating injury rates for qualifying small employers which allows the employer to use the best three out of the most recent four years, or a five-year moving average if the site has applicable injury and illness data. See Chapter XIII, Section B, Item 7a.
3. Onsite Evaluation. If deficiencies are noted at the conclusion of an onsite evaluation, a 30-day notice to abate all identified serious hazards will be

reported to the evaluated site. This reflects a change from a 90-day abatement requirement. See Chapter XIII, Section B, Item 10.

4. MVPP construction Star companies who have been in the program for multiple renewal cycles may have their reevaluation frequency extended from 24 months to five years. See Chapter XIII, Section B, Item 15.
5. Previously, there were two separate checklists in the appendices: one for the MVPP initial evaluations and one for MVPP reevaluations. The MVPP Initial and Reevaluation Process Checklists have now been combined into one process checklist noted in [Appendix B](#).

D. Updated Specific Exemptions.

1. Rising Star Program participants must now have injury and illness performance that meets that of the MVPP Star site. See Chapter XIII, Section B, Item 2.
2. Small employers are now classified as an employer of 250 or less employees working in a high hazard industry. See Chapter XIII, Section B, Item 7.

- XII. Background. The philosophy of MIOSHA has been to incorporate strong voluntary compliance programs along with fair enforcement efforts. The MVPP continues emphasis on the importance of worksite safety and health management systems (SHMS) in meeting the goals of the MIOSH Act, Public Act 154 of 1974, as amended, to provide safe and healthful work environments which are free from recognized hazards. The administering agency is MIOSHA.

The MVPP is implemented under Section 54 of the Act which directs the agency to develop and maintain education, training, and outreach programs which encourage employers and employees and their organizations in their efforts to reduce hazards, institute new programs, and improve existing programs in providing safe and healthy working conditions.

MIOSHA does not intend to increase the liability of any party in an approved MVPP site. Employees or any representatives of employees participating in the site's SHMS are not assuming the employer's statutory or common law responsibilities for providing a safe and healthful workplace or undertaking in any way to guarantee a safe and healthy work environment.

- XIII. Action. MIOSHA is adopting the Occupational Safety and Health Administration (OSHA) Instruction, Directive CSP 03-01-005, January 30, 2020, Voluntary Protection Programs (VPP): Policies and Procedures Manual, except for the modifications listed below:

A. General Exceptions.

1. Whenever the OSHA instruction references an OSHA occupational safety or health standard, the equivalent MIOSHA standard must be consulted instead. For example, the angle of repose listed in Construction Standard

Part 9, Excavation, Trenching, and Shoring, Table 1 as listed in Rule 408.40941(1), must be utilized in lieu of the angle of repose requirements listed in the equivalent OSHA standard, 29 CFR 1926.652(a).

2. Whenever the OSHA instruction references an OSHA instruction, the equivalent MIOSHA instruction must be consulted. Specific references that are to be used, instead of the OSHA referenced instructions, can be found in the Occupational Safety and Health Administration Instruction CPL 0200164 and MIOSHA Field Operations Manual, as amended (FOM).
3. Whenever procedures or policies in the federal instruction reference personnel, such as assistant secretary, regional administrator, VPP managers, etc., MIOSHA will refer to specific state resources to reflect MIOSHA personnel structure such as MVPP specialist, MVPP manager, CET director, and agency director.

B. Specific Exceptions

1. Star Program. The highest level of recognition awarded to MVPP applicants. Star sites have outstanding SHMS and have injury and illness rates at or below the industry average for the last three complete calendar years.
2. Rising Star Program. The program within the MVPP is designed for employers that have demonstrated the potential and commitment to achieve MVPP Star quality, but that need to further improve their SHMS before they can obtain Star status. The Rising Star Program provides the “stepping-stone” for those companies who have applied for the Star Program and have the desire and potential to achieve Star status. Injury and illness performance meets that of the MVPP Star site.
  - a) Term Completed. Rising Star participant has met all agreed-upon goals including Star requirements. Recommend Star Program participation.
  - b) Rising Star participant has not met all agreed-upon goals and/or Star requirements due to extenuating circumstances. Recommend continued Rising Star approval with new goals.
  - c) Rising Star participant has not met all agreed-upon goals including Star requirements and there are no extenuating circumstances. Recommend withdrawal from program.
  - d) All agreed-upon goals including the Star requirements have been reached earlier than expected. Recommend Star approval.
3. Merit. Facilities that meet the requirements of OSHA Merit will follow established policies and procedures of the MIOSHA Michigan Challenge Program (MCP).

4. Conditional Status. An interim level of MVPP participation when the Star participant has allowed one or more SHMS elements to slip below Star quality. Before a participant can be placed on a one-year conditional status, the participant must return its SHMS to Star quality within 90 calendar days of the evaluation visit and must verify that the system's elements have been maintained at full Star level for one year. When placed on conditional status, the participant will not receive a congratulatory letter until the conditional status is removed.
5. Corporate Voluntary Protection Program. Not applicable. MIOSHA MVPP sites are limited in participation to only high hazard industries that are covered by MIOSHA's Strategic Plan.
6. Demonstration. Not applicable. Companies that do not yet meet the rigorous SHMS requirements of the Star program. MIOSHA provides consultation services to enhance health and safety systems for companies that have the desire and potential to achieve Star status.
7. Small Employer. Classified as an employer of 250 or less employees working in a high hazard industry.
  - a) Small Employer Adjustment. An alternative method used for calculating incidence rates by using the best three out of the most recent four years' injury and illness experience, or a five-year moving average if the site has applicable injury and illness data.
  - b) Five-Year Moving Average. A succession of averages derived from successive segments of a series of values ([Appendix A](#)).
8. Injury and Illness. Injury and illness rates for MVPP Star and Rising Star sites must have injury and illness rates at or below the industry average for the last three complete calendar years. MVPP sites compare injury and illness incidence rates based on their respective North American Industry Classification System (NAICS) code industry average rate. Sites must review the Michigan NAICS code data and the OSHA Bureau of Labor Statistics (BLS) NAICS code data and use the data source that has the most significant numerical digits available.
9. Annual Self-Evaluation. The MVPP participant must annually evaluate the organization's safety and health efforts. This evaluation will determine success in meeting goals and objectives and will help those responsible to implement changes for continually improving worker safety and health protection. Site-specific annual self-evaluations are due March 1 of each calendar year.
10. Onsite Evaluation. If deficiencies are noted at the conclusion of an onsite evaluation, a 30-day notice to abate all identified serious hazards will be reported to the evaluated site. This reflects a change from a 90-day abatement requirement.

11. MVPP sites utilize metrics and performance measures as indicators to help measure progress toward goals and objectives. An exemplary safety and health management system should be in place for all MVPP sites. One method that may be utilized to develop and implement leading performance indicators of a site's SHMS, would be to adopt ANSI/ASSP Z16.12022 Safety and Health Metrics and Performance Measures, or some other effective methodology. This consensus standard defines requirements and expectations for organizations to establish effective measurement systems that assess safety and health performance, reduce risks, identify gaps in SHMSs and drive needed improvements. It applies to all organizations and provides flexibility based on their size, type of program, and level of organizational risk.
12. Change of Ownership. Whenever ownership or significant organizational changes occur that may impact the SHMS, the MVPP specialist shall discuss the changes with the site representative and schedule an onsite visit, if necessary, to evaluate the impact. The site will provide a new Statement of Commitment and Letter of Assurance signed by both management and any authorized collective bargaining agents and/or employee representative.
13. MVPP for Construction. Construction applicants must determine under which program they will apply for Star status; as a Fixed-Base Project, Mobile Workforce, or Resident Contractor.

Note: Fixed-Based Project construction applicants will combine their statistics with sub-contractors. The program includes controlling contractors who have the ability to establish an effective SHMS at the onset of a project, mobile workforce operations whose employees routinely move from site to site with varying work tasks and hazard exposures, and resident contractors.

- a) Applicants must have been in operation in the construction industry for at least three years. For controlling joint-venture applicants, each business entity must have been in operation for at least three years.
- b) Applicants may range from controlling employers, specialty trade contractors working in the capacity of a subcontractor, and resident contractors.
- c) On a Fixed-Base construction project site, the MVPP participation ends with the completion of the construction project.
- d) Except as indicated below, all general industry MVPP requirements apply to construction applicants. Fixed-Based project applicants will be considered for the MVPP using the following steps for approval:

- (1) Each applicant must have participated in a MIOSHA partnership in the last three years with injury and illness data at or below the applicable industry average.
  - (2) One or more MVPP worksite evaluation(s) will be conducted. The evaluation(s) will focus on verifying that the applicant's SHMS is meeting the program requirements.
  - (3) After a project is approved for MVPP, the applicant may be considered for MVPP for future construction projects.
14. Communication. The MVPP specialist will provide updates to Directorate of Cooperative and State Programs with general participant information regarding new and existing MVPP participants.
15. Reevaluation Timeframes. MIOSHA may adjust the site reevaluation timeframes based on site-specific SHMS and the availability of MIOSHA staff resources. For example, a MVPP construction Star company who has been in the program for multiple renewal cycles, may have their reevaluation frequency extended from 24 months to five years.
16. Award and Recognition.
  - a) Exemptions from MIOSHA compliance programmed inspections are granted for both Star and Rising Star sites.
  - b) MIOSHA management is encouraged to participate in MVPP site award ceremonies, including successful initial applications and reevaluations.
  - c) State of Michigan buyers and Joint Evaluation Committee members may consider MVPP as part of best value when evaluating bid proposals.
17. Vetting. Employers applying for MIOSHA recognition and awards programs will be submitted through a standard vetting process. Any related items needing follow up, will be sent to the employer to address and to update MIOSHA after the matter has been resolved. After MIOSHA has been informed of the resolution, the employer will be re-vetted, and the recognition and/or award approval process will proceed.

## **Appendix A Injury and Illness Rate Requirements**

### **Total Case Incidence Rates (TCIR) and Days Away, Restricted, or Transfer (DART) Rates**

As part of the initial application, MIOSHA expects to receive TCIR and DART rates for the most recent full calendar year, plus *company-only* rates (that include temporary employees) for the two prior calendar years. These three years of rates should reflect an applicant's nonfatal injury and illness experience.

### **Rates Needed To Qualify**

For regular site employees (for fixed base construction operations this includes all contractors), provide the data requested for each of the last three complete calendar years. Employee hours worked for regular site employees must reflect all full and part-time regular site employees including seasonal and temporary contract employees directly under the applicant's supervision, including administrative, supervisory, clerical and applicable overtime.

MVPP sites must provide data for all applicable contractors (those contractors whose employees worked 1,000 or more hours at their site in any calendar quarter during the last three years). Combine data for contractors that have the same NAICS code. Prepare a separate chart for each contractor NAICS code.

The Total Case Incidence Rate (TCIR) is the frequency rate for all recordable injuries and illnesses. To calculate the TCIR:

$$\text{TCIR} = \frac{\text{Total Number of Recordable Injuries and Illness} \times 200,000^a}{\text{Actual Total Hours Worked by all Employees during the Calendar Year}}$$

The DART rate is the total case rate related to (Days Away from work/Restricted work/or job Transfer). To calculate the DART rate:

**DART =**

$$\frac{\text{Total Number of Cases Involving (Days Away from Work/Restricted Work/or job Transfer)} \times 200,000}{\text{Actual Total Hours Worked by all Employees during the Calendar Year}}$$

\*<sup>a</sup> 200,000 = Equivalent of 100 full-time employees working 40-hour weeks, 50 weeks per year.

Compare site injury and illness incidence rates (for site NAICS code) to their respective industry average rate. Sites must review the Michigan NAICS code data and the OSHA Bureau of Labor Statistics (BLS) data and should use the data source that has the most numerical digits available.

### **Alternative Rate Calculation for Qualifying Small Employers (with less than 250 employees in high hazard industries).**

Small employers with a limited number of employees (including temporary employees), subcontractor employees, and/or hours worked may use an alternative method. The alternative method allows the employer to use the best three out of the most recent four years, or a 5-year moving average if the site has applicable injury and illness data.



Five-Year Moving Average TCIR Calculation. A simple moving average (SMA) is calculated by taking the arithmetic mean of a set of values over a specified time. To calculate five-year moving average TCIR, add the recordable injuries/illnesses rates for the past five years and divide by five.

$$\frac{[(2020 \text{ TCIR} + 2021 \text{ TCIR} + 2022 \text{ TCIR} + 2023 \text{ TCIR} + 2024 \text{ TCIR})]}{5}$$

To calculate the five-year moving average DART rate, average the restricted work activity, and/or job transfer rates for the past 5 years as shown below.

$$\frac{[(2020 \text{ DART} + 2021 \text{ DART} + 2022 \text{ DART} + 2023 \text{ DART} + 2024 \text{ DART})]}{5}$$

Rounding Instructions. You must round the rates to the nearest tenth following traditional mathematical rounding rules. For example, round 5.88 up to 5.9; round 5.82 down to 5.8.

If the calculated TCIR and DART rate are at or below either of the two criteria, the site meets the injury and illness rate requirements

## Appendix B

### MVPP Initial Application and Reevaluation Process Checklist

**Timelines:** Application Review: 30 Working Days

Star/Rising/Conditional Approval: 6-8 weeks

4 weeks for hazard survey findings mitigation to report submission

2 weeks for report review and submission to Administration

2 weeks from Entity Check and Administration review to approval

Award Type (check one): ☐ STAR ☐ Rising STAR ☐ Conditional

Company Name:

FEIN #:

Type: ☐ Initial ☐ Reevaluation

1.	Date & Initial	Responsible	Items Due
2.		MVPP Specialist	Initial application received and reviewed [date] <input type="checkbox"/> Emails initial application to MVPP manager for review. <input type="checkbox"/> Log applicant on Master Control Activity Plan (reevaluation only). <input type="checkbox"/> Compile electronic files of reevaluation material for current fiscal year on V drive. <input type="checkbox"/> Send email to MVPP tech to notify of file availability. <input type="checkbox"/> Add MVPP site information to the Master Control Log. <input type="checkbox"/> Assign site evaluation team. <input type="checkbox"/> Email reevaluation documents to reevaluation team members.
3.		MVPP Manager	cursory review of application or reevaluation <input type="checkbox"/> Initial application received / email sent to employer. <input type="checkbox"/> Submitted to division secretary for vetting. <input type="checkbox"/> Not eligible - initiates a denial letter, cc to MVPP specialist.
4.		Division Secretary	Conducts history checks <input type="checkbox"/> Sends e-mails for history checks to agency secretary for department vetting <input type="checkbox"/> Add history check to task list for one-week follow-up. <input type="checkbox"/> Results of history check are emailed to MVPP manager, MVPP specialist, and MVPP tech.
5.		MVPP Specialist	Reviews application (30 working days) <input type="checkbox"/> Submit recommendation to MVPP manager and MVPP tech. <input type="checkbox"/> Create electronic file folder and entry into Master Activity Plan (reevaluation). <input type="checkbox"/> Compile electronic files of reevaluation material for fiscal year on V Drive. <input type="checkbox"/> Send email to MVPP tech to notify of availability.
6.		MVPP Manager	Application review <input type="checkbox"/> If accepted, send acceptance email to company, MVPP specialist and MVPP tech. <input type="checkbox"/> Assign site audit team with MVPP specialist. <input type="checkbox"/> If un-resolved vetting issues arise, deny application; Denial letter emailed to

			company, copy CET director, MVPP specialist and MVPP tech.
7.		MVPP Specialist	<input type="checkbox"/> Facilitates site MVPP evaluation. <input type="checkbox"/> Send the firm a letter along with the list of hazards; The firm has 30 days to correct the hazards. <input type="checkbox"/> Enter the 30-day reminder in Outlook. <input type="checkbox"/> Completes a draft MVPP Report (Star, Rising Star, Demonstration, or Conditional Star) (2 weeks post-hazard correction). <input type="checkbox"/> Email report and MVPP Process Checklist to MVPP manager for their review. <input type="checkbox"/> Add information to the Master Control Log.
8.		MVPP Manager	<input type="checkbox"/> Reviews report in tracked changes (one week). <input type="checkbox"/> Emails report, letter, and MVPP Process Checklist to CET director.
9.		CET Director	<input type="checkbox"/> Reviews report in tracked changes (one week). <input type="checkbox"/> Emails report, letter, and MVPP Process Checklist to MVPP tech for finalization; cc MVPP manager and specialist.
10.		MVPP Tech	<input type="checkbox"/> Prepares final report and letter. Inserts a date on each electronic document to avoid system from automatically inserting (one week). <input type="checkbox"/> Emails final MVPP package to agency secretary for MIOSHA director approval/signature. Copy CET division director. The following documents are included in MVPP package when requesting approval/signature of a report: <ul style="list-style-type: none"> <li>(i) Letter to Firm (cc union reps)</li> <li>(ii) Final Report</li> <li>(iii) MVPP Process Checklist</li> <li>(iv) Entity Check Results</li> </ul>
11.		Agency Secretary	<input type="checkbox"/> Provide MVPP package to agency director requesting approval and signature. <input type="checkbox"/> Notify MVPP manager, MVPP specialist, MVPP tech, and CET division director of the approval and return approved report, completed checklist, and signed letter.
12.		MVPP Manager	<input type="checkbox"/> Sends approval announcement email, with report and letter attached to company and union contacts; cc CET director, MVPP specialist, MVPP tech, and communications specialist
13.		MVPP Tech	<input type="checkbox"/> Notifies agency director, agency deputy director, executive secretary for agency, division directors, MVPP specialist, MVPP tech, MVPP evaluation team member, support team member responsible for flag and plaque ordering, and communications specialist of the approval.
14.		MVPP Specialist	<input type="checkbox"/> Add all applicable site report and/or dates to Master Control Activity Plan and MVPP file directory. <input type="checkbox"/> Send email informing Federal VPP contact.