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# MIOSHA

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

# AGENCY INSTRUCTION

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DOCUMENT IDENTIFIER:

MIOSHA-COM-20-8

DATE:

November 16, 2020

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**SUBJECT: COVID-19 Manufacturing – State Emphasis Program (SEP)**

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- I. Purpose. This instruction creates a state emphasis program (SEP) to ensure manufacturing establishments are protecting workers from severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) which causes coronavirus disease 2019 (COVID-19).
- II. Scope. This instruction applies to the Consultation Education and Training (CET) Division and the General Industry Safety and Health Division (GISHD).
- III. References.
  - A. Agency Instruction MIOSHA-COM-20-2, Coronavirus Disease 2019 (COVID-19) – Interim Enforcement Plan, as amended.
  - B. Agency Instruction MIOSHA-SHMS-20-1, COVID-19 Preparedness and Response Plan for MIOSHA Staff, as amended.
  - C. Agency Instruction MIOSHA-STD-05-2, Recording and Reporting of Occupational Injuries and Illnesses, as amended.
  - D. Agency Instruction MIOSHA-STD-08-1, [Personal Protective Equipment \(PPE\) Standard](#), as amended.
  - E. Agency Instruction MIOSHA-STD-15-1, [Respiratory Protection Standard, Part 451, Enforcement Policies](#), as amended.
  - F. General Industry Safety and Health Standard Part 33. /R 408.13301 et seq., Personal Protective Equipment.
  - G. General Industry Safety and Health Standard Part 474. /R 325.47401 et seq., Sanitation.
  - H. MIOSHA Emergency Rules for Coronavirus Disease 2019 (COVID-19).
  - I. MIOSHA Field Operations Manual (FOM), as amended.
  - J. MIOSHA Safety and Health Standard Part 11. /R408.22101 et seq., Recording and Reporting of Occupational Injuries and Illnesses.
  - K. Occupational Health Standards Part 451. R 325.60051 et seq., Respiratory Protection.
  - L. Occupational Safety and Health Administration (OSHA), Guidance on Preparing Workplaces for COVID-19.
  - M. OSHA Enforcement Memo, Revised Enforcement Guidance for Recording Cases of Coronavirus Disease 2019 (COVID-19), May 19, 2020.

- N. US Centers for Disease Control and Prevention (CDC), Coronavirus Disease 2019 (COVID-19), Guidance Documents, webpage, as amended.
- IV. Distribution. MIOSHA Staff; Federal OSHA; S-drive Accessible; MIOSHA Messenger; and Internet Accessible.
- V. Next Review Date. This instruction will be reviewed on February 8, 2021.
- VI. Contact. Nella Davis-Ray, Director, CET, and Adrian Z. Rocskay, Director, GISHD
- VII. Originator. Barton G. Pickelman, Director
- VIII. Background. Work by its nature removes people from the confines and relative safety of their homes to interact with others who may be carrying the SARS-CoV-2 including coworkers and customers. Using the OSHA Guidance on Preparing Workplaces for COVID-19, employees in manufacturing jobs have medium exposure risk for SARS-CoV-2. This level of exposure risk is based on manufacturing employees having frequent and/or close contact with (i.e., within six feet of) people who may be infected with SARS-CoV-2 due to ongoing community transmission of the virus. This SEP will increase MIOSHA’s presence in the manufacturing sector (NAICS 31-33) and will evaluate whether manufacturing employers are taking the steps necessary to minimize or eliminate employee exposure to SARS-CoV-2.
- IX. Targeting. GISHD will create a targeting list of manufacturing establishments in Michigan.
- X. Enforcement Activities. Investigations under this SEP will be conducted by an Industrial Hygienist (IH) or Safety Officer (SO) from the GISHD. For efficiency, these inspections will be assigned typically to the IH/SO who performed the D letter due to their familiarity with the establishment and prior COVID-19 issues. The IH/SO shall utilize the safety policies and procedures set forth in MIOSHA-SHMS-20-1 COVID-19 Preparedness and Response Plan for MIOSHA Staff to protect themselves from the SARS-CoV-2 hazards that may be encountered during such inspections.
- XI. Inspection Procedures.
  - A. General. The IH/SO will follow the inspection policies and procedures in MIOSHA-COM-20-2, Coronavirus Disease 2019 (COVID-19) – Interim Enforcement Plan.
  - B. Scope. The scope of the inspection will be partial. The hazard to be addressed is COVID-19. The inspection will include a review of the establishment’s COVID-19 preparedness and response plan. Despite the potential to come across COVID-19 hazards affecting customers and the general public, the IH/SO will limit their inspection to the hazard posed to employees.
  - C. Standard of Evaluation. The IH/SO shall evaluate the employer’s compliance with the MIOSHA Emergency Rules for Coronavirus Disease 2019 (COVID-19) and other applicable MIOSHA standards such as GI Part 33, Personal Protective Equipment; GI Part 474, Sanitation; GI. Part 451, Respiratory Protection; and ADM Part 11, Recording and Reporting of Occupational Injuries and Illnesses.

See Appendix A for a list of inspection resources as of the date of issuance of this instruction.

- D. Remote Work Policy. If there are offices in the manufacturing facility, the IH/SO will assess the employer’s remote work policy. The IH/SO will evaluate whether the employer has created the policy, as required by Rule 5(8) of the Emergency Rules for Coronavirus Disease 2019 (COVID-19), and whether it has implemented the policy, as required by Rule 4(1) of the Emergency Rules.
  - E. Employee Interviews. The IH/SO shall interview employees in accordance with the MIOSHA FOM. The IH/SO shall ensure interviews are comprised of employees from all shifts.
  - F. Citations. Citations will be issued for violations of the Emergency Rules for Coronavirus Disease 2019 (COVID-19) and other applicable MIOSHA standards. The IH/SO will adhere to the citation procedures outlined in MIOSHA-COM-20-2, Coronavirus Disease 2019 (COVID-19) – Interim Enforcement Plan and the MIOSHA FOM.
  - G. Recordkeeping. The IH/SO shall evaluate the employer’s compliance with ADM Part 11, Recording and Reporting of Occupational Injuries and Illnesses. To determine if any employee illnesses have occurred due to occupational exposure to SARS-CoV-2, the IH/SO shall speak to management representatives, interview employees, and review the employer’s occupational illness records. If the IH/SO determines that illnesses from such exposures are not being properly recorded, the citation guidance in MIOSHA-STD-05-2, Recording and Reporting of Occupational Injuries and Illnesses, as amended, and OSHA Enforcement Memo, Revised Enforcement Guidance for Recording Cases of Coronavirus Disease 2019 (COVID-19) shall be followed.
- XII. OSHA Information System (OIS) Coding. The IH/SO will use the OIS code **N 16 COVID-19** to track all enforcement activities related to COVID-19. In addition, all enforcement activities conducted under this SEP shall be coded with the SEP code “**COVID-19 MANUFACTURING**”. On the Inspection tab, on the Inspection Type subtab, the IH/SO will:
- A. Select “Programmed Planned” from the Initiating Type drop down menu.
  - B. Select “**COVID-19 MANUFACTURING**” from the State Emphasis Program drop down list.
  - C. Select “**COVID-19 MANUFACTURING**” from the Primary Emphasis Program drop down list.
  - D. Select “Health” from the Inspection Category drop down menu.
  - E. Select “Partial” from the Scope of Inspection drop down list.
  - F. Click on “Add from Reference” and select **N 16 COVID-19** Response activities related to COVID-19 Coronavirus.

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- XIII. Outreach Activities. The CET Division will use outreach activities as an opportunity to raise awareness among employers, employees, and safety and health professionals to the requirements for COVID-19 in manufacturing facilities. These activities will include a MIOSHA News article, MIOSHA website information, press release, GovDelivery announcement of the SEP, new or revised educational materials, and targeted consultation based on requests. The outreach plan can be found in Appendix B.

## **Appendix A**

### **Inspection Resources**

#### **MIOSHA Regulations**

- MIOSHA Emergency Rules for Coronavirus Disease 2019 (COVID-19)
- General Industry Safety and Health Standard Part 33. Personal Protective Equipment
- General Industry Safety and Health Standard Part 433. Personal Protective Equipment
- General Industry Safety and Health Standard Part 474. Sanitation
- MIOSHA Safety and Health Standard Part 11. Recording and Reporting of Occupational Injuries and Illnesses
- Occupational Health Standard Part 451. Respiratory Protection

#### **Statutes**

- Michigan Occupational Safety and Health Act, Act 154 of 1974, Section 11(a) – general duty clause

#### **Agency Instructions**

- MIOSHA-COM-20-2, Coronavirus Disease 2019 (COVID-19) – Interim Enforcement Plan, as amended
- MIOSHA-SHMS-20-1, COVID-19 Preparedness and Response Plan for MIOSHA Staff, as amended
- MIOSHA-STD-05-2, Recording and Reporting of Occupational Injuries and Illnesses, as amended
- MIOSHA-STD-08-1, Personal Protective Equipment (PPE) Standard
- MIOSHA-STD-15-1, Respiratory Protection Standard, Part 451, Enforcement Policies

#### **OSHA Guidance**

- Guidance on Preparing Workplaces for COVID-19, 2020

#### **OSHA Enforcement Memos**

- Expanded Temporary Enforcement Guidance on Respiratory Protection Fit-Testing for N95 Filtering Facepieces in All Industries During the Coronavirus Disease 2019 (COVID-19) Pandemic, April 8, 2020
- Enforcement Guidance for Use of Respiratory Protection Equipment Certified under Standards of Other Countries or Jurisdictions During the Coronavirus Disease 2019 (COVID-19) Pandemic, April 3, 2020
- Enforcement Guidance on Decontamination of Filtering Facepiece Respirators in Healthcare During the Coronavirus Disease 2019 (COVID-19) Pandemic, April 24, 2020

- Discretion in Enforcement when Considering an Employer's Good Faith Efforts During the Coronavirus Disease 2019 (COVID-19) Pandemic, April 16, 2020
- Enforcement Guidance for Respiratory Protection and the N95 Shortage Due to the Coronavirus Disease 2019 (COVID-19) Pandemic, April 3, 2020
- Revised Enforcement Guidance for Recording Cases of Coronavirus Disease 2019 (COVID-19), May 19, 2020
- Temporary Enforcement Guidance - Healthcare Respiratory Protection Annual Fit-Testing for N95 Filtering Facepieces During the COVID-19 Outbreak, March 14, 2020
- Temporary Enforcement Guidance – Tight-Fitting Powered Air Purifying Respirators (PAPRs) Used During the Coronavirus Disease 2019 (COVID-19) Pandemic, October 2, 2020
- Updated Interim Enforcement Response Plan for Coronavirus Disease 2019 (COVID-19), May 19, 2020

### **CDC Guidance**

- Coronavirus Disease 2019 (COVID-19), [Guidance Documents](#), webpage

### **CDC Guidance – Businesses (General)**

- Cleaning and Disinfection for Non-Emergency Transport Vehicles (4/14/20)
- COVID-19 Critical Infrastructure Sector Response Planning (5/6/20)
- Guidance for Cleaning and Disinfecting (5/7/20)
- Guidance for Reopening Buildings After Prolonged Shutdown or Reduced Operation (9/22/20)
- Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19 (9/11/20)
- Interim Guidance for Businesses and Employers Responding to Coronavirus Disease 2019 (COVID-19), May 2020 (5/6/20)
- Reopening Guidance for Cleaning and Disinfecting Public Spaces, Workplaces, Businesses, Schools, and Homes (5/7/20)
- Testing Strategy for Coronavirus (COVID-19) in High-Density Critical Infrastructure Workplaces after a COVID-19 Case Is Identified (6/13/20)

### **CDC Guidance – Personal Protective Equipment**

- Considerations for Optimizing the Supply of Powered Air-Purifying Respirators (PAPRs) (4/19/20)
- Considerations for Release of Stockpiled N95s Beyond the Manufacturer-Designated Shelf Life (7/20/20)
- Decontamination and Reuse of Filtering Facepiece Respirators (4/9/20)
- Elastomeric Respirators: Strategies During Conventional and Surge Demand Situations (4/20/20)
- Healthcare Supply of Personal Protective Equipment (3/14/20)

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- Implementing Filtering Facepiece Respirator (FFR) Reuse, Including Reuse after Decontamination, When There Are Known Shortages of N95 Respirators (8/4/20)
- Optimizing Personal Protective Equipment (PPE) Supplies (7/16/20)
- Personal Protective Equipment When Caring for COVID-19 Patients (4/3/20)
- Strategies for Optimizing the Supply of Disposable Medical Gloves (4/30/20)
- Strategies for Optimizing the Supply of Eye Protection (7/15/20)
- Strategies for Optimizing the Supply of Facemasks (6/28/20)
- Strategies for Optimizing the Supply of Isolation Gowns (10/9/20)
- Strategies for Optimizing the Supply of N95 Respirators (9/16/20)
- Use Personal Protective Equipment when Caring for Patients with Confirmed or Suspected COVID Factsheet (4/22/20)
- Using Personal Protective Equipment (PPE) (8/19/20)

#### **CDC Guidance – Manufacturing Workers**

- Data Visualization: How to Align Manufacturing Workstations, If Feasible (5/22/20)
- Manufacturing Workers and Employers (5/12/20)

**Appendix B**  
**Initiative Outreach Plan**

**Name of Initiative:** COVID-19 Manufacturing – State Emphasis Program (SEP)

**Initiative Liaison:** Audrey Carlstrom    **Telephone:** (616) 450-0762    **Date Submitted:** 11/4/2020

**Check all that Apply:**  New/Revised Standard     New Targeted Industry     New Targeted Hazard

**Divisions Involved (Check all that applies):**     Administration     Appeals     CETD  
 CSHD     GISHD     TSD

**Lead Division:** CET Division

**Purpose/Scope:** The purpose of the SEP is to minimize or eliminate employee exposures to SARS-COV-2 (severe acute respiratory syndrome coronavirus 2) which causes coronavirus disease 2019 (COVID-19). The SEP will target manufacturing establishments (NAICS 31-33). The outreach plan identifies CET activities that will be completed from November 9, 2020, to the expiration date of the SEP. These activities will educate MIOSHA staff, as well as employers and employees in the State of Michigan, about the new SEP. The outreach program will inform MIOSHA staff, employers, and employees of the requirements under the MIOSHA Emergency Rules for Coronavirus Disease 2019 (COVID-19) that apply to manufacturing establishments. The outreach will be conducted concurrently with any SEP-related COVID-19 inspections.

**1. Policy/Procedure**

**New or revised MIOSHA policies, procedures, instructions, or interpretations.** MIOSHA has a new agency instruction for the COVID-19 Manufacturing SEP. MIOSHA staff will need training on the new policies and procedures.

**2. Communication (Check all that apply.)**

**Press Release**

**MIOSHA News** – CET and/or GISHD will author an article for the MIOSHA News about the SEP.

**MIOSHA Website** – CET will review current COVID-19 resources for manufacturing ([https://www.michigan.gov/leo/0,5863,7-336-100207\\_101281---,00.html](https://www.michigan.gov/leo/0,5863,7-336-100207_101281---,00.html)) and update them as needed. The updated website information will include MIOSHA and US OSHA resources (e.g., MIOSHA and OSHA enforcement policies, employee training programs, sample exposure control plans, fact sheets, and FAQs).

**MIOSHA Messenger** – When SEP is effective, it will be announced to MIOSHA staff.

**GovDelivery Message** – When SEP is effective, it will be announced to our subscribers. Agency webmaster will work with the outreach liaison for input on the message.

**Social Media** - When SEP is effective, it will be announced to our Facebook & Twitter subscribers.

**Other** - Include information on no-cost on-site consultation services from CET in communications.



**3. Educational Resources** (Check all that apply.)

- Promote existing DVDs in lending library and available for MIOSHA staff use.
- New reference materials for MIOSHA staff use.
- New or revised MIOSHA publications/fact sheets. Review existing guidance resources, generate fact sheet for manufacturing on controlling exposures to COVID-19 as needed.
- New or revised MIOSHA presentations/training. Review existing presentation and revise as needed.
- Other

**4. Outreach Activities** (Check all that apply.)

- Develop, revise, and conduct training program(s). Liaison to review and revise if needed, the existing PowerPoint presentation created for offices.
- Targeted consultation – Based on requests, CET consultants will provide consultative assistance.
- Alliances/partnerships with impacted organizations.
- Letters to target industries – Informing them of CET services, make them aware of the SEP.
- Targeted enforcement – As specified in SEP.
- No outreach activities needed.

**5. Data Generated** (Check all that apply.)

- Number of training seminars conducted.
- Number of employees trained.
- Number of consultation activities conducted (and what type).
- Number of compliance inspections conducted.

**6. Workgroup**

- Create a workgroup to implement outreach plan.

**Anticipated Launch Date:** 11/9/2020    **Length of Initiative:** 3 months