



GRETCHEN WHITMER
GOVERNOR

State of Michigan
DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY
MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
BARTON G. PICKELMAN, DIRECTOR

SUSAN CORBIN
ACTING DIRECTOR

MIOSHA GENERAL INDUSTRY SAFETY AND HEALTH STANDARD
PART 74 FIRE FIGHTING
ADVISORY COMMITTEE MEETING

January 25, 2021 – 9:00 a.m.
Virtual – Teams Meeting

MEETING MINUTES

ADVISORY COMMITTEE MEMBERS PRESENT:

Kenneth BarnesDelta Twp. Fire Dept.
Mark Cleveland.....Egelston Twp.
Steven Heim.....Lincoln Park Fire Dept.
Jeffery KnowlesCascade Twp.
David GlotzbachMuskegon Charter Twp. Fire Dept.
Michael McLeierMichigan State Firemen’s Association/E.S.C.A.P.E.
Eva HattRetired
Brian Hunter.....Marathon Petroleum Company
Jeramie MorrisDow/Process Safety Expertise Center
Kevin Sehmeyer.....LARA – Bureau of Fire Services

MIOSHA STAFF PRESENT:

Bart PickelmanMIOSHA Director
Ron RayMIOSHA Technical Services Division Director
Shannon MatsumotoMIOSHA Standards and FOIA Section Manager
Daniela Garza.....MIOSHA Standards and FOIA Section Analyst
Toscha Klopp.....MIOSHA Standards and FOIA Section Secretary
Kristin Osterkamp.....MIOSHA CET Senior Industrial Hygienist
Augustine Syrovoy.....MIOSHA CET Occupational Safety Consultant
Richard Pfander Jr.....MIOSHA GISHD Safety & Health Manager

GUEST

Jeff Yaroch.....State Representative

ADVISORY COMMITTEE MEMBERS ABSENT:

Lee Finlayson.....Retired

Call to Order

The January 25, 2021, General Industry Safety and Health Standard Part 74 Fire Fighting, (GI Part 74), advisory committee meeting was called to order by Mr. Barnes at 9:01 a.m.

Roll call was taken. A quorum of advisory committee members was present.

Approval of January 11, 2020 Meeting Minutes

Motion by Mr. Knowles to accept the minutes from the January 11, 2020 meeting. Mr. Heim seconded the motion. Motion passed.

Rules cited per training report ran by section analyst

Mr. Pickelman read over the report, which included 14 times the training rules were cited within the last five years.

Discussion held on the various types of training and who is qualified to do the training, and what MIOSHA would be looking for. Mr. Pickelman reminded the committee that what is in the appendix is not enforceable and is just for guidance. MIOSHA prefers to put the guidance in an Agency Instruction that is publicly available to explain how MIOSHA enforces the rules.

Review of draft language for Training and Education provided by Steve Heim

Went over the document that Mr. Heim provided to the committee which was from NFPA 1500 regarding Training and Education. Mr. Syrový pointed out that most of this is included in our current Standard Operating Procedures (SOP). Mr. Pickelman reminded that all MIOSHA standards are “minimum requirements” that everyone needs to comply with. If we add more to this standard, then all fire departments will need to follow what is added.

Mr. Syrový shared the eyewash standard and Agency Instruction with the committee to show how our instructions are listed out and how MIOSHA follows them for enforcement. He showed the committee how to get to our Instruction online and Ms. Osterkamp provided the direct link for the website.

The committee reviewed the document and compared it to the Wisconsin standard. The decision was made to take rules 330.07 (1) – (11) and 330.8 (1) – (3) from the Wisconsin standard and add to a new Word document for the committee to do some wordsmithing.

The following has been created as a possible new rule set under R408.17464.

R 408.17464 Training and education program.

Rule 7464 (1) Establish and maintain an employee training and education program that identifies specific goals and objectives for the prevention and elimination of occupational accidents, injuries, illnesses, exposures to communicable disease, and fatalities. An employer shall do all of the following:

(a) Prepare a written policy which establishes the type, amount, frequency of training to be provided to firefighters, and maintain training records. The training records shall be available for inspection by the director of the department of labor and economic opportunity or his or her authorized representative and by an employee or his or her authorized representative.

(b) Assure that the training and education provided under this section are based upon the fire department’s written standard operation guidelines.

- (c) Assure that the training and education required under this section are provided by a qualified instructor.
 - (d) Provide initial and continuing training to an employee commensurate with and specific to the duties and functions that the employee is expected to perform. The training shall be provided before the employee is permitted to perform emergency operations.
 - (e) All live fire training shall comply with the requirements of the NFPA 1403: standard on “Live Fire Training Evolutions,” edition 2018, as adopted in R 408.17405.
 - (f) Assure that fire fighters receive initial and annual training and education on emergency operations, incident management and personnel accountability systems.
- (2) Minimum training and education requirements.

No employee may be permitted to participate in firefighting activities until that individual has successfully completed the minimum training and education requirements as specified by any of the following:

- (a) Michigan Fire Fighter Training Council Fire Fighter I.
 - (b) NFPA 1001: Standard for Fire Fighter Professional Qualifications.
- (2) No member may act as a pumper or aerial operator during an emergency operation until that individual meets the minimum training and education requirements as specified by any of the following:
- (a) An entry-level driver/operator-pumper or driver/operator-aerial course approved by the technical college system board.
 - (bm) An approved state apprenticeship program.
 - (c) An in-house training program approved by the technical college system board.
 - (d) NFPA 1002: Standard for Fire Apparatus Driver/Operator Professional Qualifications.
- (3) Effective October 1, 2019, a fire officer appointed after October 1, 2018 may not act as a fire officer during an emergency operation until that individual completes NIMS training in accordance with s. SPS 330.14 and obtains the minimum training and education requirements as specified by any of the following:
- (a) A fire officer course approved by the technical college system board.
 - (b) An approved state apprenticeship program.
 - (c) An in-house training program approved by the technical college system board.
 - (d) NFPA 1021: Standard for Fire Officer Qualifications

Based on these additions, we will need to search “Fire department” within the current rules and decide if it should be changed to “employer”. Mr. Syrový pointed out that some employers covered under GI Part 74 are known as a “fire authority” or “emergency services authority” rather than a “fire department”.

The definition of “Qualified” from GI Part 2 will be added to the definition of GI Part 74.

Mrs. Matsumoto and Ms. Garza will meet with Mrs. Jack for her input and to have her reach out to the AG regarding Fire Fighter I and II certifications that are required by Act 291, and to see if we can make reference to the certifications in GI Part 74.

Decision to hold off on a vote for these new rules until the next meeting after all additions are complete.

Once this rule set is complete, R408.17451(1)(d) may need to be strikethrough.

MIOSHA staff will begin working on draft surveys for training and for the Regulatory Impact Statement.

R 408.17426 – NFPA 1931 and 1932 research

Committee did not get to this at this meeting, and it will be tabled for the next meeting.

Committee member discussion

There was discussion on if we could use the language directly from any of the NFPA standards, and Mr. Ray advised the committee that he has already sent a request to NFPA for approval to use some of the language from their standards within GI Part 74.

R408.17411(1)(a) – decision to strike. Rest of the rule is renumbered.

R408.17411 (2) – language modified to “An employer shall prepare and maintain a written policy which establishes its basic organizational structure. The organization structure shall be available for inspection by the director of the department of labor and economic opportunity or his or her authorized representative and by an employee or his or her authorized representative.” Motion made by Mr. Knowles to accept the amended language for all of R408.17411. Mr. Cleveland seconded the motion. Motion passed.

Next Meeting

Monday, February 22, 2021 at 9:00 a.m.

Adjournment

Meeting adjourned at 3:01 p.m.