
MIOSHA

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

AGENCY INSTRUCTION

DOCUMENT IDENTIFIER:

MIOSHA-STD-23-2

DATE:

September 21, 2023

SUBJECT: Fall Prevention – National Emphasis Program (NEP)

- I. Purpose. This instruction adopts the federal Occupational Safety and Health Administration (OSHA) National Emphasis Program (NEP) to prevent falls in the workplace, especially those that lead to fatalities.
- II. Scope. This instruction applies to the Construction Safety and Health Division (CSHD), the General Industry Safety and Health Division (GISHD) and the Consultation Education and Training (CET) Division.
- III. References.
 - A. Agency Instruction MIOSHA-SHMS-12-1, MIOSHA Safety and Health Management System (SHMS), as amended (SHMS instruction).
 - B. Agency Instruction MIOSHA-SHMS-13-3, Personal Protective Equipment (PPE) for MIOSHA Personnel, as amended.
 - C. Bureau of Labor Statistics (BLS) [Survey of Occupational Injuries and Illnesses](#).
 - D. Division Instruction CSHD-COM-09-1, [Construction Inspection Targeting](#), as amended (Construction Inspection Targeting instruction).
 - E. Division Instruction GISHD-COM-16-1, [Tree Trimming Operations](#), as amended. (Tree Trimming Operations instruction).
 - F. [MIOSHA Field Operations Manual](#), as amended (FOM).
 - G. Occupational Safety and Health Administration Instruction CPL 03-00-025, May 1, 2023, [National Emphasis Program - Falls](#).
- IV. Distribution. MIOSHA Staff; Federal OSHA; S-drive Accessible; MIOSHA Messenger; and Internet Accessible.
- V. Next Review Date. This instruction will be reviewed one year from date of issuance.
- VI. Contact. [Adrian Z. Rocskay](#), Director GISHD, [Lawrence Hidalgo, Jr.](#), Director CSHD, and [Tarah M. Kile](#), Director CET.
- VII. Originator. Barton G. Pickelman, Director
- VIII. Background. In 2023, OSHA implemented CPL 03-00-025 - National Emphasis Program on Falls. Nationally, despite the balanced application of the agency's outreach, enforcement, and compliance assistance efforts, fatalities caused by falls continue to be a leading cause of death for all workers. A comparison of the BLS and OSHA Information System (OIS) data between 2014 and 2021 revealed that falls to a lower level accounted for 13% (5,369) of the 40,531 fatalities in all industries during this period. In addition, falls to a lower level accounted for 32% (2,480) of the 7,861 construction fatalities during

this period, and falls to a lower level accounted for 7% (2,178) of the 32,670 non-construction fatalities during this period. (Source BLS)

Falls have been a leading cause of workplace fatalities in Michigan. During the last decade, between 2013-2022, over 100 workers died from falls in Michigan. Recently, the number of fatalities from falls was 22 in 2016, 16 in 2017, 7 in 2018, 12 in 2019, 9 in 2020, 4 in 2021, and 11 in 2022. Of the 36 fatalities between years 2019-2022, 17 occurred in construction, with the highest risk jobs being roofer, construction laborer, and carpenter. In general industry, the fatalities were concentrated in tree trimming operations; work on trees accounted for eight of the fall-related deaths during 2016-2018. In addition, falls, slips, and trips cause thousands of nonfatal injuries involving days away from work each year, according to BLS. These nonfatal injuries happen across industries, from manufacturing to construction and from retail to healthcare.

Falls can occur from an elevation or at the same level. Falls from an elevation are typically referred to as “falls,” whereas falls at the same level are often called “slips and trips.” Of the 53 workers who fell to their death in Michigan in 2016-2019, 47 fell from an elevation, and six fell at the same level.

This NEP directs more enforcement and educational resources to prevent worker injuries and deaths from falls. This NEP covers all industries.

- IX. Action. With this instruction, MIOSHA adopts the OSHA NEP for fall prevention, CPL-03-00-025, apart from the difference in the inspection targeting systems.
- X. Significant Changes. None. This is a new instruction.
- XI. Enforcement Activities.
 - A. The safety officer/industrial hygienist (SO/IH) must never put themselves in harm’s way while conducting an inspection. Supervisors shall ensure SO/IHs comply with all safety and health guidance and requirements developed in the SHMS instruction and Agency Instruction MIOSHA-SHMS-13-3, Personal Protective Equipment (PPE) for MIOSHA Personnel, as amended, to prevent falls.
 - B. SO/IHs are authorized to initiate inspections whenever they observe someone working at heights. These observations may occur during the SO/IH’s normal work-day travel or while enroute to or during, other MIOSHA inspections. If a potential imminent danger exists, the SO/IH shall initiate an inspection per the FOM Chapter 4. Inspections related to falls will also be initiated as the result of incidents, referrals, and complaints.
 - C. When SO/IHs observe fall hazards but cannot begin an immediate inspection, (e.g., because they are responding to an incident, etc.) they shall notify their supervisor of their observations.
 - D. Fall hazards brought to MIOSHA shall be evaluated and inspected as appropriate.

- E. Whenever an inspection is initiated under this NEP, the SO/IH shall include a description of the circumstances that prompted the inspection in the case field narrative.
- F. During all inspections SO/IHs shall observe the surrounding area for potential fall hazards and conduct an inspection under this NEP if any are present.
- G. During the NEP inspections, the SO will interview employees questioning them about their knowledge and training regarding fall protection.
- H. The scope of inspections initiated under this NEP shall be conducted in accordance with the FOM and shall normally be limited to evaluating worker exposure to hazards associated with falls. However, a SO/IH may expand the scope of an inspection under this NEP if there is evidence from injury and illness records, plain view hazards, or employee interviews of other potential safety and health hazards or violations at the worksite. SO/IHs shall follow the guidelines in the FOM when expanding the scope of any inspection (Chapter V., Section I.A.2).
- I. At the end of each NEP inspection, the SO/IH will provide the employer with information concerning MIOSHA fall protection requirements and protective measures that should be implemented. For example, the SO/IH may give the employer the website address for MIOSHA's fall prevention standards and related outreach materials or provide copies of MIOSHA publications.

XII. Targeting.

A. CSHD.

- 1. In 2023, CSHD will focus on residential construction. The residential sector employees may be at greater risk of falls because their employers are typically smaller, have fewer resources available for safety, and have less knowledge about safety and MIOSHA standards. This does not preclude enforcement activities to occur on commercial and industrial jobsites.
- 2. CSHD will continue to use its current targeting system as described in the Construction Inspection Targeting instruction. This NEP applies to programmed safety inspections only. Over the duration of the NEP, CSHD anticipates inspecting over 500 construction jobsites, where at least one employee is exposed to a fall hazard.
- 3. When scheduling programmed inspections, the SO will give priority to those jobs with greater potential for falls.

B. GISHD.

- 1. GISHD will continue to use its current targeting system as described in the FOM to randomly select establishments for planned programmed inspections. The industries targeted by the system have slip, trip, and fall hazards, and the hazards will be investigated during a wall-to-wall inspection.

2. The SO will continue to self-initiate inspections of tree trimming operations per the Tree Trimming Operations instruction.
- XIII. Outreach. The outreach plan includes communication, educational resources, training, and other outreach activities for both general industry and construction. See [Appendix A](#) for the outreach plan.
- XIV. Coding in OSHA Information System (OIS).
- A. All enforcement activities (i.e., inspections, complaints, and referrals, etc.) and onsite compliance interventions conducted under this NEP must be coded with “FALL” under the NEP Code field.
 - B. Enforcement and onsite consultation activities related to fall hazards discovered under other emphasis programs must be coded for all the emphasis programs. For example, onsite consultation activities related to fall hazards conducted under the Silica NEP must be coded “RCS-NEP” as well as “FALL.” Likewise, if fall hazards are observed during an inspection initiated under a construction targeting list, the “CTARGET” code must also be used as well as “FALL.”

**Appendix A
Outreach Plan**

Name of Initiative: National Emphasis Program (NEP) on falls.

Initiative Liaison: Jim Getting **Email:** gettingj@michigan.gov **Phone:** 517-719-7422

Date Submitted: 8/28/2023

Check all that Apply: New/Revised Standard New Targeted Industry New Targeted Hazard

Divisions Involved:

- | | | |
|--|---|---|
| <input type="checkbox"/> Administration | <input type="checkbox"/> Appeals | <input checked="" type="checkbox"/> CET (Lead) |
| <input checked="" type="checkbox"/> CSHD | <input checked="" type="checkbox"/> GISHD | <input type="checkbox"/> TSD |

Purpose/Scope:

This plan identifies MIOSHA activities that will be completed from the effective date of the NEP to the expiration date to educate MIOSHA staff, as well as employers and employees in the State of Michigan, about the implementation of the NEP to identify and reduce or eliminate worker exposures to fall hazards. This outreach program will inform MIOSHA staff, employers, and employees of the NEP and will be conducted for at least three months at the start of the NEP.

1. Policy/Procedure

New or revised MIOSHA policies, procedures, instructions, or interpretations.
Federal OSHA has an Instruction CPL 03-00-025 National Emphasis Program on Falls.
MIOSHA is now adopting the OSHA instruction and NEP.

2. Staff Training

MIOSHA staff training. CET, GISHD, and CSHD will present information on the NEP at division and/or regional meetings, providing additional information on the appropriate fall protection standards and required NEP recording information.

3. Communication (Check all that apply.)

- Press Release
- MIOSHA News – GISHD and CSHD will each author one fall protection article during the NEP.
- MIOSHA eNews
- MIOSHA Website – CET will update the current Stop Falls page to include information about the NEP.
- MIOSHA Messenger – When the NEP is effective, an announcement will be made to MIOSHA staff.

GovDelivery Message – When the NEP is effective, CET will draft an announcement to its subscribers.

Social media –

- When the NEP becomes effective, CET will post an announcement to social media.
- CET will post, throughout the year, related fact sheets to social media.

Other –

- Include information on no-cost on-site consultation services.
- Add a slide for the NEP to all applicable MIOSHA Training Institute courses (ex. General Industry Standard [Part 2, Walking Working Surfaces](#)).
- Provide fall protection presentation at 2024 Michigan Safety Conference.

4. Educational Resources (Check all that apply.)

Promote existing DVDs in lending library and available for MIOSHA staff use.

New reference materials for MIOSHA staff use.

New or revised MIOSHA publications/fact sheets.

New or revised MIOSHA presentations/training.

Hard Hat Stickers – Stop Falls Save Lives hardhat stickers will be re-ordered and made available to consultative and enforcement staff for distribution.

5. Outreach Activities (Check all that apply.)

Develop, revise, and conduct training program. Training and Consultation Core Committee to create training presentation for use by CET staff.

Consultation. CET staff to discuss fall protection hazards with clients as appropriate.

Alliances/partnerships with impacted public or private organizations.

- Contact all alliance partners with information to share with their members about the NEP.

Letters to target industries – Informing them of CET services, make them aware of the NEP.

Targeted enforcement – As specified in NEP.

No outreach activities needed.

6. Data Generated (Check all that apply.)

Number of training seminars conducted.

Number of employees trained.

Number of consultation activities conducted.

Number of compliance inspections conducted.

7. Workgroup

Create a workgroup to implement outreach plan.

Anticipated Launch Date: 9/21/2023

Length of Initiative: 1 year