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# MIOSHA

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

## DIVISION INSTRUCTION

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DOCUMENT IDENTIFIER:  
CSHD-COM-14-1R2

DATE:  
July 26, 2021

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**SUBJECT: Focused Inspections**

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- I. Purpose. This instruction establishes policy for conducting focused inspections.
- II. Scope. This instruction applies to all safety officers.
- III. References.
  - A. Agency Instruction, MIOSHA-ADM-06-7 [Small Farming Operations and Small Employers in Low Hazard Industries - Guidelines for MIOSHA Activity](#), as amended.
  - B. Agency Instruction, MIOSHA-ADM-08-2 [Safety and Health Management Systems – Promotion and Evaluation](#), as amended.
  - C. Agency Instruction, MIOSHA-COM-04-1, [Multi-Employer Work Site MIOSHA](#), as amended.
  - D. Agency Instruction, MIOSHA-COM-15-1, [Indian Country Inspections/Investigations and Interventions](#), as amended.
  - E. [Construction Safety and Health Standard Part 1. /R408.40114, General Rules.](#)
  - F. Federal OSHA Memorandum, [Guidance to Compliance Officers for Focused Inspections in the Construction Industry](#) from James Stanley, dated 08/22/1994 (Revision 2 issued 09/20/1995 and corrected on 10/22/2004).
  - G. [MIOSHA Field Operations Manual \(FOM\)](#), as amended.
- IV. Distribution. MIOSHA Staff; Federal OSHA; S-drive Accessible; MIOSHA Messenger; and Internet Accessible.
- V. Cancellations. All previous versions of this division instruction.
- VI. Next Review Date. This instruction will be reviewed three (3) years from date of issuance.
- VII. History. History of previous versions include:
  - CSHD-COM-14-1R1, October 25, 2017
  - CSHD-COM-14-1, February 4, 2014
  - CSHD Focused Inspection Pilot Program Internal Memo dated December 12, 2012
- VIII. Contact. [Lawrence Hidalgo, Jr.](#), Director, Construction Safety and Health Division
- IX. Originator. Lawrence Hidalgo, Jr., Director

- X. Background: A focused inspection can reduce inspection time on larger construction projects with effective safety and health management systems by limiting the scope of the inspection to serious hazards and the four leading causes of death on construction sites (Focused Four). In the past, employers working on a larger project were likely to be issued citations for other-than-serious violations that were unrelated to the four leading causes of death (e.g., falls, struck by, caught in/between, and electrocutions) which make up over 90% of all construction fatalities. Although other-than-serious conditions are important, the time and resources spent pursuing them on these larger projects can be better spent on other projects that are more likely to have serious hazards.
- XI. Significant Changes.
- A. MIOSHA Agency Instruction, Indian Country Inspections/Investigations and Interventions, as amended, was added to this instruction.
  - B. Indian County Inspections/Investigations and Interventions were added to the eligibility for focused inspections.
- XII. Focused Inspection Rationale.
- A. Inspection time and resources will be reduced by only focusing on serious hazards, thereby creating more time and resources for inspections at other jobsites that are more likely to have hazards related to the four leading causes of construction fatalities.
  - B. Reduce injuries, illnesses, and fatalities by concentrating enforcement activities on projects that do not have effective safety and health programs.
  - C. Recognize the efforts of contractors who have implemented effective safety and health programs/plans and encourage other contractors to adopt similar programs.
- XIII. Eligibility Criteria for Focused Inspections. All the following criteria will be evaluated to determine eligibility for a focused inspection and documented in the case file. Projects deemed not eligible for a focused inspection shall be inspected as a comprehensive inspection and conducted in accordance with the [FOM](#).
- A. The jobsite must be a programmed construction safety inspection. Health inspections, of any type, and unprogrammed inspections (e.g., complaints, accidents, and referrals) are not eligible.
  - B. Project having more than 250 workers and a full time designated competent safety person with no other duties.
  - C. The project must be a multi-employer worksite with a general contractor (GC), prime contractor (PC), and/or other such controlling entity that is coordinating a safety and health program(s) on the jobsite.
  - D. Active Partnership sites will be deemed to be eligible for focused inspections regardless of the status of B and C of this subsection.

- E. Indian Country Inspections/Investigations and Interventions will be deemed to be eligible for focused inspections regardless of the status of B and C of this subsection. Reference MIOSHA Agency Instruction, [Indian Country Inspection/Investigations and Interventions](#), as amended.
  - F. The controlling entity must have a fully implemented Safety and Health Management System (SHMS) in accordance with Agency Instruction MIOSHA-ADM-08-2 [Safety and Health Management Systems - Promotion and Evaluation](#), as amended.
- XIV. Initial Determination of a Focused Inspection. On job sites where unprogrammed inspections (complaints, fatalities, etc.) are being conducted, the determination as to whether to conduct a focused inspection shall be made only after the unprogrammed inspection has been first addressed.
- XV. Upon arrival at the jobsite, an opening conference is to occur in accordance with the [Field Operations Manual \(FOM\)](#), as amended, with the appropriate representatives of each employer and if applicable, employee representatives. At that time, the construction safety officer(s) (SO) is/are to determine whether or not the project is eligible for a focused inspection. The request for a warrant shall not affect the determination as to whether a project will receive a focused inspection. Once the SO determines the inspection may be eligible for a focused inspection, the SO is to inform through personal contact, the affected contractors and if applicable, employee representatives, that the inspection is being reviewed for determination of a focused inspection or a comprehensive inspection. To make this determination, the SO is to evaluate the following elements:
- A. The SO is to establish if the jobsite has coordination from a GC, PC or other such entity to ensure that all employers provide adequate protection for their employees.
  - B. Accident Prevention Program (APP). The GC's written APP will be briefly reviewed to determine if it meets the requirements of MIOSHA Construction Safety and Health Standard Part. 1 [General Rules](#) R408.40114 (1) and R408.40114 (2).
  - C. Number of Workers. The total daily average number of workers equals all workers (including subcontractors) who are physically present on the project during the day that the inspection is initiated. The number of workers must be greater than 250 on the jobsite.
  - D. Designated Competent Safety Person. The project has a designated competent person on-site at all times who is responsible for and capable of implementing the APP.
  - E. SHMS. The GC's SHMS will be evaluated to determine effectiveness. A SHMS is considered to be fully implemented when 12 or more sub-elements are satisfied on the MIOSHA 512-C Evaluation Form. See [Appendix A](#).

XVI. Making the Determination.

- A. If one or more of the above items (A through E) are not satisfied, a comprehensive inspection will be conducted on the project in accordance with the [FOM](#). The deficiencies surrounding this determination shall be documented in the case file. This determination is to be made through personal contact with the employer representatives and the employee representatives, if applicable. The SO will then conduct the inspection and walkaround as prescribed in the FOM, as amended.
- B. When all of the above items (A through E) are satisfied, the SO is to inform the employer representatives and the employee representatives through personal contact that the inspection will continue as a focused inspection.

XVII. Walk-Around Inspection for a Focused Inspection.

- A. An abbreviated walk-around inspection shall be conducted, focusing on:
  - 1. Verification of the safety and health program/plan effectiveness by interviews and observations.
  - 2. The four leading hazards (falls, struck by, caught in/between, and electrocutions).
  - 3. Other serious hazards identified by the SO.
- B. The SO conducting the inspection is not required to inspect the entire project. Reference the FOM, as amended, Chapter V. Inspection Procedures; Comprehensive Inspection and Partial Inspection.
- C. SOs are not required to inspect all the subcontractors on the project. Only those employers having **serious** violations observed by the SO during the abbreviated walkaround are to be inspected.
- D. The SO is to perform a walkaround of the jobsite to make a determination whether the project's safety and health program/plan is effective, but if conditions observed by the SO indicate otherwise, the SO shall immediately terminate the focused inspection and conduct a comprehensive inspection. The discovery of serious violation(s) does not automatically convert the focused inspection into a comprehensive inspection. These decisions will be based on the professional judgement of the SO. These decisions shall be documented in the case file. (See Section [XX](#) of this instruction).
- E. Citations will be alleged for all serious violations related to the four leading hazards and any other serious hazards observed. Documentation for serious violations is the same as that of a comprehensive inspection.
- F. Other-than-serious (OTS) violations should be corrected by the contractors as soon as possible so that the SO can observe the abatement while still conducting the walk-around.

- G. Citations will not be issued for OTS violations that are identified during the walkaround if they are abated immediately or before the closing conference. The abatement must be observed by the SO.
- H. All OTS violations for the entire project that have been abated will be documented on a Hazards Corrected During Focused Inspection form. See [Appendix B](#).
- I. A copy of the Hazards Corrected During Focused Inspection worksheet will be provided to each respective contractor at the closing conference.

XVIII. Citation Policy. Citations will be alleged for all serious violations and for any OTS violations that are not corrected during the inspection.

XIX. Additional Guidelines. A focused inspection may be terminated by the SO at any time. The reasons for termination will be documented in the case file.

If a focused inspection is terminated, a comprehensive inspection will be conducted at the jobsite. The following may be used as a basis for terminating a focused inspection:

- A. Conditions of jobsite reveal serious hazards not being addressed.
- B. An imminent dangerous condition is found during the inspection.
- C. GC's SHMS is not being implemented or not effective.
- D. Accident prevention program is not coordinated or maintained.
- E. Lack of coordination among contractors to identify and correct hazards.

XX. Case File Documentation.

- A. For focused inspections, an inspection will be completed in OSHA Information System(OIS) for the GC, PC, and other such entity and any subcontractors who are being issued a citation(s) in accordance with [Multi-Employer Work Site MIOSHA](#). Employers without violations will not have an inspection in OIS completed but pertinent employer information, including the employer representatives and employee representatives, if applicable, will be documented in the narrative of the GC.
- B. An inspection in OIS must be completed for the GC on a focused inspection; even if they have the N-9 NAICS exemption in accordance with MIOSHA-ADM-06-7 [Small Farming Operations and Small Employers in Low Hazard Industries - Guidelines for MIOSHA Activity](#).
- C. Focused inspections are considered a partial inspection.
- D. The S-56 Code will be used for focused inspections in OIS under the Inspection Type tab under Additional Codes. Enter "S-56 Focus" in OIS for each employer who is issued a citation(s).

- E. For the GC only. After the “S-56 Focus,” enter the total number of OTS violations that were corrected during the inspection. See example below.

<b>Type</b>	<b>ID</b>	<b>Value</b>	<b>Description</b>
S	56	Focus OTS 8	Focus OTS 8

- F. The total number of employees for each employer at the jobsite per each contractor and the total number of employers will be documented in the narrative. Each cited Contractor will have the number of employees documented in the OIS Site Info tab.
- G. The GC’s SHMS Evaluation (MIOSHA 512-C Evaluation Form) will be completed and included in the GC’s case file.

CSHD-COM-14-1R2  
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Focused Inspections

## **Appendix A**

### **Construction Safety and Health Evaluation Form # 512-C**

Click on the link below to utilize the form. To view a hard copy of the form, see the next page.

[http://www.michigan.gov/documents/dleg/wsh\\_miosha512\\_const\\_259222\\_7.xls](http://www.michigan.gov/documents/dleg/wsh_miosha512_const_259222_7.xls)

EST. Name:	Insp. #:	CSHO:
Establishment Street Address:	City	Zip
Site Street Address:	City	Zip
<b>CET Division Only:</b>		
Contact:	Tel #:	
Visit Date	NAICS:	#
Program Type: Training & Consultation <input type="checkbox"/> Onsite Consultation <input type="checkbox"/>	Re-evaluation: Yes <input type="radio"/> No <input type="radio"/>	
Hours Worked:	DART Cases:	Total Cases:
Industry DART: <a href="#">Source:</a>	Facility DART:	
Industry TCIR: <a href="#">Source:</a>	Facility TCIR:	

**Elements of a Safety and Health Management System**

**Management Commitment & Planning**

- Designated S&H person
- Written Accident Prevention Program (APP) that addresses site-specific hazards
- Written HAZCOM Program

**Worksite Analysis**

- Analysis of injuries and illnesses (e.g. 300 Log)
- Job hazard analysis takes place prior to starting new work activities
- Routine site walk-around to identify and correct hazards

**Employee Involvement**

- Employees are encouraged to report hazards or concerns
- Employees participate in site walk-around to identify and correct hazards
- Employees participate as S&H trainers
- Employees participate in S&H decision making

**Hazard Prevention & Control**

- PPE available and used appropriately
- Employer has effective system to enforce S&H requirements
- Employer has procedures for first aid & emergency preparedness

**Safety & Health Training**

- Employees & supervisors receive training required by MIOSHA standards
- Employees & supervisors receive "new employee orientation"
- Supervisors perform toolbox S&H talks on a regular basis
- Training is periodically reviewed for effectiveness

Comments:

Total Number of Sub-elements Checked:



## APPENDIX B

### HAZARDS CORRECTED DURING FOCUSED INSPECTION

MIOSHA, Construction Safety and Health Division  
 530 West Allegan St. P.O. Box 30645, Lansing, MI 48909-8145  
 (517) 284-7680

Employer:		Inspection #	Optional Reporting #
Safety Officer	Opening Conference Date:	# of Hazards Corrected	Page of
Worksite Address:	City/State:	Zip Code:	

A focused inspection of your premises or worksite revealed the following other-than-serious hazards that were immediately corrected during the inspection.		
Brief Description of Corrected Hazards	Part #	# of Affected Employers
1)		
2)		
3)		
4)		
5)		
6)		
7)		
8)		
9)		
10)		
11)		
12)		
13)		
14)		
15)		
16)		
17)		
18)		
19)		
20)		

<b>Employers Note:</b> Although the hazards listed above were considered to be of an other-than-serious nature at the time of the inspection, conditions may change and these same hazards could become more serious.
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