

# *Michigan Voluntary Protection Programs; Policies and Procedures Manual*



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**MICHIGAN VOLUNTARY PROTECTION PROGRAMS (MVPP)**

**POLICY AND PROCEDURES MANUAL**

**Table of Contents**

Chapter I – Introduction.....1

Chapter II – Application Review .....4

Chapter III – Initial Onsite Review.....11

    Figure III-1 – Initial Onsite Review Documentation .....24

Chapter IV – Approval Process .....26

Chapter V – Post-Approval Assistance for MVPP Sites .....30

Chapter VI – Reevaluation of MVPP Participants .....37

    Figure VI-1 – Onsite Review Documentation for Reevaluation .....50

    Figure VI-2 – Direct/Indirect MVPP Impact .....51

    Figure VI-3 – Conditional Star Program Participation .....52

Appendix A – Interpretations of Program Requirements .....53

Appendix B – Interview Questions for Employees .....68

Appendix C – MVPP Requirements Checklist.....78

Appendix D – Preparing Pre-Approval and Final Report.....82

    Attachment 1 – Format for Pre-Approval and Final Report .....84

    Attachment 2 – Report Set Up .....93

Appendix E – Guide to Follow-up Onsite Assistance Visits .....95

Appendix F – Format for Reevaluation Report .....98

    Attachment 1 – Conducting the Reevaluation for MVPP Participants .....100

    Attachment 2 – Format for Reevaluation Report.....106

Appendix G – MVPP Activity Log .....109

Appendix H – MVPP Chronology of Events.....110

Appendix I – Glossary of Terms.....111

Appendix J – MVPP Request for Information.....113

# Chapter I

## INTRODUCTION

### **What is the Michigan Voluntary Protection Program (MVPP)?**

MVPP is a recognition and partnership program designed for worksites that implement exemplary 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 that go beyond basic compliance with MIOSHA standards.

Applicants can apply for either the **Michigan Star** program or the **Rising Star** program. 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. Exemption from programmed inspections are granted for both Star and Rising Star sites.

### **Background**

The philosophy of the Michigan Occupational Safety and Health Administration (MIOSHA) has been to incorporate strong voluntary compliance program along with fair enforcement efforts. The Michigan Voluntary Protection Programs (MVPP) continues emphasis on the importance of worksite safety and health management systems in meeting the goals of MIOSHA, Public Act 154 of 1974, as amended, to provide safe and healthful work environments which are free from recognized hazards. The administering agency is the Michigan Occupational Safety & Health Administration.

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 healthful 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 safety and health management system 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 healthful work environment.

### **General Information**

The MVPP is based on a philosophy of trust and cooperation exhibited by all parties. Working together, all involved parties strive for accomplishments beyond the basic requirements of Act 154. However, participation in the program does not diminish employer or employee rights or responsibilities under the Act.

MIOSHA will continue to investigate valid, formal employee safety and health complaints, all fatalities and catastrophes, and significant accidents and chemical spills or leaks.

Compliance with the Act and the standards set under the Act is mandatory. However, MIOSHA realizes that even the best of workplaces may occasionally be out of compliance with the standards. It is expected that applicants will take steps to identify these non-conformities and correct them as soon as

possible. It is further expected that Star participants be on the leading edge of hazard prevention and make continual improvements in the safety and health management systems at their workplaces.

Companies that successfully meet the requirements of the MVPP will be expected to be mentors for others who want to improve their health and safety systems. Their programs and systems may also be used as models or examples for others. The MIOSHA staff and MVPP participants work together to develop innovative solutions to safety and health concerns.

### **Overview of the MVPP Process**

- A. An applicant must demonstrate that their site is operating an effective occupational safety and health management system characterized by the following basic elements:
  - *Management Leadership and Employee Involvement*
  - *Worksite Analysis*
  - *Hazard Prevention and Control*
  - *Safety and Health Training*
- B. Employees must be actively engaged in the site's safety and health management system, work with management to ensure a safe and healthful workplace and agree to support the site's application for MVPP. Collective bargaining representatives must provide written support of the MVPP applicant.
- C. The site must meet the injury and illness incidence data requirements.
- D. Potential sites meeting these initial eligibility requirements submit an application for the Michigan Star or Rising Star program describing their system of worker protection.
- E. MIOSHA evaluates the application. If the application is accepted, the MVPP Team conducts an onsite review to verify that the program meets MVPP requirements. With approval comes MIOSHA's public recognition of the applicant's outstanding and comprehensive safety and health management system.
- F. MIOSHA periodically reevaluates current participants to confirm its continuing qualification for MVPP. Onsite reevaluations are conducted between 30-42 months after approval, and subsequently every three years. Rising Star participants are evaluated within 18-24 months following approval.

### **Terms of Participation**

All Michigan industries who successfully meet the initial MVPP requirements can apply, (except North American Industry Classification System (NAICS) 236, 237, 238). All elements of the applicant's safety and health management system must be in place and must have been implemented for a period of not less than 12 months prior to application.

Applicants can apply for either the Michigan Star program or the Rising Star program.

The Michigan Star program is the highest level of acknowledgment that can be achieved through the MVPP. Star status is awarded to those companies whose health and safety management systems are outstanding, comprehensive, and successful in reducing workplace hazards.

The Rising Star program is for companies that do not yet meet the rigorous requirements of the Star program. This program provides the “stepping stone” for those companies that have the desire and potential to achieve Star status within three years.

A. The applicant must meet the following data criteria:

1. *Michigan Star*

The injury and illness Total Case Incidence Rate (TCIR) and case rate involving Days Away from Work/Restricted work/or job Transfer (DART) for *each* of the last three complete calendar years must be at or below the specific Michigan NAICS code for injury and illness incidence industry average. If Michigan data is unavailable, use Bureau of Labor Statistics (BLS) data. Whichever data has more digits of the NAICs code available (Michigan or BLS) that data will be used for comparison purposes.

2. *Rising Star*

Applicants must have injury and illness data at or below the specific industry average for two out of the last three complete calendar years.

B. Worksites operating less than three years may be considered for the Rising Star program if the following conditions are met:

2. The applicant's TCIR and the DART rate for at least the first year and since the start of operations must be below the most recent specific Michigan NAICs code industry average. Use BLS data if Michigan data is unavailable, whichever data has more digits.
3. The parent applicant must be able to demonstrate an overall commitment to an effective workplace safety and health management system. The elements of a safety and health management system must be in place for at least one year.
4. The applicant must be able to demonstrate their potential and willingness to achieve Star status within the following three years.

C. *Small Employer Adjustment*

Some applicants, usually smaller worksites with limited number of employees and/or hours worked may use an alternative method for calculating incidence rates. The alternative method allows the employer to use the best three out of four complete year's injury and illness experience (see page 53).

D. Final Approval for participation in the MVPP is determined by the Agency Director. To recognize participation in the MVPP, flags (for Star participants only) and plaques of approval will be awarded. Participants may also choose to use program logos on such items as letterhead or awards for employees.

E. Participation in the MVPP is contingent upon continued excellence in administering safety and health management systems and favorable triennial evaluation.

## Chapter II

### APPLICATION REVIEW

#### A. Purpose

Review of the written application is the first step in determining an applicant's eligibility for the MVPP.

1. **Appropriate Program** – The review will determine whether the application meets the eligibility requirements for the Rising Star or Star program.
2. **Verification and Assessment** – If the written description of the site safety and health management system meets the requirements then an initial onsite review may be scheduled.

#### B. Responsibility

1. **MVPP Coordinator** – The MVPP Coordinator is responsible for:
  - a. Overall management of the MVPP application review process.
  - b. Overall responsibility for responding to requests for program information and application assistance including referral to approved Michigan Star sites for mentoring.
2. **MVPP Manager** – The MVPP Manager is responsible for:
  - a. Maintaining current MVPP application information and promotional materials.
  - b. Responding to requests for program information and application assistance including referral to approved Michigan Star sites for mentoring.
  - c. Requesting additional assistance, as needed, for the application review.
  - d. Assuring timeliness in carrying out MVPP activities:
    - 1) Assembling the onsite team.
    - 2) Scheduling the onsite review.
  - e. Retaining a file for all MVPP applicants.
  - f. Ensuring a summary of the five-year history for each applicant, with special note of complaints, fatalities, citations and pending enforcement action such as a long term abatement agreement or contest is obtained and reviewed, including Section 65 (Discrimination) violations. See Appendix A, on page 543.

- g. Performing a cursory review of the application to assure it contains the following:
  - 1) Statement of protection against discrimination for employees given safety and health responsibilities.
  - 2) Assure documentation for elements of a comprehensive safety and health management system.
  - 3) Injury and illness data:
    - a) Michigan Star injury and illness data for each of the last three complete years is at or below the industry average.
    - b) Rising Star injury and illness data must have two of the last three complete years at or below the industry average.

## C. Application Receipt

### 1. Application Records

- a. **State Record** – The MVPP Manager will be responsible for maintaining in the MVPP file a current log of all applications received. The MVPP Activity Log in Appendix G, page 109 shall include:
  - 1) Applicant (Company & Site) name & site location.
  - 2) Date received.
  - 3) Date accepted as complete.
  - 4) Delay reasons.
  - 5) Initial onsite review date.
  - 6) Thirty-day items completed.
  - 7) Approval date and award type.
  - 8) Date of withdrawal or termination date and cause.
  - 9) Ceremony date.
- b. The MVPP manager will be responsible for maintaining a chronology and history on each application received. The chronology in Appendix H, page 1110, shall include basic information about the company, the name of team leader, other team members assigned, and a chronology of events.
- c. **The MVPP Monthly Report** – The MVPP Manager will be responsible for submitting updated information to the MVPP Coordinator monthly.

2. **Application Notifications and Copies** – The MVPP Manager is responsible for the following activities:
  - a. Contact the applicant within 15 working days of receipt of the application:
    - 1) Provide the name and telephone number of the MVPP Manager or his/her assigned designee.
    - 2) Confirm the applicant's NAICs code listed on the application.
  - b. Log in complete applications on the Monthly MVPP Activity Log.
    - 1) A complete application must contain, at a minimum, the following:
      - a) All information requested in the MVPP Application Guidelines.
      - b) All assurances. See Appendix A, 55.
    - 2) If an application is considered incomplete:
      - a) The sender must be notified of the application deficiencies and the 30 working day time frame in which to submit additional material.
      - b) The application is considered inactive until the missing items are submitted, or for 30 working days, whichever is less.
      - c) If all the requested items have not been submitted within 30 working days, the application will be returned to the sender with notice to resubmit with complete information.
  - c. Review the application and reserve the unmarked original should the application be approved.

#### **D. Application Review Procedures**

1. **Timely Review** – The MVPP manager will review the application within 30 working days of receipt. The date the application is accepted as complete will be recorded on the MVPP Activity log. Team members will review the application prior to the scheduled onsite review.
2. **Injury and Illness Rates** - Verification of the MISOHA Injury and Illness Log is usually done onsite.
  - a. The applicant will submit the following information separately for all site employees and applicable contractors for the most recent three complete calendar years: actual number of hours worked, total number of recordable injuries and illnesses, total number of injury and illness cases that involve days away from work/restricted work activity/or job transfer, the site's Total Case Incidence Rate (TCIR) and the case rate for Days Away from work/Restricted work/and job transfer (DART rate).

- 1) Employee hours worked shall reflect all full and part-time regular site employees including seasonal and temporary contract employees under direct site supervision, administrative, supervisory, clerical and overtime.
  - 2) Applicable contractor's are those contractors whose employees worked a total of 1,000 or more hours in any calendar quarter at the site.
- b. The reviewer of the application shall calculate the TCIR for each of the last three complete calendar years to assure accuracy.
  - c. The reviewer shall also determine the DART rate for each of the last three complete calendar years.
  - d. For all applicable contractors the reviewer shall determine the TCIR and DART rate for each of the last three complete calendar years.
  - e. TCIR for each calendar year is calculated as:

$$\text{TCIR} = \frac{\text{Total Number Recordable of Injuries and Illnesses} \times 200,000}{\text{Actual Total Employee Hours Worked During Calendar Year}}$$

200,000 = equivalent to 100 full-time employees working 40 hours a week for 50 weeks during a calendar year.

The DART rate for each calendar year is calculated as:

DART rate=

$$\frac{\text{Total Number of cases involving (Days Away From Work/Restricted Work/Job Transfer)} \times 200,000}{\text{Actual Total Employee Hours Worked During Calendar Year}}$$

- f. The applicant's (NAICS code) injury and illness rates will be compared to industry average rates published through the MIOSHA Information Systems Section (MISS). If Michigan data is unavailable, the comparison will be made to the Bureau of Labor Statistics (BLS) data. Whichever data has more digits of the NAICs code available (MISS or BLS) that data will be used for comparison purposes. The last three complete years of data will be compared to each corresponding year for which data is available. The latest data from MISS and BLS may be one year behind the actual year completed. In this case the most recent data available will be used to compare the last two years.
- g. The following sources for data comparison will be obtained from:
  - 1) Occupational Injury and Illness Incidence Rates by Industry, published for Michigan by the MIOSHA Information Systems Section (MISS). This information is available on the MIOSHA web page at [www.michigan.gov/miosha](http://www.michigan.gov/miosha).

- 2) Occupational Injuries and Illness in the United States by Industry, published by the Bureau of Labor Statistics (BLS) for federal OSHA. This information is available on the [OSHA](#) webpage. This information is also available from the CET office.
- h. The data used to compare the employer's incidence data shall be selected, in this priority order:
- 1) 6-digit NAIC code data obtained from MISS.
  - 2) 6-digit NAIC code data obtained from BLS.
  - 3) 5-digit NAIC code data obtained from MISS
  - 4) 5-digit NAIC code data obtained from BLS, and so on.

NOTE: Prior to year 2002, the MIOSHA recordkeeping system and data will be available for Lost Day Case Rate (LWDCR). When BLS changes from SIC codes to the North American Industry Classification system (NAICS), MVPP participant's site rates will be compared with the rates generated under NAICS.

- i. Use the most recent two to three years injury and illness tables (MISS/BLS) in calculating the site's incidence rates. Appropriate data are in columns entitled "Total Cases" and "Lost Workday Cases – Total" located under the "Injuries and Illnesses" header. Review the data submitted by the applicant (TCIR and DART rate) for the last three complete years, calculate the TCIR and DART rate and compare to the appropriate NAICS code industry average for which data is available.
- j. When a thorough advance analysis is warranted, the applicant may be requested to submit copies of the MIOSHA Injury and Illness Log for the most recent three years prior to the onsite visit.
  - 1) Screen the log carefully to identify patterns and problem areas and determine suggested corrective actions.
  - 2) Review MIOSHA Supplemental Form or equivalent for cross-checking purposes and notify the applicant of the forms needed prior to onsite review to facilitate speedy review.
- k. At other times, if it appears warranted (e.g., for resource considerations), arrangements may be made to go to the site solely to review and verify the log and injury and illness rates in advance.
- l. Some applicants, usually smaller worksites with limited numbers of employees and/or hours worked, may use an alternative method for calculating TCIR. The alternative method allows the employer to use the best three out of the most recent four years' injury and illness experience. See Appendix A page 543 for **small employer adjustment**.

3. **Application Discussion** – All reviewers shall discuss the application and assist the MVPP Manager in preparing a list of questions and other needed documents to complete the application. This list should contain only items necessary to determine initial eligibility. See Appendix C, page 78. It is important to minimize the burden on the applicant.
4. **Appropriate Program Choice** – The appropriate program choice may need discussion with the applicant. A Star applicant may have recently begun an energetic safety and health management system, but may not meet all the required qualifications. The applicant, if eligible will be considered for the Rising Star program.
5. **Telephone Contact** – The MVPP Manager shall telephone the site’s MVPP Representative to discuss any deficiencies in the application, and come to agreement on which additional items need to be sent to the MVPP manager.
6. **Confirmation** - The MVPP Manager will send a follow up note to the applicant within 30 working days, listing those deficiencies or clarifications discussed.
7. **Decision to Conduct the Pre-approval Onsite Review**
  - a. In companies where the Process Safety Management (PSM) standard applies, the onsite review cannot be scheduled until the site management verifies that they have documentation to demonstrate conformance with the standard and, any requested information has been submitted to the MVPP Manager. If documentation is not available, inform the site coordinator that no onsite review will take place until the PSM review is conducted and documented.
  - b. When the application is accepted as complete, the MVPP Manager will assign a team to schedule an onsite visit. No onsite review shall be conducted until all enforcement action has been closed.
  - c. If it is clear that the applicant cannot qualify for the MVPP, the MVPP Manager shall suggest that the application be withdrawn.
    - 1) The applicant shall be informed that there is a 15 working day time frame to submit the notice of withdrawal.
    - 2) Inform the applicant that if no written notice of withdrawal is received within the 15 working day time frame, the application will be officially denied.
  - d. If the application is not withdrawn, the MVPP Coordinator will return the application with a letter indicating the reason(s) why the application was denied. The MVPP Coordinator will provide the Agency Director with a copy of this letter.
8. **Onsite Review Notification** – When the date of the onsite review has been established, the MVPP Manager shall notify the MVPP Coordinator. The MVPP manager will also

notify the MIOSHA enforcement divisions for deferral of enforcement activity to begin on the date of the initial onsite review.

**E. Withdrawal of the Application**

An applicant may withdraw the application for any reason with notification to the MVPP Manager. The withdrawal is effective on the date the notification is received.

1. **Cause** – The MVPP Manager shall determine the cause of withdrawal and notify MVPP Coordinator on the Monthly MVPP Activity Report.
2. **Acknowledgement** – The MVPP Manager shall acknowledge the withdrawal with a letter giving the official withdrawal date.
  - a. The letter shall include a statement informing the applicant that reapplication will be considered if circumstances change.
  - b. A copy of the MVPP Manager’s letter shall be sent to the MVPP Coordinator.
3. **Application Return** – The MVPP Manager shall return the original application to the applicant within 15 working days after notification of withdrawal.
4. **Agency Notification** – The MVPP Manager shall notify the Agency Director that the applicant has withdrawn from the MVPP process and is no longer afforded a deferral from programmed inspections. This also applies to current Star participants who withdraw their participation.

## Chapter III

### INITIAL ONSITE REVIEW

#### A. Purpose

The initial onsite review, which is carried out by a team of MIOSHA staff acting in a nonenforcement and cooperative manner, is a thorough review of the site's safety and health management system. The onsite review is not intended to be a comprehensive inspection of the entire facility. Its purpose is to:

1. **Verify** – Determine the accuracy of the information supplied in the application.
2. **Review** – Identify strengths and weaknesses of the applicant's safety and health management system as implemented at the site. Ensure that safety and health management systems are properly implemented and procedures for ongoing hazard evaluation and correction are in place. Ensure employee safety and health training is appropriate to site hazards.
3. **Recommend** – Make recommendations to assist the Agency Director in making the final approval decision.

#### B. Onsite Review-Overview

1. **General** – The onsite review will be scheduled when the applicant has provided evidence to the MVPP Manager that the site meets the MVPP qualification requirements.
2. **Pre-visit Planning** – The team leader should be chosen by the MVPP Manager at least 30 days in advance of the onsite review. Team members should be chosen at least 30 working days in advance of the onsite review.
  - a. The MVPP Manager or the Team Leader shall make all necessary arrangements for the onsite review with the applicant.
  - b. The team members shall review the application and prepare for the onsite review.
  - c. The Team Leader shall conduct a team strategy meeting prior to the onsite review. The meeting should include a review of the MVPP requirements, policies, and procedures.
3. **Notification** - The MVPP Manager will notify MIOSHA enforcement divisions for deferral of enforcement activity during MVPP review process. The deferral of programmed inspections will begin on the date of initial onsite review.
4. **Onsite Visit** – The onsite visit consists of the following:

- a. **Opening Conference** – Held with company officials and employee representatives.
- b. **Document Review** – Verify the information submitted in the application.
- c. **Plant Walk-Through** – Ensure the program operates as described and that any serious hazards found are corrected as soon as possible or that plans to correct the hazards are prepared while the team is onsite.
- d. **Employee Interviews** – Conducted with a wide variety of company and contract employees to determine their level of involvement in and perceptions of the site safety and health management system.
- e. **Closing Conference** – An informal closing conference will be conducted at the end of the onsite review to present findings and recommendations to site representative. A formal closing conference will be conducted in approximately 30 days. At that time a pre-approval report will be provided.

### C. Program Review Preparation

- 1. **Size and Composition of the Review Team** – Team composition will depend upon the size of the site and the number and complexity of the potential hazards.
  - a. **Personnel** – Onsite review teams will be determined by the MVPP Manager and should include:
    - 1) A Team Leader, who possesses:
      - a) Knowledge of the MVPP policy as outlined in this operating procedure.
      - b) Knowledge of safety and health management systems.
      - c) Previous experience as an onsite review team member whenever possible. A Team Leader will receive “on-the-job” training from other experienced Team Leaders.
    - 2) A safety consultant to evaluate the applicant’s safety program.
    - 3) An industrial hygienist to evaluate the applicant’s health program.
    - 4) Additional safety or health specialists, with expertise relating to the site’s industry, especially when MIOSHA has a special emphasis program targeting this industry. For example, using a person with expertise in the PSM standard.
  - b. **Factors Affecting Team Size and Length of Time Onsite** – Where the site is large or the processes are complex, additional safety and health team members or additional days onsite may be necessary.

- c. **Onsite Team Members** – Team members will be selected by the MVPP Manager based on their experience, knowledge and qualifications. MIOSHA enforcement personnel may be assigned to an onsite review team under the following circumstances:
    - 1) Such personnel are assigned to temporary duty with the MVPP team and are not permitted to engage in enforcement activity at that worksite while the site is under initial MVPP review and a final recommendation is given by the Agency Director.
    - 2) Information gathered during the MVPP review cannot be used for any enforcement activity at any worksite under MVPP review unless:
      - a) The worksite has refused to correct hazards found by the MVPP team; and
      - b) The Team Leader, MVPP Manager and the MVPP Coordinator recommend that the Agency Director take enforcement action; and
      - c) The Agency Director directs that enforcement action be taken.
  - d. **Team Leader Responsibilities** – The Team Leader has overall responsibility for the onsite review. Specific responsibilities are described in each section of this operating procedure. Responsibilities may be delegated to individual team members.
2. **Arrangements** – Arrangements for the onsite review will be coordinated by the MVPP Manager after the application has been accepted.
- a. **Schedule** – The Team Leader shall schedule the onsite review after discussion with the MVPP Manager. The duration of the visit will depend upon the size and complexity of the site:
    - 1) Planning shall account for time needed to hold the opening conference and conduct the onsite review.
    - 2) Onsite reviews should average three to five working days, including travel, unless the applicant’s site is large or the processes are complex.
    - 3) Applicant sites regulated by the PSM standard may require additional expertise and time onsite.
  - b. **Coordination** – The Team Leader shall provide the site representative a list of items to have ready for the team’s onsite review. Figure III-1 (at the end of this chapter, page 25) contains a suggested list of items that should be reviewed. The Team Leader shall make additional arrangements as necessary. Such arrangements may include:

- 1) A request that the applicant submit MIOSHA Injury and Illness Log or other safety and health management system documents to the Team Leader prior to the onsite review.
  - 2) An assurance that a work area is available at the applicant site for program and document review, private interviews, team discussions, and related paperwork.
  - 3) An assurance of arrangements for travel and accommodations for all onsite team members.
- c. **Employee Representation** – Employee involvement is required at all sites where collective bargaining agents or representatives of employees as defined by the Act are involved. The MVPP Manager or Team Leader shall inform the site representative that such agents or representatives shall be included in the opening and closing conferences and allowed to accompany the team on the site walk-through.
  - d. **Medical Access Order (MAO)** - Although it is not anticipated the MVPP evaluation team members will need to access employee medical records during an MVPP evaluation, if the Team Leader deems it necessary, the procedures in the MIOSHA-COM-08-2 Access to Medical Records instruction will be followed.
3. **Advance Planning Responsibilities for Onsite Team Members** – Team members shall hold a strategy meeting in advance of the onsite review.
    - a. **Knowledge of Industry** – Team members shall familiarize themselves with the applicant’s industry and the associated hazards.
    - b. **Report Information Needed** – Team members shall review the pre-approval report format in Appendix D, page 832, to ensure they understand what information and data they are responsible for obtaining during the onsite visit.
    - c. **Onsite Review Items** – Team members shall review the safety and health management system provided in the application and compile a list of items to evaluate during the documentation review and worksite walk-through.
    - d. **Interview Questions** – Team members shall review the potential interview questions in Appendix B, page 68 and add questions as appropriate.
    - e. **Personal Protective Equipment (PPE)** – Team members shall equip themselves with the appropriate PPE required for the onsite walk-through. The site shall provide special equipment not readily available to the team.
    - f. **Schedule** – The Team Leader shall develop a preliminary schedule of planned onsite review activities.
    - g. **Assignments** – The Team Leader shall make specific onsite assignments to ensure a comprehensive review and to take advantage of each team member’s expertise.

#### D. **Opening Conference**

The team shall hold an opening conference with the applicant's management and employee representatives. The Team Leader shall discuss the following information.

1. **Program Review** – Describe the procedures used to conduct the onsite review, report preparation, and closing conference to the applicant. Discuss other aspects of the MVPP with the applicant, as necessary.
2. **Onsite Review Goals** – Describe the goals of the onsite review:
  - a. To verify the information submitted in the application.
  - b. To evaluate the implementation of the site safety and health management system.
  - c. To assure that the safety and health management system adequately addresses the potential site hazards.
3. **Statement of Commitment** – Describe the team's expectation that the site will adhere to the signed Statement of Commitment, contained in the site's application.
4. **Schedule** – Discuss the anticipated onsite review schedule and assure that proper site representatives are available to assist team members in the review.
5. **Interviews** – Make arrangements to conduct private interviews with joint labor-management committee members, supervisors, managers, maintenance personnel, recordkeepers, occupational safety and health staff, and randomly selected employees including contractor employees.
6. **Hazard Correction** – Describe the expectations regarding the correction of any hazards or deficiencies noted during the onsite review.
  - a. Where feasible, the correction will be made immediately or before the onsite review is complete.
  - b. The Team Leader will provide the site representative a list of all hazards that cannot be corrected before the team leaves the site. The applicant shall submit a status report to the MVPP Manager within 30 working days upon completion of the onsite review to indicate hazards have been corrected. The MVPP Manager may request additional documentation of hazard correction or decide to send team members back to the site to confirm hazard correction. The Team Leader shall inform the applicant that final approval as a Star facility will not be made until all items have been corrected.
  - c. If the applicant refuses to correct a hazard where the safety and health of employees is endangered, that hazard may be referred to the Agency Director for review and enforcement action if deemed necessary.

7. **Status** – Explain that the Team Leader will keep the applicant regularly updated on the progress of the review and that the applicant will have opportunities to provide additional information and documentation.

## E. Documentation Review

### 1. Recordkeeping

- a. **The MIOSHA Injury and Illness Log** – The MIOSHA logs for the most recent three complete calendar years and the current year-to-date are reviewed for the site’s regular employees (including temporary employees). The Team Leader may also request injury and illness records for contractors working on site. If the approval recommendation will not be made until the next calendar year, the year-to-date rates shall be updated to include the last full calendar year before approval.
- b. **Fatality Review** – The onsite team leader shall review applicant and contractor fatalities that have occurred during each of the last three years and current year to assure corrective actions have been taken.
- c. **MIOSHA Injury and Illness Log Review**

- 1) Review the MIOSHA Injury and Illness Log for the most recent complete three-year period and current year-to-date to confirm that the logs have been properly maintained for the entire period.
- 2) Verify that lost workday entries were recorded properly by reviewing the site’s and contractor’s MIOSHA Supplemental Forms or other records such as the first aid log, or worker’s compensation and insurance reports. Compare these records with the log entries to assess the accuracy of the log.

Note: There is not an anticipated need for MVPP evaluation team members to access employee medical records during an MVPP evaluation. However if the team leader deems it necessary, the procedures in the MIOSHA-COM-08-2 Access to Employee Records instruction will be followed.

- 3) Possible errors or omissions shall be discussed with the recordkeeper to determine whether changes in the MIOSHA Injury and Illness Log entries are needed. The log shall be modified to reflect proper recordkeeping practices. Indications of deliberate log under recording requires additional management and employee interviews. Verification of deliberate under recording of injuries or illnesses will result in termination of the onsite review and either denial or withdrawal of the application.

- 4) Based on the verified MIOSHA Injury and Illness Log, the TCIR and DART rate shall be calculated to the nearest tenth. The site's rate and contractor(s) rates shall be calculated separately. For detail on how to calculate TCIR and DART rate, see page 7.
- 5) In like manner calculate the rates for the current year to ensure they are in accordance with program requirements. The full year's rate information shall be submitted to the MVPP Manager if site approval is not granted until the next calendar year.
- 6) Compare the TCIR and DART rate to the most current published injury and illness rates for that industry.
- 7) Verified rates are required for entry into the MVPP.

2. **Safety and Health Management System** – Documentation is required for all evaluated aspects of the site's safety and health management system including the written programs, training documents, inspection and accident records, other supporting documents, etc.

Note: The purpose of the onsite review is to evaluate the adequacy of the applicant's system to manage safety and health hazards. Its purpose is not to document occupational safety or health standard violations. When hazards are documented, team members should determine the reasons why the applicant had not recognized and corrected the hazard. Hazards shall be corrected by the applicant before MVPP approval is granted.

- a. The team shall evaluate the site's hazard communication, permit required confined space entry, lockout/tagout, PPE, industrial hygiene and PSM programs. The team shall evaluate the other safety and health management system that control the greatest hazards to site employees. Figure III-1 (page 24) provides a list of items that can be requested and reviewed. The Team Leader shall determine the scope of the safety and health management system review.
  - b. Team members may find it helpful to prepare a list of questions or topics to address based on review of the application and other submitted materials.
3. **Employee Participation** – Documentation demonstrating employee participation in the safety and health management system shall be reviewed. When applicable, joint labor-management safety and health committee minutes should be reviewed to document the level of employee involvement. Applicants must demonstrate at least three ways employees are meaningfully involved. See page 587 for examples.
  4. **Employee Reports of Hazards** – Review employee reports of hazards to verify that employee complaints are properly received, documented, and resolved in a timely manner. If an oral notification system has been used, review the written notification and tracking system that is planned for use during MVPP participation.
  5. **Line Accountability** – The Team Leader shall evaluate manager and supervisor performance records to ensure that performance reviews account for safety and health

management system performance. Such reviews should be performed in a manner that protects confidentiality and anonymity.

## F. Site Walk-Through

1. **Purpose** – The MVPP walk-through is intended to determine that the safety and health management system is operating as described in the application and is outstanding.
2. **Scope**
  - a. Team members shall walk-through enough of the site to understand the type of work performed and to gain a general sense of overall work conditions.
  - b. Team members shall review work performed by contract workers to ensure that they are provided equally effective protection.
  - c. Team members shall examine the site in sufficient detail to understand the types of hazards and potential hazards that exist and to determine that such hazards and potential hazards are addressed systematically by the safety and health management system.
3. **Problem Areas** – Attention shall be given to areas where repeated hazards are identified through inspection records, the MIOSHA Injury and Illness Log, and/or other records of injury or illness.
4. **Informal and Formal Interviews** – The team shall interview selected employees (including contract employees) privately about prescribed work procedures, hazards to which they may be exposed, and use of PPE and any other applicable issues. Informal interviews may also be conducted during the walk-through.
5. **Safety and Health Review**
  - a. Team members should follow the process flow when deemed appropriate.
  - b. The safety consultant shall look for evidence that safety hazards are appropriately managed. These hazards include, but are not limited to, lockout/tagout, confined space entry, hazard communication, PPE, ergonomics, walking and working surfaces, fire safety, storage and handling of hazardous materials, machine guarding, electrical, powered tools, and welding. Assure other potential hazards have not escaped management's attention.
  - c. The industrial hygienist shall look for evidence that health hazards are appropriately managed. These hazards include, but are not limited to exposure to toxic chemicals, radiation, noise, inadequate general and local exhaust ventilation, hearing conservation, emergency equipment, respirator selection and use, PPE, confined space entry, emergency use eyewashes and showers, hazard communication and the control of infectious diseases.
  - d. Team members shall document all hazards. When feasible, hazards must be corrected immediately. Team members shall relate work area hazards to examined

documents, (e.g., written procedures, self-inspection procedures and reports, employee complaints or reports of hazards) and employee interviews. In addition, the Team members shall evaluate and define the safety and health management system deficiencies. As part of the initial walk-through, if an excessive number of hazards are identified, the MVPP Manager will be contacted for further discussion.

#### G. **Process Safety Management (PSM) Review**

A process safety management review is required at worksites producing or using highly hazardous chemicals. The review should follow the most current PSM directive and be conducted by a team member trained in PSM who shall:

1. Select at least one complete process, and follow the process flow.
2. Review written programs, procedures and documentation including employee participation, process safety information, process hazard analysis, operating procedures, contractor procedures, pre-startup safety reviews, mechanical integrity, hot work, management of change, incident investigation, emergency response and auditing.
3. Check process equipment as necessary to verify process safety system protection.
4. Conduct formal interviews of operations and maintenance personnel. Include questions concerning system failure procedures during informal interviews with appropriate operator, maintenance, and contract personnel.
5. Review operator and maintenance employee training and/or certification records.
6. Look for evidence that all Process Hazard Analysis (PHA) recommendations have been addressed, and that management has identified, and is controlling potential process hazards.
7. Relate potential process equipment, training or other deficiencies to documents reviewed. Describe improvements necessary for the process safety systems or management programs.

#### H. **Formal Interviews**

1. **Purpose** – Conduct private formal interviews to evaluate the extent of safety and health involvement and program awareness of managers, supervisors and employees, and to obtain information to help evaluate the safety and health management system.
2. **Guidelines** – Conduct interviews with the following personnel in a manner that minimizes work disruption. Interview questions are located in Appendix B, page 68.
  - a. **Managers** – At least one site manager shall be interviewed to evaluate the depth of management leadership in the safety and health management system.
  - b. **Line Supervisors** – Some line supervisors shall be interviewed.

- c. **Joint Labor-Management Safety and Health Committee Members** – When a joint committee is used, some committee members shall be interviewed.
  - d. **Recordkeepers** – The person responsible for keeping injury and illness records shall be interviewed to ensure that records are properly kept and that the recordkeeper understands the requirements and interpretations.
  - e. **Maintenance Personnel** – Maintenance employees shall be interviewed.
  - f. **Contract Employees**
    - 1) **Temporary Employees** – Temporary employees who are supervised by the applicant’s employees shall be selected for formal interviews to establish the quality of safety and health protection afforded them. This protection is the responsibility of the applicant.
    - 2) **Other Contract Employees** – Contract employees who work under their own company’s supervision shall be interviewed to determine whether they are aware of all the hazards to which they are exposed, and whether they are protected by a safety and health management system equal in quality to the applicant’s program. Representatives from each craft should be interviewed, where possible.
  - g. **Other Employees** – The team shall interview other employees to verify aspects of the safety and health management system that lack documentation.
3. **Selecting the Employees** – Employees can be chosen for a formal interview based on their work area, job title, maintenance craft, potential exposure to site hazards, or at random from an employee roster. The number of employees formally interviewed will depend on the time allowed for the onsite review. About 20-40 minutes should be allowed for each formal interview.
  4. **Use of Interview Questions** – The reviewers shall assure each interviewee that their responses will be treated confidentially, and that the answers they give will not by themselves lead to program approval or denial. The team can use the list of questions in Appendix B, page 68 or add questions as deemed appropriate. Employee responses to support program approval or denial should be recorded.
  5. **Evaluating Responses** – Managerial, supervisory, and employee perceptions of worksite conditions and the safety and health management system only enable the reviewer to obtain general impressions. The reviewer shall look for an overall pattern. Employee responses that are supported by information obtained by document review, observation, or other employee interviews should carry the most weight.

## I. Preparation of Findings

1. **Additional Opportunity for Documentation** – The Team Leader shall determine before the pre-approval report is prepared that the Team has seen everything the site representative feels is relevant, and that the representative is satisfied the Team has a good understanding of the safety and health management system in action. The Team

Leader shall specifically address any unresolved issues noted by the Team and allow the site representative an opportunity to provide additional information.

2. **Meeting on Findings** – When the documentation review, walk-through, and employee interviews have been completed, the Team shall meet privately to review and summarize their findings.
  - a. **Discussion of Findings and Conclusions** – Allow time for complete discussion of issues and for reaching consensus prior to drafting the report and the informal closing conference with the applicant and employee representatives.
  - b. **Onsite Requirements Checklist** – Appendix C, page 78 may be used as a discussion guide for the team.
3. **Responsibility** – The Team Leader is responsible for organizing the onsite review findings after the discussion of findings with Team members.
  - a. **Organization of Findings** – The findings shall be organized for the informal closing conference as a comparison to the requirements for program participation.
  - b. **Hazard Correction**
    - 1) Team members shall describe all documented hazards or program deficiencies and the correction plans they have discussed with management.
    - 2) These hazards shall be related to the management systems that need improvement. The intent is to correct the hazard and the management system that allowed the hazard to go uncorrected.
    - 3) A written list of the uncorrected hazards shall be provided to the applicant at the informal closing conference.
  - c. **Consensus** – The Team should reach consensus on the recommendation.
    - 1) Where consensus is not reached, Team members shall document a dissenting opinion, together with supporting data and rationale.
    - 2) Any dissenting opinion, together with any responses by other Team members, shall accompany the pre-approval onsite report.
4. **Decision on Approval Recommendation** – The Team shall choose among the following alternatives for Michigan Star and Rising Star recommendations:
  - a. The applicant has met all requirements for Michigan Star.
  - b. The applicant will meet all requirements for Michigan Star upon completion of a hazard correction plan.
  - c. The applicant has met all requirements for Rising Star.

- d. The applicant will meet all requirements for Rising Star upon completion of a hazard correction plan.
- e. The applicant is ineligible and will be advised of CET services for further assistance.

## 5. **Report to MVPP Managers**

The Team Leader shall brief the MVPP Manager upon completion of the onsite review. The Team Leader shall provide the MVPP Manager with the pre-approval report, hazard correction plan and team member recommendations. The MVPP Manager shall review these documents in order to determine if an acceptable onsite evaluation was conducted. If acceptable, the MVPP Manager shall authorize the Team Leader to hold the formal closing conference with the applicant. If not acceptable, the MVPP Manager shall instruct the Team Leader to take the necessary actions to correct any deficiencies in the onsite evaluation. Such actions may include the return of the Team Leader or Team members to the applicant's site or phone contacts between the Team Leader and the applicant's representatives.

J. **Pre-approval Report** – The Team Leader is responsible for preparing a report following the format in Appendix D page 83.

- 1. **Report Assignments** – The Team Leader may assign sections of the report to other team members.
  - a. **Deadlines** – Each writer shall meet established deadlines.
  - b. **Team Review** – Each Team member shall review the pre-approval report.
  - c. **Team Recommendation** – The pre-approval report shall indicate whether the applicant has met the requirements for participation in the MVPP. Administration approval is required before final determination.
- 2. **Review of the Pre-approval Report** – The pre-approval report will be mailed to the applicant by the MVPP Manager. The Team Leader will set up a formal closing conference to provide an opportunity for the applicant to ask questions and suggest changes. The applicant shall submit any suggested changes to the MVPP Manager within 15 working days. A meeting for further review and discussion may then take place in either the applicant's office or the MVPP Manager's office, depending on the convenience of both parties. Minor changes can be handled by telephone or mail.

## K. **Hazard Correction Plan**

- 1. **Documentation** – A list of the uncorrected hazards shall be provided and discussed at the informal closing conference. The hazards and their means of correction shall be discussed with the applicant. In addition, a memorandum to the file that outlines the hazard corrections to be made shall be written and signed by the Team Leader. It shall not be part of the pre-approval report. This memorandum and the letter from the company that describes the hazard correction will be part of the MVPP Manager's file

until final disposition. All corrections should generally be completed within 30 working days at which time the applicant shall send a letter to the MVPP Manager describing the completion of the corrective actions.

## 2. **Uncorrected Hazard(s)**

- a. If hazards remain uncorrected after 30 working days from closing conference, the MVPP Manager shall attempt to resolve all uncorrected hazards(s) with the applicant. It is fully expected that an applicant shall have corrected all hazards within 30 working days of the closing conference. Additional time to correct hazards may be granted by the MVPP Manager if warranted.
- b. The applicant site shall be informed that if a satisfactory correction of the hazard(s) cannot be achieved, the uncorrected hazards will be brought to the attention of the Agency Director who may initiate enforcement action.
- c. If the applicant refuses to correct the hazard(s), the application will be denied and the hazards shall be referred to the Agency Director for review and potential enforcement action.

## L. **Formal Closing Conference**

The findings of the Team, including the Team's recommendation to the Agency Director, shall be presented to site management and appropriate employee representatives at the closing conference. When possible, all Team members shall be present. The closing conference, if possible, should be held within 30 working days from the completion of the onsite evaluation.

1. **Recommendation** – The team's findings regarding site participation in MVPP shall always be discussed in terms of a team recommendation.
2. **Hazard Correction Plan** – A written list of the uncorrected hazards shall be provided to the site at the closing conference. They shall be discussed with the applicant to define the means of correction. All corrections shall be generally completed within 30 working days at which time the applicant shall send a letter to the MVPP Manager describing the completion of the corrective actions.
3. **Rising Star Program Goals** – The Team Leader shall recommend Rising Star program goals for all applicants recommended for Rising Star approval. Rising Star program goals shall relate to deficiencies in the Star Program requirements and to needed improvements in the site's safety and health management system. The goals are established to help the site achieve Star status within the next one to three years.
4. **Pre-approval Report** – The pre-approval report shall be reviewed during the closing conference.
5. **Explanation of the Approval Process** – If the team recommends approval, the Team Leader shall explain the approval and post-approval evaluation procedures.
6. **Planned Onsite Assistance** – The frequency of scheduled onsite assistance for applicable Rising Star program sites shall be discussed.



## Figure III-1

### ONSITE REVIEW DOCUMENTATION for Michigan Star and Rising Star

Documentation, such as the following, may be reviewed onsite. Copies are not necessarily required for the application.

#### 1. **General Safety and Health Management System Documentation**

- MIOSHA Injury and Illness Log, first aid logs, workers' compensation first report of injury form (or MIOSHA Supplemental Form), and employee medical records (if available at the site) for three prior years and year-to-date (for the site and contractors).
- Company safety and health policy, goals, and objectives statements.
- Training programs for safety and health (including committee training and MIOSHA recordkeeping training), and attendance records of training sessions.
- Self-inspection and accident reports, including tracking documents.
- Employee reports of safety or health problems or suggestions, and tracking documents.
- Safety and health committee minutes (where applicable).
- Plant safety and health rules.
- Internal audits or evaluations of the safety and health management system, including analysis of progress toward statistical and structural/programmatic goals.
- Evidence of line accountability (management evaluations, reward or penalty systems, budget accountability, disciplinary system, etc.).
- Any other documentation relating to the site's safety and health management system.

#### 2. **Specific Safety and Health Management System Documentation**

- Lockout/Tagout programs.
- Permit required confined space entry program.
- Hot work programs.
- Ergonomic programs, policies, documentation of controls, etc.
- Preventive maintenance records.

- Report(s) and studies identifying potential health hazards and industrial hygiene sampling records, including medical surveillance records. Records of engineering and administrative controls.
- Hearing conservation programs.
- Benzene, formaldehyde and other expanded standard programs.
- Emergency response and evacuation procedures.
- PPE and respiratory protection programs.
- Hazard communication program.
- Infectious disease control programs.
- Radiation hazards (evaluation and control).

### 3. **PSM Documentation**

- A list of all highly hazardous chemicals onsite.
- Written plan of employee participation and related documentation.
- Process safety information for selected process.
- Process hazard analysis and recommendation resolution documents for selected process.
- Operating procedures for selected process.
- Complete contractor procedures and documentation for selected contractors.
- Pre-startup safety review procedures and documentation.
- Written mechanical integrity program and documentation for selected process equipment.
- Management of change procedures and documentation.
- Incident investigation procedures and reports for last three years.
- Emergency response procedures for small spills of highly hazardous chemicals.
- PSM compliance auditing procedures and most recent report.

## Chapter IV

### APPROVAL PROCESS

#### A. Purpose

This section sets out procedures to be followed when the initial onsite reviews have been completed. One of the following recommendations will be made:

- Approval for Michigan Star
- Approval for Rising Star
- Denial
- Utilize CET program services and/or mentoring program

#### B. Responsibilities

1. **The MVPP Manager** – The MVPP Manager shall be responsible for overseeing drafting of the final approval report and coordinating review and approval of the report by Team members and program management. The MVPP Manager will prepare the approval package for the MVPP Coordinator. The MVPP Manager will also notify the applicant informally of the action taken by the Agency on the application.
2. **MVPP Coordinator** – The MVPP Coordinator is responsible for ensuring that the completed final report is produced and transmitted to the Agency Director within 30 working days of the pre-approved report. The report will be used for appropriate public information efforts, and for ensuring that follow-up assistance, as needed, is provided to each approved participant. The MVPP Coordinator will notify all appropriate parties of the action taken on the application, and will arrange for the printing of the award plaque and maintain an inventory of flags.
3. **Agency Director** – The Agency Director shall be responsible for final approval.

#### C. Final Report

The Team Leader is responsible for preparing a final report following the format in Appendix D, page 83. The MVPP Manager is responsible for coordinating preparation, review and approval of the report. Should it become apparent at the conclusion of the onsite review that one or more qualifications still need to be met for program approval, the MVPP Coordinator shall take the following actions:

1. **Approval Report** – The final version of the report will be prepared when all agreed-upon actions outlined in the hazard correction plan are verified.
2. **Application Withdrawal** – If approval requirements are not met within the agreed-upon time frame, the applicant shall be advised to withdraw the application (see procedures outlined in Chapter II, E, page 10) and to consider resubmission at a later time. Resubmission may require a complete application review and on-site visit before approval.

### 3. **Revisions**

- a. It is the MVPP Manager's responsibility to prepare a revised version of the report reflecting applicant and MIOSHA staff comments and suggestions (to the extent appropriate).
- b. A revised report shall be reviewed by all Team members and MVPP Coordinator prior to mailing to the applicant. The revised report will be submitted to the MVPP Coordinator.

4. **Completing the Final Report** – When the MVPP Coordinator is satisfied that all approval requirements have been met and revisions made, the final report shall be considered complete.

5. **Transmittal to Agency Director** – The MVPP Coordinator is responsible for transmitting the approval package to the Agency Director no later than 15 working days following finalization of the report and recommendation for participation in MVPP by the MVPP Coordinator.

### D. **Approval**

1. **Preparation** – Preparation of the approval package will include:

- a. The final report reviewed for completeness and uniformity. The report shall clearly document the evidence used to reach the approval recommendation and upon which evaluations will be based.
- b. A draft letter for the Agency Director's signature to an appropriate company official notifying the company of MIOSHA's decision and the Team's recommendations.
- c. Approval of the MVPP application will be signified by the Agency Director's signature on the approval letter and will be effective on the date the letter is signed.

2. **Approval Package** – The MVPP Manager shall oversee preparation of the approval package. The approval package contains documents to be sent to the Agency Director providing notification of the Team's findings and recommendations for action on the application. It shall include the following:

- a. A transmittal memorandum from the MVPP Manager through the MVPP Coordinator to the Agency Director recommending approval.
- b. The finalized report.
- c. A letter for the Agency Director's signature notifying the applicant of approval, with copies for any collective bargaining agents.

### 3. **Notification**

- a. Once approved, the MVPP Manager will immediately advise the applicant informally of the approval and the date it became effective.
- b. The MVPP Coordinator will prepare a news release announcing the awarding of MVPP status to the company following department guidelines.

- c. Federal OSHA and the Voluntary Protection Programs Participant's Association (VPPPA) will be notified following department guidelines.
- d. The applicant shall also be made aware at this time that an official letter of approval will be sent by mail, that the issuance of a news announcement is pending, and that the award plaque(s) and flag(s) will be available in approximately one month. The applicant shall also be informed that an award ceremony may be held and that MIOSHA, department officials and others may participate.
- e. The signed approval letter will constitute official notification that the applicant has been accepted as a participant in the MVPP. At sites with collective bargaining agents, copies of the approval letter shall be provided to these officials.
- f. The MVPP Coordinator shall arrange for the award plaque(s) to be printed. The plaque along with the MVPP flag shall be made available for the award ceremony or forwarded to the company.
- g. The MVPP Coordinator shall coordinate arrangements for an award ceremony, if held.
- h. The MVPP Coordinator shall provide copies of the approval letter and final report to the department media relations and communications specialist.
- i. The MVPP Coordinator shall notify the appropriate enforcement divisions of the awarding of a MVPP site designation for an exemption from programmed inspections.

#### **E. Application Denial**

- 1. Should the company's application be denied, a letter to this effect shall be issued by the MVPP Coordinator. In this letter, the company shall be given the reasons for the decision and told that MVPP will consider another application when the company can meet MVPP requirements.
- 2. Should an applicant appeal the team's recommendation that qualification has not been met, the MVPP coordinator will forward the appeal to the Director of the Michigan Occupational Safety & Health Administration (MIOSHA), along with the team's recommendation of denial and the MVPP Coordinator's recommendation.
- 3. If the Director of the Michigan Occupational Safety and Health Administration (MIOSHA) accepts the recommendation to deny approval, the denial will be effective on the date the MVPP Coordinator signs a letter informing the applicant of the decision.

#### **F. MVPP File**

Once an application has been processed and approved for Star status, the MVPP Manager shall return the application and all amendments to the applicant. The following documents shall be maintained in the MVPP file:

- 1. Chronology of events.
- 2. Correspondence with applicant.
- 3. Transmittal memorandum to the Agency Director.

4. Final Report.
5. Approval letter sent to the applicant.
6. Notification to enforcement divisions.
7. Copy of news release issued by the Department.
8. Copies of newspaper, trade journal or other articles regarding the MVPP award or ceremony.
9. Annual Safety and Health Management System evaluation (for current MVPP participants).
10. Annual Injury and Illness data.
11. MVPP site contact person.

Note: Applications for Rising Star sites will be retained until site achieves Star status, withdraws their application, or is terminated from the MVPP program.

## Chapter V

### POST-APPROVAL ASSISTANCE FOR MVPP SITES

#### A. Introduction

This chapter assigns responsibility for post-approval assistance and outlines procedures to be followed for both offsite and onsite assistance programs.

1. The onsite assistance is reserved for situations where serious problems come to the attention of the MVPP Manager, or where scheduled onsite assistance has been agreed upon at the time of approval or evaluation.
2. Agreed-upon assistance shall occur for Rising Star sites. This assistance is meant to improve the safety and health management system or to resolve serious problems that might otherwise result in termination of Star or Rising Star status.

#### B. Responsibilities

1. **Agency Director** – The Agency Director shall ensure that the MVPP Coordinator has access to expertise and information as needed to assist the MVPP participant.
2. **Enforcement Division** – The Divisions shall ensure copies of all complaint, chemical leak/spill, and fatality/catastrophe investigation reports and/or non-formal complaint letters concerning a MVPP participant are provided to the MVPP Coordinator.
3. **MVPP Manager** – The MVPP Manager has responsibility for:
  - a. Assuring the submission of the annual injury and illness data, the employment history for the site and all applicable contractors, and the most recent written safety and health management system annual evaluation.
  - b. Review and analyze rates submitted and the annual evaluation to ensure that no serious problems have arisen.
  - c. Review and analyze the results of any MIOSHA enforcement investigation concerning a complaint, chemical spill, or fatality/catastrophe.
  - d. Assist in the resolution of any serious problem that arises, including providing participant access to any expertise available within MIOSHA or recommending sources of expertise not available in MIOSHA.

Note: Assistance will not be provided during any ongoing MIOSHA enforcement activity. Once the report and/or citations become final order, then assistance may be provided.

- e. Provide onsite assistance where problems have arisen or where agreed upon at the time of approval or during an evaluation visit.

- f. Keep the MVPP Coordinator apprised of any key developments during or after implementation.

### C. Off-site Assistance

1. **Annual Review of Rates and Program Evaluation** – By February 15 annually, each site participating in the MVPP, identified by name and NAICS code, must submit to the MVPP Manager:

- Total number of employee hours worked
- Average number of employees for the preceding calendar year
- Number of recordable injuries and illnesses
- Number of cases involving days away from work/restricted work/or job transfer (injury and illness)
- Annual TCIR and DART rate
- MVPP impact (success stories), see Figure VI-2, see page 521
- Summary of mentoring activities
- Written safety and health management system evaluation, see Appendix A, page 543

The first five bulleted items must also be submitted for all applicable contractors.

- a. If these have not been received by March 1, the MVPP Manager shall request them from the MVPP site representative.
  - b. The MVPP Manager shall review the injury and illness rate information and the annual evaluation.
  - c. If a substantial increase in rates or some problem with the program evaluation is noted, the MVPP Manager shall seek an explanation from the site and may elect to schedule an onsite assistance visit.
  - d. If an unresolved serious problem is evident, an onsite assistance visit shall be arranged with the site.
2. **MIOSHA Complaints and Investigations of Chemical Spills/Releases, Fatalities/Catastrophes, Accidents, etc.** – The MVPP Coordinator shall review any formal or non-formal complaints and resultant inspection reports or letters written by a MIOSHA enforcement division concerning conditions at the MVPP site. This review will be conducted to determine if a serious and unresolved safety and health management problem has arisen. If so, the MVPP Manager shall take action to ensure the problem is resolved. This may include an onsite assistance visit at a mutually convenient time after any citations become final order. If a program related fatality or catastrophe occurs at a participating MVPP site, the MVPP Manager shall use the following procedure:
    - a. Agency administration shall provide the MVPP Coordinator a description of the fatality or catastrophe, including all pertinent information available. In cases where the information is provided by the participant, the Agency Director shall be kept informed of the event.

- b. When the MIOSHA enforcement investigation is complete, the MVPP Coordinator shall be informed of the investigation findings.
  - c. Upon receipt of the MIOSHA investigation report, the MVPP Coordinator shall request the MVPP Manager assess the findings. This includes an examination of the program deficiencies that led to the event, and may include a partial or complete onsite evaluation.
  - d. Based upon the results of the assessment and the level of cooperation shown by the participant to the Agency personnel conducting the investigation, written recommendations will be developed. These recommendations will range from program improvements to withdrawal or termination of the site's MVPP participation. As appropriate, a report shall be made to the MVPP site, MVPP Coordinator, and the Agency Director.
3. **Change of Ownership** – Whenever ownership or significant organizational changes occur that may impact the safety and health management system, the MVPP Manager shall discuss the changes with the site representative and schedule an onsite visit, if necessary, to evaluate the impact. The site will provide the MVPP Manager a new statement of commitment signed by both management and any authorized collective bargaining agents.
4. **Change in the Collective Bargaining Agent** – Whenever a change occurs in the authorized collective bargaining agent, the site will provide the MVPP Manager a new signed statement indicating that the new representative supports MVPP participation.
5. **Additional Services** – The MVPP expects its program participants to develop and maintain self-sufficient safety and health management systems. In situations where participants cannot solve problems themselves, the MVPP Manager may serve as a general resource for the company and shall encourage the company to seek any assistance needed to maintain the quality of its safety and health management system. The MVPP Manager may:
- a. Provide requested expertise through:
    - 1) Mentoring MVPP sites.
    - 2) Other expertise available within MIOSHA.
    - 3) Recommendations of sources of expertise outside of MIOSHA including the VPP Participants' Association.
  - b. Contact the site representative for Rising Star sites six months after approval to see if progress is being made toward achievement of the goals set, and offer assistance to resolve any problems that might have arisen.

#### D. **Onsite Assistance**

Onsite assistance visits shall be made either in response to specific problems that come to the attention of the MVPP Manager or as a result of a schedule agreed upon by MVPP and the participant at the time of approval or evaluation.

1. **Specific Problems** – When the onsite visit is in response to an identified specific problem, the purpose of the visit is to assist the participant in the resolution of that problem.
  - a. **Triggers** - Specific problems triggering an onsite visit include but are not limited to the following:
    - 1) A Michigan Star or Rising Star participant's rates for the previous year is above the industry average.
    - 2) A Michigan Star or Rising Star participant's explanation of a substantial increase in either the injury and illness rate or the lost workday case rate indicates a serious unresolved problem.
    - 3) A review of the MIOSHA investigation report from a complaint, chemical spill/release, fatality/catastrophe or significant event indicates that a serious problem at a MVPP site has not been resolved.
    - 4) The site representative demonstrates lack of responsiveness following a change in ownership or significant organization change.
  - b. **Procedures** – Procedures at the site shall include:
    - 1) Explanation of the reason for the visit and what will be done during the visit.
    - 2) Assurance that the visit will be limited to the resolution of the problem. The visit is not an inspection but rather an attempt to provide assistance to the participant in resolving the problem.
2. **Scheduled Onsite Assistance Visits for Rising Star Programs**
  - a. **General** - Although scheduled onsite assistance visits for participants is not expected to be needed frequently, some participants may require such assistance. Assistance visits may provide crucial support and guidance that can contribute to an enhanced safety and health management system. The MVPP Manager will ensure that any onsite assistance is conducted appropriately.
    - 1) When a company is approved for participation, the assistance role of MVPP shall be established prior to granting approval for Rising Star Award.
    - 2) This may involve one or more onsite assistance visits during the course of the first year.

- 3) The outline below shall be followed only when one of the provisions of approval requires scheduled visits:
  - a) Reevaluate the current program.
  - b) Determine whether reasonable progress is being made in meeting commitments established at the time of approval.
  - c) Identify any problem areas.
  - d) Provide advice and information to assist in program development.
- b. **Preparation** – The Team Leader shall make arrangements for program assistance visits as follows:
  - 1) The Team Leader shall call the company and determine a specific day that is mutually satisfactory for the visit. If the visit can be arranged on a day when a self-inspection is scheduled, it may be useful for the Team Leader to observe how it is conducted.
  - 2) When scheduling the visit, the Team Leader shall explain the purpose of the visit, and how the visit will be conducted.
    - a) In addition, the documents to be reviewed shall be readily available at the time of the visit.
    - b) The employer shall also be reminded that it is not an enforcement visit, but if serious hazards are observed, the employer will be expected to correct them.
- c. **Procedures** – The general procedures for assistance visits include:
  - 1) **Initial Interview** – MVPP representative(s) shall describe the purpose of the visit and how it will be conducted. An assistance visit can usually be completed in one day or less.
    - a) The schedule for an assistance visit should include about two hours for review of safety and/or health program documentation created since the pre-approval or the most recent evaluation or assistance visit.
    - b) A brief walk-through of the site shall also be conducted to obtain a general sense of existing conditions.
    - c) A few informal interviews of randomly selected employees shall be conducted during the walk-through. (See Appendix B, Part IV, page 76 for suggested topics.)
    - d) A closing meeting shall be held to summarize findings and provide suggestions for program improvements.

- 2) **Presentation of Findings** - MVPP representative(s) shall summarize the major findings of the assistance visit. The accomplishments and strengths of the program will be emphasized as well as specific actions that the employer should take to improve the program. If major deficiencies are found in implementation of the safety and health management system, then agreement must be sought on actions to be taken and dates by which such actions are to be accomplished.
- 3) **Summary of Findings** - A brief summary of the major findings and recommendations resulting from the onsite review must be written and submitted to the MVPP Manager for review and placed in the file. A copy of the summary shall be sent to the employer within 30 working days following the onsite visit.

#### E. **Withdrawal After Approval**

Any approved participant may withdraw at anytime, for any reason.

1. **Method** – The participant shall write a letter to the MVPP Manager stating that the site is withdrawing from the program. Reason for withdrawal shall be stated. The withdrawal shall be effective on the date of the letter.
2. **Record** – When withdrawal occurs after approval, the MVPP file will be maintained.
3. **Cause** – The MVPP Manger shall determine the cause for withdrawal and notify the MVPP Coordinator. The MVPP Coordinator notifies the Agency Director.
4. **Acknowledgement** – The former participant is sent a letter from the MVPP Coordinator with a copy to the Agency Director, indicating:
  - a. Acknowledgement of the withdrawal.
  - b. The MVPP flag and plaque must no longer be used.
  - c. The establishment will no longer be exempted from programmed inspections.
5. **Notification of the Agency** – The MVPP Coordinator shall notify the appropriate Agency staff that the withdrawn site is no longer participating in the MVPP.

#### F. **Termination**

MVPP may terminate a site's participation in the program only for cause.

1. **Conditions** – Except where employees appear to be at serious risk, termination of the program shall occur only when all efforts for assistance have been exhausted. Termination may also occur when evidence exists that the trust and cooperation among labor, management, and MIOSHA, upon which approval was based, no longer exist.
2. **Process** – Termination of MVPP participation shall be handled as follows:

- a. **Proposed Termination Package** – The MVPP Coordinator shall send to the Agency Director for concurrence all of the following:
  - 1) A memorandum explaining the reason(s) for termination of participation.
  - 2) Any documents supporting the decision.
  - 3) A proposed letter of termination.
  - 4) Termination becomes effective upon signing of the letter of termination by the Agency Director.
  
- b. **Termination Notification** – Once the Agency Director signs the termination letter:
  - 1) The MVPP Coordinator and Manager shall be notified immediately.
  - 2) The appropriate staff shall be notified by the MVPP Coordinator that the former participant shall no longer be exempted from programmed inspections.
  - 3) A copy of the termination letter will be filed in the MVPP file.
  
- c. **Reapplication Following Termination** – Reapplication from terminated sites shall not be considered for a period of three years from the date of termination.

**G. Reinstatement**

Reinstatement requires reapplication.

## Chapter VI

### REEVALUATION OF MVPP PARTICIPANTS

The procedures listed in this chapter are very similar to Chapter III. The procedures have been repeated with minor changes to provide for a thorough understanding of the reevaluation process for current MVPP participants.

#### A. Purpose

Formal onsite evaluation of a participating MVPP worksite's safety and health management system enables MIOSHA staff to assess the current effectiveness of the program in relation to the hazards at the workplace. Such an evaluation is performed for several reasons:

1. **Michigan Star** – For Michigan Star participants, the reevaluation enables MVPP staff to determine eligibility for continued participation.
2. **Rising Star** – For Rising Star participants, the reevaluation enables MVPP to determine eligibility for Michigan Star participation, continued Rising Star participation, or termination of participation.
3. **All MVPP** – For all participants, a reevaluation provides the participant with useful information regarding the strengths and weaknesses of the site safety and health management system so that the site can improve its program.

#### B. Process Summary

1. **Schedule of Evaluations** – Reevaluations take priority over initial onsite reviews, because there is always the possibility that sites have not maintained program qualifications and the inspection exemption process should be canceled.
  - a. **Michigan Star** - Michigan Star participants initially are reevaluated between (30) and (42) months following approval unless significant problems come to MIOSHA's attention earlier. The reevaluation must be completed no later than (42) months following the anniversary of the site's initial approval for Michigan Star. Subsequent reevaluations must be completed within (36) months of the preceding evaluation. For continued participation in the Star program a plaque will be awarded once every three years. A reevaluation may be conducted earlier if:
    - 1) The site requests an earlier reevaluation.
    - 2) Significant changes in management, process (es), or products(s) which may require reevaluation to ensure the site is maintaining a Michigan Star quality safety and health management system.
    - 3) Significant problems at the site come to MIOSHA's attention. Such problems may include increasing rates, serious deficiencies described in

the site's annual evaluation of its safety and health management system, and deficiencies discovered through MIOSHA compliance activity resulting from an employee complaint, fatality, catastrophe, or other significant event.

- b. **Rising Star** – Michigan Rising Star participants are reevaluated within 18-24 months following approval.
  - 1) Subsequent reevaluations, when needed, shall be determined by the MVPP Manager in consultation with the participant.
  - 2) A Rising Star participant may request a reevaluation for the purpose of determining whether Star qualifications have been met before the scheduled reevaluation is due. The participant must provide evidence that the site has met Star requirements.
2. **Reevaluation Visit** – The Team shall conduct an onsite assessment of the functioning safety and health management system by reviewing records of activities, observing conditions, and interviewing managers, supervisors, and employees.
3. **Presentation of Findings** - When the evaluation visit is completed, the Team shall discuss its findings with worksite representatives orally prior to drafting the evaluation report. The MVPP participant shall be given an opportunity to review and discuss the draft report to ensure that the report accurately describes the safety and health management system in relation to evaluation measures.
4. **Decision** – The reevaluation decision process shall follow these procedures:
  - a. **Michigan Star** – The reevaluation report for Michigan Star participants, when finalized, shall be presented to the MVPP Coordinator who will make the final determination regarding continuation in the program.
  - b. **Rising Star** – Recommendations for continued participation as a Rising Star shall be presented to the MVPP Coordinator. A Rising Star site must meet Star requirements within three years. Recommendations for advancement from Rising Star to Star shall be presented to the Agency Director who will make the final determination regarding approval to Star.
  - c. **Termination Recommendations** – All termination recommendations for a participant in any MVPP must be forwarded to the Agency Director for a decision.

### C. Reevaluation Preparation

1. **Size and Composition of the Reevaluation Team** – Team composition will depend upon the size of the site and the number and complexity of the potential hazards. Whenever possible any team members who were involved in the initial onsite review will participate on the evaluation team.

- a. **Personnel** – Onsite evaluation teams will be determined by the MVPP Manager and should include:
  - 1) A Team Leader who possesses:
    - a) Knowledge of the MVPP policy as outlined in this operating procedure.
    - b) Knowledge of safety and health management systems.
    - c) Previous experience as an onsite review team member, whenever possible. A Team Leader will receive “on-the-job” training from other experienced Team Leaders.
  - 2) A safety consultant to evaluate the participant’s safety program.
  - 3) An industrial hygienist to evaluate the participant’s health program.
  - 4) Additional safety or health specialists, with expertise relating to the site’s industry, especially when MIOSHA has a special emphasis program targeting this industry. An example is expertise of persons trained in the PSM standard.
- b. **Factors Affecting Team Size and Length of Time Onsite** – Where the site is large or the processes are complex, additional safety and health team members or additional days onsite may be necessary.
- c. **Onsite Evaluation Team Members** – Team members will be selected by the MVPP Manager and Team Leader based on their experience, knowledge and qualifications. MIOSHA enforcement personnel may be assigned to a Team under the following circumstances:
  - 1) Such personnel are assigned to temporary duty with the MVPP team, and are not permitted subsequently to engage in enforcement activity at that worksite while the site is under MVPP reevaluation.
  - 2) Information gathered during the MVPP review cannot be used for any enforcement activity at any worksite under MVPP review unless:
    - a) The worksite has refused to correct hazards found by the MVPP team.
    - b) The Team Leader and MVPP Manager recommend that the Agency Director take enforcement action.
    - c) The Agency Director determines that enforcement action be taken.
- d. **Team Leader Responsibilities** – The Team Leader has overall responsibility for the onsite reevaluation. Specific responsibilities are described in each section of

this operating procedure. Responsibilities may be delegated to individual team members.

2. **Arrangements** – Arrangements for the onsite reevaluation will be coordinated by the MVPP Manager.
  - a. **Schedule** – The Team Leader shall schedule the onsite reevaluation after discussion with the MVPP Manager. The duration of the visit will depend upon the size and complexity of the site:
    - 1) Planning shall account for time needed to hold the opening conference and conduct the onsite reevaluation.
    - 2) Onsite reevaluations should average about three to five working days, unless the participant’s site is large or the processes are complex.
    - 3) Participant sites regulated by the PSM standard may require additional review personnel or time onsite.
  - b. **Coordination** – The Team Leader shall provide the site representative a list of items to have ready for the team’s onsite review. Figure VI-2, page 521 contains a suggested list of items that can be reviewed. The Team Leader shall make additional arrangements as necessary. Such arrangements may include:
    - 1) A request that the participant submit MIOSHA Injury and Illness Log or other safety and health management system documents to the Team Leader prior to the onsite reevaluation.
    - 2) An assurance that a work area is available at the participant site for program and document review, private interviews, team discussions, and related paperwork.
    - 3) An assurance of arrangements for travel and accommodations for all onsite team members.
  - c. **Employee Representation** – Employee involvement is required at all sites where collective bargaining agents or representatives of employees as defined by the Act are involved. The MVPP Manager or Team Leader shall inform the site representative that such agents or representatives shall be included in the opening and closing conferences and allowed to accompany the team on the site walk-through.
3. **Advance Planning Responsibilities for Onsite Reevaluation Team** – Team members shall hold a strategy meeting in advance of the onsite reevaluation.
  - a. **Knowledge of Industry** – Team members shall familiarize themselves with the participant’s industry and the associated hazards.
  - b. **Detailed File Review** – If possible, team members shall review all documents about the MVPP participant.

- 1) The file may include the application, the pre-approval report, any notes about hazard correction, any previous evaluation reports, any reports related to onsite or off-site assistance, annual injury rate data, and any complaint, chemical leak/spill, any fatality/catastrophe investigation reports, or other correspondence.
- 2) The Team Leader shall, at a minimum, take the following documentation to the reevaluation visit:
  - a) The pre-approval report.
  - b) Any previous reevaluation reports.
  - c) Any hazard correction information.
  - d) Onsite assistance visit summaries.
  - e) Any MIOSHA correspondence.
  - f) Current MISS data or current BLS data on all occupational injuries and illnesses.
- c. **Interview Questions** – Team members shall review the potential interview questions in Appendix B, page 68 and add questions as appropriate.
- d. **PPE** – Team members shall equip themselves with the appropriate PPE required for the onsite walk-through. The site shall provide special equipment not readily available to the team.
- e. **Schedule** – The Team Leader shall develop a preliminary schedule of planned onsite review activities.
- f. **Assignments** – The Team Leader shall make specific onsite assignments to ensure a comprehensive reevaluation and to take advantage of each team member’s expertise.

#### D. **Opening Conference**

The team shall hold an opening conference with the participant’s management and employee representatives. The Team Leader shall discuss the following information.

1. **Program Review** – Describe the procedures used to conduct the onsite reevaluation, report preparation, and closing conference to the participant. Discuss other aspects of the MVPP with the participant, as necessary.
2. **Onsite Review Goals** – Clearly state the goals of the evaluation:
  - a. To determine whether Michigan Star requirements continue to be met.

- b. To analyze the impact of changes in the safety and health management system that have occurred since MVPP approval or the last evaluation.
  - c. To assess the continuing adequacy of the safety and health management system for the potential hazards at the site.
  - d. To assess the satisfaction of management and employees with the program.
3. **Schedule** – Discuss the anticipated onsite reevaluation schedule and assure that proper site representatives are available to assist team members in the review.
4. **Interviews** - Make arrangements to conduct private interviews with joint labor-management committee members, supervisors, managers, maintenance personnel, recordkeepers, occupational safety and health staff, and randomly selected employees including contractor employees.
5. **Hazard Correction** – Describe the expectations regarding the correction of any hazards or deficiencies noted during the onsite reevaluation.
- a. Where feasible, the correction will be made immediately or before the onsite reevaluation is complete.
  - b. The Team Leader will provide the site representative a list of all hazards that cannot be corrected before the team leaves the site. The participant shall submit a status report to the MVPP Manager, within 30 working days upon completion of the onsite review, to indicate hazards have been corrected. The MVPP Manager may request additional documentation of hazard correction or decide to send team members back to the site to confirm hazard correction.
  - c. If the participant refuses to correct a hazard where the safety and health of employees is endangered, that hazard may be referred to the Agency Director for review and enforcement action if deemed necessary.
6. **Status** – Explain that the Team Leader will keep the participant regularly updated on the progress of the review and that the participant will have opportunities to provide additional information and documentation.

## E. Documentation Review

### 1. Recordkeeping

- a. **MIOSHA Injury and Illness Log** – The MIOSHA logs for the period since the pre-approval or last evaluation date are reviewed for accuracy for the site's regular employees (including temporary employees) and for applicable contractors whose employees work 1,000 or more hours on the site in any calendar quarter of the year. The Team Leader may also request injury and illness records for contractors whose employees work less than 1,000 hours in any calendar quarter of the year.

- b. **Fatality Review** – The team leader shall review participant and contactor fatalities that have occurred since the pre-approval or last evaluation date to assure corrective actions have been taken.
  
- c. **MISOHA Injury and Illness Log Review**
  - 1) Review the MIOSHA Injury and Illness Log for the most recent complete three-year period and current year-to-date to confirm that the logs have been properly maintained for the entire period.
  - 2) Verify that (randomly selected) lost workday entries were recorded properly by reviewing the site’s and contractor’s MIOSHA Supplemental Forms or other records such as the first aid log, or worker’s compensation and insurance reports. Compare these records with the log entries to assess the accuracy of the log.
  - 3) Possible errors or omissions shall be discussed with the recordkeeper to determine whether changes in the MIOSHA Injury and Illness Log entries are needed. The log shall be modified to reflect proper recordkeeping practices. Indications of deliberate log under recording requires additional management and employee interviews.
  - 4) Based on the verified MIOSHA Injury and Illness Log, TCIR and DART rate shall be calculated to the nearest tenth. The site’s rate and applicable contractor(s) rates shall be calculated separately. See page 7 for formulas describing how to calculate TCIR and DART rate.
  - 5) In like manner calculate the rates for the current year to ensure they are in accordance with program requirements.
  - 6) Compare the site’s last three complete years’ TCIR and DART rate to the most recent MISS specific industry average for the site’s NAICS code. If data is unavailable, use BLS data. The site must continue to maintain TCIR’s and DART rates at or below the industry average.
  
- 2. **Safety and Health Management System** – Verify all aspects of the site’s safety and health management system including the written programs, training documents, inspection and accident records, other supporting documents, etc. Industrial hygiene surveys or chemical process analysis and monitoring records that are required by relevant health standards must also be reviewed to see if they adequately assess potential/actual exposures.
  
- 3. **Committee Records** – For the programs that require joint committees, check the minutes and inspection records to verify required committee activities. For other programs, committee minutes may provide additional inspection or hazard report information.
  
- 4. **Records of Employee Reports of Safety and Health Concerns** – Review at least a sample of the internal hazard report files to verify that the system works as described, that cases are well documented, and that responses are reasonable and timely.

5. **Chemical Process Systems Documentation** – For chemical plants producing or using high hazard chemicals, review documents and process monitoring systems describing: identification of critical failure points; planned redundant protective systems; control system for design or procedure notification; emergency procedures for failure of control systems; procedures for changing back to normal operations after emergencies; and preventive maintenance systems to ensure that the site is in compliance with the PSM standard.

## F. Site Walk-Through

1. **Purpose** – This is not an inspection but a review to see how the safety and health management system is operating at the site, and to assess the impact of any changes in production process and working conditions since the initial onsite review or the last MVPP evaluation visit.
2. **Program Evidence** – Look for evidence of an effective program implemented in relation to the potential hazards at the site.
  - a. Look for evidence that categories of hazards are appropriately managed. These include walking-working surfaces, fire safety, storage and handling of hazardous materials, machine guarding, powered tools, and welding.
  - b. Note any program improvements or possible weaknesses in comparison to the last MVPP visit.
  - c. Make notes concerning those categories that need improved attention and management.
  - d. Relate the problems that are visible in work areas to documents viewed and interviews conducted concerning work procedures, emergency planning, self-inspection procedures and reports, and complaints or reports of hazards from employees. Make notes concerning program improvements needed to provide the management systems that would prevent these problems.
  - e. Make notes about any specific hazards that must be corrected. Ensuring that a responsible member of management takes notes, as well, and establish a reasonable time period for correction.
3. **Problem Areas** – Attention shall be given to areas where repeated hazards are identified through review of the participant file, the annual program evaluation reports, the MIOSHA Injury and Illness Log, and/or other records of injury or illness.
4. **Interviews** – The team shall question selected employees (including contract employees) privately about prescribed work procedures, hazards to which they may be exposed, and use of PPE and any other applicable issues. See interview questions in Appendix B, page 68.

## G. Preparation of Findings

1. **Additional Opportunity for Documentation** – The Team Leader shall determine before the reevaluation report is prepared that the Team has seen everything the site representative feels is relevant, and that the representative is satisfied the Team has a good understanding of the safety and health management system in action. The Team Leader shall specifically address any unresolved issues noted by the Team and allow the site representative an opportunity to provide additional information.
2. **Meeting on Findings** – When the documentation review, walk-through, and employee interviews have been completed, the Team shall meet privately to review and summarize their findings.
  - a. **Discussion of Findings and Conclusions** – Allow time for complete discussion of issues and for reaching consensus prior to the informal closing conference with the participant and employee representatives.
  - b. **Discussion Guide** - Appendix C, page 78 may be used as a discussion guide.
3. **Responsibility** – The Team Leader is responsible for organizing the onsite review findings after discussion with Team members.
  - a. **Organization of Findings** – The findings shall be organized for the informal closing conference according to the evaluation measures listed on page 45.
  - b. **Hazard Correction**
    - 1) Team members shall describe all documented hazards or program deficiencies and the correction plans they have discussed with management.
    - 2) A list of the uncorrected hazards shall be provided to the participant at the informal closing conference.
  - c. **Consensus** – The Team should reach consensus on the recommendation.
    - 1) Where consensus is not reached, Team members shall document a dissenting opinion, together with supporting data and rationale.
    - 2) Any dissenting opinion, together with any responses by other Team members, shall accompany the reevaluation report.
  - d. **Confidentiality** – The confidentiality of information provided by employees shall be maintained.
4. **Reevaluation Measures** – The development of findings shall address the following evaluation measures:
  - a. Injury rates (in comparison with the industry average and past performance).
  - b. Elements of a comprehensive safety and health management system.

- c. Program improvements or weaknesses since approval for participation or last evaluation.
- d. Adequacy of safety and health management system to protect workers against the site's potential hazards.
- e. Ability to safely control conditions at the site where contractors/subcontractors are involved.
- f. If applicable, progress made toward meeting individual Rising Star program goals.
- g. Satisfaction of the participants.
- h. Nature and validity of complaints, if any, received by MIOSHA.
- i. Effectiveness of employee participation or, where a joint labor-management committee is involved, effectiveness of the committee.
- j. Other areas that have had direct or indirect MVPP impact, see Figure VI-2, page 51.

5. **Recommendation** – The Team shall choose among the following alternatives:

a. **Michigan Star**

- 1) Michigan Star participant continues to meet all requirements. Recommend continuation as a Michigan Star participant upon satisfactory completion of any hazard corrections.
- 2) Michigan Star participant is deficient in one or more requirements, which can be satisfactorily adjusted during a 90-day deferral decision, but requires one year's experience operating at Michigan Star program quality. Establish written goals for the site to reach Michigan Star program quality. Recommend conditional Michigan Star Program participation for one year with quarterly progress reports due and a formal reevaluation scheduled at the end of the year. (See Figure VI-3, page 52 at the end of this chapter for a complete discussion of the one-year conditional process); or
- 3) Recommendation for Michigan Star participant to be terminated from MVPP when participant:
  - a) Has major deficiencies in one or more program requirements.
  - b) Cannot reach agreement on corrections.
  - c) Cannot make corrections within a 90-day deferral of decision.

- d) Has not made good faith effort on agreed-upon corrections.

**b. Rising Star Program**

1) Term Completed

- a) Rising Star participant has met all agreed-upon goals including Star requirements. Recommend Michigan Star program participation.
- b) Rising Star participant has not met all agreed-upon goals and/or Star requirement 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
  - i. There are no extenuating circumstances, or
  - ii. The state has already given a second Rising Star approval, termination is automatic.

2) Term Incomplete

- a) All agreed-upon goals including the Star requirements have been reached earlier than expected. Recommend Star approval.
- b) Rising Star participant is progressing satisfactorily, and/or the site has agreed with MVPP Manager on resolution of any problems and is acting in good faith. Recommend continuation of Rising Star status.
- c) Rising Star participant either is not making a good faith effort to achieve goals, or has serious problems and has either refused or failed to resolve them in a reasonable period of time. Recommend termination.

**c. Final Decision**

1) Continuation in Star and Rising Star Programs.

In all cases the decision to continue participation in Star and Rising Star Programs, including granting a one-year conditional Star approval (see page 532), is the responsibility of the Agency Director.

2) All Other Participation Decisions

All decisions relating to advancement from Rising Star to Star, and termination from MVPP are the responsibility of the Agency Director.

## 6. **Report to MVPP Managers**

The Team Leader shall brief the MVPP Manager upon completion of the reevaluation. The Team Leader shall provide the MVPP Manager with the reevaluation report, hazard correction plan and team member recommendations. The MVPP Manager shall review these documents in order to determine if an acceptable onsite reevaluation was conducted. If acceptable, the MVPP Manager shall authorize the Team Leader to hold the formal closing conference with the participant, if not acceptable, the MVPP Manager shall instruct the Team Leader to take the necessary actions to correct any deficiencies in the onsite reevaluation. Such actions may include the return of the Team Leader or Team members to the participant's site or phone contacts between the Team Leader and the participant's representatives.

## H. **Reevaluation Report**

The Team Leader is responsible for preparing a report following the format in Appendix F, page 98.

1. **Report Assignments** – The Team Leader may assign sections of the report to other team members.
  - a. **Deadlines** – Each writer shall meet established deadlines.
  - b. **Team Review** – Each Team member shall review the reevaluation report.
  - c. **Team Recommendation** – The evaluation report shall indicate whether the applicant has met the requirements for continued participation in MVPP. Administration approval is required before final determination.
2. **Review of the Evaluation Report** – The reevaluation report will be mailed to the participant by the MVPP Manager. The Team Leader will set up a formal closing conference to provide an opportunity for the participant to ask questions and suggest changes. The participant shall submit any suggested changes to the MVPP Manager within 15 working days. A meeting for further review and discussion may then take place in either the participant's office or the MVPP Manager's office, depending on the convenience of both parties. Minor changes can be handled by telephone or mail.

## I. **Hazard Correction Plan**

1. **Documentation** – A list of the uncorrected hazards shall be provided and discussed at the informal closing conference. They shall be discussed with the participant to define the means of correction. In addition, a memorandum to the file that outlines the agreement shall be written and signed by the Team Leader. It shall not be part of the final report. This memorandum and the letter from the company that describes the hazard correction will be part of the MVPP Manager's file. All corrections should generally be completed within 30 working days at which time the participant shall send a letter to the MVPP Manager describing the completion of the corrective actions. The correction letter and memorandum shall be made available for the use of the team conducting subsequent onsite reevaluations.

## 2. **Uncorrected Serious Hazard(s)**

- a. If serious hazards remain uncorrected after 30 days from the closing conference, the MVPP Manager shall attempt to resolve all uncorrected hazards(s) with the participant. It is fully expected that a participant shall have corrected all hazards within 30 days of the closing conference. Additional time to correct hazards may be granted by the MVPP Manager if warranted.
- b. The participant site shall be informed that if a satisfactory correction of any serious hazard(s) cannot be achieved, the uncorrected hazards will be brought to the attention of the Agency Director who may initiate enforcement action, and may terminate the MVPP at this location.

J. **Closing Conference** – The findings of the Team, including the Team’s recommendation that the participant has met the requirements for participation in MVPP, shall be presented to site management and appropriate employee representatives at the closing conference. When possible, all Team members shall be present. The closing conference, if possible, should be held within 30 working days from the completion of the onsite reevaluation.

1. **Recommendation** – The team’s findings regarding site participation in MVPP shall always be discussed in terms of a team recommendation. Should the recommendation be for termination, offer the company the opportunity to withdraw before the recommendation goes to the MVPP Manager.
2. **Hazard Correction Plan** – A written list of the uncorrected hazards shall be provided to the site at the closing conference. They shall be discussed with the participant to define the means of correction. All corrections shall be generally completed within 30 working days at which time the participant shall send a letter to the MVPP Manager describing the completion of the corrective actions.
3. **Rising Star Program Goals** – The Team Leader shall recommend Rising Star program goals for all participants recommended for continued participation in the Rising Star program. Any Star requirements not met at the site shall be included in the goals. Rising Star goals shall relate to deficiencies in the Star program requirements and to needed improvements in the site’s safety and health management system.
4. **Reevaluation Report** – The reevaluation report shall be reviewed with the participant at the closing conference. After input is received the Reevaluation Report will be finalized. The Agency Director will make final determination on recommendation and Final Reevaluation Report sent to site.
5. **Planned Onsite Assistance** – The frequency of scheduled onsite assistance for applicable Rising Star Program sites shall be discussed.

## Figure VI-1

### ONSITE REVIEW DOCUMENTATION For Reevaluation

Documentation, such as the following, may be reviewed onsite.

#### 1. **General Safety and Health Management System Documentation**

- MIOSHA Injury and Illness Log, first aid logs, worker's compensation first reports of injury Form 301 (or MIOSHA Supplemental Form), and employee medical records (if available at the site) since the pre-approval visit or last evaluation for the site and its contractors.
- Company safety and health policy, goals, and objectives statements.
- Any new training programs for safety and health (including committee training and MIOSHA recordkeeping training), and attendance records of training sessions.
- Self-inspection and accident reports, including records of correction and tracking documents for the period since the pre-approval or last evaluation.
- Employee reports of safety or health problems or suggestions, and tracking documents since the pre-approval or last evaluation.
- Safety and health committee minutes (where applicable) since the pre-approval or last evaluation.
- Any new or changed plant safety and health rules.
- Annual internal audits or evaluations of the safety and health management system, with documentation of action taken to address recommendations.
- Evidence of line accountability (management evaluations, reward or penalty systems, budget accountability, disciplinary system, etc.) since the pre-approval or last evaluation visit.
- Any other documentation relating to the site's safety and health management system.

#### 2. **Specific Safety and Health Management System Documentation**

- Any changes in the PPE, hazard communication, emergency procedures, confined space, hot work or other programs, with documentation of training drills, etc.
- Documentation of the preventative maintenance system used during the period.
- Report(s) and studies completed since the pre-approval or last evaluation identifying potential health hazards and industrial hygiene sampling records, including medical surveillance records. Records of engineering and administrative controls.

### 3. **Rising Star Program**

- Any documentation related to Michigan Rising Star program goals.

#### **Figure VI-2**

#### **DIRECT/INDIRECT MVPP IMPACT**

Reevaluation procedures call for assessment of changes in injury rates, employee awareness and involvement, and safety and health conditions. Other areas of management concern may be impacted either directly or indirectly by participation in the MVPP. If management has tracked improvement in these areas and will share the information with MVPP's review teams (the information can be very general, such as "an increase" or "decrease by 10 percent"), the information may be helpful when aggregated with information from other MVPP sites. Document change only.

- Absenteeism rate.
- Workers' compensation claims or costs.
- Turnover rates.
- Productivity.
- Other areas that are tracked and appear to change in relationship to the MVPP participation.

## Figure VI-3

### CONDITIONAL STAR PROGRAM PARTICIPATION

#### A. When to Recommend Conditional Star Program

When a formal onsite evaluation of current Michigan Star participants reveals deficiencies in one or more Michigan Star requirements, a one-year conditional Michigan Star program participation may be recommended under the following conditions:

1. The site desires to remain in the Michigan Star program;
2. The deficiencies can be corrected satisfactorily within 90 days and the corrections are in place by the end of the 90-day deferral period; and
3. If injury and illness data has increased to above the industry average, a one-year rate reduction plan must be established.
4. A period of one year's experience is needed to establish that the site has:
  - a. Continued the program(s) as designed; and
  - b. The program(s) work(s) to correct the deficiency(ies).

#### B. Goals

A goal must be established and agreed to with the site for every deficiency that requires correction. Each goal must meet the following conditions:

1. It must be clearly stated.
2. It must relate to a deficiency in Michigan Star quality discussed in the onsite evaluation report.
3. It must state specifically what is required to verify that it has been accomplished.
4. It must describe the measure(s) that will verify Michigan Star quality has been reached and maintained.

#### C. Onsite Evaluation

Within one year from the date the goals are implemented, the site must undergo an evaluation. If it is clearly found to be at Michigan Star quality, an approval for continuation in the MVPP shall be recommended to the MVPP Manager. For the purpose of future evaluations, the site shall be considered to begin a new cycle as a Michigan Star participant.

## APPENDIX A

### INTERPRETATIONS OF PROGRAM REQUIREMENTS (ALPHABETIC LISTING)

This Appendix contains information from Federal Register, Volume 65, pages 45650-45663.

A. **Accident Investigations** – Investigation of all lost and restricted time accidents must be conducted by all MVPP participants and written reports must be maintained that include prevention recommendations. Investigation of all incidents (including near-misses) is encouraged. The investigations should address the root causes. Written procedures or guidance must be in place by time of approval. The system must have been in operation for a full year before approval to the Star program.

1. The results of accident investigations must be made available to all covered employees on request. This does not necessarily mean that the actual investigation records must be provided.
2. The accident investigation report, at a minimum, should describe the incident and what corrections have been made to avoid future occurrences.

#### B. Applicants

##### 1. **Single-Site Application**

The applicant for MVPP for a single facility could be the local management of that site, regardless of whether it is an independent business or part of a larger corporation, or it may be the corporate management when the corporation provides some of the services needed to qualify for MVPP. The former is preferable in most cases.

##### 2. **Multi-site Application**

A corporation may apply for several sites. This type of application is particularly appropriate where the corporation provides safety and health support to the local programs. Each site, however, must meet the requirements for the program to which application is made.

- a. The fewer number of sites in the application, the more rapidly the application can be processed.
- b. If a multi-site application includes locations in 18(b) States or federal OSHA states, the Agency Director may send a letter to the State Designee or federal OSHA requesting cooperation, but applications for Michigan approval must be made directly to MIOSHA.

##### 3. **Small Employer Adjustment**

Some applicants, usually smaller worksites with limited numbers of employees and/or hours worked, may use an alternative method for calculating incidence rates. The alternative method allows the employer to use the best three out of the most recent four years' injury and illness experience.

To determine whether the employer qualifies for the alternative calculation method, do the following:

- Using the most recent employment statistics (hours worked in the most recent calendar year), calculate a hypothetical total case incidence rate for the employer assuming that the employer had two cases during the year;
- Compare that hypothetical rate to the most recently published MID state total case incidence rate averages for the industry; and
- If the hypothetical rate (based on two cases) is equal or higher than the statewide average for the firm's industry, the employer qualifies for the alternative calculation method.

If the employer qualifies for the alternative calculation method, the best three out of four calendar years may be used to calculate both TCIR and DART rate. Each of the three years used must be below the industry average.

**C. Approval Ceremonies** – Approval ceremonies provide a unique opportunity for recognizing employees and their contributions to the effectiveness of the worksite safety and health management system. They are also a great opportunity for stimulating community awareness of good corporate citizenship.

1. The type of ceremony held is up to corporate and/or site management, but MIOSHA top management should be available to present the certificate and flag.
2. The MVPP Manager should provide suggestions to company management regarding successful ceremony ideas. Suggestions for invitees could include local political officials, other area companies that might be potential MVPP candidates, the occupational safety and health supervisors for the geographic area, any local MVPP liaison, and any agency staff who recruited the company for MVPP, and the onsite team, as well as higher-level MIOSHA officials.
3. The MIOSHA communication specialist will assist the site coordinator with event planning and media coverage.

**D. Assurances** – Applications for the Michigan Star and Rising Star programs must be accompanied by certain assurances describing what the applicant agrees to do if the application is approved.

1. MVPP participants assure that employees including supervisors with health and safety duties will be protected from discriminatory actions. This means not only unreasonable official acts of discipline but also individual/unofficial acts of harassment, such as unpleasant and/or isolated duty assignments.
2. The following is a summary of assurances:
  - a. Comply with the Act and correct all hazards discovered in a timely manner.

- b. Correct site deficiencies related to the MVPP onsite review within 30 days.
  - c. Obtain employee's support of the MVPP application and program.
  - d. Meet and maintain the required MVPP program elements.
  - e. Explain MVPP to newly hired and contract employees, including employee rights under the program.
  - f. Protect employees who are given safety and health duties from discriminatory actions resulting from their carrying out such duties.
  - g. Allow employees access to the results of self-inspections, accident investigations, and other safety and health management system data upon request. At unionized construction sites this requirement may be met through employee representative access to these results.
  - h. Maintain and make available to the onsite team the site's written safety and health management system; all documentation needed to conduct initial onsite review; and any agreements between management and the collective bargaining agent(s) concerning safety and health.
  - i. Make any necessary data available to evaluate the achievement of individual Rising Star or one-year conditional goals available to the MVPP Manager, as requested.
  - j. Submit by February 15 the following information annually: (a) data related to TCIR and DART rate for site employees (b) an evaluation of the site's safety and health management system, and worksite success stories, and a summary of mentoring activity.
  - k. Submit by February 15 data related to TCIR and DART rate for applicable contractor's employees who have worked a total of 1,000 or more hours in any calendar quarter at the worksite.
  - l. Advise the MVPP Manager of any significant organizational or ownership changes within 60 days and provide a new Statement of Commitment signed by management and any authorized collective bargaining agents.
  - m. Advise the MVPP Manager if a change has occurred in the authorized bargaining agent and provide a new signed statement of support for MVPP participation from the new representative.
3. These assurances reflect what the applicant will do as part of the company's approved program.
  4. The applicant will be required to demonstrate willingness to follow through on assurances.

5. Employees should be aware of the recourse available to them if management fails to carry out these assurances.

**E. Collective Bargaining Agent** – If employees at a facility are represented by one or more collective bargaining agents, there must be a written statement that the collective bargaining agent supports participation in MVPP. Preferably the collective bargaining agent will actively support MVPP participation.

1. “Authorized employee representative” or “representative of employee” means a person designated by a labor organization certified by the national labor relations board or employment relations commission as defined in Section 2(c) of Act No. 176 of the Public Acts of 1939, as amended, being section 423.2 of the Michigan Compiled Laws, as the bargaining representative for the affected employees. In the absence of certification, it shall be a person designated by the organization having a collective bargaining relationship with the employer and designated as having a collective bargaining relationship with the employer by the affected employees. If a labor organization has not been certified, or if no organization has a collective bargaining relationship with the employer, “authorized employee representative” or “representative of employee” means a person designated by the affected employees to represent them for the purpose of proceedings under this act.
2. The applicant will decide whether the local collective bargaining agent, the authorized employee, or its international organization representative is the appropriate authorizing body. The United Steelworkers of America have indicated that the international is the bargaining agent for its locals; on the other hand, others, such as local Building Trade Councils, appear to have decision-making authority in this regard.
3. At sites with employees organized into one or more collective bargaining units, the authorized representative for each collective bargaining unit must either sign the application or submit a signed statement indicating that the collective bargaining agent(s) support MVPP participation.

**F. Contract Worker Coverage**

1. Written procedures are required for controlling safety and health conditions for all contract workers who are intermingled with the applicant’s own employees.
2. Requirements and responsibility for contract workers depend on whether they are regularly involved in the routine site operations, or are engaged in temporary projects such as construction, repair, etc.
  - a. Those employees involved in regular site operations must be afforded equal protection by the site safety and health management system. Examples of these contractors include custodial workers, “nested” maintenance contractors, temporaries, etc.
  - b. While specialty contractors are not required to be covered in the same manner, they must be prudently selected and informed of relevant site rules and hazards that could affect either them or site employees.

- c. Contractors working on an MVPP site should have an effective safety and health management system and provide TCIR and DART rate to MVPP participants.
- d. Copies of all applicable contractors' (those contractors whose employees work a total of 1,000 or more hours in any calendar quarter) hours worked and injury and illness data must be maintained by site management.

#### **G. Emergency Preparedness**

1. Emergency plans must be developed that take into account the following:
  - a. The kinds of potential hazards associated with the work done at the site, particularly explosions, fire, and release of toxic chemicals.
  - b. Likely weather conditions and natural disasters.
  - c. Bomb threats and/or other emergency situations.
2. Written procedures should be established to cover the following:
  - a. Emergency egress (exit routes, safe houses, assembly points, etc.).
  - b. Emergency telephone numbers.
  - c. Responsibility for handling each kind of emergency.
  - d. Emergency shut-down and start-up.
  - e. Use of PPE.
  - f. Emergency medical care and follow-up.
3. Training should be provided for all employees regarding what their responsibilities are for each type of emergency. Unannounced drills should be conducted annually.

**H. Employee Interviews** – Interviewing employees requires management agreement. If, however, management refuses to allow employee interviews, it will be difficult to document all required aspects of the safety and health management system, and impossible to recommend approval to MVPP.

**I. Employee Participation** – Applicants must use some type of active employee participation other than a joint labor-management committee. The applicant must demonstrate at least three ways that employees are meaningfully involved in the site's safety and health management system. Examples of other appropriate methods of involving employees are:

1. Participating in ad hoc safety and health problem-solving groups.
2. Participating in audits and/or worksite inspections.
3. Participating in accident and incident investigations.

4. Developing and/or participating in employee improvement suggestion programs.
  5. Training other employees in safety and health.
  6. Analyzing job/process hazards.
  7. Acting as safety observers.
  8. Serving on safety and health committees.
- J. **Hazard Review and Analysis System** – A hazard review system involves an analysis of a job, process or the interaction of activities, in order to identify hazards that have been or could be “built-in.” The analysis must result in improved work practices and employee training as well as (particularly with process analysis) preventative engineering controls where hazards are discovered.
1. A routine hazard review system is not an inspection system.
  2. There must be evidence that the system has been in place for at least one year for Michigan Star. Results of job or process analyses must be used in training employees on safe work practices, in modifying workstations, equipment or materials, and in planning for anticipated potential hazards.
  3. For many jobs, safe-operating procedures may be incorporated into operating and maintenance instructions developed at the site. The key is to ensure that workers, particularly those newly assigned, are aware of hazards and safety precautions.
- K. **Industrial Hygiene (IH) Program** - The written IH program may be an independent program, or it may be an integral part of the safety program.
1. It is important that the IH program addresses the potential health hazards in the workplace.
    - a. The application must address how the health program is implemented (e.g., is all industrial hygiene work performed by regular staff onsite; are some services contracted out; does the corporate IH department provide some industrial hygiene support).
    - b. MIOSHA 21(d) consultation services may be used for advice within the constraints of their limitations on size of business, but they may not be relied upon as the sole source of industrial hygiene expertise.
  2. Occupational Health Requirements to qualify for Michigan Star and Rising Star:
    - a. The written program addressing occupational health protection should address specific hazards; include engineering controls, administrative controls, PPE requirements, and employee training in healthful work practices. The program must be effectively communicated and enforced; clearly assign responsibilities

and provide sufficient resources for the size of the workplace and the types of hazards to be addressed.

- b. All potential health hazards must have been identified by appropriately qualified personnel conducting a complete industrial hygiene survey or a complete process hazards review. A comprehensive health program must be developed based on knowledge of those hazards and must be in effect at least one year for Michigan Star Program approval.
  - 1) Additional surveys must be conducted along with analyses of safety hazards whenever processes change.
  - 2) Periodic monitoring and sampling of any identified problem areas must also be conducted by appropriately trained personnel, with results available for MVPP review.
  - 3) The MVPP team will need to see this documentation either in the application or onsite.
  - 4) We expect the health hazard survey to be done by an industrial hygienist; however, monitoring and sampling may be performed by industrial hygiene technicians or safety staff members with special training in the specific monitoring procedures.
  - 5) Standard, nationally recognized procedures must be used for surveying and sampling, as well as testing and analysis.
  - 6) These services may be contracted.

L. **Inspection/Interaction History** – The MVPP’s success depends on establishing an atmosphere of trust and cooperation. Therefore, a subjective characterization of the applicant’s ability to be involved in a cooperative effort with MIOSHA is required based on the available data.

1. Inspections and MIOSHA interaction history should indicate good faith efforts to improve safety and health.
2. The number of inspections, whether programmed or complaint, is not a measure, but inspection results should be evaluated for the previous five years.
3. Any uncontested or upheld citations for willful, failure to abate, Section 65 (Discrimination) violations at an applicant site during the last three years will preclude participation in MVPP.
4. Any uncontested or upheld repeat violations should be analyzed for indications of weakness in the safety and health management system.
5. Correction of any serious violations should be reviewed.
6. An example of a bad faith approach to safety and health is harassment of MIOSHA staff.

7. Any outstanding enforcement actions such as long term abatement agreements or contests should be resolved before going onsite.

## **M. Internal Inspection System**

### **1. Written Procedures**

A system is required that includes written procedures for routinely scheduled inspections (e.g., weekly, monthly).

- a. Written procedures should provide guidance as to responsibility, frequency and schedule of inspection, use of information sources, where to look and what to look for, recording of findings, to whom findings are reported, and tracking of correction.
- b. For Michigan Star, the system itself must have been in place for a year, and the procedures for the system must be in writing before approval.

### **2. Monthly Inspections**

Inspections should be made monthly by knowledgeable personnel, with written reports of findings and documentation of abatement.

- a. Knowledgeable personnel do not have to be certified but they must be qualified to recognize workplace hazards, particularly those peculiar to their industry. MVPP sites should have access to certified safety and health professionals.
- b. Others may participate in the inspection process.

### **3. Inspection Coverage**

It is not necessary that each inspection covers the entire workplace, but at a minimum, the entire worksite must be covered at least each quarter.

- a. MVPP prefers more frequent coverage.
- b. The types and severity of potential hazards should be considered in determining whether an inspection schedule is appropriate.

### **4. Hazard Correction**

Hazards identified by the applicant's self-inspections must be systematically corrected in a timely fashion.

- a. At a minimum, a tracking and control system must be in place by the time of approval for Michigan Rising Star
- b. For Michigan Star, a tracking and control system must have been in place for one year.

## M. Management Accountability

### 1. Michigan Star

There must be documentation that a system for management accountability exists and has been in place for at least one year. An accountability system includes the chief executive officer, the first line supervisor, and employees. A description of the accountability system must be included in the application. Procedures and blank forms for recording such accountability are also appropriate for the application. The system must be based on some type of evaluation.

- a. It may be performance rating system that includes safety and health;
  - b. It may be management by objective (MBO) safety and health goals;
  - c. It may be a system of rewards for safety and health performance that is not related to a reduction in accidents, injuries or illnesses but is behavior based and/or a disciplinary system for managers whose employees do not perform their work in a safe and healthful manager.
  - d. It may be a system involving a central safety and health committee, consisting of top managers and chaired by the plant manager, with impact down to the first-line supervisor, so long as evaluation of performance of safety and health responsibilities is implicit.
  - e. These are a few acceptable types of documentation; other types that may be demonstrated to be equally effective could be acceptable. The key is that every employee knows he/she is being evaluated on the effectiveness of the way he/she carries out his/her safety and health responsibilities.
  - f. Some evidence of the system must be shown to onsite reviewers. The documentation will not become part of the MVPP file.
2. **Rising Star** – An opportunity is provided for MIOSHA to work with a site to improve its safety and health management system to meet Michigan Star Program qualifications. Rising Star participants will be working toward meeting the Michigan Star requirements and will be adding to or improving various aspects of their programs.
- a. Michigan Rising Star goals must reflect Michigan Star Program requirements not presently in place or aspects of the safety and health management system that are not Michigan Star quality.
  - b. Identified problems are indicative of a system breakdown and should be addressed as part of a system renewal, expansion, or improvement effort.
    - 1) Recommendations for safety and health management system improvements that will address identified problem areas and hazardous conditions are needed for Rising Star goals.
    - 2) A list of specific hazardous conditions needing correction is not appropriate for Rising Star goals. Training in hazard recognition and

appropriate tracking of correction that would eliminate those conditions are appropriate subjects for goals.

- c. Unlike Michigan Star program, Rising Star program approvals are for a specific period of time and come to an end if not specifically renewed. Renewals are expected to be rare.
  - 1) Rising Star approvals are usually 12 –18 months, but three years has been set for their maximum duration. The time period should reflect a practical estimate of the time needed to achieve Michigan Star program approval plus a “cushion” for any unforeseen delays.
  - 2) Rising Star participants generally should be eligible for Michigan Star at the end of the term or should be terminated from MVPP participation.

**N. Method of Informing Employees about MVPP** – All employees, including new hires, must be notified about the company’s participation in MVPP and the employee’s right to file a complaint with MIOSHA. Many methods of notification are suitable.

1. The key for judging appropriateness is the likelihood that employees will remember and understand. For example, only posting a notice on the bulletin board probably would not be sufficient.
2. In general, the more personal the explanation, the more effective it will be.
3. All employees, including those of subcontractors, must be informed of MVPP provisions.

**O. Nondiscrimination** – The applicant must submit a statement that employees with safety-related duties will be protected from discrimination including unofficial acts of harassment. The statement must guarantee protection similar to that provided in Section 65 of Act 154.

1. It may be in the applicant’s own words.
2. It may also include statements to the effect that participation on a safety committee will not preclude firing for other reasons.

**P. Occupational Health/First Aid Programs**

1. First aid-trained employees with current certificates should be available on all shifts. CPR training is encouraged.
2. Emergency services including provisions for ambulances, EMT’s, emergency clinics or hospital emergency rooms should be explained.
3. Arrangements for needed health services such as pre-placement physicals and audiograms should be included.

**Q. MIOSHA Investigations will be conducted for the following:**

1. Fatalities and catastrophes.

2. Employee complaints.
  3. Chemical spills/leaks whenever MIOSHA is aware of a significant leak or spill.
  4. Other significant accidents/incidents.
- R. **Personal Protective (PPE)** – The PPE program must have strictly enforced rules that determine when to use PPE and what type to use. Depending on the hazards at the site, eye protection, hearing protection, and respiratory protection should be addressed as well as hard hats, safety shoes, and other protective clothing suitable to protect against the types of hazards presented.
1. Responsibility, availability, fit and maintenance must be part of the PPE program.
  2. The employee occupational health training program must include when, where and how to use PPE, and the care of the PPE devices.
  3. Employee training should also include safe work practices for the particular job and how to properly handle any hazardous materials in the workplace as prescribed in Part 33, PPE, Rule 3309.
  4. Where respirators are needed, a written respirator program must be in place and implemented.
  5. PPE must be properly used in conjunction with engineering and administrative controls.
- S. **Professional Expertise** – MVPP participants should have access to certified safety and health professionals.
1. These services may be provided by offsite sources such as corporate headquarters, insurance companies or private contractors.
  2. MIOSHA will acknowledge certification from any recognized accrediting organization.
- T. **Injury/Illness Rates**
1. Injury and illness rates provide an indication of the safety and health management system's effectiveness.
    - a. Data is important as an indicator, however, are not definitive.
    - b. The elements of a comprehensive safety and health management system remain the central qualifications for Michigan Star and Rising Star programs.
    - c. Both the injury and illness TCIR and DART rate for the most recent three calendar years must be reviewed and compared to MISS specific industry average for the site's NAICS code. If Michigan data is unavailable, BLS data will be used.

- 1) These national averages are found in the Table of Occupational Injury Incidence Rates by Industry of the BLS Occupational Injuries and Illnesses Bulletin published each year.
- 2) All employees at the site, including temporary employees and contract workers under direct supervision of site employees, must be included in the site rates.
  - d. The yearly rates submitted in the application should be for the three most recent complete calendar years. The current year-to-date rates will be calculated during the onsite visit.
  - e. If the NAICS code submitted by the applicant appears to be in error, an effort to determine the reason for the designation should be made.

2. **Michigan Star**

The applicant for Michigan Star must have TCIR and DART rate, for each of the last three complete years, at or below the industry average for the site's NAICS code. If Michigan data is unavailable, BLS data will be used.

3. **Rising Star**

The applicant for Rising Star must have two out of the last three complete years at or below the industry average.

U. **Reports of Employee Safety and Health Problems/Concerns** – Michigan Star and Rising Star sites must have a system for handling employee reports of safety and health concerns.

1. This system may recommend but must not require that the internal process be used before filing a complaint with MIOSHA.
2. The system should be in writing except where the small size of the site makes the formality redundant.
  - a. MIOSHA recommends a system where anonymity is possible.
  - b. Employees must be systematically informed of the results of their notifications (e.g., posting of responses to anonymous notifications).

V. **Safety and Health Management Systems**

1. Each applicant must have a written safety and health management system that addresses the potential hazards of the workplace.
  - a. Evaluation of the system will require judgment regarding the quality of the system and appropriateness for the potential hazards.
  - b. Since the system must be specific to the potential hazards at that particular workplace, each site will be unique.

- c. Informal systems may be appropriate for small sites with relatively few potential hazards. Oral employee hazard reporting may work effectively at a small site. A formal tracking system for correction of identified hazards may not be necessary at a small site. Discuss with MVPP Manger if questions arise regarding appropriateness to size and type of workplace.
2. The best evidence that the safety and health management system is communicated to employees and is enforced can be obtained by talking with and observing employees where they work.

## **W. Safety and Health Management System Evaluation**

### **1. Michigan Star**

There must be an internal system in place for annually evaluating the safety and health management system. Having the safety and health evaluation system in place for one year is required.

- a. A self-evaluation is not an inspection of the worksite; it is a critical review of all of the elements of the safety and health management system inclusive of management commitment.
- b. An evaluation of the safety and health management system should cover the effectiveness of the self-inspection system, the employee hazard notification system, accident investigation, employee participation, safety and health training, the enforcement of safety and health rules, and the coverage of occupational health aspects including PPE, routine monitoring, and review of medical surveillance data.
- c. The evaluation report will identify the strengths and weaknesses of the program and have specific written recommendations for improvement.
- d. The evaluation may be conducted by qualified onsite or corporate staff or other outside sources.
- e. An evaluation that is merely a workplace inspection with a brief report pointing out hazards or saying that everything is OK is inadequate for purposes of MVPP qualifications.
- f. There should be documentation of actions taken to satisfy the recommendations found in the evaluation reports.
- g. While an evaluation system ordinarily would require both procedures and the resulting reports, smaller companies may be acting more informally without written procedures.
- h. If the reviewer determines that the evaluation is suitably comprehensive, and the company can demonstrate that positive actions have been taken as a result of the evaluation, the one-year requirement for a full written evaluation system may be waived for the small employer.

- i. The applicant will be expected, however, to complete written procedures for a suitable system before the approval date.
- j. Where a formal system is in place one year before the approval date, the applicant must also be able to provide a copy of at least one report based on those procedures and demonstrate that positive action has been taken as a result.

2. **Rising Star**

The annual evaluation system must, at a minimum, be ready to begin operating when approved for participation.

X. **Scheduled Onsite Assistance** – Rising Star sites occasionally need periodic consultation to help them achieve their goals. When this is obvious during the initial onsite, an appropriate schedule should be negotiated.

Y. **Michigan Star** – The Michigan Star Program is meant to recognize the very best workplaces with comprehensive programs for safety and health protection.

1. Judgments often must be made regarding the quality of various aspects of the applicant’s safety and health management system.
  - a. The key to decision making should always be whether or not that particular feature is “Michigan Star quality”.
  - b. The idea is to be flexible in judging how an applicant demonstrates it is meeting the requirement but firm in applying high standards.
2. Many companies have safety programs that are more sophisticated than their health programs. If the total program is not Michigan Star quality, the site can be recommended for Rising Star Program.
3. When a participating Michigan Star site is found to have slipped below Michigan Star quality in one or more required areas, continued Michigan Star participation will be dependent upon improving the program to ensure Michigan Star criteria are maintained by the date when the evaluation must be completed.
  - a. If the evaluation team and the site can agree on needed program improvements, and the correction can be expected to be made in one year, the site may continue in the Michigan Star Program as a “Conditional Star” contingent upon satisfactory quarterly reports during a one-year period. At the end of that year, the completed evaluation must show that the site has returned fully to Michigan Star quality.
  - b. If agreement is not reached, the site must be terminated after allowing opportunity for the site to withdraw.
  - c. If changes either are not made or do not return the program to full Michigan Star quality within the year allowed, the site must be terminated after allowing opportunity for the site to withdraw.

- d. If changes are made appropriately, and the completed evaluation shows that all Michigan Star requirements are met, the site may participate in the Michigan Star program once again.

Z. **Withdrawal from the MVPP** – An applicant prior to approval or an approved participant may withdraw at any time by writing a letter to the MVPP Manager stating that decision.

1. In either case, the MVPP Manager should determine the cause of withdrawal and notify the MVPP Coordinator.
2. For a pre-approval withdrawal, the application should be returned to the applicant. For a withdrawal after approval the participant's application will be returned, however, the MVPP file should be placed in an inactive file as a record of MVPP activity.

## **APPENDIX B**

### **PART I – INTERVIEW QUESTIONS FOR EMPLOYEES**

These questions are intended to guide the Onsite Review Team during oral employee interviews. Inform employees that their responses shall be protected as confidential. Explain the purpose for the Team being at the site and explain that the employee's responses will not in themselves determine company approval or disapproval.

#### **A. Background**

1. What is your job here?
2. How long have you worked here?

#### **B. Orientation and Training**

1. Did you receive safety and health training when you began to work here? (If so, please describe.)
  - a. How soon after you began to work did you receive training?
  - b. How long did it last?
2. If you did not get training when you were first hired (or transferred to a new job), have you received any basic safety and health training since that time? (If so, please describe.)
3. Do you receive regular safety and health training?
  - a. If so, how often?
  - b. How long does it last?
4. What are the company safety rules?
  - a. Do they seem to cover everything they should?
  - b. What happens if an employee disobeys a company safety rule?
5. What are you supposed to do in an emergency? When did you last practice it?

#### **C. Management Leadership**

1. Can you tell me what the safety and health policy is at this worksite?
2. Can you tell me what the overall goal for safety and health is at this worksite?
3. Are you aware of any safety and health objectives for this worksite? If so, tell me about them. And if so, do you know who, if anyone, has responsibility relating to these objectives?

4. In general, who would you say has responsibility for the safety and health of you and your co-workers?

#### **D. Top Management Involvement**

1. Are the top managers at this worksite involved in safety and health in ways that you can see? If so, please give me some examples.
2. On a scale of 1 to 5 with 1 being “non-existent,” how would you rate safety and health communication from top management to you and your co-workers? Why?
3. On the same scale, how would you rate the ability of you and your co-workers to communicate with top management? Why?
4. Would you agree with the statement that managers set a good example of safe and healthful behavior? Can you give one or more examples of management behavior that led to your agreement [or disagreement] with this statement?

#### **E. Hazard Correction**

1. Do you come into contact with any potential safety hazards?
2. If so, answer the following questions:
  - a. Does management take responsibility for understanding the safety hazards associated with your work?
  - b. How long does it take for management to notice hazards and to correct them?

#### **F. Reports of Safety and Health Problems**

1. Have you ever reported a hazardous condition to your supervisor or other management personnel? If yes, ask the following questions: (If no, skip to the next section.)
  - a. What was the condition?
  - b. Whom did you notify?
  - c. Did you report it in writing or orally?
  - d. Did you get a response? If so, was the response satisfactory?
  - e. How long did it take to get a response?
  - f. If you did not get a response, did you try again, with the same person or someone else? (If the latter, describe.)
2. Are you aware that employees have the right to initiate a complaint with MIOSHA?

## **G. Occupational Health Program**

1. Do you come into contact with any potentially dangerous chemicals, substances or harmful physical agents such as radiation or noise? If so, what are they?
  - a. Do you feel that management has provided enough protection for you?
  - b. At high hazard chemical plants only: Is the maintenance of “release prevention equipment” satisfactory?
2. Have you ever seen industrial hygiene surveying or monitoring being done in your workplace?
  - a. Was it just once or are these routine?
  - b. If just once, was it in response to a specific problem? If a specific problem, what was it?
  - c. If routine how often?
3. Does the company provide periodic medical exams?
  - a. If routine, how often?
  - b. If not done periodically, what was the reason for the examination?
  - c. Did the examination seem thorough?
  - d. Did the nurse or doctor explain what was being done, and why?
  - e. If not, did anyone in management explain? If so, who?
  - f. Were the results of the examination explained to you? If so, who explained them? Were you given a written explanation of the results?

## **H. PPE**

1. Do you use any PPE (hard hats, goggles, respirators, etc.)?
2. Is it readily available when needed?
3. If PPE is used, is it kept clean and in good repair?
  - a. Who is responsible for this?
  - b. What protective equipment have you used?
  - c. Have you been trained in the use of this equipment? If so, in your opinion, was the training adequate?

## **I. Safety Committee (where applicable)**

1. Are you aware of the committee (or other employee participation method) for safety and health?
2. If so, please answer the following questions:
  - a. When did you become aware of it?
  - b. Do you know any of the members? (If yes, please name the members you know.)
  - c. Do you know how the employee members were selected? (If yes, describe.)
  - d. Have you seen them conduct inspections? If so, does the committee appear to be thorough in its approach?
  - e. What other things do they do?
  - f. Would you say this activity is very effective, somewhat effective or not effective? Why?

## **J. General**

1. Have you ever seen the Log of Injuries and Illnesses or a summary of the log? If so, did it seem to agree with your knowledge of accidents and illnesses here?
2. Have you ever been injured on the job, or experienced a job related illness? Do you know any co-workers who have been injured or ill while on the job in the past year?
3. How does this workplace compare to others where you have worked in terms of safety and health? Worse? About the same? Better? Much better?
4. At high hazard chemical plants only: Is employee turnover high?
  - a. If so, why?
  - b. How long does it take a new employee to learn to work safely alone?
5. If your site is approved for this program, MIOSHA will stop doing routine inspections but will inspect in response to employee complaints, serious accidents or chemical leaks. Under the program, MIOSHA will come back to evaluate how well things are going, as we have done today. Do you see any problem with this?
6. Is there anything else you think we should know about the safety and health management system here?

## **PART II – INTERVIEW QUESTIONS FOR SUPERVISORS**

1. How long have you worked here? Where else have you worked?

2. How did the safety and health management system compare to this one?
3. When did you become a supervisor?
4. What kinds of hazards are you and/or your employees exposed to?
5. How has management provided protection from these hazards?
6. What do you do when you discover a hazard in your area?
7. What do you do when an employee reports a hazard in your area?
8. Do you provide employee training in safe work procedures? (If so, please describe.)
9. How often do you use at least the first step of your disciplinary system? What is the most frequent offense?
10. What kind of emergency drills do you run for employees? How often? What is your role in the drill?
11. How are you held accountable for ensuring safe and healthful working conditions in your area?
12. At high hazard chemical plants only: Is adequate supervision provided for night and weekend operations?
13. At high hazard chemical plants only: Is maintenance satisfactory, particularly on release prevention equipment?
14. Do you have contract employees working in your area? If yes: How do you address any safety and/or health problems relating to or created by them? (Give examples.)
15. Do you understand your role in ensuring that your employees understand and follow the safety and health rules?

**Part III – INTERVIEW QUESTIONS FOR COMMITTEE MEMBERS  
Voluntary Programs with Safety and Health Committees**

**A. General**

1. How long have you worked for this company?
2. How long have you served on the committee?
3. How are committee members chosen?
4. What is the total number of committee members?  
For sites with a joint labor-management committee:
  - a. Number of management representatives?

- b. Number of employee representatives?
5. How often does the committee meet?
  - a. In view of the committee's workload, is this number of meetings too many? Just about right? Too few?
  - b. How are members notified of scheduled meetings?
6. How many of the committee members usually attend meetings? All? Most? About half? Less than half?
  - a. Are members encouraged to attend the meetings?
  - b. What happens if you miss a meeting?
7. Are committee meetings held on company time?
8. For multi-employer worksites: To your knowledge, do all members work at this site?
9. Are there safety and health professionals on the committee? If so, do these people take the time to explain technical points when they arise?
10. Does the committee have access to the MIOSHA Log of Injuries and Illnesses and review for trends?
11. What other safety and health records has the committee been able to review?
12. Does the committee conduct inspections based on review of this data?

**B. Management Leadership**

See Part I – Employee Interview Questions, paragraph (C), page 68.

**C. Top Management Involvement**

See Part I – Employee Interview Questions, paragraph (D), page 69.

**D. Inspections**

1. How often does the committee inspect the entire worksite?
2. If inspections cover only part of the workplace, how many inspections are needed before the entire workplace has been inspected?
3. Do you normally participate in the inspection process? What area do you inspect?
4. How many inspections have you conducted in the past year?
5. Do you consider this an adequate number?

6. In terms of keeping the workplace safe, do you consider the inspections very useful? Somewhat useful? Not useful? How would you change or improve them if you could?
7. What role, if any, does the committee play in accident investigations?
8. Have you seen industrial hygiene inspections at your worksite? Have you accompanied or participated in any of these inspections?
9. Can you describe the committee's role, if any, in the handling of reports of safety and health problems from workers?
10. If the committee oversees the process for notification of safety and health problems, does it verify that hazard correction occurs on valid concerns?
11. Have you ever accompanied an enforcement officer on a MIOSHA inspection? How would you compare committee inspections with MIOSHA's? Are the results similar? Explain.

#### **E. Training**

1. Have you been trained specifically to work on the committee? If so, describe.
2. Who provided the training?
3. Did your training prepare you for committee work?
4. Did your training include information on safety hazards? Health hazards?
5. Since your initial training have you received supplementary "refresher" training? Describe briefly.
6. How would you change or improve the training?

#### **F. Communication**

1. Do you think the committee has had an effect on employee awareness of safety and health problems? If so, describe.
2. Has the committee made suggestions for safety and health improvements? If yes, give examples.
3. How are these suggestions communicated to management?
4. Do you think that the company has been responsive to suggestions the committee has offered? Give examples.
5. If the company does not accept recommendations, does it explain why? Give an example.

6. Have there been any disagreements between employees and management about safety and health issues? If so, how are they resolved?
7. Would you say that the company has been supportive of the time you spend on committee business?

#### **G. Improvements**

1. Do you think that the committee functions or operations can be improved? If yes, how?
2. What else do you think the committee can do to improve safety and health conditions?

#### **H. Overall Assessment**

1. As a whole, how would you rate the effectiveness of the committee?
2. On a scale from 1 – 10, with 10 being outstanding, what score would you give the committee?

- I. **General** – See Part I – Employee Interview Questions, paragraph (J), page 721.

### **PART IV – TOPICS FOR INFORMAL EMPLOYEE INTERVIEWS**

1. Safety and health policy, goal, and objectives to meet the goal.
2. Top management involvement with safety and health.
3. Safety and health orientation for new employees.
4. Ongoing safety and health training provided.
5. Awareness of the joint committee and its functions.
6. Safety rules and enforcement.
7. Safe work practices.
8. Freedom to point out safety or health hazards.
9. Awareness of an internal safety and health complaint procedure.
10. Responsiveness of management in correcting hazards.
11. Emergency procedures.
12. Comparison of the safety/health conditions at this workplace to other sites.

### **PART V – QUESTIONS ON RECORDKEEPING**

1. Who has been assigned recordkeeping responsibilities?

2. If multi-establishment firm ask: Is your recordkeeping centralized or computerized?
3. Do you have a completed MIOSHA Injury and Illness Log and Summary for the last three calendar years? Backup for each case entered on the log?
4. Which form do you use as the supplementary record: the MIOSHA Supplemental Form, a state workers' compensation form, an insurer's form, or other?
5. What is the process by which injury and illness information gets to the recordkeeper? After an injury or illness occurs, how long does it take to enter it on the log?
6. In keeping MIOSHA records, which of the following do you use? Please check as many as apply:
  - Instructions on the MIOSHA forms
  - BLS guidelines
  - Trade association guidelines
  - Insurer's guidelines
  - OSHA CD ROM
  - Other
7. Who decides whether or not a case is recordable? Are decisions made differently in borderline cases?
8. How do you determine whether or not a case is work related?
9. Do you record any cases on the MIOSHA forms that are not compensable under workers' compensation?
10. How do you distinguish between an injury and an illness? Between medical treatment and first aid?
11. When does a case involve days away from work? What constitutes restricted work activity?
12. If you need assistance, how is it obtained?
13. What is your process for monitoring applicable contractor logs?

**PART VI – QUESTIONS FOR MAINTENANCE PERSONNEL  
AT SITES PRODUCING OR USING HIGHLY HAZARDOUS CHEMICALS**

1. Is there a scheduled preventive maintenance program? How is it carried out?
2. Does it include:
  - a. Critical instrumentation and controls?
  - b. Pressure relief devices and systems?

- c. Metals inspection?
  - d. Environmental controls, scrubbers, filters, etc.?
3. Does the design, inspection, and maintenance activity include procedures to preclude piping cross-connections between potable water systems and non-potable systems?
  4. How are these procedures carried out and how are systems monitored and inspected to find any cross-connections?
  5. Do maintenance personnel participate in safety committees and other safety functions?
  6. Is there a priority system for safety/environmental related maintenance items? Is it being followed?
  7. Does the preventive maintenance program include onsite vehicles, sprinkler systems, detection/alarm equipment, fire protection and emergency equipment?
  8. Do you have input concerning safety and maintainability for new equipment and machinery purchases?
  9. Do you have an inventory of spare parts critical to safety and environmental protection?

## APPENDIX C

### MVPP REQUIREMENTS CHECKLIST

#### A. Review Tool

The following checklist is a helpful tool in ensuring that the onsite team has considered every requirement for MVPP approval. It may also be used effectively to guide the discussion in the initial interview. This is not a required form. Information may be gathered in some other form. This form is not meant for a thorough discussion of every requirement and does not address all the details necessary for the report.

#### B. Use for Star and Rising Star

For best use of the checklist, identify the status of every requirement before presenting the Team findings (and proposed recommendations concerning approval) to site management.

1. For Star program approval, every requirement on the checklist must be fully met before approval. Those requirements that must be in place for one year before Star program approval must have a clear statement to that effect.
2. Any asterisked item denoting a requirement for Rising Star must be fully met before approval.
3. Any item not preceded by an asterisk and not in place at the site must become a Rising Star goal if the site is to eventually achieve Star status.
4. Taking time to get a Team consensus on suggested goals for a site that may qualify for Rising Star, but not for Star, will help with discussions with management and ensure that goals are negotiated for every requirement not yet at Star quality.

## MVPP REQUIREMENTS CHECKLIST

<b>STAR REQUIREMENTS</b>	<b>Fully Met</b>	<b>Needs to be Completed or Adjusted before Approval</b>	<b>Cannot be Fully Met before Approval – Needs Rising Star Goal</b>
<p>Every requirement on this list must be fully met before approval.</p> <p><b>Rising Star Requirements</b> Minimum Rising Star requirements are denoted by an *.</p>			
*MIOSHA inspection/interaction record indicates good faith and no outstanding citations or willful citations within the last three years.			
*Received written and signed employer Statement of Commitment.			
<p>*A signed written statement of support or signed MVPP application received from the authorized collective bargaining agent(s) or authorized employee representative.</p> <p>If a labor organization has not been certified, or if no organization has a collective bargaining relationship with the employer, the “authorized employee representative(s)”, or the representative(s) of the employees means a person(s) designated by the employees to represent them.</p>			
<b>PROGRAM REQUIREMENTS</b>			
One year of quality experience with all elements is required to quality for Star.			
<b>RECORDKEEPING</b>			
<p>Star applicants: injury and illness data for each of the last three complete years is at or below the industry average. Use Michigan data for comparison. If unavailable use BLS data.</p> <p>* Rising Star applicant: injury and illness data for two out of the last three complete years must be at or below the industry average.</p>			
<b>MANAGEMENT LEADERSHIP AND EMPLOYEE INVOLVEMENT</b>			
Safety and health planning integrated with overall management planning. Safety and health is part of the planning process for changes in equipment, materials, processes, and in construction phases.			
*Established policies and objectives communicated to all employees, including contract employees.			
Authority and responsibility clearly defined and implemented.			
Line managers and supervisors are held accountable for safety and health through an effective evaluation process. Good performance rewarded. Poor performance corrected.			
Adequate resources in people and equipment available.			
Top management visible, accessible, and setting example.			
Contract workers are covered by the same or an equally effective safety and health management systems.			

Annual program evaluation conducted, including: A written report, Written recommendations, and Documented follow-ups to recommendations.			
<b>EMPLOYEE INVOLVEMENT</b>			
*Employees are involved in all elements of the safety and health management system in a manner that has a demonstrable impact on decision-making.			
<b>WORKSITE ANALYSIS (HAZARD ASSESSMENT PROGRAM)</b>			
*Baseline industrial hygiene survey with written report or system of process review.			
*Industrial hygiene monitoring and sampling, laboratory analysis planned and implemented as necessary.			
*Monitoring and sampling done in accordance with nationally recognized procedures.			
*Laboratory analysis of samples done in accordance with nationally recognized procedures.			
*Routine self-inspections with written reports and hazard correction tracking: (1) Procedures are in place (2) Monthly inspections with quarterly coverages of whole site (general industry) in place for one year.			
Routine hazard review such as process review or job safety analysis. Results in improved safe work procedures and/or employee training.			
*Reliable system for employees to notify management about hazards: *(1) Receive adequate and timely response. *(2) System includes written notification and tracking of hazards.			
*Accident investigation system: *(1) With written reports. *(2) With hazard correction and tracking. *(3) Procedures are in writing.			
Analysis of injury, illness and other related records to determine if any patterns exist, and if patterns identified, develop plans to address the patterns.			

<b>HAZARD PREVENTION &amp; CONTROL PROGRAMS</b>			
Reasonable access to certified industrial hygiene, safety and health care professionals.			
*Safety and health rules are written and enforced.			
Written safe work practices are in place.			
*Disciplinary system effective in handling safety and health rule violations.			
Written emergency procedures implemented that include: (1) Any necessary PPE. (2) First aid and occupational health planning. (3) Emergency egress plans and evacuation procedures. (4) Emergency telephone numbers. (5) Plans for conducting emergency drills.			
*Effectively implemented program for preventive and routine maintenance of all equipment.			
*Occupational health program with, at least, first aid onsite and quick access to health care services that provide adequate occupational health protection for all employees.			
<b>SAFETY AND HEALTH TRAINING</b>			
*Employees receive safety and health training as required.			
Managers understand their safety and health responsibilities.			
Supervisors know and understand policies, rules, and procedures to prevent hazard exposure.			
Supervisors use training and discipline to ensure that employees follow rules and work experiences.			
Employees are trained in safe work practices as they learn new jobs.			
Supervisors and employees know what to do in emergencies.			
Emergency drills are run periodically, at least annually.			
Employees know what PPE is required, why it is required, how to use it, what its limitations are, and how to maintain it.			
Employee use PPE properly.			

## **APPENDIX D**

### **PREPARING PRE-APPROVAL AND FINAL REPORT**

#### **A. Purpose of the Report**

1. The report provides essential information necessary to:
  - a. Verify the application information submitted by establishments applying for participation in the MVPP.
  - b. Document the qualifications of the site for participation in MVPP.
2. Once all comments and input have been incorporated into the pre-approval report, the document will become the “Final” Report.
3. If the site is approved, the final report will become part of the file. The report will provide baseline data for evaluation purposes.

#### **B. Guidelines**

1. Responses should provide a good representation of the items covered. Note that the “written” and “implemented” aspects of the program are to be documented in the description of the program.
2. Do not limit sections of the report to affirmative or negative responses to the questions outlined. Responses should be developed into narrative discussions.
3. Sources of information for the report will be available from the application, documentation reviewed at the site, conditions observed by team members during the onsite tour, and employee and site representative interviews. Statements made in the report should refer specifically to one or more of these sources of information so the reader is aware of what evidence was relied upon to support any statements made.
4. Compare each element of the site program to each Star requirement. Include information not specifically referred to in the interview guidelines or the format but relevant to the subject, especially any findings regarding the structural qualifications of the program.
5. Avoid conditional words and phrases such as “appears” or “seems.”
6. Intersperse recommendations for program improvement at appropriate points in the report.

#### **C. The Report Format**

The following format outlines the heading and the subjects to be covered and uses questions (except in the Executive Summary) to elicit written discussions. It is divided into three major sections: EXECUTIVE SUMMARY, RECORDKEEPING, and SAFETY AND HEALTH MANAGEMENT SYSTEM. Major subsections within the program description (Management Leadership and Employee Involvement, Hazard Analysis, Hazard Prevention and Control, Safety and Health

Training, and General Review of Safety and Health Conditions) should be identified. The program elements within each subsection may be identified, if you so choose. (See Attachment 2 on page 943) for the report setup procedures to be used when typing the report.)

The report heading should include the type of report on the first line (STAR, or RISING STAR), the name of the company on the second line, the name of the worksite (if different from the company) on the third line, and the location (city and state) of the worksite on the last line. See Attachment 1 page 854 for specific instructions on how to write the report.

## **ATTACHMENT 1**

### **MICHIGAN STAR PRE-APPROVAL REPORT ABC CORPORATION JOHN DOE MANUFACTURING 123 STREET ADDRESS ANYPLACE, STATE**

#### **EXECUTIVE SUMMARY**

The first paragraph should include the dates and place of the pre-approval onsite, the reason for the onsite, and the names and positions of the team members.

The second paragraph should describe the sources of information for the report. (This includes information provided in the application, safety and health management system documentation reviewed onsite, interviews with employees, and a tour of the worksite). Identify the specific areas (if not the whole plant) toured.

The third paragraph should provide employee information (numbers of company, temporary, and contract workers), shifts worked, collective bargaining representation, and briefly how employees are involved in the safety and health management system. The number of construction contract employees (excluding resident contractors) should be identified separately. The paragraph should conclude by indicating the numbers and types of employees (site, temporary, contract, etc.) interviewed formally. The same information should be included for employees informally interviewed.

The fourth paragraph should state the North American Industrial Classification (NAIC) code of the facility, identify the main products produced, and describe briefly the size of the facility and its production processes.

The fifth paragraph should describe briefly the potential hazards at the site.

The sixth paragraph should summarize the injury and illness Total Case Incidence Rate (TCIR) and Days Away from work/Restricted work activity/and job Transfer case Rate (DART) for each of the previous three complete years and indicate their relationship (below or above by what percent) with the corresponding years and most recently published averages for their industry by NAICs code.

The seventh paragraph should summarize the site's MIOSHA inspection activity within the past five years and the site's general history with MIOSHA. Include any interaction between the site and the local state consultation program. Also describe any MIOSHA or OSHA inspection activity with the site's parent corporation, if known.

The eighth paragraph should describe briefly management's attitude toward safety and health at the worksite.

The ninth paragraph should briefly summarize the quality of the site's safety and health management system.

The tenth paragraph should indicate whether the worksite has met the qualifications for the MVPP. The final decision and recommendation will be made by the Agency Director.

## **RECORDKEEPING**

Provide, in chart form, the TCIR and the DART rate for each of the last three complete calendar years and the year-to-date (recalculated by the team during the onsite visit). Provide separate charts for the same information for applicable contractors' employees at the site. Compare the rates to the industry average. Include the raw data used to calculate the rates, the number of injuries or lost workday cases and the number of hours worked in the chart.

If the final report will not be submitted to the Agency Director for approval during the calendar year in which the onsite occurs, the year-to-date figures must be updated to include the complete calendar year, and the three yearly rates must reflect this change.

If there are any temporary workers at the site, does the MIOSHA Injury and Illness Log and the calculation of the rates include them? This is required even if they are hired through a service to provide temporary employees. Does the review of the log support the information provided in the application? If not, please explain. Does the MIOSHA Supplemental Form or the workers' compensation first reports of injury Form 300's generally support the data in the log? If there is any other injury data kept at the site such as the nurse's or first aid station log, does the data support the MIOSHA log? If any employees were interviewed concerning injury records, did their answers generally support the log?

Does the person responsible for keeping the log understand the requirements for recording incidence of injury and lost workday cases? If not, please explain. Does the person responsible for keeping the log vouch for the accuracy of the entries? If not, please explain.

Does the log overstate, understate, or generally reflect safety and health conditions at this site? Please explain.

Do any monitoring records onsite indicate that required records of industrial hygiene sampling are being kept appropriately? Has the firm gone beyond standard requirements for records where health professionals have felt is desirable?

Give a general summary of the quality of injury, industrial hygiene, and medical recordkeeping at this site, being sure to include both strengths and weaknesses, objective facts, and subjective perceptions.

Note: If any patterns of safety or health problems are noticed in the log, address them in Section B.(8) of this report.

## **SAFETY AND HEALTH MANAGEMENT SYSTEM**

### **A. Management Leadership and Employee Involvement**

1. **Management Commitment** – What management commitment to safety and health protection did you observe? What evidence did you see that established policies and result-oriented objectives for worker safety have been communicated to all employees? What evidence did you see of an established goal for the safety and health management system and objectives for meeting that goal? Are the goal and objectives communicated effectively so that all members of the organizations understand the results desired and the measures planned for achieving them? Are authority and responsibility for safety and health integrated with the organization's management system?

2. **MVPP Commitment** – Has management shown a clear commitment to meeting and maintaining the requirements of the MVPP? How? Did this include management helpfulness in selecting employees for formal and informal interviews?
3. **Planning** – Are safety and health part of the planning process for changes in equipment, materials, or processes? If so, please describe. (Where high-hazard chemicals are present, skip this item and address this question as part of C.(2) under Hazard Prevention and Control.)
4. **Written Safety and Health Management System** – Are all critical elements (Management Leadership and Employee Involvement, Worksite Analysis, Hazard Prevention and Control, and Safety and Health Training) present and are sub-elements of a basic safety and health management system in writing? Are all aspects of the safety and health management system appropriate to the size of the worksite and type of industry? NOTE: Some elements may not be applicable.
5. **Top Management Leadership** – What evidence have you seen of top management leadership in implementing the safety and health management system? Does this include the existence of clear lines of communication with employees? Setting an example of safe and healthful behavior? Ensuring that all workers at the site, including contract workers, are provided equally high quality safety and health protection?
6. **Employee Involvement**
  - a. Atmosphere
    - 1) How were selections made for random employee interviews?
    - 2) Were employees comfortable talking with you?
    - 3) Were there any factors in the relationship between employees and management that may have influenced their responses to you? (If none, a response is not necessary.)
  - b. Awareness
    - 1) Were employees knowledgeable about the health and safety program? Did their overall assessment fit your impressions?
    - 2) Were employees knowledgeable about the employee participation programs? Did their impression correspond with your overall assessment?
  - c. Involvement – Describe the method used to ensure meaningful employee involvement, the kind of impact on decision making achieved by employee involvement, and the evidence seen by the team that the method has been in place at least one year.
  - d. The Joint Labor-Management Committee – If a joint labor-management committee is used in general industry, answer the questions that are applicable.

- 1) How is membership of the joint committee divided between management and labor? Do any of the employee members have or appear to have managerial duties as regular work assignments?
- 2) Describe the way employee members are selected and support it with what you have seen or heard.
- 3) How frequently has the committee met? How many regular meetings have been missed by more than half of the committee? How often have meetings been canceled, and for what reasons? What evidence have you seen of this?
- 4) How has the question of a quorum been handled?
- 5) Is the committee responsible for site inspections? If so, describe that responsibility. Have members had adequate hazard recognition training? How often have inspections been conducted? Have inspections been canceled? If so, why? Have all inspections included at least one hourly employee member? Are inspections planned in such a way that eventually all production areas are covered? How long does this take?
- 6) Does the committee have a role in accident investigations? If so, please describe, including any training in accident investigations. Does the committee have other safety and health functions such as employee safety and health training; complaint response; review of new equipment, procedures or substances before introduction; or other? If so, describe.
- 7) When was the committee formed? If the committee has been newly formed, do the committee members understand their role? Has any training been planned or given regarding their responsibility?
- 8) Please give a general summary of the committee efforts including both your own and employee perceptions of its effectiveness. Be sure to separate objective fact from subjective perceptions.

## **7. Contract Workers**

- a. How does the written program cover protection of contract workers who are intermingled with the applicant's employees?
- b. What evidence have you seen that safety and health management systems and performance were considered during the process to select onsite contractors?
- c. What evidence have you seen that all contractors and subcontractors at the site are contractually bound to maintain effective safety and health management systems and to comply with all applicable safety and health rules and regulations?
  - 1) Is authority for the oversight, coordination, and enforcement for those programs specified? What documentary evidence of the exercise of this authority did you see?

- 2) Do contract provisions provide for the prompt correction and control of hazards by the applicant in the event that the contractor fails to correct or control such hazards?
  - 3) Do contract provisions require the submission of sufficient injury and lost workday data?
  - 4) Do contract provisions specify the penalties, including dismissal from the worksite, for willful or repeated non-compliance by contractors, sub-contractors, or individuals? What evidence have you seen that contractor employees and/or contractors themselves have been dismissed from the site for safety and/or health rule infractions?
- d. What evidence have you seen that all contract employees employed at the site are covered by the same quality safety and health protection?
  - e. Are there any construction contract workers on the site who are separated from the applicants' employees? If so, how does the applicant help ensure safe and healthful working conditions for these employees?
  - f. How does the site evaluate the quality of the safety and health protection of its contract employees?
8. **Authority and Resources** – Has proper authority been given so that assigned safety and health responsibilities can be met? Have adequate resources, including staff, equipment, and promotions, been committed to workplace safety and health? Give examples.
9. **Line Accountability** – How are managers, supervisors, and employees held accountable for meeting their responsibilities for workplace safety and health? Is this adequate? Are authority and responsibility for safety and health clearly defined in the written program? Has this been adequately implemented? Describe the evidence you saw of how the evaluation of general industry line managers/supervisors holds them accountable for safety and health. In construction, describe the evidence you saw that contractors and subcontractors are held accountable. What evidence did you see that the system has been in place for one year or more?

## 10. Safety and Health Management System Evaluation

- a. Does the annual evaluation cover and assess the effectiveness of all aspects of the safety and health management system including the elements of management commitment and employee involvement, workplace analysis, hazard prevention and control, and employee safety and health training and any other elements?
- b. Is there written guidance for the annual self-evaluation of the safety and health management system?
- c. Is there a narrative, written report that includes written recommendations? What documentation have you seen that the recommendations were responded to? Was the response, if any, adequate?

## B. Worksite Analysis

1. Does management understand the hazards and potential hazards of the site? Describe the method(s), such as initial or periodic comprehensive surveys or pre-job planning, management used to determine these.
2. If industrial hygiene monitoring is needed for the hazards or potential hazards, describe the sampling program. Is it carried out by someone who is adequately trained for the duty? Are sampling, testing, and analysis done following nationally recognized procedures? Are there written records of results? What evidence is there that these systems have been in place at least one year?
3. Are all new processes, materials, and/or equipment analyzed before use to determine potential hazards? Is planning conducted to ensure the prevention or control of any potential hazards identified?
4. How is routine hazard analysis accomplished? Is any one or combination of the following used: job safety analysis, phase hazard analysis, and/or process hazard review? If so, please describe. Are employees involved? If so, how? Are there written procedures for hazard review (job safety analysis, process or project reviews, phase analysis) that include occupational safety and health concerns? If so, describe. Are they adequate? Is there evidence that changes to work procedures or employee training have resulted from hazard analysis performed during the past year?
5. Are routine management inspections conducted (monthly for general industry with the whole site covered at least quarterly, whole site weekly for construction)? Are those conducting the inspections trained in hazard recognition? Is this frequent enough? Do the inspections cover the areas required, and are they finding what they should? Did the onsite team find hazards that should have been found with self-inspection? Are there written procedures for inspections by management? If no, is there written guidance? In either case, please describe. If inspections are performed by committee members (required at least monthly in construction), do they have specific procedures or written guidance? Are they adequate? Do the resulting written reports clearly indicate what needs to be corrected and who is responsible for the correction? Is each hazard tracked until it has been corrected? How is the tracking done? What evidence is there that an adequate inspection system with written reports and correction tracking has been in place for at least one year?
6. Is there a formal, written system that allows all employees to bring their safety and health concerns to management's attention? Do employees feel they have a reliable system for reporting safety and health concerns? Is the system timely in responding? Are the responses adequate? Are the corrections required by the hazards discovered this way tracked until completion? What evidence is there that this system has been in place for at least one year?
7. Under what circumstances are accidents and major incidents investigated by someone other than the supervisor of the area where the accidents/incidents occurred? Are there written procedures for accident investigation, with written reports of findings and hazard correction tracking to completion? If so, describe. Are they adequate? Are

investigations thorough? Is there a tendency to blame the accident on worker error? Is the accident investigation system helping to strengthen the prevention program? Are those conducting the investigations trained in accident investigation techniques? What evidence is there that an adequate system has been in place for one year?

8. Is there a system to analyze injury and illness trends over time through a review of injury/illness experience and hazards identified through inspections, employee reports, and accident investigations so that patterns with common causes can be identified and prevented? Is the system used? Has the site taken adequate steps to reduce those injuries or illnesses identified?

### **C. Hazard Prevention and Control**

1. Are certified industrial hygienists and certified safety professionals or certified safety engineers or other knowledgeable safety and health professionals reasonably available to the site? If so, under what arrangements, and how often are they used? Is this use frequent enough for the hazards at the site?
2. What means, including engineering controls, use of PPE administrative controls, and safety and health rules, are used to eliminate or control hazards?
  - a. Are there written safety rules? Were these in place one year ago or longer? Are they updated as needed by management and used by employees? Are there written safe work procedures? Do these include any PPE needed? Are they appropriate to the potential hazards at the site?
  - b. Where respirators are used, is there a written respirator program? If so, is it complete?
  - c. If highly hazardous chemicals are produced or used at the site, have appropriate PSM analysis been accomplished? Describe the system used to anticipate high risk chemical hazards and to prevent or control them. To the best of your knowledge, is it adequate?
    - 1) Has management developed and implemented a system that ensures that operational processes involving highly hazardous chemicals are within safe bounds during normal operations?
    - 2) Has thorough analysis identified critical failure points and established redundant systems, particularly for hazardous processes that may have overlapping control systems. Do the systems possess adequate depth?
    - 3) Is the emergency response system adequately designed, communicated to both employees and the community, and implemented?
    - 4) Do emergency procedures include adequate procedures for emergency situation close-down and start-up of normal operations?
    - 5) Is the preventative maintenance system adequate for the “high risk chemical” hazards?

3. Describe the system for ongoing monitoring and preventative maintenance of workplace equipment. What evidence is there that this system has been in place for at least one year? Did the walk through indicate that the system is being implemented adequately?
4. Describe the system for initiating and tracking hazard correction in a timely manner. Is it adequate? What evidence is there that this system has been in place for one year?
5. Describe the occupational health program including the availability of physician services, first aid, and CPR; and special programs such as audiograms and other medical tests. Are occupational health professionals appropriately used in the site's hazard analysis, in early recognition and treatment of illness and injury, and in limiting the severity of harm that might result from occupational illness or injury? Is the occupational health program adequate for the size, nature of hazards, and location of the site? What evidence is there that these programs have been in place at least one year?
6. Is there a written disciplinary system? Are employees aware of it? What evidence have you seen that the disciplinary system works as it is written? What evidence is there that the system has been in place at least one year? Are employees aware of safety rules, safe work practices, and PPE requirements? What happens if an employee ignores one of these? Is it the same for management? If not, how are management infractions handled?
7. How frequently are drills run for emergency procedures? Are there written emergency procedures? If so, are they adequate? Briefly describe them. Do they include any necessary PPE, first aid and occupational health planning, emergency egress and evacuation, and emergency telephone numbers? Is emergency preparation adequate for the possible emergency situations of the site? What evidence is there that the system has been in place at least one year?

#### **D. Safety and Health Training**

1. Describe safety and health training programs used at the site.
2. What evidence have you seen or heard that supervisors carry out their safety and health responsibilities effectively, that they understand them and the reasons for them, that they know how to identify unrecognized potential hazards, that they understand the hazards associated with the job(s) performed by their employees and their role in ensuring that those employees understand and follow rules and practices designed to protect them?
3. What evidence have you heard that employees understand the hazards associated with their jobs, and the need to follow rules set to protect them?
4. What evidence have you seen or heard that supervisors, all employees, and visitors know what to do in emergency situations?
5. Where PPE is required, do employees understand why it is necessary? Do they understand its limitations and how to maintain it? Do they use it properly?
6. What training is conducted for managers so that they understand their safety and health responsibilities?

**E. General Review of Safety and Health Conditions**

1. Does housekeeping appear to be average or better for this type of industry?
2. Based on your tour, would you characterize the health and safety conditions of this site as above average, average, or below average for this type of industry?
  - a. Include both your own and, if relevant, employee perceptions. (See employee interview questions, Appendix D, page 832.)
  - b. Separate objective facts from subjective perceptions.
3. If problem areas have been noted, discuss them in terms of improvements planned in management systems.

**F. Safety and Health Management System Changes**

1. Program changes
2. Progress toward reaching Rising Star goals
3. Remaining program elements
4. Onsite assistance: Schedule onsite assistance visits where applicable.

## ATTACHMENT 2

### REPORT SETUP

The following instructions must be used for typing MVPP onsite reports in WordPerfect (WP) 8.0. If you use WordPerfect for Windows or another version of WP, adapt these instructions as necessary to achieve the required results. Items 1, 2, and 3 below must be completed before beginning to type the report. The remaining items must be used when typing the report itself.

1. The report should be printed in **Times Roman** size 12 font if in WP8.0.
2. The report heading should be in uppercase (capital) letters and in bold. Each line of the report heading should be centered. The first line should indicate the type of report:

**STAR PRE-APPROVAL REPORT  
RISING STAR PRE-APPROVAL REPORT  
RISING STAR EVALUATION REPORT  
THREE-YEAR STAR EVALUATION REPORT  
SIX-YEAR STAR EVALUATION REPORT**

The second line should list the name of the company. The third line should list the name of the plant if not included on the second line. And the last line should list the city and state in which the plant is located. A complete example:

**STAR PRE-APPROVAL REPORT  
ANY COMPANY USA  
SUCH AND SUCH PLANT  
123 Street Address  
ANY TOWN, MICHIGAN ZIP CODE**

3. All headings should be in bold uppercase and begin at the left margin. They should not include numbers or letters. Subheadings may be used. If subheadings are used, they should be in lowercase letters except for the first letter in each word, they should be underlined, and they should begin at the left margin.

## **REPORT OUTLINE**

EXECUTIVE SUMMARY

RECORDKEEPING

SAFETY AND HEALTH MANAGEMENT SYSTEM

1. Management Leadership and Employee Involvement
2. Worksite Analysis
3. Hazard Prevention and Control
4. Safety and Health Training
5. General Review of Safety and Health Conditions
6. Safety and Health Management System Changes
  - a. Program Changes
  - b. Progress Toward Reaching Rising Star Goals
  - c. Remaining Program Elements

All narrative should begin at the left margin and should not be indented or tabbed. Inset small parts of narrative as needed.

## **APPENDIX E**

### **GUIDE TO FOLLOW-UP ONSITE ASSISTANCE VISITS**

#### **A. Injury/Illness Records**

1. Is the log current?
2. Are log entries consistent with the MIOSHA Supplemental Form?
3. How does the rate compare with earlier periods and the average for the SIC?
4. Are there any trends in the nature of injuries or illnesses that suggest specific preventive measures are needed?

#### **B. Self-inspections**

1. Have they been conducted regularly?
2. Are records maintained?
3. Are hazards identified and abated in a timely manner? How often is the entire site covered? Quarterly?
4. How are employees involved?

#### **C. Accident/Near-miss Investigation**

1. Have they been conducted when needed?
2. Are the causes identified sufficiently?
3. Are appropriate preventive measures taken?
4. Is the reporting system maintained and followed?

#### **D. Handling of Reports of Safety and Health Concerns**

1. Is a log of reports or some other tracking mechanism maintained?
2. Can the reporting system be easily used by employees?
3. Are reports investigated properly and resolved?
4. Are employees notified of the results of investigations?
5. Are employees satisfied with the outcome of their reports?

#### **E. Employee Training**

1. Are safety/health orientations provided for new employees? Does this orientation include employee rights under the Act and in MVPP?
2. Is job hazard prevention training provided on a continuing basis, for example, when there are new processes, procedures, or changes in job responsibilities?
3. Is the level of safety and health training adequate to address the hazards in the workplace?

#### **F. Hazard Review and Analysis**

1. Are results being used in employee training?
2. Is the company on schedule in conducting any additional planned reviews?
3. Are the procedures for conducting reviews and analysis satisfactory?

#### **G. Employee Participation**

1. How are employees involved in the safety and health management system?
2. Is the participation active and meaningful?

#### **H. Line Accountability**

1. Are supervisors aware of their safety and health responsibilities?
2. Do they implement them appropriately?
3. Is corrective action implemented?

#### **I. Safety and Health Management System Evaluation**

1. If not already in place, has an evaluation system been developed and commitment made to complete it each year?
2. Is it a system that will enable a full assessment of the strengths and weaknesses of the safety and health management system?

#### **J. Health**

1. Is the level of industrial hygiene sampling and/or health surveillance monitoring adequate to meet the potential hazards of the workplace?
2. Are appropriate preventive measures being taken?
3. Is appropriate PPE available and used by employees?

4. Has the PSM program been maintained and procedures in place to evaluate performance?

**K. Joint Committee Functions (where applicable)**

1. Has the committee been meeting regularly?
2. Are minutes maintained? Are they detailed enough to indicate the issues discussed and their resolution?
3. Have a quorum of employee and employer representatives been present?
4. Do committee members participate in inspections?
5. Do committee members participate in or review the findings of accident investigations?
6. Does the committee review complaints and their resolutions?

**L. Contractor Coverage (where applicable)**

1. Are subcontractor's foremen/employees aware of the MVPP site?
2. Do contractor/owner inspections cover hazards created by subcontractor activities?
3. Are these hazards corrected in a timely manner?
4. Are appropriate preventive measures required of the subcontractors by the general contractor/owner?

## **APPENDIX F**

### **REPORT FORMAT FOR REEVALUATION OF MVPP PARTICIPANTS**

#### **A. Purpose of the Report**

The report provides information on the current effectiveness of the site's safety and health management system. The report will become part of the file and will provide the basis for decisions regarding continued participation in the MVPP. This format should be used for evaluations of all sites currently participating in MVPP.

#### **B. Guidelines**

1. Use Attachment 1 on page 1010 as the format for conducting the evaluation.
2. Use Attachment 2 on page 106 for specific instructions on how to write the Evaluation Report.
3. The narrative discussion should include evidence or examples for the conclusions made in the report regarding aspects of the safety and health management systems. Include onsite observations of documentation, conditions and information from interviews.
4. The report should address Star program improvements, progress in meeting Rising Star or One-Year Conditional goals, and the maintenance of Star quality in all other program elements. It should include information that is relevant to the subject, especially any findings regarding the structural qualifications of the program.
5. Intersperse recommendations for program improvements at appropriate points in the text of the report, providing they have been discussed and agreed upon by the applicant. Reserve recommendations that have not yet been accepted by the applicant as a recommendation attachment at the end of the report.
6. Focus on the current functioning of the safety and health management system and changes since initial approval or the last evaluation.

#### **C. The Report Format**

For typing instructions see Attachment 2 (Report Set up) on page 943. The following format outlines the heading and the subjects to be covered. It is divided into three major sections: EXECUTIVE SUMMARY, RECORDKEEPING, and SAFETY AND HEALTH MANAGEMENT SYSTEM CHANGES. Major subsections within the program changes section are:

1. Program Changes
2. Progress Toward Reaching Rising Star (or one-year conditional) Goals
3. Remaining Program Elements.

For Star evaluations eliminate number two above. The program elements within each subsection may be identified if you so choose. Although evaluation reports now only need to cover program changes, Rising Star or one-year conditional goals, and a general discussion of

remaining program elements, the team must evaluate all elements of the site's safety and health management system following the information in Attachment 1, page 1010.

The report heading should include the type of evaluation report on the first line (Star, or Rising Star), the name of the company on the second line, the name of the worksite (if different from the company) on the third line, and the location (city and state) of the worksite on the last line. Write the evaluation report following the specific instructions in Attachment 2, page 106.

## ATTACHMENT 1

### CONDUCTING THE REEVALUATION REPORT FOR MVPP PARTICIPANTS

The following criteria cover all participant MVPP sites. This format is to be used to conduct the reevaluation. It is important to identify and evaluate any major changes in the site's safety and health management system and to evaluate the continuing effectiveness of all system elements.

#### Management Leadership and Employee Involvement

1. What management commitment to safety and health protection did you observe? What evidence did you see that established policies and results-oriented objectives for worker safety are still being communicated to all employees? What evidence did you see of an established goal for the safety and health management system and objective for meeting that goal? Are the goal and objectives communicated effectively so that all members of the organization understand the results desired and the measures planned for achieving them? Are authority and responsibility for safety and health integrated with the management system of the organization?

2. Has management shown a clear commitment to maintaining the requirements of the MVPP? How?

3. Planning

Have any equipment, processes, or materials changed since the last onsite? If so, how was safety and health included in the planning process for the change? If not, will safety and health continue to be a part of the planning process?

4. Written Safety and Health Management System

Are all critical elements (Management Leadership and Employee Involvement, Worksite Analysis, Hazard Prevention and Control, and Safety and Health Training) and sub-elements of a basic safety and health management system still part of the written program? Do all aspects of the safety and health management system continue to be appropriate to the size of the worksite and type of industry? NOTE: If some formal requirements continue to be waived, explain here.

5. What evidence have you seen of continued top management leadership in implementing the safety and health management system? Does this include the existence of clear lines of communication with employees? Setting an example of safe and healthful behavior? Ensuring that all workers at the site, including contract workers, continue to be provided equal high quality safety and health protection?

6. Employee Involvement

- a. Atmosphere

- 1) Was management helpful in providing access for random employee interviews?
- 2) How are employees selected?
- 3) Were employees comfortable talking with you?

- 4) Were there any factors in the relationship between employees and management that may have influenced their responses to you? (If none, a response is not necessary.)

b. Awareness

- 1) Are employees knowledgeable about the health and safety management system? Does their overall assessment fit your impressions?
- 2) Are employees knowledgeable about MVPP participation? (Please note that employees should know their rights under the program including their right to request and receive reports of inspections, accident investigations, and the results.)
- 3) Do employees know they have the right to lodge a formal complaint with MIOSHA?
- 4) Are they supportive of the company's participation in the program?
- 5) Have employees noticed changes in safety and health conditions since approval or the last evaluation? If so, what are they?
- 6) If a joint labor-management committee operates here, are employees knowledgeable about it? Do the employees think that the committee is effective in what it does? Do their impressions agree with your overall assessment?
- 7) Has there been any significant change in employee awareness of or involvement in the safety and health management system since the last MVPP visit? If so, give examples and/or discuss.

c. Involvement

Describe the method used to ensure meaningful employee involvement, the kind of impact on decision-making achieved by employee involvement, and the evidence seen by the team that the method has been effective.

d. The Joint Labor-Management Committee

If a joint labor-management committee is used, answer the questions that are applicable.

- 1) Has the division of membership between management and labor on the joint committee changed? If so, describe this change. Do any of the employee members appear to have management duties as regular work assignments? If so, does this impact on the functioning of the committee?
- 2) Have employee member selection procedures changed? If so, do they still meet the MVPP qualification requirements?
- 3) Do the committee members understand their role? Has any training been given regarding their responsibility since approval or the last evaluation?

- 4) How frequently has the committee met? How many regular meetings have been missed by more than half the committee? How often have the meetings been canceled and for what reasons?
- 5) If the committee conducts the principal site inspections, have members had adequate hazard recognition training? How often have inspections been conducted? Have inspections been canceled? If so, why? Have all inspections included at least equal employee participation? Are inspections planned in such a way that eventually all production areas are covered? How long does this take?
- 6) Has the committee's role, if any, in accident investigation changed? If so, please describe.
- 7) If the committee has other safety and health functions, (such as employee safety and health training; notification of health and/or safety hazard response; review of new equipment, procedures or substances before introduction) have they changed? If so, please describe.
- 8) How do committee members feel about MVPP participation?
- 9) Please give a general summary of the effectiveness of committee efforts, including both your own and employee perceptions. Be sure to separate objective fact from subjective perceptions.

## 7. Contract Workers

- a. How does the written program cover contract workers who are intermingled with the applicant's employees?
- b. What evidence have you seen that safety and health management system and performance continue to be included in the process to select onsite contractors? That contractor employees and/or contractors can be dismissed from the site for safety and/or health rule infractions?
- c. What evidence have you seen that all contract employees employed at the site still are covered by the same quality safety and health protection? How does the site evaluate its contractor program to ensure this protection?
- d. Are there any construction contract workers on the site who are separated from the applicants' employees? If so, how does the applicant help ensure safe and healthful working conditions for these employees?

## 8. Authority and Resources

Is proper authority still being given so that assigned safety and health responsibilities can be met? Are adequate resources including staff, equipment, and promotions still committed to workplace safety and health? Give examples.

## 9. Line Accountability

Has the system for holding managers, supervisors, and employees accountable changed since the last onsite? If so, how? Is this as effective as it was at the last onsite? Are authority and responsibility

for safety and health still clearly defined in the written program? Has this been adequately implemented? Describe the evidence you saw of how the evaluation of general industry line managers/supervisors continues to hold them accountable for safety and health.

#### 10. Safety and Health Management System Evaluation

- a. Does the annual evaluation cover and assess the effectiveness of all aspects of the safety and health management system?
- b. Are self-evaluations completed since the last onsite in narrative form? Do they include written recommendations? What evidence have you found that the recommendations were responded to? Was the response adequate?
- c. Are the reports helpful in understanding any changes made?

#### **Worksite Analysis**

1. Have any changes or new conditions resulted in hazards that exist because of a lack of management knowledge and understanding? If so, what system (initial or periodic comprehensive surveys, pre-job planning) needs improvement to rectify the lack of understanding?
2. If the need for industrial hygiene monitoring for the hazards or potential hazards has changed, describe the sampling program. Is it carried out by someone who is adequately trained for the duty? Are sampling, testing and analysis done following nationally recognized procedures?
3. Does the site continue to analyze all new processes, materials, and/or equipment before use begins to determine potential hazards? Does it continue to plan to ensure for the prevention or control of any potential hazards identified?
4. What hazard analysis (job, process, or phase) has been accomplished since the last onsite? How were the results used?
5. Are site inspections covering and finding what they should? Are they as frequent as they should be? What kind of hazard recognition training, if any, has been provided? Did the onsite team find hazards that should have been found in self-inspections? If so, describe how the site is correcting its management system to prevent this from happening in the future. Is the documentation of tracking complete?
6. Did your document review determine that the employee hazard reporting system is working efficiently? If not, describe the problems. What is the average number of employee hazard reports per year handled over the past year (for Rising Star) or three years (for Star sites)? How many were handled since approval or the last evaluation visit? What is the average length of time for an action response to a report? The range? Do these time periods and actions appear to be reasonable? If this information is not available, discuss the reason why it is not.
7. Are employees (see employee questionnaire) aware of the hazard reporting system? Are they generally satisfied with the way that it works? Do their perceptions about this system generally match yours? Have these perceptions changed since approval or the last evaluation?

8. Are written accident/incident investigation reports descriptive? Are preventive actions being taken? Have hazards discovered through accident/incident investigations been adequately tracked and corrected? Are those conducting investigations adequately trained in the process?
9. Is there a system to analyze injury and illness trends over time through a review of injury/illness experience and hazards identified through inspections, employee reports, and accident investigations, so that patterns with common causes can be identified and prevented? Is the system used? Has the site taken adequate steps to reduce those injuries or illnesses identified?
10. Has MIOSHA conducted any complaint inspections or responded to informal complaints since the pre-approval visit or last evaluation? If so, what was the outcome? What, if anything, does this tell us about the functioning of the participant's hazard reporting system? Did the complainant try the internal system first? Give examples, if possible.

### **Hazard Prevention and Control**

1. Are certified industrial hygienists, certified safety professionals and/or certified safety engineers still reasonably available to the site? If so, how and how often are they used? Are they appropriately used?
2. Are engineering controls, administrative controls, safety rules, safe work practices and PPE requirements still adequate?
  - a. Have the written safety rules been updated as needed by management and are the rules followed by employees? Have the written safe work procedures been updated? Do these include any needed PPE? Are they appropriate to the potential hazards at the site?
  - b. What happens if an employee disobeys one of the rules? Does the same disciplinary system apply to management? If not, how are management infractions handled? What evidence have you seen that the disciplinary system has been used since the last onsite?
  - c. Where respirators are used, is the written program still complete?
  - d. For plants producing or using highly hazardous chemicals, describe any changes to the PSM systems:
    - 1) The system that ensures that operational processes involving highly hazardous chemicals are kept within safe bounds during normal operations.
    - 2) The system that identifies critical failure points and establishes redundant systems.
    - 3) The emergency response system or the emergency close down/start up systems.
    - 4) Are the revised systems adequate?
3. Has the system for monitoring and maintaining equipment changed? If so, how? Does it continue to be effective?
4. Has the system for initiating and tracking hazard correction in a timely manner been changed? If so, how? Is it still effective?

5. Describe any changes to the occupational health program including the availability of physician services, first aid and CPR; and special programs such as audiograms and other medical tests. Are occupational health professionals appropriately used? Is this availability still adequate for the size and location of the site and nature of the hazards? What was the impact of those changes?
6. How frequently have emergency drills been run since the last onsite? Describe. Have emergency procedures changed? If so, describe the changes and their impact.

### **Safety and Health Training**

1. Is appropriate training being provided? Have there been any changes to the safety and health training program? If so, please describe. Do employees understand hazards and their roles in protecting themselves? Do supervisors understand their role in assuring that employees understand and follow protective rules? Do managers understand their safety and health responsibilities?
2. What recent evidence have you seen that supervisors and employees know what to do in emergency situations?

### **General Review of Safety and Health Conditions**

1. Based on your tour of the worksite, would you characterize the health and safety conditions of this site, including housekeeping, as above or below average for this type of industry? Are workers using PPE in areas where it is needed? If possible, make a general comparison of present conditions and conditions during the pre-approval visit or last evaluation.
  - a. Include both your own and, if applicable, the employees' perceptions. (See employee interview questions, Appendix B-Part V page 765.)
  - b. Separate objective facts from subjective perceptions.
2. If problem areas have been noted, they should be discussed in general language in terms of planned management system improvements.

## **ATTACHMENT 2**

### **MICHIGAN STAR/RISING STAR EVALUATION REPORT ABC CORPORATION JOHN DOE MANUFACTURING SERVICE ANYPLACE, MICHIGAN**

#### **EXECUTIVE SUMMARY**

The first paragraph should include the dates and place of the evaluation onsite, the reason for the onsite, and the names and positions of the team members.

The second paragraph should describe the sources of information for the report. These include information provided in the application and previous report(s), safety and health management system documentation reviewed onsite, interviews with employees, and a tour of the worksite. Identify the areas toured if the whole plant was not toured.

The third paragraph should provide employee information (numbers of company, temporary, and contract workers), shifts worked, collective bargaining representation. Briefly describe how employees are involved in the safety and health management system. The number of construction contract employees (excluding resident contractors) should be identified separately. Note any changes since the last onsite. The end of the paragraph should indicate the numbers and types of employees (site, temporary, contract, etc.) interviewed formally. The same information should be included for employees informally interviewed.

The fourth paragraph should state the North American Industrial Classification (NAIC) code of the facility, identify the main products produced, and describe briefly the size of the facility and its production processes and any changes that have occurred since the last MVPP onsite.

The fifth paragraph should describe briefly the potential hazards at the site, especially if they have changed since the last onsite.

The sixth paragraph should highlight the safety and health management system changes to be discussed later in the report.

The seventh paragraph should summarize the injury and illness Total Case Incidence Rate (TCIR) and Days Away from work/Restricted work activity/and job Transfer case Rate (DART) for each of the previous three complete years and indicate their relationship (below or above by what percent) with the corresponding years and most recently published averages for their industry by NAIC code. Also, compare these rates to those reported during the last evaluation.

The eighth paragraph should summarize the site's MIOSHA inspection activity since the last onsite and the site's general history with MIOSHA.

The ninth paragraph should describe briefly management's attitude toward safety and health at the worksite. Has it changed? Is the change positive or negative?

The tenth paragraph should briefly summarize the overall quality of the site safety and health management system.

The eleventh paragraph should indicate the team's recommendations.

## **RECORDKEEPING**

Provide, in chart form, the TCIR and the DART rate for each of the last three complete calendar years, and the year-to-date rates (recalculated by the team during the onsite visit). Provide a separate chart with the same information for applicable contractor's at the site. Compare the rates to the latest published information for NAICS codes. Include the raw data used to calculate the rates, and the number of hours worked in the chart. How do the rates compare with pre-approval and/or since the last evaluation? Provide the percentage change in the rates since last evaluation (or pre-approval review). What factors influenced this result? If any, explain.

NOTE: If approval will not occur until the calendar year following the onsite, the recordkeeping information must include data from the year of the onsite.

Do you foresee any potential problems concerning the rates between now and the next evaluation? If so, explain. Please provide some explanation if the site's TCIR and/or its DART rate show an upward trend even if they remain well below their industry's average.

If there are any temporary workers at the site, does the MIOSHA Injury and Illness Log and the calculation of the rates continue to include them? (This is required even if they are hired through a service that provides temporary employees.) Do the MIOSHA Supplemental Form or the workers' compensation first reports of injury and illness generally support the data in the log? If there is any other injury and illness data kept at the site such as the nurse's or first aid station log, does the data support the MIOSHA log? If any employees were interviewed concerning injury and illness records, did their answers generally support the log?

Does the person responsible for keeping the log continue to understand the requirements for recording incidence of injury and lost workday cases? If not, please explain. Does the person responsible for keeping the log vouch for the accuracy of the entries? If not, please explain. Does the log overstate, understate, or generally reflect safety and health conditions at this site? Please explain. Address any patterns of safety or health problems noticed in the log.

Do any monitoring records onsite indicate that required records of industrial hygiene sampling are being kept appropriately? Has the firm gone beyond standard requirements for records where health professionals have felt it desirable?

Give a general summary of the quality of injury, industrial hygiene, and medical recordkeeping at this site, being sure to include both strengths and weaknesses, objective facts, and subjective perceptions.

## **SAFETY AND HEALTH MANAGEMENT SYSTEM CHANGES**

### **1. Program Changes**

Describe all major changes in the safety and health management system since the last onsite visit. Indicate whether or not they have improved the system. (Address changes resulting from accomplishing Rising Star or one-year conditional goals in the next section.)

### **2. Progress Toward Reaching Rising Star or one-year conditional goals**

For Rising Star program or one-year conditional Star evaluations, separately identify each goal, describe the progress the site has made toward each goal, and assess the impact of the progress on the site's safety and health management system. For Star program evaluation, eliminate this section and renumber number 3 "Remaining Program Elements" to number 2.

### 3. Remaining Program Elements

Provide a brief assessment of the program elements not discussed above. Are all the structural requirements of the MVPP program that were in place at the time of approval or last evaluation still being met? Are the requirements that have been changed since the last onsite review or evaluation being met?

**APPENDIX G**

**MVPP ACTIVITY LOG**

Company Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_

MVPP Contact \_\_\_\_\_  
 Telephone \_\_\_\_\_  
 E-Mail Address \_\_\_\_\_

Site Name & Location	Date Rec'd	Date Comp.	*Delay Reason	Date Initial Onsite Visit	Date 30-Day Day Items Completed	Approval Date Award Type	Date of Withdrawal or Termination & Cause	Ceremony Date

Comments:

If site achieves Star or Rising Star status, use section below to record information related to evaluation (for current MVPP participants).

Date Submitted Annual Data Comments	Date Submitted Written S&H Program Evaluation /Comments	Date Onsite Evaluation	Date 30-Day Items Comp.	Date Approval & Award Type

**\*REASON FOR DELAY CODES**

R = Delay in Scheduling of Pre-approval Onsite Requested by Applicant    A = Administrative Delay    O = Other



## APPENDIX I

### GLOSSARY OF TERMS

**Act** – The Michigan Occupational Safety and Health Act, Act No. 154 of the Public Acts of 1974, as amended, being 408.1001 et seq. of the Michigan Compiled Laws.

**Applicable Contractor’s Employees** – Contractors whose employees worked at least 1,000 hours in any calendar quarter. Sites must keep, at a minimum, the total hours worked, total number of recordable injury and illnesses, and number of days away from work or restricted work cases for all applicable contractor’s employees who work at their sites.

**“Authorized Employee Representatives” or “Representative of Employee”** – A person designated by a labor organization certified by the national labor relations board or employment relations commission as defined in section 2 (c) of Act No. 176 of the Public Acts of 1939, as amended, being section 423.2 of the Michigan Compiled Laws, as the bargaining representative for the affected employees. In the absence of certification, it shall be a person designated by the organization having a collective bargaining relationship with the employer and designated as having a collective bargaining relationship with the employer by the affected employees. If a labor organization has not been certified, or if no organization has a collective bargaining relationship with the employer, “authorized employee representative” or “representative of employee” means a person designated by the affected employees to represent them for the purpose of proceedings under this Act.

**Agency** – The Michigan Occupational Safety & Health Administration (MIOSHA) in the Michigan Department of Licensing and Regulatory Affairs (LARA).

**Complete Application** – Applications that have been reviewed and found to meet application requirements. The data meets the requirements and documentation of safety and health management system eligibility is adequate.

**Contractor** – When determining the difference between employees and contractors the degree of supervision is the key. Important factors which may also be considered in determining employee status are: (1) Whom the worker considers to be his or her employer; (2) who pays the worker’s wages; (3) who withholds the worker’s Social Security taxes; (4) who hired the worker; and (5) who has the authority to terminate the worker’s employment.

**Corporate/Company MVPP Representative** – The individual designated by an applicant or participant company as the primary spokesperson regarding MVPP related activity at the corporation/company.

**DART Rate** – Cases related to Days Away from work/Restricted work/or job transfers. This is a combined rate for lost work days, restricted work activity cases, and/or job transfer cases.

**Department** – The Michigan Department of Consumer and Industry Services.

**Evaluation Report** – A report, written by the MVPP evaluation onsite review team, that makes recommendation for the site’s continued participation or advancement in the Michigan Voluntary Protection Program.

**MVPP Activity Log** – The Log of MVPP activities related to companies within the MVPP, maintained in each applicant’s file, Appendix G, page 109.

**MVPP Manager** – The MIOSHA person directly responsible for the day-to-day operations of the MVPP in the State of Michigan.

**Onsite Review** – A visit to an applicant or participating site by an MVPP onsite review team to determine whether the site qualifies to participate, continue participation, or advance within the MVPP.

**Onsite Review Team** – A group of safety and industrial hygiene personnel who conduct an evaluation of the MVPP applicant safety and health management system.

**Rising Star Program** – Recognition awarded to MVPP applicants. Rising Star sites have a very good safety and health management system in place and have injury and illness rates that (two out of the last three years) are at or below the industry average. The Rising Star program provides the “stepping stone” for those companies that have the desire and potential to achieve Star status. As a participant of the MVPP Rising Star sites are granted an exemption from programmed inspections. These sites must achieve Star status within three years or be terminated from the program.

**Safety and Health Management System** – Management action to ensure effective interaction of the elements of a safety and health program that achieves a unified whole.

**Small Employer Adjustment** – An alternative method for calculating incidence rates by using the best three out of the most recent four years’ injury and illness experience. This method is for small employers with limited number of employees and /or employee hours worked. See page 53.

**Star Program** – The highest level of recognition awarded to MVPP applicants. Star sites have outstanding safety and health management systems and have injury and illness rates at or below the industry average for the last three complete calendar years. Star sites act as mentors to other companies interested in achieving Star status. Star sites are granted an exemption from programmed inspections and must continue to demonstrate self-sufficiency, continuous improvement in their safety and health management systems, and maintain low industry average injury and illness rates.

**TCIR** – Total Case Incident Rate. This includes injuries and illnesses.

**Team Leader** – The MVPP staff person assigned to lead the onsite review team.

**Termination** – Formal revocation of a MVPP participant from the MVPP.

**Withdrawal** – Voluntary decision by an applicant to withdraw the application to the MVPP or by a MVPP participant to withdraw from participation in the MVPP.



# Appendix J MVPP Request for Information

The following company has recently submitted an application for the Michigan Voluntary Protection Program (MVPP). Please respond to those questions below that apply to your division.

Today's Date \_\_\_\_\_

For Distribution to:

- GI       Construction       Occupational Health       Employee Discrimination       CET

Company/Organization Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_, Michigan      Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_ County \_\_\_\_\_ SIC Code \_\_\_\_\_

### Enforcement Divisions

1. Has the above-mentioned company had any complaints filed against them within the last five years?  
 Yes    No   If yes, please provide additional information or comment on back.
2. Has the company had any fatalities or catastrophes within the last five years?  
 Yes    No   If yes, please provide additional information or comment on back.
3. Are there any pending enforcement actions such as long-term abatement agreement or contest?  
 Yes    No   If yes, please provide additional information or comment on back.

Please attach a copy of enforcement history within the last five years.

### Employee Discrimination

4. Has there been any Section 65 (Discrimination) violations?       Yes    No  
If yes, please provide additional information or comment on back.

### CET Division

5. Has there been any Onsite activity (both Safety and Health) during the last five years?  
Safety    Yes    No      Health    Yes    No  
If yes, please attach a copy of report.  
Comments:

6. Please provide a summary of 23g consultant activity on back.

Submitted by: \_\_\_\_\_ Date \_\_\_\_\_

Please submit information to:

Sherry Scott, CET Division Program Manager, Consultation Education and Training Division

