

APPENDIX D – MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (MIOSHA)

MIOSHA OVERVIEW

The Michigan Occupational Safety and Health Administration strives to work collaboratively with employers and employees to better prevent workplace injuries, illnesses, and fatalities. MIOSHA health and safety activities include setting and enforcing occupational safety and health standards; providing extensive safety and health training and education; and working with partners to develop innovative programs to prevent workplace hazards. All agency activities focus on meeting the MIOSHA mission to help protect the safety and health of Michigan workers.



MIOSHA ORGANIZATION

Appeals Division

The [Appeals Division](#) represents the General Industry Safety & Health and the Construction Safety & Health divisions in prehearing conferences and formal administrative hearings related to contested MIOSHA citations. Questions concerning the administrative process relative to prehearing conferences or formal hearings can be directed to the MIOSHA Appeals Division. Questions concerning case scheduling should be directed to the Bureau of Hearings.

[Board of Health and Safety Compliance and Appeals Meetings](#)

Construction Safety & Health Division

The **Construction Safety and Health Division** is one of two standards enforcement divisions of MIOSHA. The division enforces safety and health standards in the construction industry defined in the MIOSHA statute as work activity designated in major groups 15, 16, and 17 of the *Standard Industrial Classification(SIC) Manual*. All construction types are inspected including projects such as:

- road and bridge projects
- sewer, water, gas, and electric utility lines
- power plants
- communication/power transmission towers
- waste and water treatment plants
- single family homes
- high rise construction
- factory and other building additions

Construction standards apply when the type of work being done is construction work designated by one of the above SIC groups. For example, a general industry employer who has most employees engaged in a manufacturing operation must comply with the MIOSHA general industry standards applicable to the manufacturing processes. However, if several of the general industry employer's workers are, for example, pouring a concrete press pit or performing electrical work, the MIOSHA Construction Safety Standards applicable to the concrete or electrical work must be followed.

In a similar way, a municipal employer may have employees performing work covered by General Industry Standards such as trimming trees or collecting trash and may assign the same employees to later perform work covered by the Construction Standards such as repair a water line or grade gravel shoulders. Again, it is the type of work being done that determines which standard is applicable.

The Construction Safety and Health Division addresses safety hazards such as fall, electrical, excavation and other types of physical hazards, as well as occupational exposure of Michigan construction workers to substances or work conditions such as air contaminants, noise, ergonomic hazards, bloodborne pathogens, and ionizing and non-ionizing radiation. The division is also responsible for enforcing MIOSHA rules that contain control measures used to reduce employee exposure to such substances/work conditions, including engineering controls (e.g., industrial ventilation, enclosures, etc.), administrative controls (e.g., employee rotation, hazard communication, housekeeping, etc.), and personal protective equipment (e.g., gloves, hard hats, eye protection, respiratory protection, hearing protection, chemical protective clothing, etc.).

The Construction Safety and Health Division also administers the Asbestos Program, which licenses asbestos abatement contractors, accredits asbestos abatement workers and enforces MIOSHA asbestos standards in both construction and general industry.

Consultation Education & Training Division

The [Consultation Education and Training \(CET\) Division](#) services are provided throughout the state by an in-house staff of professional occupational safety consultants, occupational safety specialists, and industrial hygienists. The staff in the CET Division are non-enforcement personnel. These consultants and specialists are located throughout Michigan and collectively they serve the employers and the employees in all 83 Michigan counties. [View the Consultant Directory \(CET #0106w\)](#).

CET services are funded through a special Michigan worker's disability compensation levy assessment that provides CET restricted use funding. This funding is also supplemented by federal funds. No Michigan general fund money is used to provide CET services. The majority of CET services are provided to Michigan employers or employees at no additional cost beyond the levy assessment. Co-sponsors of CET public seminars may charge a nominal fee to cover the costs of equipment rental, room rental, and lunch/refreshment charges.

Consultation Education and Training
P.O. Box 30643, Lansing, MI 48909-8143
Ph: 517-284-7720 | [Michigan.gov/CET](https://www.michigan.gov/CET)

Employee Discrimination Section

The [Employee Discrimination Section \(EDS\)](#) provides protection through investigations of complaints by workers who have been allegedly discriminated against for exercising rights under the Michigan Occupational Safety and Health Act, [Act 154 of Public Acts of 1974](#), as amended, (Section 65) commonly referred to as MIOSHA.

Section 65 of MIOSHA, states that an employer shall not discriminate against an employee for exercising his or her rights. Employees shall not be discriminated against for reporting or voicing an unsafe or unhealthy work condition; or assisting a MIOSHA representative during an inspection/investigation; or for refusing to work when confronted with an imminent danger that could cause death, injuries resulting in permanent disabilities, or illnesses that are chronic or irreversible.

If an employee feels his or her rights have been violated under MIOSHA, the employee may file a discrimination complaint with the Employee Discrimination Section within **30 days** of the date of occurrence/incident. Call the MIOSHA Employee Discrimination Section at 313-456-3109 or write to:

MIOSHA Employee Discrimination Section
Cadillac Place
3026 W. Grand Boulevard, 9th Floor, Suite 450
Detroit, MI 48202

[Printable discrimination complaint form.](#)

General Industry Safety & Health Division

The [General Industry Safety and Health Division](#) conducts inspections and investigations in places of employment within the state of Michigan. This includes both public sector employers and private employers. The division responds to complaints from employees or their representatives, investigates accidents including fatalities and catastrophes, and responds to referrals of unsafe or unhealthy conditions from other agencies.

The division addresses the occupational exposure of Michigan's employees to substances of work conditions such as air contaminants, noise, ergonomic hazards, bloodborne pathogens, and ionizing and nonionizing radiation. It is also responsible for enforcing MIOSHA rules that contain control measures used to reduce employee exposure to such substances/work conditions, including engineering controls (e.g., industrial ventilation, enclosures, etc.), administrative controls (e.g., employee rotation, hazard communication, housekeeping, etc.), and personal protective equipment (e.g., respiratory protection, hearing protection chemical protective clothing, etc.).

The division also conducts unannounced inspections at facilities throughout the state in accordance with current priority inspection guidelines.

Technical Services Division

The [Technical Services Division \(TSD\)](#) is responsible for a variety of services to MIOSHA staff and clients. TSD staff prepare and administer most of the grants and contracts related to the federal programs that MIOSHA supports and monitor budget activity. Program areas include:

- The [Laboratory and Equipment Services Section \(LESS\)](#) includes an industrial hygiene laboratory, which is accredited by the American Industrial Hygiene Association, for analysis of air and material samples for occupational exposure to air and physical contaminants. LESS also includes an instrument calibration and maintenance program for providing field instrumentation to MIOSHA industrial hygienists and safety officers to assess exposure to chemical and physical hazards in the workplace.
- The Management Information Systems Section (MISS) is responsible for compilation of accurate and timely injury and illness data, provides information to MIOSHA clients about recordkeeping requirements, prepares statistical information and reports to programs about enforcement activities, monitors data related to MIOSHA strategic planning activities, and provides computer and software support to other MIOSHA programs.
- The [Standards and FOIA Section](#) is responsible for:
 - Coordination of the promulgation of Michigan occupational safety and health standards through the appointment of advisory committees to assist with the development of standards, providing access to MIOSHA standards electronically and through distribution of single copies and sets of paper standards, and maintaining a collection for viewing of the national reference standards that are referenced in MIOSHA standards.
 - [Consultation Education and Training \(CET\) Grant Program](#) supplements staff activities by providing competitive grants to nonprofit organizations to provide training and education in emerging safety and health issues, to address particularly dangerous occupations, and to extend MIOSHA's impact through "train-the-trainer" projects, and to provide training and outreach too difficult to reach target groups.
 - Responding to Michigan Freedom of Information Act (FOIA) requests. As of August 14, 2019, ALL FOIA requests for MIOSHA, including the Radiation Safety Section, MUST be directed to the [MIOSHA Freedom of Information Act Coordinator](#) at 517-284-7740.
 - Developing/facilitating the MIOSHA Leadership Institute (MLI), which is an internal agency training program designed to strengthen the skill set of current supervisory staff, as well as develop emerging leaders.
- The [Radiation Safety Section \(RSS\)](#) regulates radiation machines by registering and inspecting facilities utilizing radiation machines.

ADMINISTRATIVE STANDARDS FOR ALL INDUSTRY

All MIOSHA standards; administrative, agriculture operations, construction safety and health; and, general industry safety and health, are administrative rules. An administrative rule is a written regulation that has the effect of law. MIOSHA promulgates administrative rules under the authority of the [Michigan Administrative Procedures Act](#). The administrative rules printed in the Michigan Administrative Code is the true and correct copy of all MIOSHA promulgated rules. The Office of Regulatory Reinvention provides the Michigan administrative code version of [all MIOSHA standards](#) in electronic form free of charge on their internet website.

HAZARD COMMUNICATION

The following resources and tools can be found at MIOSHA's Hazard Communication Standard (HCS)/Globally Harmonized System (GHS) of Classification and Labeling of Chemicals web site: Michigan.gov/ghs.

MIOSHA POSTING

The "MIOSHA Administrative Rules - Part 13, Inspections and Investigations, Citations, and Proposed Penalties" requires all Michigan employers to have a copy of the poster "[Michigan Safety and Health Protection on the Job](#)" (CET #2010) displayed in a conspicuous location. The poster must be located in an area accessible to all employees in the facility. More than one poster may be needed in larger facilities.

Commonly, this poster is found in areas where employees regularly visit (break rooms, cafeterias, etc.) and where other federal and state required postings are found.

Additional Resources:

- [Hazard Communication Sample Plan \(CET-5530\)](#)
- [Hazard Communication - Aligning with the Globally Harmonized System of Classification and Labeling of Chemicals \(CET-5531\)](#)
- [MIOSHA Standards Affected by the New GHS/Hazard Communication Standard \(CET-5532\)](#)
- [MIOSHA Regulated Area Signs Affected by the New GHS/Hazard Communication Standard \(CET-5533\)](#)
- [Revised 2012 Hazard Communication Standard FAQs \(CET-0186\)](#)
- [Right-to-Know Hazard Communication Compliance Guide \(SP-22\)](#)
- [Safety Data Sheet \(SDS\) Location Poster \(CET-2105\)](#)
- [New/Revised Safety Data Sheet \(SDS\) Poster \(CET-2106\)](#)

OSHA Tools:

- [Safety & Health Topics Page: Hazard Communication](#)
- [OSHA Wallet Card](#)
- [OSHA Brief - Hazard Communication Standard: Labels & Pictograms](#)
- [OSHA Fact Sheet - Training Requirements for the Revised Hazard Communication Standard \(December 2013\)](#)
- [Interim Guidance on Enforcement of the Revised Hazard Communication Standard \(December 2013\)](#)
- [OSHA Publication 3695 - Hazard Communication: Small Entity Compliance Guide for Employers That Use Hazardous Chemicals \(March 2014\)](#)
- [OSHA Publication FS-3696 - Steps to an Effective Hazardous Communication Program for Employers That Use Hazardous Chemicals \(March 2014\)](#)
- [OSHA Instruction - Inspection Procedures for the Hazard Communication Standard \(HCS 2012\), \(July 2015\)](#)
- [United Nations GHS of Classification and Labeling of Chemicals Publications \(Past and current versions\)](#)

MIOSHA RECORDKEEPING AND REPORTING

Reporting Forms and Guidelines

- [Injury and Illness \(I&I\) Report Processing Instruction](#)
- [Using the MIOSHA Employee Injury/Illness Incident Report Form](#)
- [Employee Injury/Illness Incident Report](#)

Recordkeeping Forms & Guidelines

- [Electronic Submission of Injury and Illness Data](#)
- [Part 11. Recording & Reporting of Occupational Injuries & Illnesses](#)
- [MIOSHA Form 300A - Summary of Work-Related Injuries and Illnesses](#)
- [MIOSHA Form 300 - Log of Work-Related Injuries and Illnesses](#)
- [MIOSHA Form 301 - Injury and Illness Incident Report](#)
- [Injury & Illness Recordkeeping Requirements for Temporary Workers Fact Sheet](#)
- [Recording and Reporting of Occupational Injuries and Illnesses \(MIOSHA-STD-05-2\)](#)
- [Injury/Illness Analysis and Cost Estimation \(HO-44\)](#)
- [MIOSHA Recordkeeping General Guide for Recording \(MISS-1\)](#)
- [Occupational Disease Reporting](#)
- [Online Forms: Occupational Diseases and Noise-Induced Hearing Loss \(Work-Related\)](#)

GENERAL INDUSTRY SAFETY AND HEALTH STANDARDS

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Personal Protection Equipment for General Industry (SP #16)

An employer must provide, at no expense to the employee, the initial issue of PPE and replacement equipment necessary due to reasonable wear and tear required, unless specifically indicated otherwise or other employer/employee agreement specifically requires employees to provide such equipment. An employee shall wear PPE when prescribed by the MIOSHA rules.

Head protection (Hard Hat):

- Class A hard hat shall be used where a hazard from falling or flying objects or particles or from other harmful contacts or exposures may be present.
- Physically altered, painted, or damaged hard hats shall not be worn.
- Wear hard hat brim forward.
- Do not wear baseball hats underneath.

Eye and face protection:

- Z87.1 safety glasses shall be used where a hazard exists from flying objects or particles, harmful contacts, such as when using power tools, hammers, and working overhead.
- An employee who needs corrective lenses where eye protection is required shall be protected by either of the following:
 - (a) Spectacles whose protective lenses provide optical correction.
 - (b) Goggles that can be worn over the corrective lenses without disturbing the adjustment of the spectacles.
- Use goggles when working around dust, chemicals.
- Use face shields to protect face from particles. Face shields do not protect eyes from flying object high impacts. Z87.1 safety glasses must be used underneath.

Foot protection (Employee Provided/Employer Must Require):

- ANSI Z41-1999 or ASTM 2412 & 2413 certified footwear must be worn.
- Toe protection where crushing hazard exists.

Body protection:

- Gloves.
- Full length clothing.
- Fire-rated clothing.
- Sunscreen.
- Life vests must be worn when working around water.

Hearing protection, Part 680: www.michigan.gov/documents/CIS_WSH_part680_35660_7.pdf

Respiratory, Part 451: www.michigan.gov/documents/CIS_WSH_part451_54075_7.pdf

MIOSHA'S FALL PREVENTION INITIATIVE

STOP FALLS. SAVE LIVES.

- [MIOSHA Publications](#)
- [MIOSHA Standards](#)
- [MIOSHA Standard Interpretations](#)
- [Policies and Procedures](#)
- [Video Library and Streaming Service](#)
- [MIOSHA Training Institute \(MTI\) Courses](#)
- [Other Resources](#)

PROCESS SAFETY MANAGEMENT OF HIGHLY HAZARDOUS CHEMICALS

The MIOSHA General Industry Safety Standards - Part 91, Process Safety Management of Highly Hazardous Chemicals and General Industry Occupational Health Standards - Part 591 (R 325.18301-18302), adopted by reference the federal standards 29 CFR 1910.119 and 1910.109.

This standard contains requirements for preventing or minimizing the consequences of catastrophic releases of toxic, reactive, flammable, or explosive chemicals. These releases may result in toxic, fire, or explosive hazards. The standard applies to all workplaces with processes involving Highly Hazardous chemicals at or above specified threshold quantities. Regulated employers include manufacturers of bulk and specialty chemicals, solvent based paints and coatings, adhesives, pharmaceuticals, pulp and paper processors, agricultural chemicals, and public water treatment facilities.

The standard also applies when keeping, having, storing, manufacturing, selling, transporting, and using explosives, blasting agents, and pyrotechnics. These rules do not apply to the sale and use (public display) of pyrotechnics, commonly known as fireworks, or to the use of explosives in the form prescribed in the official United States pharmacopoeia. Compliance with the standard typically requires the involvement of specially trained Industrial Hygienists, Safety Professionals or Professional Engineers.

Contact MIOSHA Consultation Education & Training Division for assistance at 517-284-7720.

Elements of Process Safety Management

There are 14 principal elements to this standard:

1. Employee participation
2. Mechanical integrity
3. Process safety information
4. Hot work permit
5. Process hazard analysis
6. Management of change
7. Operating procedures
8. Incident investigation
9. Training
10. Emergency planning and response
11. Contractors' obligations
12. Compliance audits
13. Pre-start-up safety review
14. Trade secrets

CONFINED SPACES

For the construction industry, “confined space” is defined in [Construction Safety Standards, Part 1 General Rules](#) and [Part 7 Welding and Cutting](#). “Confined space” means a space that, because of its physical construction, could be subject to the accumulation of loose materials or explosive, toxic, or flammable contaminants or could have an oxygen deficient atmosphere.

All of the following are examples of confined spaces:

- Storage tanks
- Process vessels
- Bins
- Boilers
- Ventilation ducts
- Sewers
- Underground utility vaults
- Tunnels (after construction is completed)
- Pipelines
- Open top spaces more than four feet in depth (e.g., pits, tubs, vaults, and vessels)

For more information, view the MIOSHA Fact Sheet: [Confined Spaces in Construction](#)

Part 90 - Permit-Required Confined Spaces

The [MIOSHA General Industry Safety Standards - Part 90, Permit-Required Confined Spaces](#) and [General Industry Occupational Health Standards - Part 490 \(R 325.63001\)](#) provide rules that establish minimum requirements for the practices and procedures to protect employees from the hazards associated with entry into permit-required confined spaces. These rules do not apply to agriculture, construction, and shipyard employment.