
MIOSHA

Michigan Occupational Safety and Health Administration (MIOSHA)
Department of Labor and Economic Opportunity (LEO)

AGENCY INSTRUCTION

DOCUMENT IDENTIFIER:

MIOSHA-STD-17-1R1

DATE:

April 18, 2022

SUBJECT: Maritime Cargo Gear Standards and Certification

- I. Purpose. This instruction provides guidance on maritime cargo standards and gear certification.
- II. Scope. This instruction applies to the Consultation Education and Training (CET) Division and the General Industry Safety and Health Division (GISHD).
- III. References.
 - A. [MIOSHA Field Operations Manual](#) (FOM), as amended.
 - B. Occupational Safety and Health Administration Instruction [CPL 02-01-055, Maritime Cargo Gear Standards and 29 CFR Part 1919 Certification](#).
- IV. Distribution. MIOSHA Staff; Federal OSHA; S-drive Accessible; MIOSHA Messenger; and Internet Accessible.
- V. Cancellations. All previous versions of this agency instruction.
- VI. Next Review Date. This instruction will be reviewed in five (5) years from date of issuance.
- VII. History. History of previous versions includes:

MIOSHA-STD-17-1, April 25, 2017
MIOSHA-MEMO-ADM-14-1, March 18, 2014
- VIII. Contact. [Nella Davis-Ray](#), Director, CET; or [Adrian Rocskay](#), Director, GISHD.
- IX. Originator: Barton G. Pickelman, Director
- X. Background. On September 30, 2013, federal OSHA issued an instruction CPL 02-01-055, Maritime Cargo Gear Standards and 29 CFR Part 1919 Certification, describing policies and procedures on the enforcement of standards and the requirements for 29 CFR Part 1919, Gear Certification in the maritime industry. With this instruction, MIOSHA adopts the federal OSHA instruction. The maritime industry encompasses shipyard employment, marine terminals, and longshoring operations.

Maritime cargo gear refers to the machines (i.e., gear) at marine terminals (i.e., docks, wharves, and so on) that transfer cargo between the ship and land. Examples of cargo gear are cranes, derricks, bulk cargo spouts and suckers, and vertical pocket or bucket conveyors. The cargo gear can be part of the ship or shore-based. The federal OSHA instruction covers the safety certification of this gear.
- XI. Application. Federal OSHA retains jurisdiction over maritime activities in Michigan, with the exception of state and local government employees over which federal OSHA has no jurisdiction. Therefore, for the GISHD, this instruction applies only to maritime work conducted by public employees. It is expected that few, if any, state and local

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government employees in Michigan use maritime cargo gear. In contrast, CET has authority to provide consultation, education, and training at any maritime establishment in Michigan, whether it is private sector or public. For more information on MIOSHA jurisdiction, refer to the [MIOSHA FOM](#), Chapter 1, Section V. Jurisdiction – Coordination with Other Federal and State Agencies and Chapter 1, Section VII. Exemptions from MIOSHA Coverage.

- XII. Action Required. When maritime cargo gear standards and certification are applicable, GISHD and CET staff will follow the policies and procedures in [CPL 02-01-055, Maritime Cargo Gear Standards and 29 CFR Part 1919 Certification](#). Violations of 29 CFR Part 1919, Gear Certification, will have to be cited under the general duty clause as MIOSHA has not adopted this federal rule.