



NEWS RELEASE

STATE EMERGENCY OPERATIONS CENTER

FOR IMMEDIATE RELEASE
No. 357 – October 2, 2020

For more information contact:
[Jason Moon](#)
517-282-0041

State Cites 10 Businesses, for COVID-19 Workplace Safety Violations

MIOSHA again encourages employers to take advantage of guidance and consultation services to prevent citations and assure workplace safety

LANSING, MICH. To maintain a commitment to putting worker safety and health first, the Michigan Occupational Safety and Health Administration (MIOSHA) inspected and issued COVID-19 “general duty” citations to 10 different businesses with serious violations for failing to protect workers and follow workplace guidelines.

The MIOSHA “general duty” clause requires an employer to provide a workplace that is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to the employee. A general duty clause citation carries a fine of up to \$7,000.

On-site inspections conducted by MIOSHA’s general industry and construction industry enforcement divisions determined 10 companies allegedly committed serious violations by failing to implement necessary precautions to protect employees from contracting COVID-19. Deficiencies included a lack of health screenings, face coverings, employee training, cleaning measures and overall preparedness plans.

The cited companies will have 15 working days from receipt of the MIOSHA citations to contest the violations and penalties. The citations include suggestions to fix the hazards to protect employees. Employers must provide proof to MIOSHA that abatement has been completed.

A cited employer may choose to enter into a Penalty Reduction Agreement (PRA) with MIOSHA and agree to abate noted hazards by the abatement date provided within the citation and will receive a 50% reduction in penalties. By entering into the PRA an employer must also agree to not seek an appeal.

MIOSHA cited the 10 below companies for a serious violation of the general duty clause for the following issues:

- **Cops and Doughnuts** located in Bay City, MI was fined \$1,500 for violations of COVID-19 workplace safety requirements including lack of a preparedness and response plan, failing to train employees on COVID-19, not conducting daily self-screening protocols for COVID-19, not placing posters in the languages common in the employee population that encourage them to stay home when sick and to use proper hand hygiene practices, not enforcing social distancing, and assuming that patrons who are not wearing a mask had a medical condition for not wearing one. An inspection was initiated due to complaints, [view the full citation document](#).

- **Tel-12 Cloverleaf BP Inc.**, a gas station located at 28995 Telegraph Rd, Southfield, MI was fined \$2,100 for violations of COVID-19 workplace safety requirements including the lack of a preparedness and response plan, failure to require face coverings for employees when social distancing could not be maintained, and failing to conduct the daily health screening including a questionnaire. The inspection was initiated as part of the COVID-19 Retail State Emphasis Program, [view the full citation document](#).
- **City of Port Huron** in Port Huron, MI was fined \$6,300 for violations of COVID-19 workplace safety requirements including failure to require face coverings, not conducting daily entry self-screening protocols for employees, not training employees on COVID-19, and failing to maintain records of the daily entry self-screening protocols. The inspection was initiated in response to a complaint, [view the full citation document](#).
- **Madco Truck Plaza Inc.** in Romulus, MI was fined \$400 for violations of COVID-19 workplace safety requirements including lack of a preparedness and response plan, failing to train employees on COVID-19, failing to properly clean and disinfect high-touch surfaces, not conducting daily self-screening protocols for COVID-19, failing to designate an onsite supervisor to monitor COVID-19 control strategies, lack of social distancing, and not posting signs at store entrances. The inspection was initiated as part of the COVID-19 Retail State Emphasis Program, [view the full citation document](#).
- **Saginaw Housing Commission** in Saginaw, MI was fined \$500 for violations of COVID-19 workplace safety requirements including failing to conduct daily health screening and failure to conduct facility cleaning and disinfection on high-touch surfaces and equipment. The inspection was initiated in response to a complaint, [view the full citation document](#).
- **Hertz** located at 8600 Garfield Rd, Freeland, MI was fined \$6,300 for violations of COVID-19 workplace safety requirements including failing to develop and follow a preparedness and response plan, failing to install physical barriers at service counters, failing to conduct the daily health screening, failing to train employees and require the use of facial coverings. The inspection was initiated in response to a complaint, [view the full citation document](#).
- **Meritage Hospitality Group Inc., dba Wendy's #202** located at 18001 E 9 Mile Rd., Eastpointe, MI was fined \$4,000 for violations of COVID-19 workplace safety requirements including failing to conduct daily health screening, failure to require face coverings for employees when social distancing could not be maintained, failing to train employees and failing to designate an onsite supervisor to monitor COVID-19 controls. The inspection was initiated in response to a complaint, [view the full citation document](#).
- **Brandon Martinez**, a residential construction company based in Grand Rapids, MI was fined \$2,100 for violations of COVID-19 workplace safety including failure to require face coverings for employees when social distancing could not be maintained, failing to train employees and failing to develop and follow a preparedness and response plan. A programmed inspection was conducted at a Plainwell, MI jobsite, [view the full citation document](#).
- **Musselman Home Improvements, LLC** based in Kalamazoo, MI was fined \$2,100 for violations of COVID-19 workplace safety including failure to require face coverings for employees when social distancing could not be maintained, failing to train employees and failing to develop and follow a preparedness and response plan. A programmed inspection was conducted at a Mattawan, MI jobsite, [view the full citation document](#).
- **Merlo Construction Company, Inc.** based in Milford, MI was fined \$5,600 for violations of COVID-19 workplace safety requirements including failure to require face coverings for employees when social distancing could not be maintained, failing to train employees and failing to develop and follow a preparedness and response plan. A programmed inspection was conducted at a Livonia, MI jobsite, [view the full citation document](#).

A set of online resources at Michigan.gov/COVIDWorkplaceSafety provides posters for employees and customers, factsheets, educational videos, a [sample COVID-19 preparedness and response plan](#), [best practices that employees need to follow](#) and a [reopening checklist](#) to help businesses put safeguards in place.

To enhance MIOSHA's consultative services, the [newly launched MIOSHA Ambassador Program](#) will send safety and health experts to businesses statewide now to offer education and support, with a focus on workplaces with a higher risk of community transmission. To request consultation, education and training services, call 517-284-7720 or online at [MIOSHA Request for Consultative Assistance](#).

For more information about MIOSHA's safety and health guidelines to protect Michigan's workforce during the pandemic, visit Michigan.gov/COVIDWorkplaceSafety.

Employers and employees with questions regarding workplace safety and health may contact MIOSHA using the new hotline at **855-SAFE-C19 (855-723-3219)**.

To report health and safety concerns in the workplace, go to Michigan.gov/MIOSHacomplaint.

Information around COVID-19 is changing rapidly. The latest information is available at michigan.gov/coronavirus and CDC.gov/Coronavirus.

###