

# Michigan Safety Conference

MIOSHA Agency Update
April 16, 2024
Barton G. Pickelman, CIH
MIOSHA Director



# MIOSHA Mission

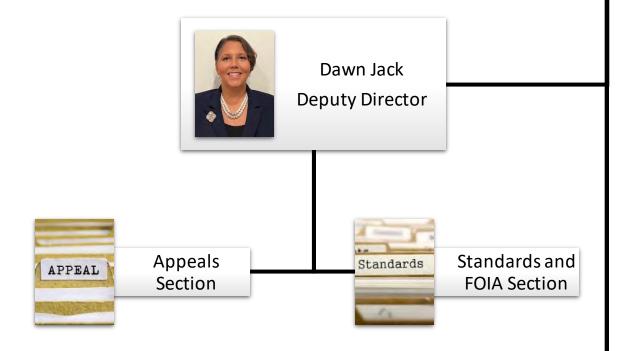
Help Protect the Health and Safety of Michigan Workers!

MIOSHA Motto
Educate Before We Regulate!





Bart Pickelman Agency Director



# MIOSHA Leadership





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



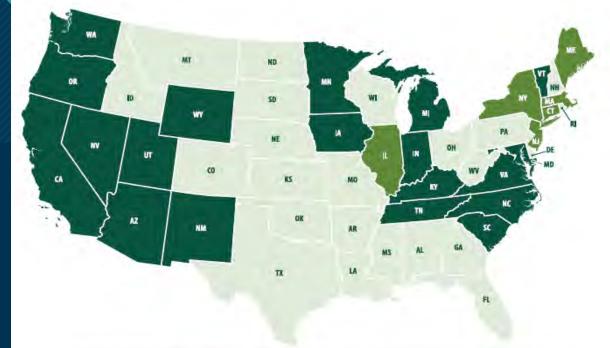
# Federal OSHA vs State Plan Jurisdiction Map

## 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 Puerto Rico Hawaii South Carolina Indiana lowa Tennessee Utah Kentucky Vermont Maryland 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 North Dakota Delaware Ohio Dist. of Columbia Florida Oklahoma Pennsylvania Georgia Rhode Island Idaho South Dakota Kansas Louisiana Texas Mississippi West Virginia

Wisconsin

Missouri

# Occupational Safety and Health State Plan Association (OSHSPA)

- □Beginning my 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



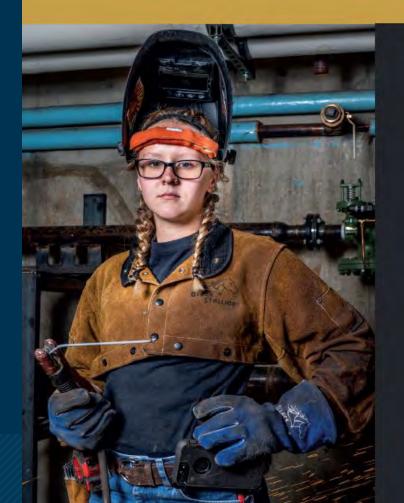




# Occupational Safety and Health State Plan Association (OSHSPA) Grassroots Report

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

# OSHSPA REPORT



GRASSROOTS WORKER PROTECTION

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





# Federal OSHA Update OSHA



- ☐ 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 <u>certain industries</u> submit 300A Summary
- New Rules
  - ☐ Employers with 250 or more employees submit 300A Summary (same)
  - □ Employers with 20 to 249 employees in <u>certain industries</u> 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 2<sup>nd</sup> 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 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

MIOSHA
Michigan Occupational Safety
and Health Administration

<sup>\*</sup>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.



# 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





# 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:
- 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)
- 1.2 Reduce the number of MIOSHA-covered general industry fatalities by 2% a year (10% total for 5 years).

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.

- 1.4 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:
  - 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 (MII). Increase MII participants by 2% a year over the 5 years (10% total for five years) by marketing the MII 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.

- 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 22 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







## 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



For more information call the MIOSHA Consultation Education and Training (CET) Division at 517-284-7720 or visit <a href="https://www.michigan.gov/mti">www.michigan.gov/mti</a>.







### Alliance

#### MIOSHA Fact Sheet

Consultation Education & Training Division

#### Press Brakes: Operator Protection

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

A presidence is a stackage treed or purch from and bend metal. From brains are covered under form a face of Common 8403 10:14 (4) and (3). From brakes are arrived by a bod print wee final content or both used in require

#### When is operator protection required while operating a press brake?

Any time a precedence or use and limit is good of operationor good point operation more than "Green, operation protection, in required. Without protection a press trake is dangerous and the cause tower injuries.

#### What types of operator protection is used for press brakes?

Perus besires have various types of operator princetion available depending on how the press brake as used. Refer to the Districtor Prosection December Flow Chart on page 1

#### Point of Operation Guards and Devices

Light cuttomes and other interests seeming devices an effective potential methods for prices believe Light command can be set up to serivere chinds the hexandous part of the cycle. And mateil demay the meshazandous part of the cycle. Medical allows the tending to occur without interrupting the light matein. Refer to diagram of page 1.

Two hand controls are effective when the party are untill, can be planed on holders, and gatte don't require holding their gain leads. However, and care their section of the part in plane. Two hand controls can also be under the two at the same of the two at the same of the man of the same of

Pullbacks and retirable car-be used to prevent hands from extering the point of operations. <u>Partitudes</u> are adjusted to adjust again across in the dis-spectre but pulling the horizontal back during the horizontal formula of the dis-<u>Retiration</u> times from position to prevent hands from manny the point of placed in plain tren on the machine scenes. Shed swill stall to tred to held succe.

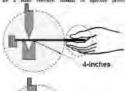
Hand took may be used as conjunction with other guarts or foreign such as restraints, collinates or harmer guarts to allow the conjunction black small parts to the point of specimen.

If there are 21 or more work piece of our opening here, a quart is device in (egazted and hard holy are not permitted tions is epocated protection.



Sale distance— a from of operator protection that should be used only often often particular in in installer. Sale should protected in one on pulsed when the operator, not expected to both the work place writer a section of the point of operation. Sale function is unusual d-makes, or mirror form beginning or the peaks point closest to the operator.

When take distance is used to operative protection there is no increased sisk of injury. Pour of operation guards and detuces are a more effective mathed of operative protections



# Website Resources

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

NEW – Mental Health Resources
Mental Health Affects Workplace Health & Safety!





# 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 <u>www.Michigan.gov/cetrca</u> 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





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 safe

### **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 Ergonomic

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.







# National Emphasis Program Trenching

Slope It - Shore It - Shield It

## **MIOSHA** Website

- Fatality Summaries
- Training Resources
- Related Standards
- Publications
- Other Resources



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 Surveys1,275 Off-site Consultations

## **Enforcement**

3,395 On-site Inspections1,440 Off-site Letter Insp.







# Enforcement Inspections



# **Types of Inspections**

- Fatalities MIOSHA responds to workplace fatalities within 24 hours
- Complaints Employees have the right to file a complaint if they feel unsafe
- Referrals Government Agencies, Media, Employer Reported Hospitalizations
- Targeted Programmed High Hazard Industries, New Trends (Falls, Cave-ins)





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



# National Worker's Memorial Day - April 28<sup>th</sup>

- A day to <u>remember and honor</u> workers who have died on the job
- Reminder of why workplace safety and health is important!
- 34 MIOSHA covered fatalities in 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

### **8 Total Fatalities**

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



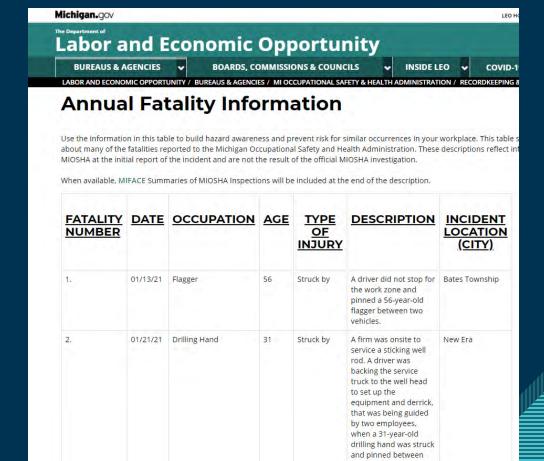
## MIOSHA Fatality Information GovDelivery and Website



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 <a href="https://www.michigan.gov/cetrca">www.michigan.gov/cetrca</a>.

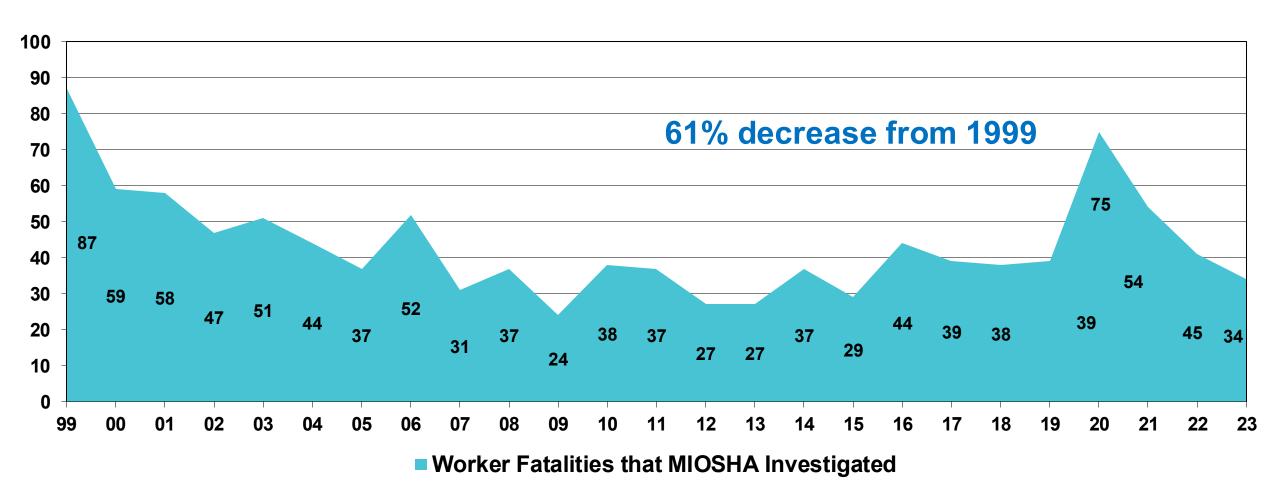
Every life is precious. Our mutual goal must be that every employee goes home at the end of every shift.



the service truck and the well head.

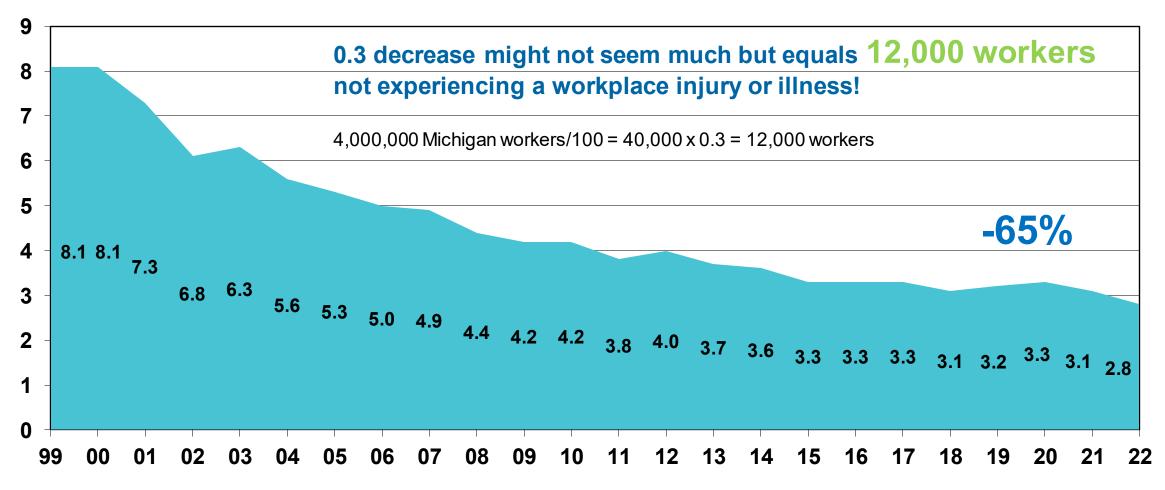


### MIOSHA Program-Related Fatalities





### 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
  - X Follow @MI\_OSHA on X
    - Like MichiganOSHA on Facebook
    - MIOSHA on YouTube

## Visit the MIOSHA Booth



Drawing will be Wednesday (4/17) at 11am. Must be present to win.





Congratulations to the 2023 MIOSHA Training Institute Graduates!





### 2023 MTI Graduates



Sarah MacIntyre
Ron Trachet
Carlton Robarge
Rachael Partridge
Gregg Hemme
Aaron Benkert
Jason Barrett

Jon Spatafore
Thomas Mayne
Shane Stephenson
Shawn Newton
TJ Richardson
Alex Bolton
Kathryn Lipski

### 146 Total MTI Graduates in 2023



The MIOSHA Training Institute

takes pleasure in presenting this

CERTIFICATE OF ATTENDANCE

to



The MTI certificate program offered by MIOSHA has been a transformative journey for me, significantly enhancing my expertise and passion for the EHS field. As an EHS representative, the comprehensive curriculum and the exceptional leadership displayed by the OSHA instructors have not only broadened my knowledge base but also sharpened my skills in a practical and engaging manner. This program has equipped me with a deeper understanding and a set of tools that I've already begun to apply in my workplace, leading to noticeable improvements in our safety culture and practices. The professional and smooth execution of the program, combined with the invaluable insights gained from both instructors and peers, has made a profound impact on my professional development. It's an experience that I credit for a significant part of my growth in the EHS field, and I strongly recommend it to anyone looking to make a meaningful impact in their career, regardless of their experience level.

Sarah MacIntyre, American Axle and Manufacturing





The MIOSHA Training Institute has provided me with an incredible opportunity to learn more about our health and safety standards and ways of improving our safety processes with the goal of creating a total safety culture. The scholarship program makes it even more of a value for any company's budget... I would highly recommend any company to participate in this program. It's about keeping people safe and giving them the tools and processes to do so. Safety is a value that we must all own! Thank you, MIOSHA Training Institute for providing this one-of-of-a-kind service and opportunity!

Greg Hemme, Crest Pontoon Boats





I am deeply grateful for the opportunity to receive certification through the MIOSHA Training Institute, which has been instrumental in bolstering my contribution to my company's safety strategies and overall efforts... This certification has not only enhanced my personal skill set but has also empowered me to lead our safety initiatives more effectively... The knowledge and proactive safety practices gained from this experience underscore our commitment to exceeding workplace safety standards, making the MIOSHA Training Institute an invaluable resource for professional development in occupational safety and health.

Alex Bolton, Huhtamaki





The MIOSHA Training Institute has allowed me to get answers for my health and safety questions directly from the source, MIOSHA Inspectors. MIOSHA classes are a great way to learn about the rules and standards that apply to your operations without trying to interpret the confusing language often found when reading regulations on your own. MIOSHA has allowed me to become more knowledgeable and confident in my safety career through their training courses.

Shane Stephenson, Mott Community College

The training provided through MTI made an immediate difference. The quality of the content, and the professionalism of the training staff at MIOSHA can not be understated. My workplace is safer today because of the training I received and the core tools we were able to implement at Air Lift.

**Training Institute** 

Drew Kepler, Air Lift Company





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

Questions