



COFFEE WITH MIOSHA

MIOSHA Agency Update

May 14, 2024

Tarah M. Kile

MIOSHA Consultation Education and Training Director

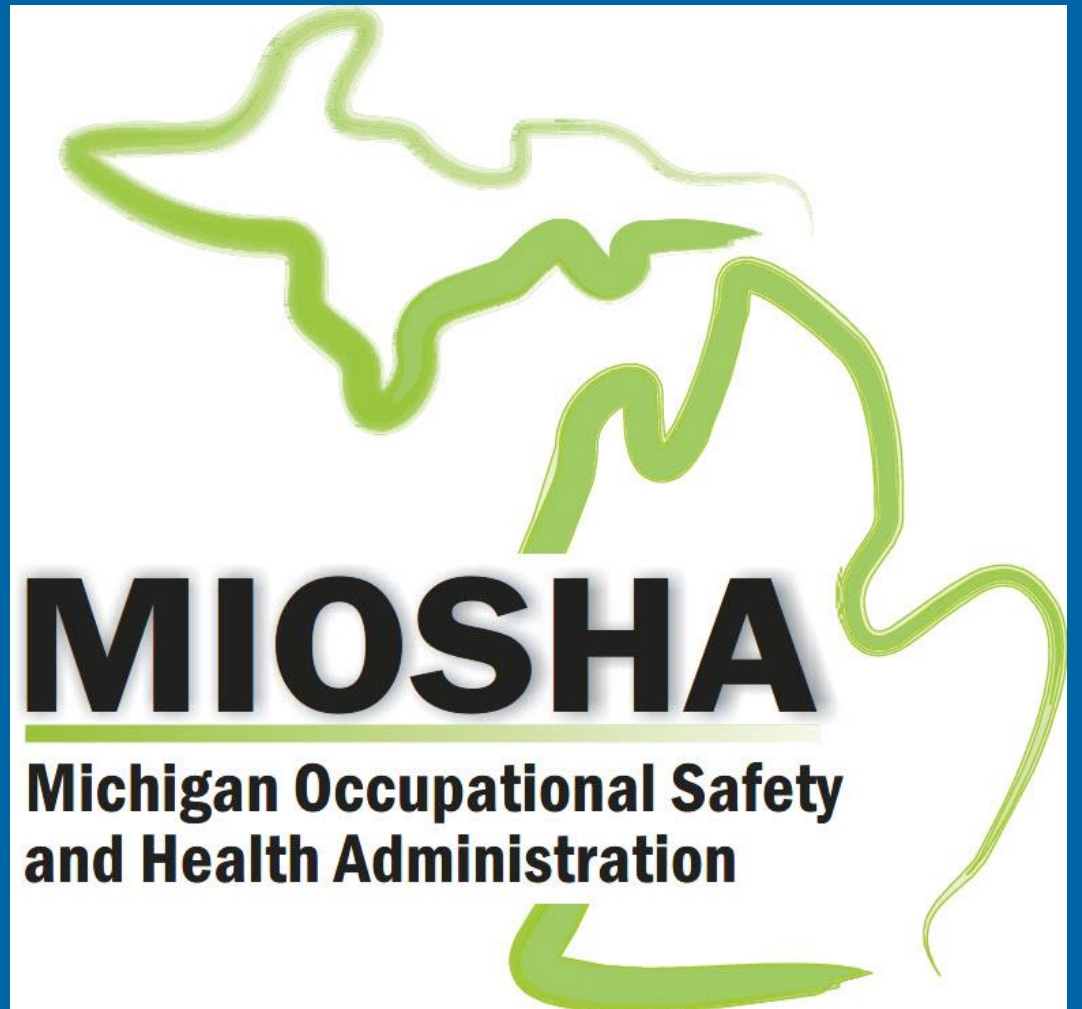


MIOSHA Mission

Help Protect the Health and
Safety of Michigan Workers!

MIOSHA Motto

Educate Before We Regulate!





Bart Pickelman
Agency Director

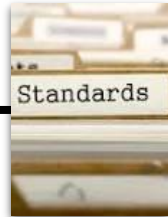


Dawn Jack
Deputy Director

MIOSHA Leadership



Appeals
Section



Standards and
FOIA Section



Tarah Kile
Consultation
Education and
Training Division



Lawrence Hidalgo
Construction Safety
and Health Division



Adrian Rocskay
General Industry
Safety and Health
Division



Ron Ray
Technical Services
Division

MIOSHA Basics

State Plan Program:

- One of 29 State Plans Authorized by Federal OSHA
- Must be “at least as effective as,” Federal OSHA
- Program covers **300,000 Michigan businesses** and **4 million+ Michigan workers**

State Plan Benefits:

- Flexibility/Accessibility/Accountability to Stakeholders
- Broader Consultation Strategy – Additional State Funding
- **Covers additional 500,000+ Michigan public sector workers that would not have protections under OSHA**

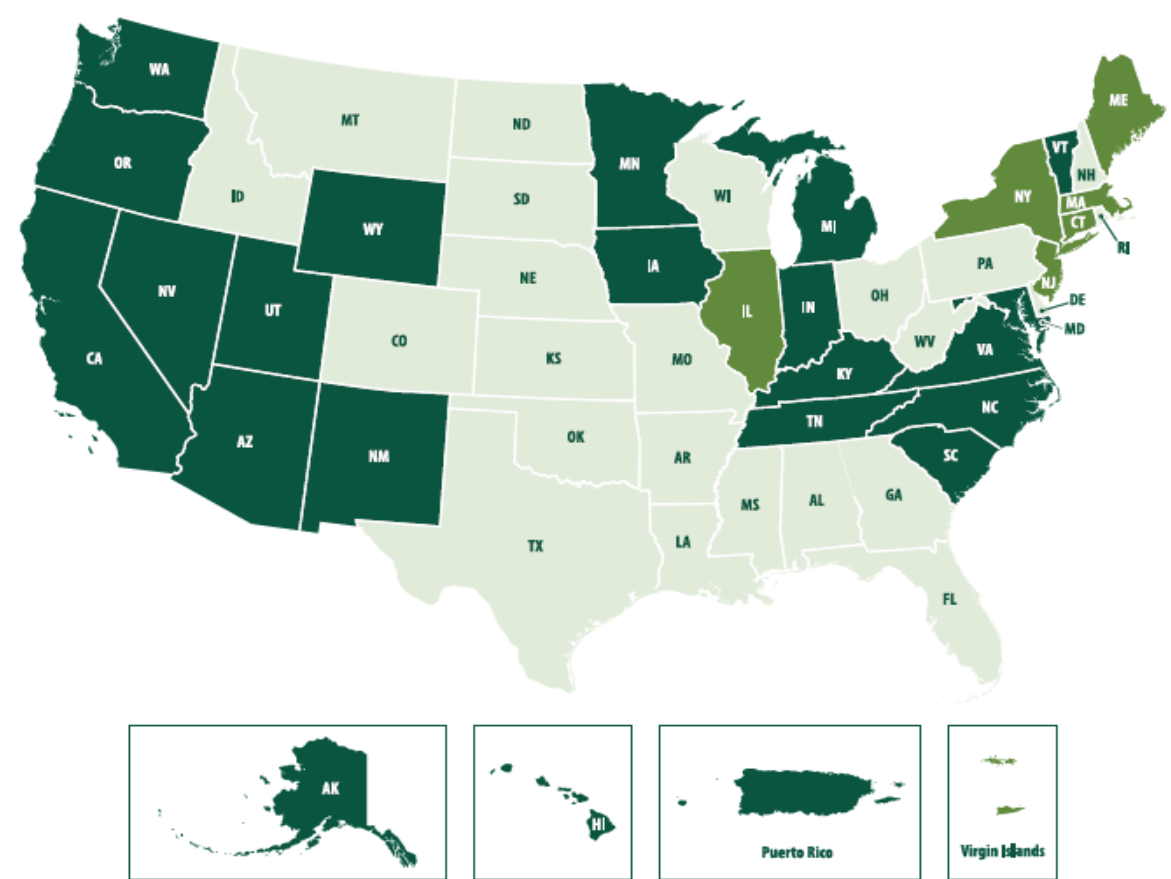


Federal OSHA vs State Plan Jurisdiction Map

29 Total “State Plans”

22 Full State Plans
(Public and Private Sector)

7 Public Sector Only



State Plan Programs Covering Private and Public Sectors

| | |
|------------|----------------|
| Alaska | New Mexico |
| Arizona | North Carolina |
| California | Oregon |
| Hawaii | Puerto Rico |
| Indiana | South Carolina |
| Iowa | Tennessee |
| Kentucky | Utah |
| Maryland | Vermont |
| Michigan | Virginia |
| Minnesota | Washington |
| Nevada | Wyoming |

State Plan Programs Covering Public Sector Only (Federal OSHA covers private sector)

Connecticut
Illinois
Maine
Massachusetts
New Jersey
New York
Virgin Islands

States Covered by Federal OSHA Private Sector Only

| | |
|-------------------|---------------|
| Alabama | Montana |
| Arkansas | Nebraska |
| Colorado | New Hampshire |
| Delaware | North Dakota |
| Dist. of Columbia | Ohio |
| Florida | Oklahoma |
| Georgia | Pennsylvania |
| Idaho | Rhode Island |
| Kansas | South Dakota |
| Louisiana | Texas |
| Mississippi | West Virginia |
| Missouri | Wisconsin |

Occupational Safety and Health State Plan Association (OSHSPA)

- ❑ Bart Pickelman beginning term as Chair for two years
- ❑ Meet three times per year with OSHA
- ❑ Meetings rotate among the states
- ❑ Opportunity to discuss issues in State Plan and federal OSHA states
 - ❑ Updates from OSHA Directorates – Enforcement, Training, Standards
 - ❑ Presentations from State Plans
 - ❑ Sharing of best practices and discuss new issues





Occupational Safety and Health State Plan Association (OSHSPA) Grassroots Report

- ☐ Published Annually
- ☐ Provides opportunity for each State Plan to highlight their programs
- ☐ Available on OSHSPA's website (OSHSPA.org)

OSHSPA REPORT

2022



GRASSROOTS
WORKER
PROTECTION

State Plan activities
of the Occupational
Safety and Health
State Plan Association



Federal OSHA Update



Occupational
Safety and Health
Administration

❑ Instance by Instance Violations

- ❑ High Gravity Serious & Repeat Citations
- ❑ LO/TO, PRCs, Fall Protection, Machine Guarding

❑ Initiatives/National Emphasis Programs (NEPs)

- ❑ **Mental health** especially rise in suicide rates in construction
- ❑ NEP for **Falls** (All Industries)
- ❑ NEP for **Heat** (Indoors & Outdoors)
- ❑ NEP for **Combustible Dust** – Revised Targeting
- ❑ NEP for **Warehousing** – Heat, Ergo, PIT, Egress

Federal OSHA Standards Update

Pre-Rule Stage

- ❑ Heat Standard – OSHA/OSHSPA Workgroup
- ❑ Workplace Violence in Healthcare and Social Assistance

Proposed Rulemaking Stage

- ❑ **Emergency Response – February 2024 – Comments by June 21, 2024**
- ❑ Infectious Diseases Standard – Will replace the COVID standard
- ❑ Lock Out/Tag Out Standard – Computer based controls
- ❑ Silica Standard – Medical Removal, Revise Table 1 for construction
- ❑ Tree Care Standard – December 2023

Final Rule Stage

- ❑ Hazard Communication – GHS Update
- ❑ COVID Standard?????

Federal OSHA Standards Update

Recording and Reporting of Occupational Injuries and Illnesses

- ❑ OSHA rules published in July 2023, went into effect January 2, 2024
- ❑ MIOSHA's rules went into effect February 13, 2024
- ❑ Changes the requirements for electronic submission of records to federal OSHA
- ❑ Currently
 - ❑ Employers with 250 or more employees - submit 300A Summary
 - ❑ Employers with 20 to 249 employees in certain industries – submit 300A Summary
- ❑ New Rules
 - ❑ Employers with 250 or more employees - submit 300A Summary (same)
 - ❑ Employers with 20 to 249 employees in certain industries – submit 300A (same)
 - ❑ Employers with 100 or more employees in certain industries – submit 300 log & 301 forms
 - ❑ New appendix to list the “certain industries” for the new requirement
 - ❑ Employers are required to include their legal company name in their submission
- ❑ Date of submission remains March 2nd every year

Federal OSHA Standards Update

MIOSHA Administrative Standard Part 11, Recordkeeping and Reporting of Occupational Injuries and Illnesses Electronic Submission Requirements

Basic Requirements (R 408.22141)

Form 300A

Summary of Work-Related Injuries and Illnesses

1-19 Employees

NO

20-249 Employees

YES, if listed on Appendix B

250+ Employees

YES, if not listed on Appendix A

Form 300

Log of Work-Related Injuries and Illnesses

1-99 Employees

NO

100+ Employees

YES, if listed on Appendix C

Form 301

Injury and Illness Incident Report

1-99 Employees

NO

100+ Employees

YES, if listed on Appendix C

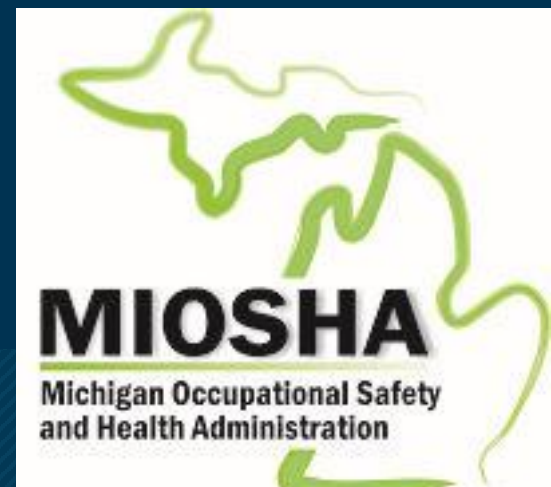
*Forms must be submitted by March 2 each year through the OSHA Injury Tracking Application.

*All establishments listed on Appendix A are exempted from electronic submission requirements.



What's NEW? in MIOSHA

- ❑ Working on maximum penalties to match Federal OSHA
- ❑ Lots of hiring, 20 new positions in FY 2024
- ❑ New Strategic Plan covering FY 2024 – 2028
- ❑ Sixth strategic plan – First plan 1999



Strategic Goal 1

Help assure improved workplace safety and health for all workers, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses and fatalities.

- High-hazard General Industry
- Construction DART Rate
- Fatality Trends





THINK
SAFE
WORK
SAFE.

Strategic Goal 2

Promote employer and worker awareness of, commitment to, and involvement with safety and health to effect positive change in the workplace culture.

- [MIOSHA Training Institute](#)
- [Cooperative Programs](#)
- [Connecting MIOSHA to Industry](#)



Strategic Goal 3

Strengthen public confidence through continued excellence in the development and delivery of MIOSHA's programs and services.

- Comment/Suggestion Cards
- Fatality Response 1 Day
- Complaint Response 10 Days



| MIOSHA Goals for FY 2024-2028 | |
|---|---|
| Strategic Goal #1: Help assure improved workplace safety and health for all workers, as evidenced by fewer hazards, reduced exposures, and fewer injuries, illnesses and fatalities. | |
| 1.1 Reduce by 2% a year (10% total for 5 years) the total incidence rate of non-fatal worker injuries and illnesses in high-hazard general industries and general industries showing emerging hazards: <ul style="list-style-type: none"> Food Manufacturing (311) Wood Product Manufacturing (321) Plastics and Rubber Products Manufacturing (326) Nonmetallic Mineral Product Manufacturing (327) Primary Metal Manufacturing (331) Fabricated Metal Product Manufacturing (332) Machinery Manufacturing (333) Transportation Equipment Manufacturing (336) Hospitals (622) Nursing and Residential Care Facilities (623) | 1.3 Reduce by 1% a year over the 5 years (5% total for five years) the total incidence rate of non-fatal worker injuries and illnesses in the construction industry. |
| 1.2 Reduce the number of MIOSHA-covered general industry fatalities by 2% a year (10% total for 5 years). | 1.4 Decrease the number of fatalities in the construction industry (NAICS 23) by 1% a year over the 5 years (5% total for 5 years) by focusing on the four leading causes of fatalities: <ul style="list-style-type: none"> Falls Electrocutions Struck-by Crushed-by/caught-between |
| Strategic Goal #2: Promote employer and worker awareness of, commitment to, and involvement with safety and health to effect positive change in the workplace culture. | |
| 2.1 Promote safety and health programs (SHP) during 100% of MIOSHA visits. Evaluate the SHP during 100% of comprehensive consultative hazard surveys. | 2.2 Increase awareness of and participation in the MIOSHA Training Institute (MTI). Increase MTI participants by 2% a year over the 5 years (10% total for five years) by marketing the MTI to targeted groups. |
| 2.3 Increase participation in MIOSHA cooperative programs. The following cooperative programs will increase participation over the 5-year period by 5 new MVPP awards; conduct 50 (10 per year) promotions of MVPP; 5 new MSHARP awards; 5 new CET Awards (Silver, Gold, Bronze Certificate of Recognition, and Ergonomic Success); initiate 15 new Michigan Challenge Programs (MCP); conduct 200 promotions of the MCP; 5 new Alliances; and 10 new Partnerships. | |
| 2.4 Connect MIOSHA to industry by increasing collaboration and communication to create collective ownership for workplace safety and health. | |
| Strategic Goal #3: Strengthen public confidence through continued excellence in the development and delivery of MIOSHA's programs and services. | |
| 3.1 Foster a culture of integrity, inclusion, teamwork, and excellence to strengthen confidence in the delivery of MIOSHA services. | 3.2 Respond to onsite complaints within an average of 10 working days of receipt by MIOSHA. |
| 3.3 Respond to all MIOSHA-covered fatalities within 1 working day. | 3.4 Use information technology (IT) and communication to better deliver MIOSHA services. |
| 3.5 Help employers access resources and services to improve safety and health programs. | |

MIOSHA Strategic Plan FY 2024 – 2028 One Page Summary

3 Goals
13 Emphases
Many More Strategies



Michigan Voluntary Protection Program (MVPP)

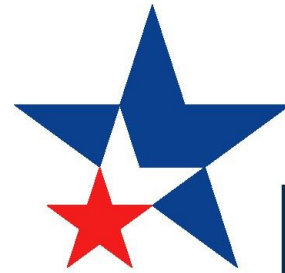
- **Best of the Best**
- **Only 25 MVPP Companies**
- Go beyond minimum standards
- Great partnership opportunities
- Share best practices
- Mentor others



MIOSHA Partnerships

Formal Agreements

- Build trusting, cooperative relationships
- Exchange information on best practices
- Leverage resources to maximize worker safety and health protection
- **Lower I&I rates than non-partnership sites**



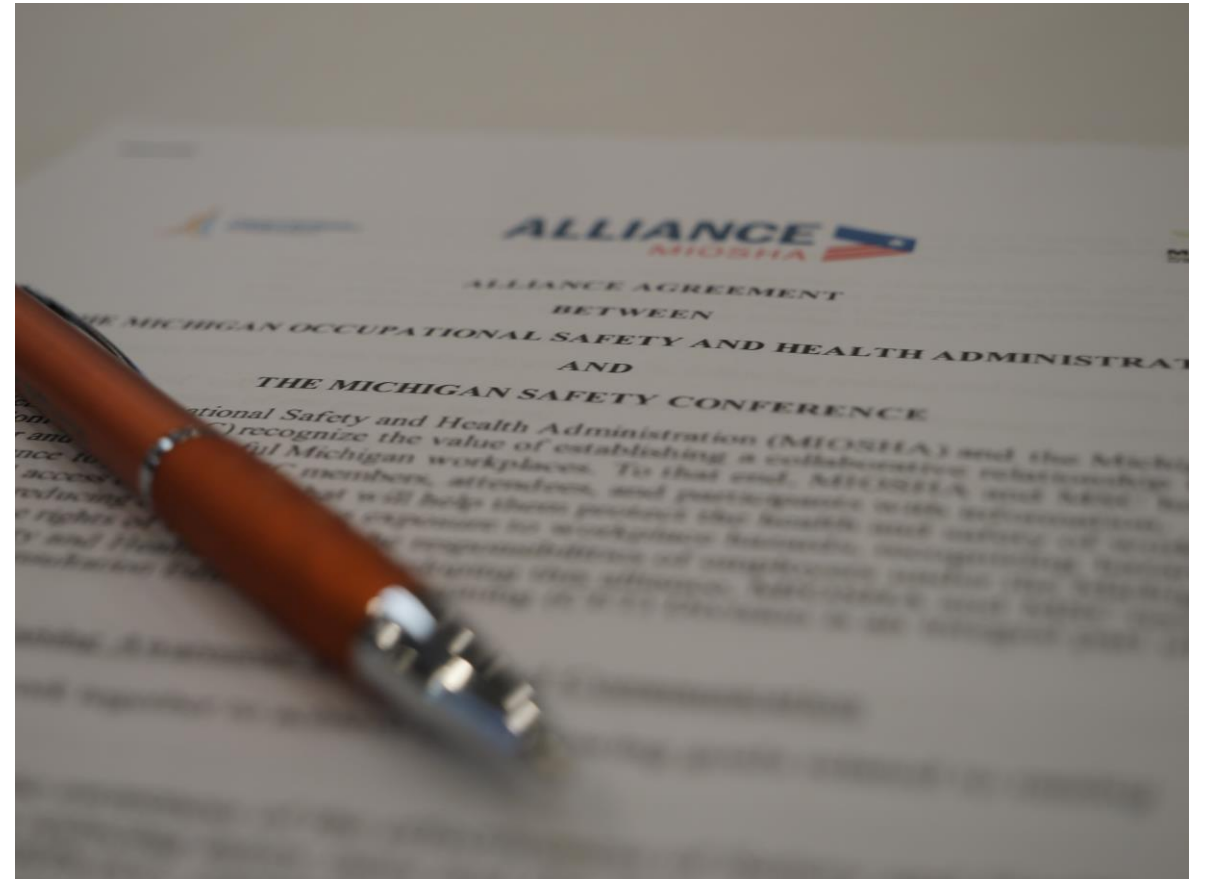
PARTNERSHIP
MIOSHA



MIOSHA Alliances

Formal Agreements w/ Not-for-Profits

- Build trusting, cooperative relationships
- Exchange information on best practices
- Leverage resources to maximize worker safety and health protection
- **Gain recognition as a proactive leader in safety and health**



MIOSHA Training Institute

- **Over 35,546 Attendees**
- **Over 2,146 Total MTI Graduates**
 - Level I
 - Level II
 - Oakland University Alliance
 - Occupational Health
- 23 Co-Sponsor Locations – Community Colleges
- Taught by MIOSHA Consultants
- Over \$26,902 in Scholarships Awarded in FY 2023 to 369 Students
- **Almost \$490,000 Scholarships** since FY 2011



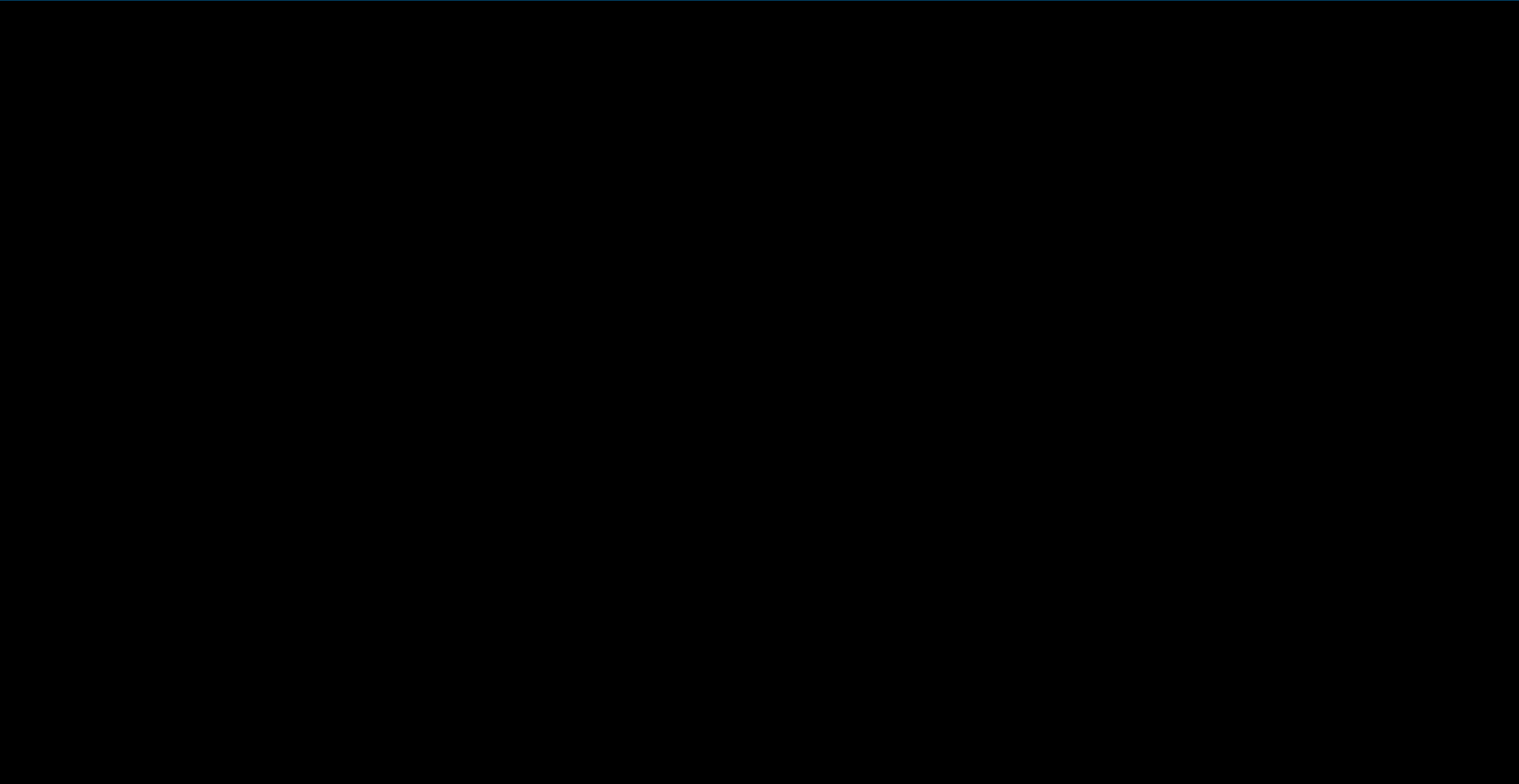
MIOSHA Training Institute (MTI) to Oakland University B.S. Environmental Health Safety Degree Completion Program



**OAKLAND
UNIVERSITY™**

For more information call the MIOSHA Consultation Education and Training (CET) Division at 517-284-7720 or visit www.michigan.gov/mti.

MIOSHA Training Institute (MTI) to Oakland University B.S. Environmental Health Safety Degree Completion Program



For more information call the MIOSHA Consultation Education and Training (CET) Division at 517-284-7720 or visit www.michigan.gov/mti.

What is a press brake and what standards and rules apply?

A press brake is a machine used to punch, form, and bend metal. Press brakes are covered under Part 2, General Provisions R4081.0514 (4) and (5). Press brakes are activated by a foot pedal, two hand controls, or both used in sequence.

When is operator protection required while operating a press brake?

Any time a press brake is in use and there is point of operation or pinch point opening more than 1/4-inch, operator protection is required. Without protection a press brake is dangerous and can cause severe injuries.

What types of operator protection is used for press brakes?

Press brakes have various types of operator protection available depending on how the press brake is used. Refer to the *Operator Protection Decision Flow Chart* on page 2.

Point of Operation Guards and Devices

Light curtains and other presence sensing devices are effective protection methods for press brakes. Light curtains can be set up to activate during the hazardous part of the cycle, and muted during the non-hazardous part of the cycle. Muting allows the bending to occur without interrupting the light curtains. Refer to diagram on page 2.

Two hand controls are effective when the parts are small, can be placed on holders, and parts don't require holding during the bend. Magnets and other devices can hold the part in place. Two hand controls can also be used to lower the ram to 1/4-inch or less and then change to foot pedal to complete the bend.

Pullbacks and restraints can be used to prevent hands from entering the point of operation. Pullbacks are adjusted to allow more access to the die opening but pulling the hands back during the hazardous closing of the die. Restraints have a fixed position to prevent hands from entering the point of

placed in plain view on the machine stating "Hand tools shall be used to hold stock."

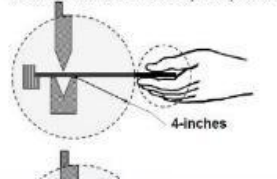
Hand tools may be used in conjunction with other guards or devices such as restraints, pullbacks or barrier guards to allow the operator to place small parts in the point of operation.

If there are 25 or more work pieces of one specific bend, a guard or device is required and hand tools are not permitted alone as operator protection.



Safe distance is a form of operator protection that should be used only when other protection is not possible. Safe distance protection may be applied when the operator is not required to hold the work piece within 4-inches of the point of operation. Safe distance is measured 4-inches or more from tooling or the pinch point closest to the operator.

When safe distance is used for operator protection there is an increased risk of injury. Point of operation guards and devices are a more effective method of operator protection.



Website Resources

- Fact Sheets
- Sample Programs
- Ask MIOSHA Q&A
- Posters, Stickers
- Pamphlets
- 5-Minute Safety Talks
- Videos – Disc & Streaming

Consultation, Education and Training (CET) Workplace Hazard Surveys

- **Free**, voluntary full or partial hazard survey, with **no fines or penalties**, to **ALL Employers**
- Employer agrees to correct serious hazards with help from MIOSHA consultants
- **Free** air and noise exposure monitoring
- Request a **CET Hazard Survey** at www.Michigan.gov/cetrca or call 517-284-7720
- Use hazard survey findings to apply for the **MIWISH CET Grant Program** to make corrections (up to \$5,000) www.michigan.gov/mioshagrants



Michigan Workplace Improvements to Safety and Health (MiWISH) Grants

- **Matching reimbursement grant (\$5,000 maximum)** for the purchase of safety and health equipment and corresponding training
- **Small employers** (<250 employees) in **high hazard industries**
- Use **\$250,000** of state funding annually
- **\$592,000** total invested in **Worker Health and Safety** with employer overmatch in **FY 2023**
- ***FY 2024 funding doubled to \$500,000***



CET Grant Recipients FY24

\$870,000 Awarded to 20 Grantees



AFL-CIO of Michigan

Safety and health training for manufacturing, healthcare, and construction industries

Alpena Community College

Safety and health training throughout Northeast Michigan in healthcare, construction, manufacturing, forestry, and logging industries

Associated General Contractors (AGC) of Michigan

Safety and Health Support for Construction

Bay College

Tree trimming and chainsaw safety training

Center for Workplace Violence Prevention

Training for active shooter and other workplace violence prevention

Corewell Health Lakeland Hospitals

Safety and health training on first responder safety

Eastern Michigan University

"Protection from Crystalline Silica"

Emergency Services Rescue Training

Training first responders regarding farm emergencies

Great Lakes Safety Training Center

Lockout/Tagout safety training

Incompass Michigan

Safety and health training for staff of community rehabilitation organizations and disabled workers

Lawrence Technological University

Safety and health training for highway/temporary work zones

CET Grant Recipients FY24

\$870,000 Awarded to 20 Grantees



Michigan Association of Chiropractors

Customized on-site training program for ergonomics

Michigan Green Industry Association (MGIA)

Promote awareness of dangers in tree care operations

Michigan Infrastructure and Transportation Association (MITA)

"MITA Suicide Prevention" onsite training programs offered to heavy construction companies

Michigan State University

Safety and health training for agricultural industry

Parents for Student Safety Employment Standards (PASSES)

Student training in construction trades, industrial arts classes, and co-op programs

Retail, Wholesale, and Department Store Union (RWSDU)

Hazard specific training programs and educational materials to help food and beverage facilities

United Automotive Workers (UAW)

Safety and health training and assistance to smaller Michigan employers

University of Michigan Center for Ergonomics

Ergonomic training and technical assistance for small and medium sized Michigan companies

Wayne State University

Mental health training and awareness for construction industry

Emphasis Programs



- ❑ Federal OSHA initiates National Emphasis Programs (NEP)
- ❑ States plan states like Michigan typically adopt NEPs to address national trends.
- ❑ State plan states also have the option of initiating State Emphasis Programs (SEP) to address statewide trends.



State Emphasis Programs

- Respirable Silica
- Heat Stress
- Oil & Gas Well Operations
- Cannabis Industry
- **Utilize MIOSHA CET Services!**





Fall fatalities were decreasing but rose in 2022, we will continue to focus on falls in the workplace!

- 2016 – 22 of 43 fatalities were due to falls (51%)
- 2017 – 15 of 38 fatalities were due to falls (39%)
- 2018 – 8 of 38 fatalities were due to falls (21%)
- 2019 – 11 of 38 fatalities were due to falls (29%)
- 2020 – 8 of 64 fatalities were due to falls (13%)
- 2021 – 4 of 42 fatalities were due to falls (10%)
- 2022 – 11 of 45 fatalities were due to falls (24%)
- 2023 – 6 of 34 fatalities were due to falls (18%)



MIOSHA FY 2023 Activities



Consultation

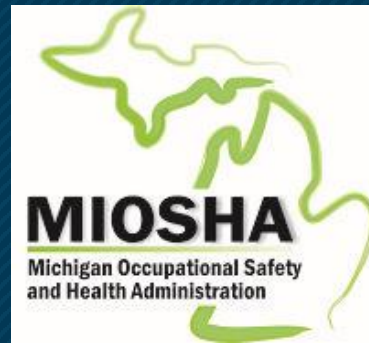
766 On-site Hazard Surveys

1,275 Off-site Consultations

Enforcement

3,395 On-site Inspections

1,440 Off-site Letter Insp.



MIOSHA FY 2023 Activities

Top 10 Standards Cited



Does not include other-than-serious violations

| Standard Cited | Times Cited | # of Instances | Initial Penalties |
|--|-------------|----------------|-------------------|
| Parts 42/92/430 Hazard Communication | 354 | 582 | \$357,100 |
| GI Safety Part 85 The Control of Hazardous Energy Sources (Lockout/Tagout) | 348 | 509 | \$882,200 |
| Part 451 Respiratory Protection | 300 | 427 | \$297,000 |
| CS Part 45 Fall Protection | 283 | 381 | \$374,500 |
| Part 602 Asbestos Standards for Construction | 201 | 231 | \$90,300 |
| GI Part 2 Walking-Working Surfaces | 182 | 250 | \$400,200 |
| GI Part 33 Personal Protective Equipment | 175 | 192 | \$252,100 |
| GI Part 21 Powered Industrial Trucks | 149 | 166 | \$351,100 |
| GI Part 1 General Provisions | 143 | 215 | \$417,040 |
| Construction Part 6 Personal Protective Equipment | 138 | 157 | \$110,000 |

Significant Case Summary General Industry

- **Hospitality Employer - Hotel**
- Two inspections including fatality
- **2 Willful-Serious Citations**
 - Carbon Monoxide Overexposure
 - General Duty – Appropriate Training
- **6 Serious Citations**
 - Obstructed air intake and exhaust, electrical issues, improper fuel storage, asbestos survey
- **Total Penalties \$166,000**
- Issued August 2, 2023





MIOSHA Fatality Information **2022**

45 Total Fatalities

- 13 Struck By/Against
- 11 Falls
- 5 Crushed
- 5 COVID
- 4 Caught-in/between
- 2 Cave-in
- 2 Homicides
- 1 Burn
- 1 Electrocution
- 1 Inhalation



MIOSHA Fatality Information **2023**

34 Total Fatalities

- 19 Struck By
- 6 Fall
- 4 Electrocution
- 3 Caught-in/Between
- 2 Inhalation



MIOSHA Fatality Information **2024**

**As Of 4/12/2024*

9 Total Fatalities

- 5 Struck By
- 3 Falls
- 1 Explosion/Fire



MIOSHA Fatality Information GovDelivery and Website



MICHIGAN WORKER DEATH NOTIFICATION

The information below shares **preliminary details** about the **1st and 2nd Michigan worker deaths of 2021** reported to the Michigan Occupational Safety and Health Administration (MIOSHA) which is believed to be covered by the MIOSH Act. Employers and employees are urged to use extreme care and safety diligence in all work activities. The description reflects information provided to MIOSHA at the initial report of the incident and is not the result of the official MIOSHA investigation. To report fatalities/catastrophes, call MIOSHA at 800-858-0397.

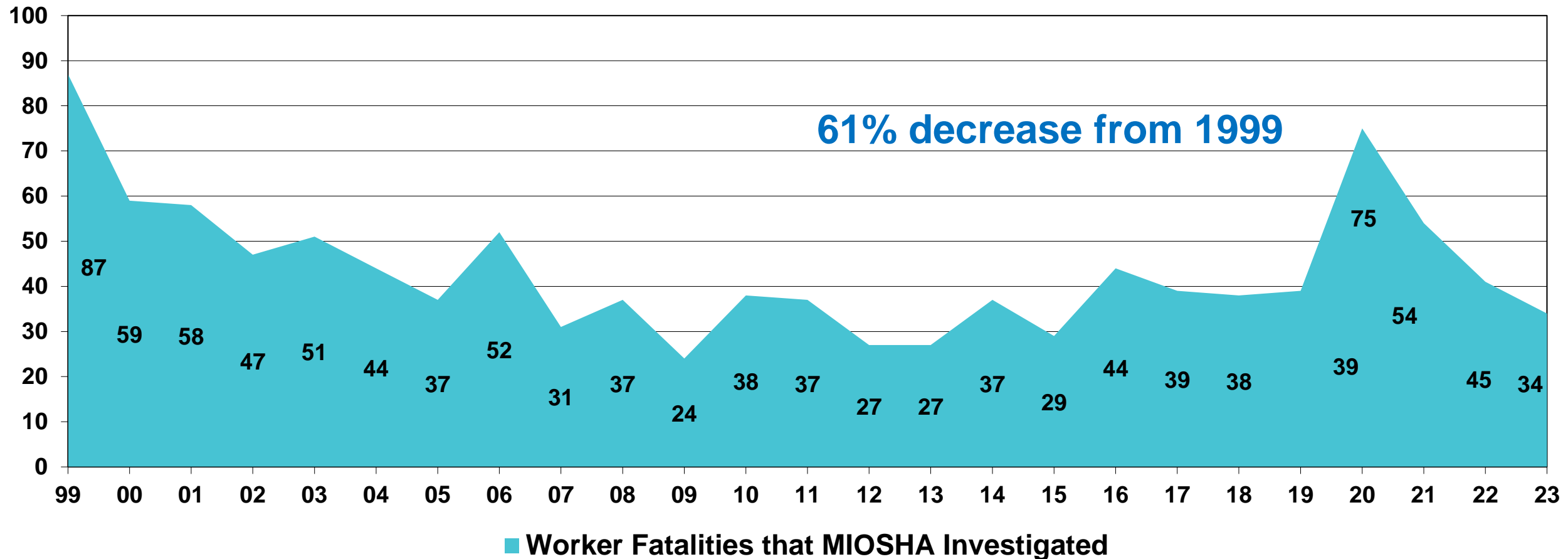
If you need help or assistance in ensuring your workplace is safe, MIOSHA is here with resources to help. The Consultation Education and Training (CET) Division provides workplace safety and health training and consultations to employers and employees throughout Michigan free of charge. Contact CET today at 800-866-4674 or submit a request online at www.michigan.gov/cetrca.

Every life is precious. Our mutual goal must be that every employee goes home at the end of every shift.

| Michigan.gov | | | | | | |
|---|----------|---------------|-----|----------------|--|--------------------------|
| The Department of Labor and Economic Opportunity | | | | | | |
| BUREAUS & AGENCIES | | | | | | |
| BOARDS, COMMISSIONS & COUNCILS | | | | | | |
| INSIDE LEO | | | | | | |
| COVID-19 | | | | | | |
| LABOR AND ECONOMIC OPPORTUNITY / BUREAUS & AGENCIES / MI OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION / RECORDKEEPING & INVESTIGATION | | | | | | |
| Annual Fatality Information | | | | | | |
| Use the information in this table to build hazard awareness and prevent risk for similar occurrences in your workplace. This table summarizes about many of the fatalities reported to the Michigan Occupational Safety and Health Administration. These descriptions reflect information provided to MIOSHA at the initial report of the incident and are not the result of the official MIOSHA investigation. | | | | | | |
| When available, MIFACE Summaries of MIOSHA Inspections will be included at the end of the description. | | | | | | |
| FATALITY NUMBER | DATE | OCCUPATION | AGE | TYPE OF INJURY | DESCRIPTION | INCIDENT LOCATION (CITY) |
| 1. | 01/13/21 | Flagger | 56 | Struck by | A driver did not stop for the work zone and pinned a 56-year-old flagger between two vehicles. | Bates Township |
| 2. | 01/21/21 | Drilling Hand | 31 | Struck by | A firm was onsite to service a sticking well rod. A driver was backing the service truck to the well head to set up the equipment and derrick, that was being guided by two employees, when a 31-year-old drilling hand was struck and pinned between the service truck and the well head. | New Era |

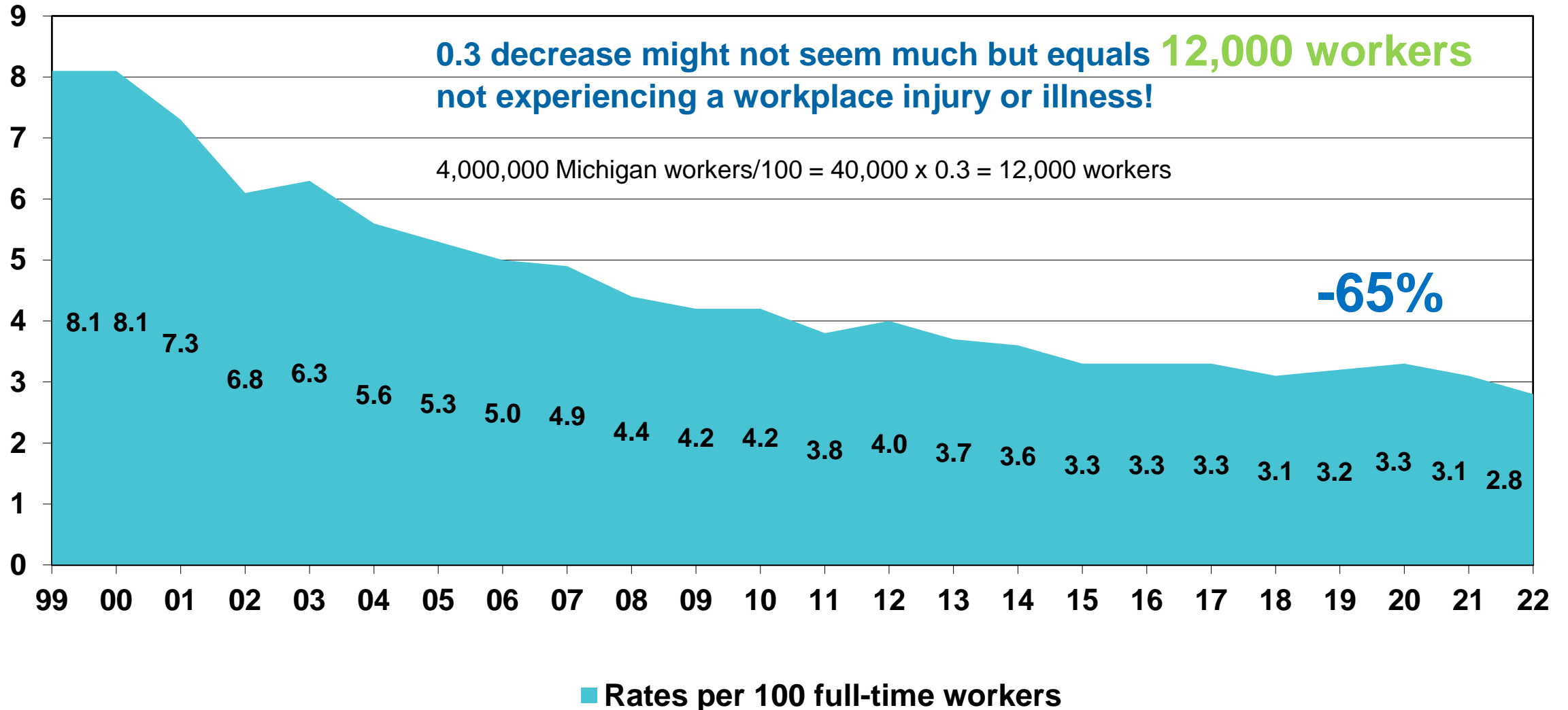


MIOsha Program-Related Fatalities





Michigan Injury & Illness Rates Private Sector (U.S. BLS data)



MIOSHA

Stay Connected



- ❑ MIOSHA News – available online quarterly
- ❑ MIOSHA eNews – sent via email monthly
- ❑ MIOSHA GovDelivery E-mails

Sign-up on MIOSHA website: www.michigan.gov/miosha



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Thank You For Making a
Difference in
Safety and Health!!

Questions