



Series 400 Personnel	Effective Date 12/09/2022	Review Date Annually	Directive Number 403.1
Chapter 403 - Employee Wellness			
Reviewing Office Resource Management			<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Reviewed
References			

HEALTH AND SAFETY INSPECTIONS

403.1 - 1 POLICY

It is the policy of the Detroit Police Department (DPD) to ensure that all members adhere to the rules and regulations mandated by Michigan’s Occupational Safety and Health Act (MIOSHA).

403.1 - 2 Procedures

The principal means by which MIOSHA enforces these rules is through unannounced inspections or investigations of the workplace.

403.1- 2.1 Inspection of Department Facilities by a State Inspector

The MIOSHA prescribes and regulates working conditions in accordance with health, safety and general industry standards. The Michigan Department of Licensing and Regulatory Affairs (LARA) is charged with enforcing the various provisions of this act.

When a state inspector enters any police department facility with the intention of conducting an inspection therein, the state inspector shall be directed to the commanding officer or in the absence of the commanding officer, to the officer in charge. The state inspector shall be required to produce identifying credentials. For those commands that maintain a Desk Blotter, an appropriate blotter entry shall be made.

In general, the state inspector shall have access to all areas within the police facility, including detention areas, to physically inspect or investigate conditions of employment. A state inspector's access to any area within the facility shall not be unnecessarily impeded. However, where circumstances warrant, e.g., prisoner processing, the inspection may be temporarily delayed until such time as the inspection can be completed safely. The state inspector may question any department sworn or non-sworn member or supervisor with respect to issues of safety and health.

Prior to conducting the inspection, the MIOSHA inspector shall request an opening conference with the department’s on-site designated representative, union representative(s) and the complainant if *their* identity is disclosed. The department’s representative shall request the following details involving the complaint, which generated the inspection:

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1. Date and time the alleged incident occurred;
2. Specific location of alleged incident;
3. Number of members and/or employees involved;
4. Nature of complaint(s) or violation.

403.1- 2.2 Department Representative during Inspection

MIOSHA guidelines allow management and labor each to select a representative to accompany the state inspector during the tour of the facility. The commanding officer, if available, shall act as the department representative or designate a supervisory officer to act in the commanding officer's stead. In the absence of the commanding officer, the officer-in-charge may designate a supervisory officer as the department representative.

If the inspection was initiated as the result of a union complaint, a representative from the concerned union shall be allowed to accompany the state inspector. Otherwise, a representative from each union(s) representing personnel assigned to the work site must be notified.

The MIOSHA inspector may elect to take photographs and collect material samples during the inspection. The department's representative may also take photographs serving as the department's record during the inspection. The department's representative may request the results of any samples collected by the MIOSHA inspector.

At the conclusion of an inspection or investigation, the state inspector shall afford the representative(s) from labor and the department an opportunity to meet privately or in a joint conference. The department representative shall request a joint conference to discuss issues raised during the inspection or investigation.

The department representative shall report details of the inspection or investigation through channels to the commanding officer of Facilities Management on an Inter-Office Memorandum, D.P.D. 568. The memorandum shall include the nature of the complaint/violation, the names of all participants involved in the inspection tour of the facility, the state investigator's initial findings and subsequent discussions, and recommendations for abating any violation(s). The report shall be forwarded within seventy-two (72) hours of the inspection.

The commanding officer of the command shall ensure the commanding officer of Facilities Management is notified immediately.

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403.1- 2.3 Department Safety Officer

The commanding officer of Facilities Management is the department's safety officer charged with accepting MIOSHA violation citations on behalf of the department. As such, Facilities Management shall act as the department's liaison with the Risk Management Division for the city of Detroit and shall coordinate all information with the city relative to compliance issues.

403.1- 2.4 Posting the MIOSHA Violation Notice

In accordance with the MIOSHA, a copy of the violation citation shall be posted at or near the site of the violation until compliance has been achieved.

Facilities Management will provide the cited command with a copy of the MIOSHA violation for posting. In the event a command receives a violation citation direct, the command shall post a copy of the citation and deliver the original to Facilities Management. Facilities Management shall record the receipt of the notice and mail the Certificate of Posting to the appropriate address provided on the citation, addressed to the issuing MIOSHA inspector.