

# Job Safety and Health It's the law!



#### EMPLOYEES:

- You have the right to notify your employer or OSHA about workplace hazards. You may ask OSHA to keep your name confidential.
- You have the right to request an OSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in that inspection.
- You can file a complaint with OSHA within 30 days of retaliation or discrimination by your employer for making safety and health complaints or for exercising your rights under the OSH Act.
- You have the right to see OSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violations.
- Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have the right to copies of your medical records and records of your exposure to toxic and harmful substances or conditions.
- Your employer must post this notice in your workplace.
- You must comply with all occupational safety and health standards issued under the OSH Act that apply to your own actions and conduct on the job.

#### EMPLOYERS:

- You must furnish your employees a place of employment free from recognized hazards.
- You must comply with the occupational safety and health standards issued under the OSH Act.

This free poster available from OSHA –  
The Best Resource for Safety and Health

Free assistance in identifying and correcting hazards or complying with standards is available to employers, without citation or penalty, through OSHA-supported consultation programs in each state.

1-800-321-OSHA  
[www.osha.gov](http://www.osha.gov)

OSHA 3090-10-000



# Introduction to OSHA

## 2-hour Lesson

Directorate of Training and Education  
OSHA Training Institute

# Lesson Overview

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## Purpose:

- ▶ To provide workers with introductory information about OSHA

## Topics:

1. Why is OSHA important to you?
2. What rights do you have under OSHA?
3. What responsibilities does your employer have under OSHA?
4. What do the OSHA standards say?
5. How are OSHA inspections conducted?
6. Where can you go for help?

# Topic 1:

## Why is OSHA Important to You?

- ▶ OSHA began because, until 1970, there were no national laws for safety and health hazards.
- ▶ On average, 15 workers die every day from job injuries
- ▶ Over 5,600 Americans die from workplace injuries annually
- ▶ Over 4 million non-fatal workplace injuries and illnesses are reported

# Discussion Questions

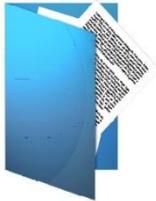
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- ▶ When, during your work experience, did you first hear about OSHA?
- ▶ What did you think about OSHA then?
- ▶ What do you think OSHA's job is?

# Group Activity: FAT/CAT Report

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## Handout #1: Weekly Fatality/Catastrophe Report

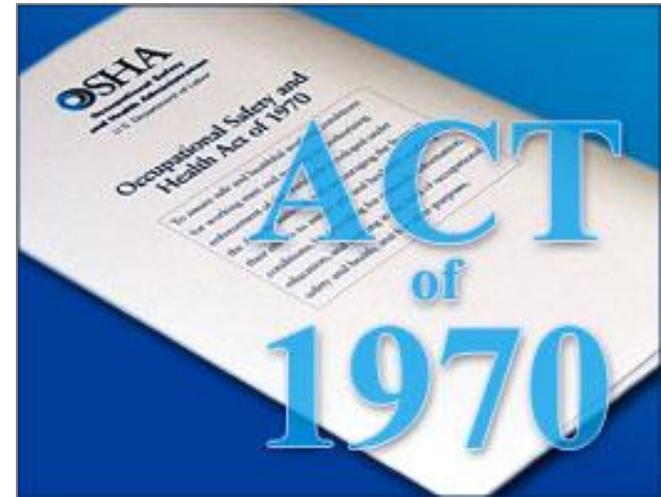


- ▶ Each group reviews the handout and selects an incident to discuss
- ▶ Have full class share what they discussed in the groups



# History of OSHA

- ▶ OSHA stands for the Occupational Safety and Health Administration, an agency of the U.S. Department of Labor
- ▶ OSHA's responsibility is worker safety and health protection
- ▶ On December 29, 1970, President Nixon signed the OSH Act
- ▶ This Act created OSHA, the agency, which formally came into being on April 28, 1971



# OSHA Coverage Activity



Covered by OSHA?		Worker
YES	NO	1. Harry Adams, a miner at Below Ground Inc.
YES	NO	2. Adrian Smith, one of 3 employees of ABC landscaping.
YES	NO	3. Taylor Dell, an accountant in business for herself.
YES	NO	4. Rob Jones, one of 10 carpenters working for Woody, Inc.

# OSHA's Mission

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- ▶ The mission of OSHA is to save lives, prevent injuries and protect the health of America's workers.
- ▶ Some of the things OSHA does to carry out its mission are:
  - developing job safety and health standards and enforcing them through worksite inspections,
  - maintaining a reporting and recordkeeping system to keep track of job-related injuries and illnesses, and
  - providing training programs to increase knowledge about occupational safety and health.

# Questions for Review

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- ▶ Why was OSHA necessary?
- ▶ What is OSHA's mission?
- ▶ Why is this training important?

# Topic 2:

## What Rights Do You Have Under OSHA?

- ▶ You have the right to:
  - A safe and healthful workplace
  - Know about hazardous chemicals
  - Information about injuries and illnesses in your workplace
  - Complain or request hazard correction from employer
  - Training
  - Hazard exposure and medical records
  - File a complaint with OSHA
  - Participate in an OSHA inspection
  - Be free from retaliation for exercising safety and health rights

# Worker Rights

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## Handout #2: OSHA Poster



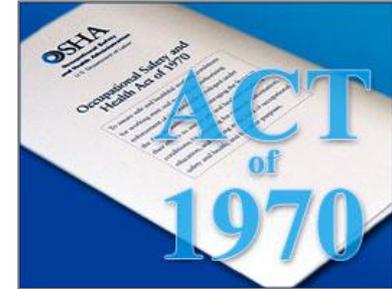
- ▶ Have you seen this poster at your place of work?
- ▶ Creation of OSHA provided workers the right to a safe and healthful workplace

*Your Right to...*

# Safe & Healthful Workplace

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- ▶ The creation of OSHA provided workers the right to a safe and healthful workplace.
- ▶ Section 5(a)(1) of the OSH Act states: "Each employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees."



# Know About Hazardous Chemicals

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- ▶ Employers must have a written, complete hazard communication program that includes information on:
  - ▶ Container labeling,
  - ▶ Material Safety Data Sheets (MSDSs), and
  - ▶ Worker training. The training must include the physical and health hazards of the chemicals and how workers can protect themselves; including specific procedures the employer has implemented to protect workers, such as work practices, emergency procedures, and personal protective equipment.



# Classroom Exercise: MSDS

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## Handout #3: MSDS Example



- ▶ What information does the MSDS provide?
- ▶ Has anyone seen an MSDS in their workplace?
- ▶ Were the instructions on the MSDS followed in their workplace?
- ▶ Has anyone worked with hazardous substances without an MSDS?

# Information About Injuries/Illnesses

- ▶ OSHA's Recordkeeping rule requires most employers with more than 10 workers to keep a log of injuries and illnesses.
- ▶ Workers have the right to review the current log, as well as the logs stored for the past 5 years.
- ▶ Workers also have the right to view the annually posted summary of the injuries and illnesses (OSHA 300A).



# Complain or Request Corrections

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- ▶ Workers may bring up safety and health concerns in the workplace to their employers without fear of discharge or discrimination, as long as the complaint is made in good faith.
- ▶ OSHA regulations [29CFR 1977.9(c)] protect workers who complain to their employer about unsafe or unhealthful conditions in the workplace.

*Your Right to...*

# Training

- ▶ Workers have a right to get training from employers on a variety of health and safety hazards and standards that employers must follow.
- ▶ Some required training covers topics such as, lockout–tagout, bloodborne pathogens, noise, confined spaces, fall hazards in construction, personal protective equipment, along with a variety of other subjects.



# Examine Exposure & Medical Records

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- ▶ 1910.1020: right to examine & copy records
- ▶ Examples of toxic substances and harmful physical agents are:
  - Metals and dusts, such as, lead, cadmium, and silica.
  - Biological agents, such as bacteria, viruses, and fungi.
  - Physical stress, such as noise, heat, cold, vibration, repetitive motion, and ionizing and non-ionizing radiation.

# File a Complaint with OSHA

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- ▶ Workers may file a complaint with OSHA if they believe a violation of a safety or health standard, or an imminent danger situation, exists in the workplace.
- ▶ Workers may request that their name not be revealed to the employer.
- ▶ If a worker files a complaint, they have the right to find out OSHA's action on the complaint and request a review if an inspection is not made.

# Participate in an OSHA Inspection

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- ▶ Employee representative can accompany OSHA inspector
- ▶ Workers can talk to the inspector privately.
- ▶ Workers may point out hazards, describe injuries, illnesses or near misses that resulted from those hazards and describe any concern you have about a safety or health issue.
- ▶ Workers can find out about inspection results, abatement measures and may object to dates set for violation to be corrected.

# Be Free From Retaliation

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- ▶ Workers have the right to be free from retaliation for exercising safety and health rights.
- ▶ Workers have a right to seek safety and health on the job without fear of punishment.
- ▶ This right is spelled out in Section 11(c) of the OSH Act.
- ▶ Workers have 30 days to contact OSHA if they feel they have been punished for exercising their safety and health rights.

# Questions for Review

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- ▶ What does an MSDS tell you?
- ▶ What are some worker rights related to injury and illness reporting?
- ▶ Name some standards or hazards where workers must be trained.

# Topic 3: What Responsibilities Does Your Employer Have Under OSHA?

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- ▶ Provide a workplace free from recognized hazards and comply with OSHA standards
- ▶ Provide training required by OSHA standards
- ▶ Keep records of injuries and illnesses
- ▶ Provide medical exams when required by OSHA standards and provide workers access to their exposure and medical records
- ▶ Not discriminate against workers who exercise their rights under the Act (Section 11(c))
- ▶ Post OSHA citations and abatement verification notices
- ▶ Provide and pay for PPE

# Employers are Required to:

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## KEEP RECORDS OF INJURIES AND ILLNESSES

### REPORTING AND RECORDING CHECKLIST

*Employers must:*

- ✓ Report each worker death
- ✓ Report each incident that hospitalizes 3 or more workers
- ✓ Maintain injury & illness records
- ✓ Inform workers how to report an injury or illness to the employer
- ✓ Make records available to workers
- ✓ Allow OSHA access to records
- ✓ Post annual summary of injuries & illnesses

# Classroom Exercise: OSHA 300

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## Handout #6: OSHA 300 Log



- ▶ Number of workers that are getting injured or ill
- ▶ The types of injuries and illnesses reported
- ▶ The jobs and departments where the most severe injuries or illnesses are occurring

# Employers are Required to:

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## PROVIDE AND PAY FOR PPE



### Handout #7: Employers Must Provide and Pay for PPE



- ▶ Does anyone wear personal protective equipment on their job?
- ▶ Employers are required to determine if PPE should be used to protect their workers.
- ▶ Rule was effective on February 13, 2008 and implemented by May 15, 2008.

# Questions for Review



- ▶ What are some of the responsibilities employers have related to OSHA recordkeeping?
- ▶ Which section of the OSH Act prohibits employers from discriminating against workers for exercising their safety and health rights?
- ▶ What are some types of PPE that employers must pay for?

# Topic 4:

## What do the OSHA Standards Say?

- ▶ OSHA standards fall into four categories: General Industry, Construction, Maritime, and Agriculture.
- ▶ OSHA issues standards for a wide variety of workplace hazards
- ▶ Where there are no specific OSHA standards, employers must comply with The General Duty Clause, Section 5(a)(1)

# Most Frequently Cited Standards

Click: [Most Frequently Cited \(MFC\)](#) Standards to view current data

To search MFC data on this webpage:

- ▶ “Select number of employees in establishment,” select **ALL** or one of the options listed
- ▶ “Federal or State Jurisdiction,” select **Federal** or, from the dropdown menu, a specific state
- ▶ “SIC,” select **ALL** for all Industry groups, **C** for Construction, **D** for Manufacturing (General Industry), or **373** and **449** for Maritime
- ▶ Shown are search results for: All sizes of establishments, in Federal jurisdiction, with Construction SIC codes

C Division C

Listed below are the standards which were cited by **Federal OSHA** for the specified SIC during the period October 2008 through September 2009. Penalties shown reflect current rather than initial amounts. For more information, see [definitions](#).

Standard	#Cited	#Insp	\$Penalty	Description
<a href="#">Total</a>	55464	18098	50184802	
<a href="#">19260451</a>	9672	3767	9157149	General requirements.
<a href="#">19260501</a>	7439	6825	10367857	Duty to have fall protection.
<a href="#">19261053</a>	3483	2563	2296725	Ladders.
<a href="#">19260503</a>	2457	2332	1602926	Training requirements.
<a href="#">19101200</a>	2356	1151	395320	Hazard Communication.
<a href="#">19260020</a>	1985	1769	1323637	General safety and health provisions.
<a href="#">19260453</a>	1896	1658	1795543	Aerial lifts.
<a href="#">19260100</a>	1805	1787	1047717	Head protection.
<a href="#">19260454</a>	1675	1497	903997	Training requirements.
<a href="#">19260651</a>	1667	988	1962724	Specific Excavation Requirements.
<a href="#">19260405</a>	1416	1112	695191	Wiring methods, components, and equipment for general use.
<a href="#">19260102</a>	1239	1210	634999	Eye and face protection.
<a href="#">19260404</a>	1226	1020	710878	Wiring, design, and protection.

# Classroom Exercise: OSHA Standards

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## Handout #8a: General Industry



- ▶ What is the Subpart for Personal Protective Equipment?
- ▶ What is the Subpart for Machinery and Machine Guarding?
- ▶ What topic does 1910, Subpart H cover?

# Classroom Exercise: OSHA Standards

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## Handout #8b: Construction



- ▶ What is the Subpart for Fall Protection?
- ▶ What is the Subpart for Fire Protection and Prevention?
- ▶ What topic does 1926, Subpart K cover?

# Classroom Exercise: OSHA Standards

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## Handout #8c: Maritime



- ▶ What is the 29 CFR 1915 Subpart for Tools and Related Equipment?
- ▶ What is the 29 CFR 1917 Subpart for Personal Protection?
- ▶ What topic does 29 CFR 1918, Subpart H cover?

# Questions for Review

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- ▶ What are the OSHA Construction standards also called?
- ▶ What are the General Industry standards also called?
- ▶ What are 29 CFR Parts 1915, 1917 and 1918 referred to as?

# Topic 5:

## How Are OSHA Inspections Conducted?

- ▶ The OSH Act authorizes OSHA compliance safety and health officers (CSHOs) to conduct workplace inspections at reasonable times.
- ▶ OSHA conducts inspections without advance notice, except in rare circumstances (e.g. Imminent Danger)
- ▶ In fact, anyone who tells an employer about an OSHA inspection in advance can receive fines and a jail term.

# OSHA Inspection Priority

Priority	Category of Inspection
1st	<b>Imminent Danger:</b> <i>Reasonable certainty an immediate danger exists</i>
2nd	<b>Fatality/Catastrophe:</b> <i>Reported to OSHA; inspected ASAP</i>
3rd	<b>Complaints/Referrals:</b> <i>Worker or worker representative can file a complaint about a safety or health hazard</i>
4th	<b>Programmed Inspections:</b> <i>Cover industries and employers with high injury and illness rates, specific hazards, or other exposures.</i>

# Citations and Penalties

VIOLATION TYPE	PENALTY
<b>WILLFUL</b> A violation that the employer intentionally and knowingly commits or a violation that the employer commits with plain indifference to the law.	OSHA may propose penalties of up to \$70,000 for each willful violation, with a minimum penalty of \$5,000 for each willful violation.
<b>SERIOUS</b> A violation where there is substantial probability that death or serious physical harm could result and that the employer knew, or should have known, of the hazard.	There is a mandatory penalty for serious violations which may be up to \$7,000.
<b>OTHER-THAN-SERIOUS</b> A violation that has a direct relationship to safety and health, but probably would not cause death or serious physical harm.	OSHA may propose a penalty of up to \$7,000 for each other-than-serious violation.
<b>REPEATED</b> A violation that is the same or similar to a previous violation.	OSHA may propose penalties of up to \$70,000 for each repeated violation.

# Questions for Review

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- ▶ Give an example of a reason why OSHA would conduct an inspection at your workplace.
- ▶ What are the types of OSHA violations?

# Topic 6:

## Where Can You Go For Help?

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- ▶ Sources within the workplace/worksites
- ▶ Sources outside the workplace/worksites
- ▶ How to file an OSHA complaint

# Sources Within the Workplace/Worksite

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- ▶ Employer or supervisor, co-workers and union representatives
- ▶ Material Safety Data Sheet (MSDS) for information on chemicals
- ▶ Labels and warning signs
- ▶ Employee orientation manuals or other training materials
- ▶ Work tasks and procedures instruction

# Sources Outside the Workplace/Worksite

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- ▶ OSHA website: <http://www.osha.gov> and OSHA offices (you can call or write)
- ▶ Compliance Assistance Specialists in the area offices
- ▶ National Institute for Occupational Safety and Health (NIOSH) – OSHA’s sister agency
- ▶ OSHA Training Institute Education Centers
- ▶ Doctors, nurses, other health care providers
- ▶ Public libraries
- ▶ Other local, community-based resources

# How to File an OSHA Complaint

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## Handout #1 1: Identifying Safety and Health Problems in the Workplace



- ▶ Review handout to become more aware of workplace hazards
- ▶ Discuss if anyone has discovered safety and/or health problems in the workplace/site

# Filing an OSHA Complaint

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- ▶ Download the OSHA-7 form from OSHA's website
- ▶ File the complaint online
  - Workers can file a complaint
  - A worker representative can file a complaint
- ▶ Telephone or visit local regional or area offices to discuss your concerns
- ▶ Complete the form – be specific and include appropriate details
- ▶ OSHA determines if an inspection is necessary
- ▶ Workers do not have to reveal their name

# Group Activity: Filing a Complaint

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## Handout #12a: General Industry



- ▶ Each group reviews the handout and discusses the industry-specific scenario
- ▶ Groups need to determine what information would be important to include in their complaint
- ▶ Have the class discuss the group's results:
  - What was included in the complaint?
  - What was added to the complaint?

# Group Activity: Filing a Complaint

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## Handout #12b: Construction



- ▶ Each group reviews the handout and discusses the industry-specific scenario
- ▶ Groups need to determine what information would be important to include in their complaint
- ▶ Have the class discuss the group's results:
  - What was included in the complaint?
  - What was added to the complaint?

# Group Activity: Filing a Complaint

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## Handout #12c: Maritime



- ▶ Each group reviews the handout and discusses the industry-specific scenario
- ▶ Groups need to determine what information would be important to include in their complaint
- ▶ Have the class discuss the group's results:
  - What was included in the complaint?
  - What was added to the complaint?

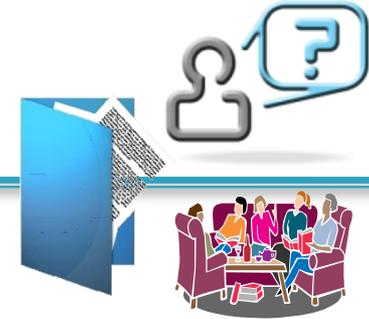
# Questions for Review

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- ▶ What are some resources inside the workplace that will help you find information on safety and health issues?
- ▶ What are some resources outside the workplace that will help you find information on safety and health issues?

# Session Summary



This lesson covered:

- ▶ The importance of OSHA, including the history of safety and health regulation leading to the creation of OSHA and OSHA's mission;
- ▶ Worker rights under OSHA;
- ▶ Employer responsibilities;
- ▶ OSHA standards;
- ▶ OSHA inspections; and
- ▶ Safety and health resources, including how to file a complaint.



✓ Check Yourself: Knowledge Test  
Next Up: Recognizing Specific Hazards

# Thank You!