

## Why A Company Aircraft Changes the Workers' Compensation Insurance Conversation

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*President*

### IN THIS ISSUE:

- Why A Company Aircraft Changes the Workers' Compensation Insurance Conversation
- 2025 Top 20 MIOSHA Serious Violations
- Lowering Costs

Many employers are surprised to learn that owning, leasing, chartering, or even occasionally using a company aircraft can create workers' compensation and employer liability exposure that isn't automatically addressed by your standard workers' compensation policy.

Workers' compensation generally follows the employee, not the vehicle but aviation introduces unique details that is underwritten differently.

Aircraft exposure is often overlooked. If you use a non-scheduled aircraft at any time to transport employees on business during the policy period, we need to know. Our reinsurance excludes injuries arising out of the use of non-scheduled aircraft.

Industrial aid coverage addresses situations where an employer utilizes a company aircraft or leases an aircraft to travel with employees.

Consider how often any of the following occur in your organization:

- Executives, sales staff, or technical teams travel for business using the company aircraft.
- Pilots are employees (full-time or part-time), or a non-employee pilot is contracted/leased.

- The aircraft is used across multiple countries or worksites can create questions about jurisdiction, reporting, and claim handling.

Without advance notice, we may be required to respond to an aircraft-related loss without the ability to protect the program through reinsurance. Reinsurance may be available, but it must be underwritten in advance on a per-aircraft, per-pilot basis.

The important takeaway: if your organization has a company aircraft, you need to notify us so that we can add you to our industrial aid coverage, which is done at no cost to you.

The following is a checklist of what we need to know:

- Whether the aircraft is owned, leased, borrowed, or chartered (and how often).
- Who flies: employee pilots, contracted pilots, or charter operator pilots.
- Make and model of the aircraft
- The number of seats
- Fixed wing or rotary

Notifying us about your aircraft operations is typically quick, and can make a major difference later—helping underwriting confirm the correct classifications/endorsements, ensuring industrial aid provisions are addressed, and reducing friction in the event of an injury tied to flight-related activities.

Please reach out to [sales@mtmic.com](mailto:sales@mtmic.com) with questions on whether we need to add your company to an industrial aid policy.

— *Megan*





## Ruth Kiefer, MSc, ARM

Vice President of Loss Control

### 2025 Top 20 MIOSHA Serious Violations



To help you stay up to date on the most cited serious violations from MIOSHA, I attended CET's annual release of the top 20 that they provide at their annual Michigan Safety Conference. You should be aware that the number of citations has increased 2025, but the amount of fines collected for serious violations remained somewhat consistent. In 2025, MIOSHA collected approximately 1.81 million in serious violations alone.

On the General Industry Safety violation side, approximately 668 citations were issued in 2025. They collected \$1.3 Million in fines, which averages out to \$2,905 for the average safety citation. Now for the Health side of things, as there are always two parts. The Health side issued 492 citations and collected \$541,960 in Serious Violation fines. The average citation per violation was \$1,100. Now as you review the list below, this is for the common Serious Violations only and does not include other violations noted at your facility. If you are unsure if you have a Health or Safety violation, please contact your Loss Control Consultant for more guidance of these most cited violations below. We are happy to help you stay in compliance.

#### General Industry: Most Common Serious Safety Citations:

**Part 85:** The Control of Hazardous Energy 1910.147(c)(4)(i) Procedures shall be developed, documented and utilized for the control of potentially hazardous energy when employees are engaged in the activities covered by this section. **Cited 156 times. Average citation: \$5,600.**

**Part 11:** Recording and Reporting of Occupational Injuries & Illnesses. 408.22141(1) Annual electronic submission of MIOSHA Form 300A "Summary of Work-Related Injuries and Illnesses. **Cited 68 times. Average citation: \$700**

**Part 85:** The Control of Hazardous Energy 1910.147(c)(6)(i). The employer shall conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirements of this standard are being followed. **Cited 55 times. Average citation: \$1,900**

**Part 33.** Personal Protective Equipment (PPE). Rule 408.13308 Personal Protective Equipment hazard assessment and equipment selection. (1) An employer shall assess the workplace to determine if hazards are present, or likely to be present, that necessitate the use of personal protective equipment. **Cited 45 times. Average citation: \$1,700.**

**Part 1.** General Provisions 408.10034(3). A point of operation guard or device shall be as prescribed in a specific standard, or, in the absence of a specific standard, shall be designed and constructed, when required, to prevent the machine operator exposed to the hazard from having any part of his or her body in the hazardous area of the operating cycle. A guard or device for the point of operation of nonproduction arbor press or straightening press is not required if the machine is equipped

with a hand control that is designed to stop the ram action or return the ram to the up position when released. **Cited 59 times. Average citation: \$3,000.**

**Part 85:** The Control of Hazardous Energy 1910.147(c)(7)(i)(A). Each authorized employee shall receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control. **Cited 75 times. Average citation: \$1,000**

**Part 2.** Walking Working Surfaces. Rule 1910.28(b)(1)(I). Unprotected sides and edges. The employer must ensure that each employee on a walking-working surface with an unprotected side or edge that is 4 feet or more above a lower level is protected from falling by one or more of the following: (A) guard rail system, (B) Safety net system or (C) Personal fall protection systems, such as personal fall arrest, travel restraint, or positioning systems. **Cited 53 times. Average citation: \$3,600.**

**Part 1:** General Provisions. Rule 408.10034(9) Pinch Points. When an employee is exposed to a hazard created by a pinch point other than point of operation, the hazard shall be guarded, or the employee otherwise protected. **Cited 44 times Average citation: \$4,868** This includes your overhead doors. All powered overhead and sliding doors must be equipped with either a sensing strip, photoelectric eye, constant pressure down control switch or a slip clutch device.

**Part 92.** Hazard Communication. 1910.1200(e)(1). Employers shall develop, implement, and maintain at each workplace, a written hazard communication program which at least describes how the criteria specified in paragraphs (f), (g), and (h) of this section for labels and other forms of warning, safety data sheets, and employee information and training will be met. **Cited 50 times Average citation: \$1,400**

#### General Industry: Most Cited Serious Health Violations

**Part 11:** Recording and Reporting of Occupational Injuries & Illnesses. 408.22141(1) Annual electronic submission of MIOSHA Form 300A "Summary of Work-Related Injuries and Illnesses. **Cited 26 times. Average citation: \$800**

**Part 11.** Recording and Reporting Occupational Injuries and Illnesses. 408.22129(1). You must use the following forms, or equivalent forms and shall complete the forms in the detail required by the forms and the instructions. MIOSHA form 300A, MIOSHA Form 300, and MIOSHA Form 301. **Cited 27 times. Average citation: \$1,000.**

**Part 430.** Hazard Communication. 1910.1200(e)(1). Employers shall develop, implement, and maintain at each workplace, a written hazard communication program which describes how the establishment will comply with labeling, safety data sheets, and employee training. They shall have a list of hazardous chemicals known to be present and describe methods to communicate the hazard of non-routine task and chemical hazards in pipes. **Cited 115 times. Average Citation: \$1,500**

**Part 430.** Hazard Communication. 1910.1200(h)(1). Employers shall provide employees with effective information and training on hazardous chemicals in their work area, at the time of their initial assignment and whenever a new chemical hazard the employee have not previously been trained about is introduced into their work area. **Cited 51 times Average citation: \$1,000**

**Part 472.** Medical Services and First Aid. 325.47201(3). Eyewash and Quick Drenching Requirement. An employer shall ensure that suitable facilities for quick drenching or flushing of eyes and body are provided within the work area for immediate emergency use when the eyes or body of any person may be exposed to injurious corrosive materials. **Cited 79 times Average citation: \$900**

**Part 451.** Respiratory Protection. 1910.134(c)(1). A written Program is required as part of this standard. **Cited 54 times Average citation. \$1,500**

**Part 451.** Respiratory Protection. Voluntary Respirator Protection 1910.134(c)(2). An employer may provide respirators at the request of the employees or permit employees to use their own respirators, if the employer determine that the respirator will not in itself create a hazard. Provide information in Appendix D to all comfort respirator users. Employer must have a written program to ensure that any employee using a respirator voluntarily is medically able, and properly cleans, stores and maintains is so it does not present a health hazard to the user. **Cited 39 times Average citation: \$800** Exemption: Employers are NOT required to include a written respiratory protection program for those employees whose use of respirators involves the voluntary use of filtering facepieces (dust masks).

**Part 451.** Respiratory Protection. Medical Evaluations 1910.134(e)(1). The employer shall provide a medical evaluation to determine the employee's ability to use a respirator before the employee is fit tested or required to use the respirator in the workplace. The employer may discontinue an employee's medical evaluation when the employee is no longer required to use the respirator. **Cited 35 Average citation: \$700**

**Part 33.** Personal Protective Equipment (PPE). Eye & Face Protection. Rule 408.13312(1). An employer shall ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards identified in (a) - 9k) **Cited 26 times Average citation: 1,000**

**Parts 42, 92, and 430** - Hazard Communication and Right-to-know Requirements. 408.1014(j) Signs throughout workplace. An employer shall post signs throughout the workplace advising employees of all of the following: 1) location of the safety data sheets, 2) Employer is prohibited from discharging or discriminating against an employee, 3) MIOSHA's telephone number. **Cited 40 times Average Citation: \$300**



**Donna Motley**

*Vice President of Claims*

## Lowering Costs

Everyone is always interested in ways to lower costs and expenses. Even within the insurance industry there are things you can do to help reduce premiums. Workers' Compensation claims that are not reported in a timely manner are generally more costly. If nothing else, the manpower necessary to resolve the claim is probably three to four times that of a claim that is reported within days of the occurrence. Delayed reporting results in our department having to back track to obtain the information necessary to make the initial determination. During that time, medical treatment for the injured worker is delayed OR if the injured worker continues to treat, the additional treatment documentation is required to make the determination of benefits. It can become a vicious cycle!

Workers' Compensation is not the same as health insurance, in that a work related injury must be "arising out of AND in the course of employment". The burden of proof is on the employee. Everything that happens at work is not considered Workers' Compensation. By law, Workers' Compensation exclusively directs medical care for the first 28 days. So if an employee is treating and Workers' Compensation has not approved of the treator or the reported treatment plan, Workers' Compensation does not have to acknowledge OR pay for said treatment which then results in delayed treatment for the injured worker or possibly litigation because the injured worker is not receiving medical treatment.

A matter of proof! Details! Provide as much information as possible when submitting a claim, even if you feel you are reporting "minor" details. We need as much information as you can provide. An injury report simply states "Employee was doing their job and hurt felt pain" will be investigated. What is their job? Was the employee lifting, reaching, throwing, grinding, etc. when the injury occurred? What was the injury? A pull, strain, sharp pain, ache, now can't lift their arm above their shoulder, etc. ? We will ask for statements - from the injured worker, Supervisor, Witnesses. Refer back to MTMIC's Accident Reporting Packets as a guideline for reporting procedures.

If a claim seems suspicious to you as the employer, let us know "why". Was the employee just returning from vacation, was it a Friday injury but not reported until Monday? Is the employee unhappy about something that occurred at work? Did the employee want time off for another reason? Is the employee known to have a previous medical condition?

As stated, Workers' Compensation is not the same as health insurance - health insurance primarily pays medical bills based on fee schedule and/or agreed pricing. Workers' Compensation only pays for medical treatment (and wage loss) if the injury is deemed to be work related. We follow the treatment plan

*continued on page 4...*



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*...continued from page 3*

to make sure it is appropriate **and** related to the alleged injury. The beauty of having MTMIC as your Workers' Compensation carrier is **we only handle Workers' Compensation claims** – we specialize and have 50 years of experience in doing so.

If injury reporting seems to be weighing you down and seems burdensome, consider our Nurse Triage Program. They will do the initial reporting for you, they will decide if immediate medical care is necessary, and if immediate medical care is necessary, they will direct your employee to your previously designated occupational clinic. Reporting is sent to MTMIC within 24 hours of the incident being reported – no delays! We can start working on the claim immediately.

## MEET THE STAFF



**Norman Henry**

Please join us in welcoming Norman Henry to the MTM team. Norman is an Underwriter who will collaborate with the department to evaluate risk, support pricing decisions, and contribute to the profitability of the MTM book of business. Prior to joining MTM, Norman built a strong foundation in mortgage and personal lines insurance underwriting, developing expertise in risk evaluation, pricing, and compliance.

Outside of work, Norman enjoys traveling with his wife for culture and great food, currently having visited 20 of the 40 countries on their bucket list.

We're excited to have Norman on board and look forward to his contributions.