



IN THIS ISSUE

What's Happening

[Michigan Voluntary Protection Program Advisory Work Group](#)

[New Hearing Decision](#)

[Changes to the Standards Webpage](#)

[MIFACE Summaries of MIOSHA Inspections](#)

[Agency Instructions Issued](#)

[Media](#)

[Variances](#)

[Quick Links](#)

WHAT'S HAPPENING

Michigan Voluntary Protection Program Advisory Work Group

The Michigan Voluntary Protection Program (MVPP) assists employers and employees by providing a mechanism and a set of criteria designed to evaluate and recognize outstanding safety and health management systems. The program is designed to establish a cooperative relationship between management, labor, and MIOSHA. MVPP participants implement safety and health management systems that provide protections beyond what is required by MIOSHA standards.

There are two levels of recognition in the MVPP. The Michigan Star program is designed for workplaces that have an exemplary safety and health management system with injury and illness incidence rates below the industry average for the last three years. The Rising Star program provides the "stepping stone" for those establishments that have the desire and potential to achieve Star Status within one-to-three years. Rising Star participants have a good safety and health management system and have incidence rates at or below the industry average for two out of the last three years. Each participant must successfully complete a program application, Consultation Education & Training (CET) review of their site, and approval process. Companies in the program will also have a periodic review of the site by CET.

In 2014, CET convened the first MVPP Advisory Work Group which is comprised of representatives from current Star sites. The sites are recognized as the "Best of the Best" relative to workplace safety and health and good corporate citizenship; and CET recognized the need and value of assembling this expertise giving the program participants more ownership in the growth and improvement of the MVPP. The work group is presently working on improvements to marketing, mentorship, application process, web presence design, and showcasing best practices using social media. The advisory group site members are: Huntsman Polyurethanes, Marathon Petroleum Company, Johnson Technology, Inc., Verso Quinnesec, LLC, DTE Energy-Fermi, DTE Energy-Milford, DTE Energy-River Rouge, Alcoa Howmet, and Pfizer Global Manufacturing.

There are currently 28 MVPP Star participants. Participating Star sites are available to mentor other companies that have an interest and desire to improve their safety and health management system. Mentors inform, counsel, train, and strive to achieve excellence in safety and health through the MVPP. If you would like more information about the work group or MVPP, visit the [MVPP webpage](#).

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New Hearing Decision

On December 28, 2015, an Administrative Law Judge (ALJ) issued a hearing decision regarding a citation issued to an employer by the General Industry Safety and Health Division (GISHD). The company contested a \$5,000 serious violation of General Industry Safety Standard Part 24, Mechanical Power Presses, Rule 2412(3). Rule 2412(3) states:

“When an inspection of a press reveals a condition that is likely to lead to a component failure that could cause an injury to the operator or other employee, the condition shall be corrected before the press is operated.”

The hearing testimony established that the company contacted an outside contractor to service a press after the motor began to fail repeatedly. The repair contractor locked and tagged the press out of service after a large crack was found where the counterbalance connects to the slide. The counterbalance is a component that helps to control the “slide,” which is the part that lifts and is forced down to press into the material.

After the company was made aware of the crack and the disabling of the machine by the contractor, the company removed the lockout/tagout device and returned the press to service the following day before it was repaired. The company asserted it reduced the number of strokes per minute the press cycled and started measuring the crack hourly to try to reduce the safety hazard. Repairs were not completed until approximately three months later.

The ALJ decision upheld the citation and penalty. The ALJ noted the wording of Rule 2412(3) contains a two-part test: 1) whether the condition is likely to lead to a component failure, and 2) whether someone could get hurt if the component failure happens. The ALJ determined the location, size and extent of the crack in the counterbalance, made a component failure likely. The ALJ also determined that because the role of the counterbalance was to control stored energy used to force the slide up and down, the breaking of the counterbalance away from the slide while under pressure could cause a projectile-type reaction. The ALJ declared the testimony of the repairman who originally locked out the press, his supervisor, and the press manufacturer all supported this potential result. The ALJ also stated the press operator’s proximity to the press could lead to the operator being struck.

Both MIOSHA and the employer have the right to file exceptions to the ALJ’s decision with the Board of Health and Safety Compliance and Appeals when the decision is filed with the Board on March 11, 2016.

Changes to the Standards Webpage

For the last several years, we have had a separate webpage dedicated to the status of the revisions to our standards based on the Office of Regulatory Reinvention’s (ORR) Workplace Safety Advisory Committee’s recommendations. Since that work wrapped up in 2015, we have now condensed and streamlined that information onto our regular standards webpage by listing the revised standards, along with the “implementation strategy” for standards incorporated in the far right hand column. This will allow users to find all applicable information in one location. We hope you find this change useful. www.michigan.gov/mioshastandards

MIFACE Summaries of MIOSHA Inspections

The Michigan Fatality Assessment and Control Evaluation (MIFACE) program, funded by the National Institute for Occupational Safety and Health (NIOSH), is a joint research project of Michigan State University College of Human Medicine’s Occupational and Environmental Medicine Division and the Michigan Department of Licensing and Regulatory Affairs.

MIFACE is designed to:

- Identify the underlying causes of the work-related fatalities;

- Identify the types of industries and work situations which are at an increased risk of fatalities;
- Formulate and disseminate prevention strategies to prevent similar work-related fatalities.

Work-related fatalities can be prevented. Sharing information on root causes and information about the setting and circumstances surrounding the work-related death as well as practical and implementable, prevention information can be used by others to affect work practice changes. The Michigan Occupational Safety and Health Administration (MIOSHA) fatality list will now include hyperlinks to MIFACE inspection summaries as they are made available. Currently there are 13 published MIFACE summaries for 2015 linked on our [website](#).

AGENCY INSTRUCTIONS ISSUED

January 4, 2016 – [Hazard Communication Standards – Inspection Procedures](#)

MEDIA

December 28, 2015 - [Verso Paper Corp. Quinnesec Mill Receives Michigan's Most Prestigious Worker Safety and Health Award](#)

January 7, 2016 – [Construction Association of Michigan Continues Alliance with MIOSHA to Heighten Worker Safety](#)

January 27, 2016 – [MIOSHA Reminds Employers to Post 2015 Job-Related Injuries and Illnesses](#)

All of the MIOSHA Press Releases can be viewed from our [website](#).

VARIANCES

Variations from MIOSHA standards must be made available to the public in accordance with Part 12, Variations (R408.22201 to 408.22251). MIOSHA variations are published on the MIOSHA News website: www.michigan.gov/mioshavariations.

QUICK LINKS

[Agency/Division Instructions/Memorandums](#)
[Asbestos Program](#)
[Ask MIOSHA](#)
[CET Request for Consultative Assistance Services](#)
[CET Training Calendar](#)
[Construction Safety & Health Division \(CSDH\)](#)
[General Industry Safety & Health Division \(GISHD\)](#)
[Laboratory & Equipment Services](#)
[MIOSHA FOIA Request](#)
[MIOSHA Recordkeeping](#)
[MIOSHA Standards](#)
[MIOSHA Training Institute \(MTI\)](#)
[Radiation Safety Section](#)
[Telephone, Mailing and Email Addresses](#)
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