



<b>Series</b> 400 Personnel	<b>Effective Date</b> 12/09/2022	<b>Review Date</b> Three Years	<b>Directive Number</b>  <b>403.3</b>
<b>Chapter</b> 403 - Employee Wellness			
<b>Reviewing Office</b> Resource Management			<input type="checkbox"/> <b>New Directive</b> <input checked="" type="checkbox"/> <b>Reviewed</b>
<b>References</b>			

**MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT**

**403.3 - 1 PURPOSE**

The purpose of this directive is to provide procedures, policies and guidelines ensure sworn and non-sworn member compliance with the regulations of the Michigan Occupational Safety and Health Act (MIOSHA).

**403.3 - 2 Procedure**

**403.3 - 2.1 Hazardous communication program**

The MIOSHA have been amended to include requirements for the communication of information regarding the safe handling of hazardous chemicals present in the workplace. These amendments are known as the “Michigan Right to Know Law.” The four main elements comprising the Michigan Right to Know Law are:

1. Development or distribution of Material Safety DataSheets (MSDS);
2. Labeling of chemical containers;
3. Training of employees;
4. Development of a written hazard communication program.

The law also provides for the following specific employee rights:

1. The right to be notified (by department posting) of the location of MSDS;
2. The right to be notified (by department posting) of new or revised MSDS no later than five working days after receipt;
3. The right to request MSDS(s) from the department.

Members are afforded protection from any discrimination or discipline resulting from a request for information regarding hazardous chemicals under the “Right to Know Law.”

To comply with the legislative mandate, the Detroit Police Department will provide an MSDS book at each work location as well as training to all members and employees who may be exposed to hazardous chemicals. The training will include the dangers associated with these chemicals and the protective measures to take if exposure occurs.

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### **403.3 - 2.2 MSDS**

Chemical manufacturers and importers have obtained and/or developed a MSDS for each hazardous chemical they produce or import. Each MSDS should contain at least the following information:

1. The identity used on the label and the chemical and common name of ingredients;
2. The physical and chemical characteristics of the hazardous chemical (such as vapor pressure and flash point);
3. The physical hazards of the hazardous chemical including the potential for fire, explosion and reactivity;
4. The health hazards of the hazardous chemical including signs and symptoms of exposure, and any medical condition(s) which are generally recognized as being aggravated by exposure to the chemical and the primary route of entry;
5. Safe handling and use precautions including control measures and first aid procedures.

### **403.3 - 2.3 MSDS Books**

Each precinct will be issued a book containing an MSDS for all chemicals used at that location. Commanding officers shall be responsible for maintaining and updating their respective MSDS books. An MSDS book shall also be maintained at each non-precinct department building. If the department building houses several commands, a single command within the building shall be responsible for maintaining and updating the MSDS book. The MSDS book shall be available for member inspection during working hours.

The head storekeeper of the Stationery Stock Room or the supervisor of Facilities Management shall be responsible for obtaining and distributing the MSDS for each new hazardous chemical distributed through their respective commands. Upon receipt of new MSDS, commanding officers shall ensure that the new MSDS is immediately placed in the command MSDS book and the index updated.

When a material or chemical is discontinued, discarded and/or is no longer used, the commanding officer shall ensure that the date of last use is recorded on the MSDS. The obsolete MSDS shall be forwarded to the supervisor of Facilities Management for retention.

### **403.3 - 2.4 Specialized book (MSDS)**

The commanding officer of commands with unique function(s) and/or authority to purchase chemicals directly from the supplier are responsible for developing a separate command MSDS book to include all hazardous chemical(s) used at their respective commands. This command MSDS book will be maintained in addition to general MSDS book for the building. Copies of MSDS(s) can be obtained from the

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supplier. The following list is a representative sample of those commands that are required to maintain specialized MSDS books:

Central Photo	Graphic Arts	
Crime Scene Services	Harbormaster	Narcotics Prisoner
Processing Firearms Inventory		

**403.3 - 2.5 Outside contractors**

Outside maintenance contractors bringing chemicals onto a job site shall provide appropriate hazard information on those substances. MSDS(s) for chemical(s) utilized by these contractors have been included with the general MSDS book for commands with outside cleaning contractors.

The supervisor of Facilities Management shall act as the liaison with all outside maintenance contractors regarding hazardous chemicals. As needed, the supervisor of Facilities Management shall recall obsolete MSDS(s) and provide the appropriate commands with MSDS(s) for any new chemical(s) utilized by the contractor. Upon receipt of a new MSDS, the commanding officer shall immediately update the MSDS book.

**403.3 - 2.6 Labeling**

Commanding officers are responsible for ensuring that labels are affixed to any hazardous chemical(s) utilized by sworn and non-sworn members at their command.

**403.3 - 2.7 Original manufacturer's/distributor's container**

The chemical manufacturer, importer, or distributor is required to have labeled, tagged, or marked each original container with the following information:

1. The identity of the hazardous chemical(s);
2. Any appropriate health warnings;
3. The name and address of the chemical manufacturer or responsible party.

**403.3 - 2.8 Alternate unlabeled container**

A container without the manufacturer's label may be used provided that:

1. The sworn or non-sworn member using the container affixes a temporary label in some manner to the container to identify the contents;
2. The sworn or non-sworn member using the container is the same sworn or non-sworn member who filled the container;
3. The material is completely used by the end of the same sworn or non-sworn member's work shift;
4. The material in the container is used only by the same sworn or non-sworn member.

**403.3 Michigan Occupational Safety and Health Act****403.3 - 2.9 MIOSHA posters**

MIOSHA requires the posting of information to identify the specific location of the MSDS book and to inform sworn and non-sworn members of recent updates. Included with this order are posters entitled: “MSDS(s) For This Workplace” and “New or Revised MSDS.”

Commanding officers of all department entities, regardless of whether or not the command is responsible for maintaining a MSDS book, are responsible for the completion and posting of both posters.

**403.3 - 2.11 MSDS(s) for this workplace poster**

The “MSDS(s) For this Workplace” poster provides members with the location of the MSDS book and person responsible for its update. Commands located in building with multiple commands, where on command has been designated to maintain the MSDS book for the entire building, shall identify that command on their poster. Commands responsible for maintaining a command MSDS book shall list both the location of the command MSDS book and the general MSDS book on the poster.

**403.3 - 2.11 New or revised MSDS(s) poster**

The “New or Revised MSDS” poster provides members and employees with information on new or updated MSDS(s). An entry shall be made on the “New or Revised MSDS” poster within five (5) days of a command receiving an updated or new MSDS.

Both MIOSHA posters must be displayed in a central and conspicuous location at each command.

**403.3 - 2.12 Department Training**

All members will receive training in the following areas:

1. An explanation of the department’s hazard communication program, including how to read labels and MSDS(s) to obtain appropriate hazard information;
2. Identification of chemicals present in the workplace;
3. Location and availability of the department’s written hazard communication program, and where the MSDS information is maintained for each command;
4. Methods and observation techniques that may be used to detect the presence or release of hazardous chemicals in the work area;
5. The physical and health hazards of the chemicals in the work area, including signs and symptoms of exposure and any medical condition known to be aggravated by exposure to the chemical;
6. Prevention and reduction of exposure to hazardous workplace chemicals by using good work practices, protective equipment, etc.; and
7. Emergency procedures to follow if employees are exposed to hazardous chemicals.

**403.3 Michigan Occupational Safety and Health Act****403.3 - 2.13 MIOSHA Inspection-Imminent Danger Violation**

A MIOSHA inspector, pursuant to a safety inspection, may make a determination that a process or piece of equipment poses a threat of imminent danger to the employee. Subject to approval by the Michigan Department of Health or Labor, the MIOSHA inspector will apply a tag to the equipment or process the source of the imminent danger identifying that an imminent danger exists.

Whenever department equipment or processes are tagged as an imminent danger, the commanding officer responsible for the tagged equipment or process shall immediately notify the commanding officer of Resource Management with details of the violation.

Commanding officers shall not permit a member (other than a member whose presence is necessary to correct, remove or avoid the imminent danger (to operate equipment or engage in a process, which has been tagged by a MIOSHA inspector as an imminent danger. Only a MIOSHA representative may remove the tag and authorize the return of the equipment or process to general use.