
MIOSHA

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

AGENCY INSTRUCTION

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MIOSHA-COM-17-1R3

DATE:
July 25, 2024

SUBJECT: Complaint Processing

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MIOSHA-COM-17-R3

July 24, 2024

Complaint Processing

- I. Purpose. This instruction establishes policy and procedure to ensure the timely and consistent handling of complaints received by the General Industry Safety and Health Division (GISHD) and the Construction Safety and Health Division (CSHD).
- II. Scope. This instruction applies to all GISHD and CSHD staff for handling complaints other than MIOSHA employee discrimination complaints.
- III. References.
 - A. Agency Instruction MIOSHA-COM-22-1, [Heat-Related Illness – State Emphasis Program \(SEP\)](#), as amended.
 - B. [Michigan Occupational Safety and Health Act](#), MCL 408.1001et. seq., P.A. 154 of 1974, as amended.
 - C. [MIOSHA Field Operations Manual](#), as amended (FOM).
- IV. Distribution. MIOSHA Staff; Federal OSHA; S-drive Accessible; MIOSHA Messenger; and Internet Accessible.
- V. Cancellation. All previous versions of this agency instruction.
- VI. Next Review Date. To be reviewed three years from date of issuance.
- VII. History. History of previous versions includes:

MIOSHA-COM-17-1R2, February 4, 2020
MIOSHA-COM-17-1R1, August 28, 2019
MIOSHA-COM-17-1, January 4, 2017
- VIII. Contact. [Adrian Z. RocsKay](#), GISHD Director, and [Lawrence Hidalgo, Jr.](#), CSHD Director.
- IX. Originator. Barton G. Pickelman, Director
- X. Background. GISHD developed a division instruction on processing complaints in 2006. In 2016, it was determined that CSHD also needed an instruction on processing complaints. An agency instruction on complaint processing has been developed instead of two separate division instructions on complaint processing. This instruction incorporates the 2014 version of the GISHD instruction for complaint processing.
- XI. Significant Changes.
 - A. Updated references from paper files to electronic file and FileManager.
 - B. Removed Employee Discrimination letter.
 - C. Added Indoor Heat and Indoor Heat to Complainant letters to complaint form letters.
 - D. Updated the Indoor Air Quality Attachment A in Appendix C.
 - E. Added Recommendations for Preventing Heat Stress in Buildings as Appendix D.
 - F. Inserted option for emailing letters on the letter templates.

XII. Definitions.

- A. Buck Slip – Internal GISHD form used when processing internal complaints. See [Appendix A](#).
- B. FileManager – Internal Access database that, in addition to inspection features, moves, records location, and retention of complaint files.
- C. Notice of Alleged Safety or Health Hazards form – form sent to safety officer/industrial hygienist (SO/IH) to initiate an on-site inspection.
- D. Universal Log – Database with a complaint section that chronicles all complaints handled by the GISHD. The log is an Access database accessible to most staff by accessing the shared drive (S drive).

XIII. Action. All MIOSHA staff involved in processing complaints shall ensure each complaint is acted upon within ten (10) working days of MIOSHA receiving the complaint. Acted upon means that an on-site inspection is opened, a d-letter is mailed, the employer is called on a telephone complaint inspection, a form letter indicating no inspection will be conducted is sent to the complainant, or the complaint is marked “No Action” and closed.

XIV. Identity of Complainant. The identity of the complainant shall be kept confidential unless otherwise requested by the complainant, in accordance with Section 28(3) of the Michigan Occupational Safety and Health Act, Act 154 of the Public Acts of 1974, as amended (Act). No information shall be given to the employer or any other person which would allow them to identify the complainant. When requested by the complainant, a complainant’s name will be revealed during on-site and off-site inspections.

XV. Procedures for Receiving Complaints. Complaints can be accepted via email, fax, U.S. mail, or the complaint page of the MIOSHA or Occupational Safety and Health Administration (OSHA) website. CSHD accepts complaints via telephone on a case-by-case basis. Complaints of imminent danger situations are accepted via telephone by both divisions.

- A. CSHD. All complaints will be given to the appropriate manager or designated supervisor to process.
- B. GISHD. Basic information about the establishment will be identified and entered into the buck slip. All complaints will be entered into the Universal Log. The complaint will then be given to the appropriate manager or designated supervisor for processing.

XVI. Manager/Supervisor Evaluation.

- A. General Evaluation. Based on the criteria described in the [MIOSHA FOM](#), the appropriate manager or designated supervisor in each division will evaluate the complaint. If there appears to be valid issues, the manager will determine if the complaint will be assigned as an on-site or off-site inspection. If there are no issues or the complaint is invalid, the appropriate form letter (see [Appendix B](#)) will be sent to the complainant indicating that no inspection will be conducted. If

CSHD receives a complaint with GISHD issues, CSHD will transfer the complaint or issues to GISHD, and vice versa.

- B. More Information Required. If there is not enough information to make a determination, the complainant will be contacted by telephone, email, or letter for clarification. If a letter is sent to the complainant, use the More Info Letter in Appendix B in accordance with the instructions in Section C below. Record contacts or attempted contacts and enter them in the case file.

If a complaint is received and there is not enough information to make a determination, and there is no complainant information, follow the division procedures to mark “No Action” on the complaint file and provide a reason for not responding to the issues.

- C. Complaint Form Letters. Form letters are sent to the complainant (and sometimes the employer) informing them that their complaint will not be assigned as an on-site or off-site inspection. Letters shall be sent out within ten (10) working days of MIOSHA’s receipt of the complaint. A copy of each approved form letter can be found in [Appendix B](#). Each letter pertains to a specific circumstance and is described below:.

1. [Indoor Air Quality \(IAQ\) Complainant Letter](#) – Sent to the complainant providing them with indoor air quality- information. A copy of the letter that was sent to the employer should also be sent to the complainant.
2. [Indoor Air Quality \(IAQ\) Mold Letter](#) – Sent to the employer informing the company of the specific allegations of indoor air quality specifically pertaining to mold. Send IAQ Attachments A and B, which are found in [Appendix C](#). A copy of the letter is sent to the complainant with the IAQ Complainant letter.
3. [Indoor Air Quality \(IAQ\) Ventilation Letter](#) – Sent to the employer informing them of the specific allegations of indoor air quality specifically pertaining to ventilation. Send IAQ Attachments A and B, which are found in [Appendix C](#). A copy of the letter is sent to the complainant with the IAQ Complainant letter.
4. [Indoor Heat](#) – Sent to the employer informing the company of the specific allegations of indoor heat issues as described in Agency Instruction MIOSHA-COM-22-1, Heat-Related Illness – State Emphasis Program, as amended. Send the Recommendations for Preventing Heat Stress in Buildings attachment with the letter, which is found in [Appendix D](#). A copy of the letter is sent to the complainant with the Indoor Heat to Complainant letter.
5. [Indoor Heat to Complainant Letter](#) – Sent to the complainant providing them with information on heat-related illnesses in low-hazard industries.

6. [More Info Letter](#) – Sent to the complainant informing them that we require more specific information in order to process the complaint properly. Send complaint form with the letter.
7. [No Jurisdiction Letter](#) – Sent to the complainant informing them that the alleged hazards are not governed by MIOSHA. The letter gives the complainant the governing agency’s contact information so they can contact the agency if they choose to do so.
8. [No Violation Letter](#) – Sent to the complainant informing them that the alleged hazards do not violate MIOSHA standards.
9. [Non-Current Employee Letter](#) – Sent to the complainant informing them that MIOSHA requires complaints to be submitted by a current employee or designee.
10. [OSHA Letter](#) – Sent to the complainant informing them that their complaint falls under OSHA’s jurisdiction and the complaint has been forwarded to the Toledo OSHA office.
11. [Prisoner Letter](#) – Sent to the complainant (prisoner) informing them that the Michigan Attorney General has declared that prisoners do not fall under MIOSHA jurisdiction.
12. [Recent Inspection Issues Letter](#) – Sent to the complainant informing them that there was recently an inspection conducted at the establishment on the same issues and an additional inspection will not be performed. A copy of the recent inspection’s citations will be mailed with the letter when available.
13. [Similar Current Investigation Letter](#) – Sent to the complainant to inform them that an investigation is currently being conducted for the same or similar issues. Upon completion of the investigation, a copy of the findings will be sent to them.
14. [Six-Month Letter](#) – Sent to the complainant informing them that an inspection will not be done because the alleged injury, incident, or hazard occurred over six months ago.
15. [Tobacco Letter](#) – Sent to the complainant to address complaints of secondary tobacco smoke.
16. [Wage Hour Letter](#) – Sent to the complainant to inform them that their complaint has been forwarded to the Wage and Hour Division.

These are the only complaint letters to be used on a routine basis. If a complaint is received about a unique issue not adequately addressed by these form letters, only minor changes may be made to these letters. Otherwise, approval by the division director, manager, or their designee is required to send an alternative letter.

When a complaint form letter is sent, the complaint is considered closed. A copy of the letter must be filed with the original complaint, and the complaint must be closed in the OSHA Information System (OIS). In GISHD, the Universal Log must be updated.

- XVII. Entering Complaints into OIS. Each complaint should be entered into OIS according to each division's OIS procedures and this instruction. Every complaint will be assigned a complaint number, if possible.
- XVIII. Procedures for On-Site Inspections. Within ten (10) working days of receipt by MIOSHA, an opening conference must be held or attempted.
- A. CSHD. The Notice of Alleged Safety or Health Hazards form will be emailed to the SO/IH to whom the inspection is assigned. See [Appendix E](#) for a copy of the form. In a PDF file separate from the form, additional documentation, such as a copy of the original complaint along with all other documentation that came with it and the documentation that was generated during processing, can also be emailed to the indicated SO/IH, as needed. The purpose of emailing the additional documentation is to provide the SO/IH with all the necessary information to conduct a successful inspection.
- B. GISHD. The complaint will be assigned by emailing the Notice of Alleged Safety or Health Hazards form to the SO/IH or district office listed on the buck slip. If the complainant wants their identity revealed, the SO/IH or district office will receive the entire Notice of Alleged Safety or Health Hazards form. Otherwise, the SO/IH will not receive the second page, which contains the complainant's name and other identifying information. When the complainant does not want their name revealed, the SO/IH may only obtain the complainant's identity information by contacting a manager if speaking with the complainant is absolutely necessary to clarify a situation that cannot be clarified otherwise.
- XIX. Closing the On-Site Complaint. When an on-site inspection is performed in response to a complaint, a closing letter and a copy of the inspection findings will be mailed to the complainant as described in the [MIOSHA FOM](#) five to 20 working days after the citation issuance date. If no citations are issued, the inspection findings will be mailed to the complainant five to 20 working days after the case closed date. A copy of any citation, safety and health recommendation, data sheets, and any other pertinent information will be sent with the letter to the complainant. Copies of the letter to the complainant will be included in the complaint file. See [Appendix F](#) for an example of the letter.
- XX. Procedures for Off-site Complaint Inspections Handled by Letter (Also Known As D-Letters or Letter Complaint Inspections). Staff shall follow the procedures in the MIOSHA FOM, in addition to the following:
- A. A letter (d-letter) shall be sent to the employer advising the employer of the complaint items and the need to respond to MIOSHA within 15 or 30 calendar days. Response deadlines for the employer should be set at 15 or 30 calendar days, depending on the seriousness of the allegations and the time required for proper investigation and abatement. See [Appendix G](#) for a sample of the letter to

the employer, the complainant, and closing letters. The letter to the employer shall be sent out within ten working days of MIOSHA's receipt of the complaint. D-letters do not need to be sent via certified mail.

- B. Concurrent with the letter to the employer, a letter to the complainant shall be sent containing a copy of the letter to the employer. Copies of subsequent correspondence related to the complaint may be sent to the complainant.
 - C. Employer responses to letter investigations shall be reviewed and acted upon within 15 working days of receiving the response. In GISHD, support staff must transfer d-letter files (responses and non-responses) to field staff on at least a weekly basis for their review and action after the response deadline.
 - D. If the employer does not respond within the allotted time (15 or 30 calendar days, as appropriate), telephone contact shall be made with the employer. The employer should be given ten (10) or fewer business days to respond. The telephone contact shall be documented in the file.
 - E. If the employer does not respond to the telephone contact described above, a final notice letter will be sent to the establishment within five working days. Additional telephone contact may also be made.
 - F. If no employer or an inadequate employer response is received, additional contact with the employer may be made before an on-site complaint inspection is scheduled. Ultimately, if the employer provides no response or an inadequate response or MIOSHA determines from other information that the condition is not being corrected, an on-site complaint inspection shall be scheduled.
 - G. The complaint will be closed in OIS when MIOSHA is satisfied that the documents provided and/or contacts confirm that the hazard(s) have been eliminated or abated. A closing letter will be sent to the employer acknowledging that the alleged hazard(s) have been adequately addressed. A closing letter will be sent to the complainant, notifying them that the complaint is closed.
- XXI. Procedures for Telephone Complaint Inspections. Staff shall follow the procedures in the [MIOSHA FOM](#) in addition to the following:
- A. The letter to the employer that acknowledges that the alleged hazard(s) have been adequately addressed and that the complaint is closed must be sent out within ten (10) working days of MIOSHA's receipt.
 - B. Concurrent with the letter to the employer, a letter to the complainant shall be sent containing a copy of the letter to the employer. See [Appendix H](#) for a sample of both the letter to the company and the letter to the employee. The complaint will be closed in OIS, and the Universal Log in GISHD will be updated.
 - C. If inadequate employer response is received, forward the complaint to the supervisor for further evaluation.
- XXII. Complaint Withdrawal. If a complainant states that they would like to withdraw the complaint they filed, any documentation supporting the request will be added to the

complaint file, or noted in the file in some other manner, and a complaint withdrawal letter will be sent to the complainant's address found on the original complaint to confirm that the complaint has been withdrawn. A copy of this letter will be added to the complaint file. If the opening conference has been held and violations are noted, the inspection shall proceed; otherwise, the SO/IH will be instructed not to investigate the complaint. If a d-letter has been sent to the establishment, the investigation will proceed; otherwise, no d-letter will be sent. See [Appendix I](#) for a copy of the complaint withdrawal letter.

XXIII. Combining/Splitting Complaints.

- A. If multiple complaints are received for the same employer at the same location, from the same complainant, and with identical issues, these complaints are considered duplicates, and there is only one complaint number. If there are two or more different complainants, there should be two or more separate complaint numbers, even if the issues are the same.
- B. If a single complaint references multiple locations or firms, a complaint number may be assigned for each location and/or employer.

XXIV. Status Checks from Complainants. If MIOSHA is contacted by someone alleging to be a complainant and requests to know the status of their complaint, including whether or not the complaint has been received, information can only be given as stated below.

- A. If the complaint has been received, but the manager has not yet determined how to handle the complaint, then inform the caller that no information is available at this time. The caller is told that we cannot confirm whether or not a complaint has been received.
- B. If the complaint has been assigned as an on-site investigation and the opening conference has already been held, then it can be confirmed that a complaint has been received. The caller may be informed that there is an on-site investigation in progress, but the complainant's identity cannot be discussed unless the complainant requested that their name be revealed.
- C. If the complaint has been assigned as an on-site investigation and the opening conference has not yet been held, the caller is told that we cannot confirm whether or not a complaint has been received.
- D. If the complaint is to be handled by letter investigation and the letter has been sent, then it can be confirmed that a complaint has been received, and the caller may be informed that it is being investigated by letter complaint procedures, but the complainant's identity cannot be discussed.
- E. If the complaint is to be addressed by letter investigation or one of the other approved form letters, and the letter has not been sent, the caller is told that we cannot confirm whether or not a complaint has been received.
- F. If the complaint is to be addressed by one of the approved form letters and the letter has been sent, then it can be confirmed that a complaint has been received, and a summary of the information given in the form letter may be discussed;

however, complainant identity may not be revealed unless the complainant requested that their name be revealed.

- G. If MIOSHA has no record of receiving the complaint, then the caller may be told that no complaint has been received.

XXV. Complaint Files. A complaint file will be transferred to FileManager when the complaint is closed.

XXVI. Universal Log in GISHD. All complaints will be entered into the Universal Log. The Universal Log shall be kept up to date with the current status of each complaint.

Appendix A

GISHD BUCK SLIP

Enter ZIP Code:	<input type="text"/>				
Report Type:	<input type="text" value="MIOSHA GISHD COMPLAINT"/>				
Date Received:	<input type="text"/>	UPA #:	<input type="text"/>		
Name of Firm:	<input type="text"/>	NAICS:	<input type="text"/>		
City:	<input type="text"/>	County:	<input type="text"/>		
Safety Officer:	<input type="text"/>	Health District:	<input type="text"/>		
Clerical:	<input type="text"/>	Flagged Employer's Log (MVPP Log):	<input type="text" value="Select One"/>		
On-Site Inspection:	<input type="text" value="Select One"/>	Letter Insp:	<input type="text" value="Select One"/> <input type="text" value="Select One"/> <input type="text" value="Select One"/>		
On Programmed Inspection List:	<input type="text" value="Select One"/>	If yes, conduct assignment now:	<input type="text" value="Select One"/>		
Prior UPA or I&I:	<input type="text"/>				
Special Instructions:	<input type="text"/>				
Hazard Description:	<input type="text"/>				
Date:	<input type="text"/>	Initials:	<input type="text"/>	Heads Up Notification Required:	<input type="text" value="Select One"/>
REVEAL COMPLAINANT NAME: <input type="text" value="Select One"/> DATE GIVEN TO MANAGER: <input type="text"/>					
10 WORKING DAYS AFTER MIOSHA RECEIPT: <input type="text"/>					

Appendix B

Appendix B consists of samples of the complaint form letters including:

1. [IAQ - To Complainant](#)
2. [IAQ Mold Letter - To Employer](#)
3. [IAQ Ventilation Letter - To Employer](#)
4. [Indoor Heat](#)
5. [Indoor Heat to Complainant](#)
6. [More Info Letter - To Complainant](#)
7. [No Jurisdiction Letter - To Complainant](#)
8. [No Violation Letter - To Complainant](#)
9. [Non-Current Employee Letter - To Complainant](#)
10. [OSHA Jurisdiction Letter - To Complainant](#)
11. [Prisoner Letter - To Complainant](#)
12. [Recent Inspection Issues Letter - To Complainant](#)
13. [Similar Current Investigation Letter - To Complainant](#)
14. [Six-Month Letter - To Complainant](#)
15. [Tobacco Letter - To Complainant](#)
16. [Wage Hour Letter - To Complainant](#)

July 24, 2024

Complaint Processing

INDOOR AIR QUALITY (IAQ) LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name} regarding indoor air quality (IAQ). The agency does not have an IAQ standard that addresses the problems experienced by workers in offices and non-manufacturing work environments. Therefore, we will not conduct an on-site investigation.

However, improperly designed, serviced and/or maintained heating/ventilation/air conditioning (HVAC) and/or building systems can cause employee discomfort and/or health symptoms. We have contacted the employer about this situation, provided them a list of recommendations, and asked that they do a survey of their HVAC and building system(s). A copy of the letter sent to the employer and its attachments are enclosed.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising their rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section within 30 days of the alleged discriminatory action. To contact the MIOSHA Employee Discrimination Section, please call (313) 456-3109.

Section 28(4) of Act 154 of the Public Acts of 1974, provides for a complainant to be able to request an informal review of this decision. A request for an informal review should be submitted in writing to the [insert General Industry Safety and Health Division or Construction Safety and Health Division] within 15 working days of the date of this letter. If you have any questions, please contact our office at {phone}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosures: Letter to employer and attachments

July 24, 2024

Complaint Processing

INDOOR AIR QUALITY (IAQ) MOLD LETTER – TO EMPLOYER

{Date}

Complaint #

{Est Name}

{Est address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], received a complaint regarding inadequate indoor air quality (IAQ) at your establishment. A list of the alleged hazard(s) is below:

1. {Enter specific IAQ issues}

Because the agency does not have a specific standard which addresses IAQ problems, we will not be conducting an on-site investigation. However, exposure to bacterial/fungal growth can cause employee discomfort and/or symptoms of illness. We therefore ask that you investigate and address any problems that may be identified. Attached is a list of recommendations, which should help in conducting your investigation. In addition, www.epa.gov/iaq is a very beneficial website containing useful information.

We ask that you post a copy of this letter and a copy of the enclosed IAQ recommendations where they are accessible to employees until you have completed the HVAC evaluation. A copy of this letter will be provided to the complainant.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising their rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section within 30 days of the alleged discriminatory action. To contact the MIOSHA Employee Discrimination Section, please call (313) 456-3109.

If you have any questions, please contact me at [insert phone number].

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters} : {person preparing letter initials-lower case}

Enclosures: Recommendations for Addressing Indoor Air Quality (IAQ) Problems
Six Steps to a Healthy Indoor Environment

INDOOR AIR QUALITY (IAQ) VENTILATION LETTER – TO EMPLOYER

{Date}

Complaint # {complaint #}

{Name}

{Company Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], received a complaint regarding inadequate indoor air quality (IAQ) at your establishment. The complaint issues are:

1. {Enter specific IAQ issues}

Because we do not have a specific standard that addresses IAQ problems, we will not be conducting an on-site investigation. However, improperly designed, serviced and/or maintained heating/ventilation/air conditioning (HVAC) and building structural system(s) can cause employee discomfort and/or health symptoms. We therefore ask that you investigate your HVAC and building structural system(s) and address any problems that may be identified. Enclosed is a list of recommendations, which should help in conducting your HVAC and building structural survey. In addition, www.epa.gov/iaq is a very beneficial website containing useful information.

We ask that you post a copy of this letter and a copy of the enclosed IAQ recommendations where they are accessible to employees until you have completed the HVAC evaluation. (A copy of this letter will be provided to the complainant.)

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising their rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section within 30 days of the alleged discriminatory action. To contact the MIOSHA Employee Discrimination Section, please call (313) 456-3109.

If you have any questions, please contact me at {telephone #}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

MIOSHA-COM-17-R3

July 24, 2024

Complaint Processing

Enclosures: Recommendations for Addressing Indoor Air Quality (IAQ) Problems
 Six Steps to a Healthy Indoor Environment

July 24, 2024

Complaint Processing

INDOOR HEAT – TO EMPLOYER

{Date}

Complaint # {complaint #}

{Mr./Ms./Mrs. First Name Last Name}

{Establishment}

{Address}

{City, State, Zip}

{Letter sent by email only, to {email address}}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), General Industry Safety and Health Division received a complaint regarding heat hazards at your establishment. The specific allegations are:

1. {Enter specific heat issues}

At this time, MIOSHA will not be conducting an on-site investigation. However, you are required by section 11(a) of the Michigan Occupational Safety and Health Act to provide employees with a place of employment free from recognized hazards that can cause death or serious physical harm to the employee. This would include preventing heat-related illnesses. Therefore, we ask that you evaluate your heat stress control program using the attached recommendation sheet and take appropriate measures to prevent employees from exhibiting signs and symptoms of heat stress.

We ask that you post a copy of this letter and a copy of the enclosed recommendation sheet where they are accessible to employees for the duration of the hot season. A copy of this letter will be provided to the complainant.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising his or her rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section within 30 days of the alleged discriminatory action. To contact the MIOSHA Employee Discrimination Section, please call (313) 456-3109.

If you have any questions, please contact me at {telephone #}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosure: Recommendations for Preventing Heat Stress in Buildings

July 24, 2024

Complaint Processing

INDOOR HEAT – TO COMPLAINANT

{Date}

Complaint#: {UPA number}

{Mr./Ms./Mrs. First Name Last Name }

{Address}

{City, State, Zip}

{Letter sent by email only, to {email address} }

Dear {Mr./Ms./Mrs. Last Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), General Industry Safety and Health Division reviewed your report of alleged hazards against {Establishment Name} regarding high temperatures in the building. The agency does not have heat standard that addresses the problems experienced by workers in offices and other indoor work environments. Therefore, we will not conduct an on-site investigation.

However, steps can be taken to deal with high temperatures inside buildings. We have contacted the employer and provided them a list of recommendations they can take to address the situation. A copy of the letter sent to the employer and its attachment are enclosed.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising his or her rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section within 30 days of the alleged discriminatory action. To contact the MIOSHA Employee Discrimination Section, please call (313) 456-3109.

Section 28(4) of Act 154 of the Public Acts of 1974, provides for a complainant to be able to request an informal review of this decision. A request for an informal review must be submitted in writing to the General Industry Safety and Health Division within 15 working days of the date of this letter. If you have any questions, please contact our office at {phone}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}::{person preparing letter initials – lower case}

Enclosures: Letter to employer and attachments

MIOSHA-COM-17-R3

July 24, 2024

Complaint Processing

MORE INFO LETTER – TO COMPLAINANT

«Date»

Complaint#: «Complaint_Nbr»

«Mr_Ms» «Complainant_First_Name» «Complainant_Last_Name»

«Complainant_Address»

«Complainant_City_State» «Complainant_ZIP_Code»

{Letter sent by email only, to {email address}}

Dear «Mr_Ms» «Complainant_Last_Name»:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against «Establishment_Name».

So that we may better understand the allegations in your complaint, we are requesting a more detailed description of the hazard. Specifically, can you please provide us the following information? {Additional information that MIOSHA is requesting.} This information will help us to properly process your complaint and determine the appropriate course of action. We look forward to your response.

Your concern about occupational safety and health conditions at this establishment is appreciated.

If you have any questions, please contact me at {insert phone number}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosure: Complaint Form

NO JURISDICTION LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint}

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division (GISHD) or Construction Safety and Health Division (CSHD)], reviewed your report of alleged hazards against {Company Name}.

The hazard(s) alleged in your complaint do not fall within [insert GISHD's or CSHD's] jurisdiction. You may wish to contact {other agency} to address your concern(s). They may be contacted at:

{Agency name}

{Agency address}

{Agency city, state, zip}

{Agency telephone number}

{Agency web site}

Your interest in workplace safety and health is appreciated.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials—lower case}

MIOSHA-COM-17-R3

July 24, 2024

Complaint Processing

NO VIOLATION LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name}.

The alleged conditions mentioned in your complaint to this agency do not appear to violate MIOSHA safety and health standards. Thus, this agency will not conduct an investigation based on your complaint.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

MIOSHA-COM-17-R3

July 24, 2024

Complaint Processing

NON-CURRENT EMPLOYEE LETTER – TO COMPLAINANT

«Date»

Complaint#: «SO_Nbr__Insp_Nbr»

«Mr_Ms» «First_Name» «Last_Name»

«Address»

«City__State» «ZIP_Code»

{Letter sent by email only, to {email address}}

Dear «Mr_Ms» «Last_Name»:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against «Company_Name».

MIOSHA has responsibility for operating Michigan’s program governing worker safety and health conditions. The agency has authority to investigate formal complaints received from an employee or an employee representative. According to the information you provided, you are not a current employee. We recommend that if you know any employee currently working at the establishment that you speak to them, confirm that these hazards are present, and have the current employee file a complaint concerning the hazards at the workplace. That will allow us to consider the complaint. Thank you for your concern about the safety and health of workers at this establishment.

Sincerely,

(Name)

(Name)

(Title)

(Signers initials in capital letters):(person preparing letter initials – lower case)

MIOSHA-COM-17-R3

July 24, 2024

Complaint Processing

OSHA JURISDICTION LETTER – TO COMPLAINANT

«Date»

Complaint#: «SO_Nbr__Insp_Nbr»

«Mr_Ms» «First_Name» «Last_Name»

«Address»

«City__State» «ZIP_Code»

{Letter sent by email only, to {email address}}

Dear «Mr_Ms» «Last_Name»:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division] reviewed your report of alleged hazards against «Company_Name».

The issues mentioned in your complaint do not fall within MIOSHA’s jurisdiction. It involves conditions covered by U.S. Department of Labor; therefore, your complaint has been forwarded to that agency. If you have any questions, they may be contacted at:

U.S. Department of Labor
Occupational Safety and Health Administration
100 N Summit St., Ste 100
Toledo, OH 43604
(419) 259-7542

www.osha.gov

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}: {person preparing letter initials – lower case}

MIOSHA-COM-17-R3

July 24, 2024

Complaint Processing

PRISONER LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name}.

The Attorney General has issued an opinion that prisoners are not employees and therefore are not covered under the Michigan Occupational Safety and Health Act, Act 154, P.A. 1974, as amended. Therefore, we cannot assist you with the issues you have raised. However, if your complaint concerns a State of Michigan prison or county operated jail, you can contact the Michigan Department of Corrections, Environmental Affairs, P. O. Box 30003, Lansing, MI 48909.

You may find helpful information by contacting a prisoner advocate with American Friends Service Committee at www.PrisonerAdvocacy.org. They can also be reached at The American Friends Service Committee Michigan Criminal Justice Program, 124 Pearl Street, Suite 607, Ypsilanti, MI 48197, 734-761-8283.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

RECENT INSPECTION ISSUES LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address} }

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name}. The firm was recently investigated. It has been determined that there are not reasonable grounds for conducting another inspection at this time. This determination has been made for the following reason(s):

1. {State reasons.}

Section 28(4) of Act 154 of the Public Acts of 1974, provides for a complainant to be able to request an informal review of this decision. If you have any question, please contact our office at {phone}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

MIOSHA-COM-17-R3

July 24, 2024

Complaint Processing

SIMILAR CURRENT INVESTIGATION LETTER – TO COMPLAINANT

{Date}

Complaint #

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name}.

The firm is already being inspected by this agency. Upon completion of our investigation, a copy of the completed report will be sent to you.

Thank you for your concern in this matter.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

MIOSHA-COM-17-R3

July 24, 2024

Complaint Processing

SIX-MONTH LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name}.

The reported incident happened over six months ago, therefore, we will not be conducting an investigation at this time. If the conditions still exist, we could investigate if a current employee of the firm completes the complaint form at <http://www.michigan.gov/mioshacomplaint>.

If you have any questions, please contact me at {phone}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosure: Complaint Form

MIOSHA-COM-17-R3

July 24, 2024

Complaint Processing

TOBACCO LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name} concerning exposure to secondary tobacco smoke. Our primary authority for conducting compliance activities is based upon standards. MIOSHA does not have standards addressing tobacco smoke in the work place. In the absence of such standards, we have no reasonable ground for conducting an inspection at this time.

Concern for the hazards of secondhand smoke and other findings brought about the passage of Michigan’s Dr. Ron Davis Smoke Free Air Law that took effect May 1, 2010. Its intent is to promote and protect health through reducing exposure to secondhand smoke. If you need any further information, please contact the Michigan Department of Health and Human Services, Tobacco Section at (517) 335-8376.

If we can be of further assistance, please contact us at [insert phone number].

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

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July 24, 2024

Complaint Processing

WAGE HOUR LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division (GISHD) or Construction Safety and Health Division (CSHD)], reviewed your report of alleged hazards against {Company Name}. The issues mentioned in your complaint do not fall within [insert GISHD's or CSHD's] jurisdiction.

Your complaint has been forwarded to the Bureau of Employment Relations, Wage and Hour Division for review. The Wage and Hour Division administers and enforces wage protection laws in Michigan (the Payment of Wages and Fringe Benefits Act, the Workforce Opportunity Wage Act, and the Prevailing Wage on State Funded Construction Projects Act). The division investigates complaints alleging non-payment of wages and fringe benefits, state minimum wage, overtime, equal pay, and prevailing wage disputes. They also educate employers and employees in the areas covered by these labor standards.

If you have any questions, please contact the Wage and Hour Division at:

P. O. Box 30476

Lansing, MI 48909-7976

Tel: 855-464-9243

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Appendix C

These attachments should be sent to the employer with any IAQ letter.

Attachment – A Recommendations for Addressing Indoor Air Quality (IAQ) Problems

1. Discuss with employees to determine what the problem is and respond accordingly.
2. If airborne contaminants are suspected, conduct a ventilation survey to determine the volume of outside air that is being added to the building circulated air. The American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) recommends a minimum of 5 cubic feet per minute (cfm) of fresh outdoor air be added to the building circulated air, per building occupant, for standard office space.
3. Areas may be monitored for carbon dioxide (CO₂) which is produced by human respiration. Levels greater than 1,000 parts per million (ppm) would indicate a need for additional fresh air according to ASHRAE guidelines. The enforceable Michigan Occupational Safety and Health Administration (MIOSHA) permissible exposure limit (PEL) for CO₂ is 10,000 ppm.
4. Inspect the ventilation system to assure that moisture is not leaking into or being trapped in any part of the system. Warm, moist conditions in ventilation systems can cause bacterial/fungal growth. When warm air is drawn across cooling condensers, moisture is produced that is typically captured in a drip pan and piped to a floor drain. Assure that drip pans are cleaned periodically and are pitched properly for good drain off. Assure that drain pipes are not clogged, and that they are properly trapped to prevent sewer gases from being drawn into the system. An outside firm may be contracted when necessary to clean the inside of ventilation ductwork.
5. Thoroughly dry or remove wet building materials, when necessary, to prevent microbial growth. Repair roof leaks, thoroughly disinfect flooded areas, and in general prevent warm wet conditions that promote microbial growth.
6. An outside firm may be contacted to monitor for microbial contamination. Currently, MIOSHA does not have the ability to monitor for microbial contaminants.
7. Investigate to assure that fresh air intakes are not located where contaminants can be drawn into the building.
8. Ensure that all ventilation system components (e.g., fans, pulleys, belts, motors, and dampers) are periodically inspected and maintained to assure proper operation.
9. Ensure that all system filters are periodically inspected and maintained.
10. It is suggested that temperature and humidity be maintained in the following ranges:

Acceptable ranges of temperature and humidity during summer and winter ¹

Relative Humidity	Winter	Summer
30%	68.9° F - 77.9° F	76.1° F - 82.4° F
50%	68.5° F - 75.5° F	75° F - 80.5° F
60% ²	68 °F - 75.2° F	73.4° F - 77.9° F

¹Applies for person clothed in typical light summer and warm winter clothing, at light, mainly sedentary activity.

²Humidities greater than 65% are considered unacceptable because of the potential for microbial growth.

SOURCE: ASHRAE 62.1-2022: Ventilation and Acceptable Indoor Air Quality, Table 6-1;
ASHRAE 55-2010: Thermal Environmental Conditions for Human Occupancy

Attachment - B
Six Steps to a Healthy Indoor Environment

- Step 1: Set up a program to prevent indoor air quality (IAQ) problems. Prevention means making sure mechanical systems are functioning properly and providing adequate ventilation to all areas of the building. Also make sure that mechanical systems are properly cleaned and maintained.
- Step 2: On a regular basis, inspect the building for water leaks and remove standing water from condensation pans of heating, ventilation, and air conditioning (HVAC) systems. Excessive moisture in ducts, especially if they are lined with fiberglass, provides an environment conducive to mold growth that may spread throughout the mechanical system. Installing high efficiency filters can help reduce the level of mold spores and allergens in a building.
- Step 3: Where mold is discovered, treat the mold growth by removing the mold and treating the surface with a biocide. Removing water damaged building materials such as ceiling tiles and carpets may also be required since they are difficult to clean.
- Step 4: Train maintenance personnel. Building maintenance personnel should receive training on how to maintain IAQ. On a regularly scheduled basis, they should take ventilation measurements and check temperature, carbon dioxide, and humidity levels throughout the building to make sure they are within acceptable levels.
- Step 5: Take complaints seriously. Some building managers may dismiss complaints about IAQ when only one person complains. However, everyone is different and a substance or toxin that affects one person may not affect others. Cases have shown that ignoring IAQ complaints can lead to more severe and costly IAQ problems.
- Step 6: Ventilate areas following renovation projects. Paints, carpets, adhesives, pressed wood products, and furnishings can increase the levels of volatile organic compounds in the air for an extended period of time. Prior to occupancy, thoroughly ventilate the renovation area with fresh outside air for three to four days. When areas cannot be evacuated during renovation, conduct activities that produce contaminants (e.g., painting) during off hours when feasible and provide fresh air ventilation.

Appendix D

This should be sent to the employer with the Indoor Heat letter.

Recommendations for Preventing Heat Stress in Buildings

In the interest of workplace health, it is recommended that employers take the steps below to minimize thermal discomfort and prevent heat-related illnesses in office buildings, retail areas, schools, hospitals, and other non-industrial indoor work environments.

1. Maintain temperature in the range of 68°F-78°F and humidity in the range of 30%-60%. These values provide thermal comfort for the majority of but not all building occupants; individual needs for comfort can vary widely.
2. Use air conditioning to reduce the temperature and humidity in the building.
3. Provide portable cooling fans to employees.
4. Allow employees to wear lighter clothing during warmer periods.
5. Provide adequate, cool drinking water at the worksite. Ensure that the water is easily accessible. Remind employees to stay hydrated.
6. Educate workers on the types of heat-related illnesses, signs and symptoms of heat stress, steps employees can take to avoid heat stress, first aid procedures, and how to alert management to heat-related issues (for example, if the air conditioning is not working).
7. Respond quickly to heat complaints. Communicate heat complaints and management actions taken to resolve them promptly to the workgroup.
8. If there are indications of heat stress, survey employees for thermal discomfort and physical symptoms to determine the extent of the problem.
9. Encourage workers to consult a doctor or pharmacist if they have questions about whether they are at increased risk for heat-related illness because of health conditions they have or medications they take. Some conditions, such as pregnancy, fever, gastrointestinal illness, heart disease, and obesity, may increase the risk of heat-related illness.
10. For further information, consult these resources:
 - American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 55, Thermal Environmental Conditions for Human Occupancy, which provides temperature and humidity guidelines based on air speed, amount of clothing worn, metabolic rate (level of physical activity), and radiant heat load.
 - OSHA, Safety and Health Topics: Heat – www.osha.gov/heat-exposure
 - OSHA, Heat Illness Prevention Campaign – www.osha.gov/heat

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Complaint Processing

- OSHA, Indoor Air Quality Commercial and Institutional Buildings – Safety and Health
Topics: Indoor Air Quality – [Indoor Air Quality in Commercial and Institutional Buildings \(osha.gov\)](https://www.osha.gov)

Appendix E

Notice of Alleged Safety or Health Hazards

Complaint Number		1234567	
Establishment Name / DBA			
Site Address			
	Site Phone		Site FAX
Mailing Address			
Management Official		Phone	
Type of Business		E-mail	
Ownership	Private Sector	Site Activity NAICS	
HAZARD DESCRIPTION/LOCATION. Describe briefly the hazard(s) which you believe exist. Include the approximate number of employees exposed to or threatened by each hazard. Specify the particular building or worksite where the alleged violation exists.			
{Hazard Description from OIS}			

Appendix F

ON-SITE COMPLAINT INSPECTION – CLOSING LETTER TO COMPLAINANT

{Date}

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

RE: Complaint #{insert complaint #} at {insert name of establishment}

On {insert opening conference date} the {Construction Safety and Health Division or General Industry Safety and Health Division} opened an inspection in response to your complaint concerning occupational safety and health. A copy of the inspection results that were given to the establishment are enclosed for your review. If no citations were issued, the items listed in your complaint were not found to be violations of Michigan Occupational Safety and Health Administration (MIOSHA) regulations at the time of the inspection.

You have the right to request an informal review of our findings, including any determination not to issue citations. Section 28(4) of Act 154 provides for a complainant to be able to request an informal review of a MIOSHA decision concerning a complaint. A request for an informal review should be submitted in writing to the MIOSHA {insert Construction Safety and Health Division or General Industry Safety and Health Division} within 15 working days of the date of this letter. The request must explain the alleged violations contained in your original complaint that will be the subject of the informal review. Upon completion of the informal review, you will receive a written notification of the final disposition of your complaint and reasons therefore.

You can request a copy of the inspection file by making a Freedom of Information Act (FOIA) request at MIOSHAFOIARequest@michigan.gov. If you have any questions about FOIA, please call (517) 284-7740.

Thank you for your interest in improving the working conditions at this place of employment. If you have questions, comments, or concerns about the inspection findings, feel free to call me at {insert division phone number}.

Sincerely,

{Signature}

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Complaint Processing

{Signature}

{Title}

{Initials:preparer initials}

Enclosure: Results for inspection # {inert inspection number}

Appendix G

LETTER COMPLAINT INSPECTION – LETTER TO COMPLAINANT

{Date}

Complaint#: «SO_Nbr__Insp_Nbr»

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), {insert Construction Safety and Health Division or General Industry Safety and Health Division} has recently reviewed your report of alleged hazards against {Company name}. We have notified the company of the allegations. We have requested that the employer investigate the issue(s), take corrective action where necessary, and provide documentation to MIOSHA that no safety or health hazards exist. Enclosed is a copy of that letter for your records.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising their rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section within 30 days of the alleged discriminatory action. To contact the MIOSHA Employee Discrimination Section, please call (313) 456-3109.

If you have any further questions, please contact me at {insert phone number}.

Sincerely,

Signature

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosure: Letter to company

LETTER COMPLAINT INSPECTION – INITIAL LETTER TO ESTABLISHMENT

{Date}

Complaint #

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

On {Date} the Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], received a complaint alleging safety and/or health hazards at your worksite located at:

{Address}

{Address}

A list of the specific nature of the alleged hazard(s) is as follows:

1.

We have not determined whether the hazards, as alleged, exist at your workplace; we do not intend to conduct an on-site inspection at this time. However, you are requested to investigate the alleged conditions and make any necessary corrections or modifications within 30 calendar days of the date of this letter. Please advise me in writing of the results of your on-site investigation and provide any supporting documentation of your findings. Include any applicable measurements or monitoring results, as well as a description of any corrective action you have taken or are in the process of taking, including photographs of the corrected condition. Also, please provide me with a contact person's name and contact information in case I have further questions.

Your response should be submitted by email to {insert appropriate abatement email address}. Please be aware that the state server will not accept emails (including attachments) that are 25 megabytes or larger. Therefore, if your communication is greater than 25MB, you will have to divide it into several smaller emails to ensure that it is transmitted. Please include your establishment name and complaint number in the subject line of your email and on any other correspondence. Alternatively, your response can be sent by U.S. mail or fax to the street address and fax number at the bottom of the first page.

This letter is not a citation or a notification of proposed penalty. If you provide this information, we will probably not need to conduct an on-site investigation. If we do not receive a response from you within 30 calendar days indicating that appropriate action has been taken or that no hazard exists and why, an on-site inspection may be conducted.

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Complaint Processing

Please note, however, that MIOSHA selects for on-site inspection a random sample of cases where we have received letters in which employers have indicated satisfactory corrective action. This policy has been established to ensure that employers have actually taken the action asserted in their letters. Any action taken by you in this matter will not automatically remove your workplace from the possibility of an unannounced on-site inspection by duly authorized representatives of MIOSHA in accordance with routine scheduling procedures currently in effect.

You are requested to post a copy of this letter and your response to it where they will be readily accessible for review by all of your employees until MIOSHA deems the case closed.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising their rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section. The complainant has been informed of their discrimination rights under Act 154.

In addition to its function of inspecting workplaces, MIOSHA offers a wide range of safety and health related services in response to the needs of the working public, both employers and employees. These services include training and education, consultation, voluntary compliance programs, and assistance in correcting hazards.

The MIOSHA Consultation Education and Training (CET) Division offers programs and services without charge to assist you in resolving occupational safety and health issues. Consultations may be available through telephone, email, or in some cases through an on-site visit. The CET Division has free publications, a free video-loan library, and sample written programs, which are available on the MIOSHA web page located at www.michigan.gov/cet. To discuss or request CET services, call (517) 284-7720.

If you have any questions concerning this matter, please contact me at (insert telephone number). Your personal support and interest in the safety and health of your employees is appreciated.

Sincerely,

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case }

LETTER COMPLAINT INSPECTION – CLOSING LETTER TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

We have received the employer’s response regarding your complaint. We consider the response to be satisfactory and do not plan to conduct an onsite inspection at this time. If you have questions or concerns about the investigation findings, feel free to call me at {phone}.

You can request a copy of the inspection file, including the employer’s response, by making a Freedom of Information Act (FOIA) request at MIOSHAFOIARequest@michigan.gov. If you have any questions about FOIA, please call (517) 284-7740.

Section 28(4) of Act 154 provides for a complainant to be able to request an informal review of a MIOSHA decision concerning a complaint. A request for an informal review should be submitted in writing to the MIOSHA [insert General Industry Safety and Health Division or Construction Safety and Health Division] within 15 working days of the date of this letter. The request must explain the alleged violations contained in your original complaint that will be the subject of the informal review. Upon completion of the informal review, you will receive written notification of the final disposition of your complaint and reasons therefore.

Thank you for your interest in improving the working conditions at this place of employment.

Sincerely,

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

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Complaint Processing

LETTER COMPLAINT INSPECTION – CLOSING LETTER TO ESTABLISHMENT

{Date}

Complaint# {complaint}

{Name}

{Company}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

We have reviewed your response to our {LI to Co Date} letter regarding alleged hazardous working conditions. Your response has been determined to be satisfactory. This complaint is considered closed. Our {LI to Co Date} letter and your response may be removed from their posting locations. Thank you for your efforts to resolve this matter.

Sincerely,

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials-lower case}

LETTER COMPLAINT INSPECTION – FINAL NOTICE LETTER TO ESTABLISHMENT

{Date}

Complaint # {Complaint#}

FINAL NOTICE

{Name}

{Company Name}

{Address}

{Address}

Dear {Name}:

On {LI to Co Date}, this office sent you a letter concerning alleged occupational safety and health hazards at your establishment. A copy of the letter is enclosed.

We have not received a reply from you concerning these allegations. Please advise this office of your findings and of any corrective action you have taken within 30 days. If we do not hear from you, an on-site inspection may be scheduled.

Your response should be submitted by email to {insert appropriate abatement email address}. Please be aware that the state server will not accept emails (including attachments) that are 25 megabytes or larger. Therefore, if your communication is greater than 25MB, you will have to divide it into several smaller emails to ensure that it is transmitted. Please include your establishment name and complaint number in the subject line of your email and on any other correspondence. Alternatively, your response can be sent by U.S. mail or fax to the street address and fax number at the bottom of the first page.

MIOSHA selects for on-site inspection a random sample of cases where we have received letters in which employers have indicated satisfactory corrective action. This policy has been established to ensure that employers have actually taken the action asserted in their letter.

Your cooperation in this matter is appreciated.

Sincerely,

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosure: Letter dated {LI to Co Date}

Appendix H

TELEPHONE INSPECTION – LETTER TO ESTABLISHMENT

{Date}

Complaint #: {UPA #}

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

On {Date}, the Michigan Occupation Safety and Health Administration, [insert General Industry Safety and Health Division or Construction Safety and Health Division], received a notice of safety and/or health hazards at your worksite located at:

{Site Address}

{Site Address}

The specific nature of the alleged hazards is as follows:

1. {Enter complaint issues here}

During our telephone conversation on {date}, you indicated the following:

1. {Enter corrective action here}

Based on your satisfactory response, an investigation to determine compliance with MIOSHA is not necessary at this time. However, you are requested to post a copy of this letter and your response to it where they will be readily accessible for review by all of your employees for ten business days. A copy of this determination is being sent to the person making the report.

In addition to its function of inspecting workplaces, MIOSHA offers a wide range of safety and health related services in response to the needs of the working public, both employers and employees. These services include training and education, consultation, voluntary compliance programs, and assistance in correcting hazards.

The MIOSHA Consultation Education and Training (CET) Division offers programs and services without charge to assist you in resolving occupational safety and health issues. Consultations may be available through telephone, email, or in some cases through an on-site visit. The CET Division has free publications, a free video-loan library, and sample written programs, which are available on

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Complaint Processing

the MIOSHA web page located at www.michigan.gov/cet. To discuss or request CET services, call (517) 284-7720.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising their rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section. The complainant has been informed of their discrimination rights under Act 154.

If you have any questions concerning this matter, please contact me at {phone}. Your personal support and interest in the safety and health of your employees is appreciated.

Sincerely,

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

TELEPHONE INSPECTION – LETTER TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration, [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name}. We notified the company of the allegations by telephone. We requested that the employer investigate the issue(s) and take corrective action where necessary. We consider the response to be satisfactory and do not plan to conduct an on-site inspection at this time. A copy of our follow-up letter is enclosed.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising their rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, he or she may file a complaint with the MIOSHA Employee Discrimination Section. To contact the MIOSHA Employee Discrimination Section, please contact (313) 456-3109.

If you have any further questions, please contact me at {phone}.

Sincerely,

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosure: Letter to company

Appendix I

COMPLAINT WITHDRAWAL – LETTER TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

{Letter sent by email only, to {email address}}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], received your notification of intent to withdraw your complaint # {number}, against {company name}.

Your complaint has been withdrawn from the MIOSHA complaint processing system. If we can be of service in the future, please feel free to call MIOSHA at {telephone #}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}