Michigan Safety Conference 2018

MIOSHA Update

Presented By: Barton G. Pickelman, CIH MIOSHA Director
www.michigan.gov/miosha
517-284-7777
MIOSHA’s Mission
Help protect the safety and health of Michigan workers!

MIOSHA’s Motto
Educate before we Regulate!
Federal and State OSHA Programs

28 States/Territories operate a state-run program (Brown shading indicates state-operated). Yellow shading (NY, NJ, CT, VI, ME, and IL indicate state-run for public sector only).
What’s New in MIOSHA

- MIOSHA Workplace Improvements to Safety and Health (MiWISH) Grants
- MIOSHA Strategic Plan 2019 – 2023
MIOSHA Workplace Improvements to Safety and Health (MiWISH) Grants

- **MiWISH** - created due to the success of the 2015 Michigan Safety and Health Improvement Program (MiSHIP) grants

- **MiWISH** - matching reimbursement grant ($5,000 maximum) for the purchase of safety and health equipment and corresponding training

- **MiWISH** – Small employers (<250 employees) in high hazard industries

- **MiWISH** – Will use $250,000 of the traditional CET Grant funds annually **beginning Fiscal Year 2019**
MIOSHA Strategic Plan
FY 2019 – 2023

- MIOSHA’s 5th Strategic Plan
  - Target resources to have best impact on improving safety and health
  - Each plan covers 5 year period

- Three Focus Groups
  - Construction, General Industry, and Labor
  - Reviewed past performance and obtained feedback for new plan

- MIOSHA Stakeholder meeting May 24, 2018.

- Effective October 1, 2018 (Beginning of FY 2019).
MIOSHA Strategic Plan
FY 2014 - 2018

Goal 1: Reduce exposures, injuries, illnesses, fatalities.

Goal 2: Promote benefits of positive safety culture.

Goal 3: Strengthen public confidence in MIOSHA.
# Strategic Plan
### Targeted General Industries

<table>
<thead>
<tr>
<th>Industry (NAICS)</th>
<th>Total Recordable Case Rate</th>
<th>2012 (Baseline)</th>
<th>5-year goal (2012 rate minus 15%)</th>
<th>2016 Rate</th>
<th>Trend</th>
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<tbody>
<tr>
<td>Michigan Overall</td>
<td></td>
<td>4.1</td>
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<td>3.4</td>
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<tr>
<td>Manufacturing Overall</td>
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<td>5.8</td>
<td>4.9</td>
<td>4.5</td>
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<td>Beverage &amp; Tobacco Product Mfg. (312)</td>
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<td>13.2</td>
<td>11.2</td>
<td>4.0</td>
<td>✓</td>
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<tr>
<td>Wood Products Mfg. (321)</td>
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<td>7.4</td>
<td>6.3</td>
<td>7.1</td>
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<tr>
<td>Primary Metal Mfg. (331)</td>
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<td>8.6</td>
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<td>Fabricated Metal Product Mfg. (332)</td>
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<td>5.4</td>
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<td>Machinery Mfg. (333)</td>
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<td>4.7</td>
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<td>Transportation Equipment Mfg. (336)</td>
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<td>7.0</td>
<td>6.0</td>
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<td>Support Activities for Transportation (488)</td>
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<td>3.6</td>
<td>5.1</td>
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<tr>
<td>Warehousing and Storage (493)</td>
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<td>Hospitals (622)</td>
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<td>6.4</td>
<td>6.6</td>
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<tr>
<td>Nursing &amp; Residential Care Facilities (623)</td>
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<tr>
<td>Accommodations (721)</td>
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<td>4.7</td>
<td>4.0</td>
<td>4.6</td>
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</table>
MIOSHA Consultation Education and Training
Site Specific Targeting Letters
“Educate Before We Regulate”

- Sent to non-construction workplaces selected for programmed inspections.
MIOSHA FY 2017 Activities

- Enforcement:
  - 4,530 Onsite Inspections
  - 729 Offsite Letter Inspections

- Consultation:
  - 1,531 Onsite Consultations
  - 396 Offsite Consultations
### MIOSHA FY 2017 Activities
#### Top 10 Standards Cited as Serious

<table>
<thead>
<tr>
<th>Standard Cited</th>
<th>Times Cited</th>
<th># of Instances</th>
<th>Initial Penalties</th>
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</thead>
<tbody>
<tr>
<td>CS Part 45, Fall Protection</td>
<td>489</td>
<td>1,372</td>
<td>$765,620</td>
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<tr>
<td>OH Part 602, Asbestos Standards for Construction</td>
<td>445</td>
<td>453</td>
<td>$440,000</td>
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<tr>
<td>CS Part 12, Scaffolds and Scaffold Platforms</td>
<td>337</td>
<td>593</td>
<td>$390,300</td>
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<td>GI Part 85, The Control of Hazardous Energy Sources (Lockout/Tagout)</td>
<td>276</td>
<td>360</td>
<td>$1,065,370</td>
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<td>CS 42, GI 92, OH 430, Hazard Communication</td>
<td>266</td>
<td>563</td>
<td>$299,070</td>
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<td>CS Part 6 Personal Protective Equipment</td>
<td>265</td>
<td>417</td>
<td>$235,200</td>
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<tr>
<td>GI Part 1, General Provisions</td>
<td>248</td>
<td>399</td>
<td>$881,145</td>
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<td>GI Part 33, Personal Protective Equipment</td>
<td>217</td>
<td>312</td>
<td>$331,270</td>
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<td>GI Part 21, Powered Industrial Trucks</td>
<td>197</td>
<td>250</td>
<td>$434,720</td>
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<tr>
<td>CS Part 11, Fixed and Portable Ladders</td>
<td>181</td>
<td>212</td>
<td>$190,600</td>
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</table>
Walking/Working Surfaces Standard

- New MIOSHA GI Part 2 is an adoption of federal OSHA standard
- Effective February 2, 2018
- Changes MIOSHA GI Parts 1, 2, 3, 4, and 5
- MIOSHA GI Parts 3 and 4 rescinded – Parts 1 and 5 revised
- Comparison documents available on MIOSHA Web Site
- Outreach activities:
  - Free half day informational seminars across the state
  - New full day MTI course coming in FY 2019
MIOSHA Lead Standards Update

- Current standards developed with 1970’s scientific data.
- **Current medical removal blood lead level = 50 or 60 ug/dl**
- **Current return to work blood lead level = 40 ug/dl**
- Current scientific data shows serious health affects at 5-10 ug/dl
- **General population blood lead levels are less than 2 ug/dl**

- Proposing to change medical removal level to 30 ug/dl
- Proposing to change return to work level to 15 ug/dl
- Advisory Committee formed and is meeting to draft language.
- Will be Public Hearings
Injury & Illness Reporting

- Published May 12, 2016 in Federal Register
- MIOSHA required to adopt “At Least As Effective” issue
- Employers in certain industries with 20 – 249 employees to submit their 300A form electronically to federal OSHA
- Employers with 250 or more employees to submit their 300, 301, and 300A electronically to federal OSHA
- OSHA website active – Reports due December 1, 2017 (2016 data)
- Next reports are due July 2018 (2017 data)
Silica Standards Update

- OH Part 690 Silica in Construction
- OH Part 590 Silica in General Industry
- OH Part 301 Air Contaminants for General Industry
- OH Part 601 Air Contaminants for Construction

- Went into effect for construction – September 23, 2017
- Delayed enforcement for general industry – June 23, 2018
MIOSHA Beryllium Standards

- Federal OSHA adopted two standards: construction and general industry
- Federal OSHA delaying enforcement of construction standard – reopening rule making
- MIOSHA general industry standard went into effect on February 8, 2018
- MIOSHA construction standard held until issues worked out at federal level
Federal OSHA Penalty Changes

Federal Budget Act of 2015

- Budget Act 2015—required upward adjustments of civil penalties for OSHA
- Annual adjustments based on Consumer Price Index (CPI)
- OSHA issued an interim final rule with a one time “catch up adjustment”
- One time adjustment amount difference between CPI in October 2015 and CPI in October 1990, the year that OSHA penalties were last adjusted
  - Serious Violation: Maximum of $12,476 (Current maximum $7,000)
  - Repeat Violation: Maximum of $124,765 (Current maximum $70,000)
  - Willful Violation: Maximum of $124,765 (Current maximum $70,000)
- Michigan Senator Jones introduced Senate Bill 479 in June 2017.
- “At least as effective” issue with federal OSHA?
  Waiting to hear from new administration

Currently on hold.
Emphasis Programs

- Federal OSHA - National Emphasis Programs (NEP)
- State plans like Michigan typically adopt NEP’s to address national trends.
- State plans have the option of initiating State Emphasis Programs (SEP) to address statewide trends.
State Emphasis Program – Blight Removal

Demolition can produce dust containing: lead, asbestos, silica, or other heavy metals

SEP Will Resume in Spring 2018
Stop Falls. Save Lives.

www.michigan.gov/stopfalls
Stop Falls. Save Lives.

- Fall fatalities have decreased but still too many!
  - 2016 – 22 of 43 fatalities were due to falls (51%)
    6 tree trimmers, 4 roofers
  - 2017 – 15 of 38 fatalities were due to falls (39%)
    2 tree trimmers (67% decrease), 8 roofers (double 2016)

- MIOSHA is continuing this initiative in 2018 with an emphasis on reducing worker deaths in the roofing industry
Stop Falls. Save Lives.

2017 Fall Fatalities

- 25-year-old laborer fell approximately 12½ feet from a 3/12 pitch commercial roof onto a concrete area below. The laborer received a severe head injury. Hospitalized for approximately 12 days before passing.

- 20-year-old laborer was working on a flat roof and fell through a skylight.

- 66-year-old roofer was engaged in roof installation and fell from an unguarded roof approximately 25 feet to the ground below.

- 38-year-old laborer and a coworker were on the second level of a facility demolishing a section of a floor when it collapsed. The employees fell approximately 15 feet to the next level resulting in one fatality.
2017 Fall Fatalities

- 52-year-old owner was trimming tree branches while in a vehicle-mounted elevated work platform. A cut branch contacted the arm of the bucket causing a recoil of approximately 10 feet before propelling the owner out of the bucket.

- 25-year-old roofer was installing roofing materials on a steep pitched residential roof and fell approximately 15 feet to the lower level. The roofer was not wearing fall protection; succumbing to his injuries at a later date.

- 51-year-old roofer was engaged in roofing work on a dormer when he fell from the steep pitched roof with an eave height of 12 feet. He passed away eight days later due to his injuries.

- 55-year-old co-owner went out to trim trees alone on a golf course at approximately 1:00 p.m. Using a ladder to access limbs that needed to be cut, one of the cut limbs fell hitting either the ladder or the co-owner and he fell off the ladder onto the ground. He was found lying on the ground around 6:00 p.m. unresponsive.
Stop Falls. Save Lives.
Safe+Sound Week
August 13–19, 2018
SHOW Your Commitment to SAFETY
OSHA®
National Overview

• What is Safe + Sound Week?
  A nationwide event to raise awareness and understanding of the value of safety and health programs in workplaces.

• When is it?
  August 13-19, 2018

• Who is encouraged to participate?
  Organizations of any size or in any industry that want to show their commitment to safety.

• Who is organizing?

www.osha.gov/safeandsoundweek
### Significant Enforcement Cases
#### Calendar Year 2017

<table>
<thead>
<tr>
<th>Industry/Type of Facility</th>
<th>Date Issued</th>
<th>Initial Assessed Penalty</th>
</tr>
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<tbody>
<tr>
<td>General Industry Auto Manufacturing</td>
<td>3-21-17</td>
<td>$137,600</td>
</tr>
<tr>
<td>General Industry Tree Trimming and Landscape Services</td>
<td>4-27-17</td>
<td>$222,000</td>
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<tr>
<td>General Industry Tree Trimming and Landscape Services</td>
<td>5-1-17</td>
<td>Cease Operations Order</td>
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<tr>
<td>General Industry Manufacturing</td>
<td>5-17-17</td>
<td>$116,000</td>
</tr>
<tr>
<td>General Industry Paper Product Manufacturing</td>
<td>6-8-17</td>
<td>$263,000</td>
</tr>
<tr>
<td>General Industry Automotive Manufacturing</td>
<td>6-28-17</td>
<td>$118,500</td>
</tr>
<tr>
<td>General Industry Metal Processing</td>
<td>9-12-17</td>
<td>$109,600</td>
</tr>
</tbody>
</table>
Significant Case Summary General Industry

Automotive Manufacturing

- 2 Complaint and 1 Re-Inspection
- Issues with Lockout/Tagout (LO/TO) and Machine Guarding
- 13 Serious, 1 Repeat-Serious, 9 OTS, and 6 Repeat OTS Citations
- Total Penalties $137,600 Issued March 21, 2017
Significant Case Summary General Industry

Tree Trimming and Landscape Services

- 1 Follow-Up Inspection and 1 Companion Inspection
- Issues with LO/TO and Machine Guarding
- 6 Failure-to-Abate, 6 Willful-Serious Citations
- Total Penalties $222,000 Issued April 27, 2017
- Cease Operations Order Issued May 1, 2017
Significant Case Summary General Industry

Manufacturing
- 1 Complaint Inspection and 1 Companion Inspection
- Issues during these inspections – LO/TO, Overhead and Gantry Cranes, Powered Industrial Trucks, Machine Guarding, I&I Reporting, and Mechanical Power Presses
- 8 Serious, 4 Repeat-Serious, and 5 OTS Citations
- Total Penalties $116,000 Issued May 17, 2017
Significant Case Summary General Industry

**Paper Product Manufacturing**
- 1 Complaint Inspection and 2 Employer Reported Injuries
- SVEP Complaint Inspection
- Issues during these inspections – I&I Reporting, Guarding, LO/TO
- 2 Serious, 4 Willful Serious, 1 Repeat Serious, and 4 OTS Citations
- **Total Penalties $263,000 Issued** June 8, 2017
Significant Case Summary General Industry

Automotive Manufacturing
- Re-Inspection
- Issues – LO/TO, Fixed & Portable Ladders, and Machine Guarding
- 8 Serious, 3 Repeat-Serious, and 6 OTS Citations
- Total Penalties $118,500 Issued June 28, 2017
Significant Case Summary General Industry

Metal Processing

- Employer-Reported Hospitalization Inspection, Re-Inspection
- Issues: Guarding, LO/TO, I&I Reporting, and PPE
- 6 Serious, 3 Repeat-Serious, and 2 OTS Citations
- Total Penalties $109,600 Issued September 12, 2017
Strategic Plan FY 2014-2018

Goal 2: Promote safety and health to effect positive change in workplace culture

- 14th Take a Stand Day (August 8, 2018)
- Coffee with MIOSHA
- Promote SHMS
- Cooperative Programs
- Public Service Announcements
- MIOSHA Training Institute
Michigan Voluntary Protection Program (MVPP)

Best of the Best

- Go beyond minimum standards
- Great partnership opportunities
- Learn from each other
- Share best practices
- Mentor others
- Improves the overall quality of work life
Formal Agreements

Benefits:
- Build trusting, cooperative relationships
- Network with others committed to workplace safety and health
- Exchange information about best practices
- Leverage resources to maximize worker safety and health protection

Traditionally lower I&I rates than non-partnership sites
Formal Agreements

Benefits:
- Build trusting, cooperative relationships;
- Network with others committed to workplace safety and health;
- Leverage resources to maximize worker safety and health protection;
- Gain recognition as a proactive leader in safety and health;
MIOSHA Training Institute (MTI)

25,557 Overall Attendees

1,479 Total MTI Graduates
- 1,108 Level I
- 294 Level II
- 77 Occupational Health

MTI Scholarships
- $38,730 Awarded in FY2017
- $314,429 Awarded since FY2011
MIOSHA and Oakland University Alliance

- MTI certificates to Oakland University Bachelor of Science in Environmental Health and Safety (EHS) Degree Program
- Grants up to 11 EHS credits to Level 2 MTI certificate holders
CET Grants
$872,000 Awarded in FY18 to 20 Grantees

- Associated General Contractors of Michigan
- Baker College
- Bay De Noc Community College
- Center for Workplace Violence Prevention, Inc.
- Construction Association of Michigan (CAM)
- Eastern Michigan University Organization for Risk Reduction
- Emergency Services Rescue Training
- Great Lakes Safety Training Center
- MARO Employment and Training Association
- Michigan AFL-CIO
CET Grants
$872,000 Awarded in FY18 to 20 Grantees

- Michigan Association of Chiropractors
- Michigan Green Industry Association (MGIA)
- Michigan Infrastructure and Transportation Association (MITA)
- Michigan State University
- North Central Michigan College
- Parents for Student Safety Employment Standards (PASSES)
- Retail, Wholesale, and Department Store Union (RWSDU)
- United Auto Workers (UAW)
- University of Michigan Center for Ergonomics
- Wayne State University
Resources

- Fact Sheets
- Sample Programs
- Ask MIOSHA Q&A
- Posters, Stickers
- Pamphlets
- 5-Minute Safety Talks
- Videos – Disc & Streaming
Reporting Requirements – to MIOSHA

- Who has duty: Employers
- Report what: Work-related fatality
- When: Within 8 hours of death
- How: Call MIOSHA fatality hotline at 1-800-858-0397
- Reference: Part 11
Reporting Requirements – to MIOSHA

- **Who has duty:** Employers
- **Report what:** Inpatient hospitalization, amputation, or loss of an eye
- **When:** Within 24 hours
- **How:** Call MIOSHA at 844-464-6742; MIOSHA website; or in person
- **Reference:** Part 11
MIOSHA Fatality Information via Gov Delivery and Website

The 1st Michigan worker death of 2016 occurred on February 8, 2016. Employers and employees are urged to use extreme care and safety diligence in all work activities. The information below shares preliminary details about the most recent fatality reported to the Michigan Occupational Safety and Health Administration (MIOSHA). The description reflects information provided to MIOSHA at the initial report of the incident and are not the result of the official MIOSHA investigation.

Summary of Incident: On February 8, 2016, two employees were struck by a semi-truck exiting a highway. They were in the process of changing signage at an exit. A 45-year-old laborer was killed and another employee was hospitalized as a result of the incident.

There were 29 MIOSHA-related deaths in 2015. 2009 saw the lowest number with 24.
MIOSHA Fatality Information

Calendar 2017 MIOSHA program-related fatalities:

38 Total Fatalities

- 15 Falls (2 tree trimmers - 6 roofers)
- 9 Struck By
- 5 Caught In Or Between
- 3 Shock
- 2 Crush
- 2 Drowning
- 1 Asphyxiation
- 1 Explosion/Burn
MIOSHA Fatality Information

Demographics: By Age & Gender

Age Range (Youngest 19; Oldest 80):
- Under 20: 1
- 20-29: 4
- 30-39: 6
- 40-49: 8
- 50-59: 10
- 60-69: 6
- 70 and older: 3

Gender:
- Men: 38
- Women: 0
MIOSHA Program-Related Fatalities

-56%
MIOSHA: Stay Connected!

- MIOSHA News – available online quarterly
- MIOSHA eNews – sent via email monthly
- MIOSHA GovDelivery E-mails
- Sign-up on MIOSHA website: www.michigan.gov/miosha

Follow @MI_OSHA on Twitter
Like MichiganOSHA on Facebook
MIOSHA on YouTube
You will never regret...

- Establishing a Safety and Health Program
- Proactively identifying and correcting hazards
- Training and involving employees
- Never calling an ambulance
- Not having to share bad news with a family

Sending everyone home at the end of their shift healthy and whole!
Thank You for Making a Difference in Health and Safety!!

Questions?