

INTRODUCTION TO OSHA Lesson

**Job Safety and Health
It's the law!**

OSHA
Occupational Safety and Health Administration
U.S. Department of Labor

Introduction to OSHA

Directorate of Training and Education
OSHA Training Institute

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 to improve 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

Topic 1: Why is OSHA Important to You?

- ▶ 4,405 workers were killed on the job in 2013 (3.2 per 100,000 full-time equivalent workers)
- ▶ An average of nearly 12 workers die every day
- ▶ 797 Hispanic or Latino workers were killed from work-related injuries in 2013
- ▶ Nearly 3.0 million serious workplace injuries and illnesses were reported by private industry employers in 2012

OSHA Makes a Difference


- Worker deaths in America are down—on average, from about 38 worker deaths a day in 1970 to 12 a day in 2013.
- Worker injuries and illnesses are down—from 10.9 incidents per 100 workers in 1972 to 3.0 per 100 in 2012.

OSHA


INTRODUCTION TO OSHA Lesson

Your Right to...

Safe & Healthful Workplace




- ▶ Worker Protection is Law: *The Occupational Safety and Health Act of 1970 (OSH Act)*
- ▶ OSHA was created to provide workers the right to a safe and healthful workplace
- ▶ It is the duty of the employers to provide workplaces that are free of known dangers that could harm their employees
- ▶ This law also gives workers important rights to participate in activities to ensure their protection from job hazards




Your Right to...

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 report an injury and review current log
- ▶ Workers also have the right to view the annually posted summary of the injuries and illnesses (OSHA 300A)





***It is against the OSHA law to retaliate or discriminate against a worker for reporting an injury or illness**



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, chemical hazards, equipment hazards, noise, confined spaces, fall hazards in construction, personal protective equipment, along with a variety of other subjects
- ▶ Training must be in a language and vocabulary workers can understand




INTRODUCTION TO OSHA Lesson


Your Right to...

Know About Hazardous Chemicals

- ▶ Employers must have a written, complete hazard communication program that includes information on:
 - ▶ Container labeling,
 - ▶ Safety Data Sheets (SDSs), and
 - ▶ Worker training.
- ▶ The training must include the physical and health hazards of the chemicals and how workers can protect themselves




The Hazard Communication Standard (HCS) requires chemical manufacturers, distributors, or importers to provide Safety Data Sheets (SDSs) (formerly known as Material Safety Data Sheets or MSDSs) to communicate the hazards of hazardous chemical products. As of June 1, 2015, the HCS will require new SDSs to be in a uniform format.



Your Right to...

Examine Exposure & Medical Records


- ▶ 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



Your Right to...

Complain or Request Corrections

- ▶ Workers may bring up safety and health concerns in the workplace to their employers without fear of discharge or discrimination
- ▶ OSHA rules protect workers who raise concerns to their employer or OSHA about unsafe or unhealthful conditions in the workplace




INTRODUCTION TO OSHA Lesson

Your Right to...

File a Complaint with OSHA

- ▶ Workers may file a confidential 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


Note: Often the best and fastest way to get a hazard corrected is to notify (in writing) your supervisor and/or employer.



Your Right to...

Be Free From Retaliation

- ▶ 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
- ▶ **Handout #2 - Whistleblower Laws**
 - Workers have 30 days to contact OSHA if they feel they have been punished for exercising their safety and health rights
- ▶ **Handout #3 - Refusing to Work**




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

REPORTING AND RECORDING CHECKLIST

Employers must:

- ✓ Report each worker death to OSHA
- ✓ Report each work-related hospitalization, amputation, or loss of an eye
- ✓ 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



INTRODUCTION TO OSHA Lesson

Topic 4: What are OSHA Standards?

OSHA standards are:

- ▶ Rules that describe the methods employers must use to protect employees from hazards
- ▶ Designed to protect workers from a wide range of hazards

Four Groups of OSHA Standards	
General Industry*	Construction
Maritime	
Agriculture	
*General Industry is the set that applies to the largest number of workers and worksites	

Where there are no specific standards, employers must comply with the General Duty Clause of the OSH Act.



OSHA Standards (cont.)

These standards also:

- ▶ Limit the amount of hazardous chemicals, substances, or noise that workers can be exposed to
- ▶ Require the use of certain safe work practices and equipment
- ▶ Require employers to monitor certain hazards and keep records of workplace injuries and illnesses



https://www.osha.gov/Top_Ten_Standards.html

Top 10 Most Frequently Cited Standards
for Fiscal Year 2018 (Oct. 1, 2017, to Sept. 30, 2018).

The following is a list of the top 10 most frequently cited standards following inspections of workplaces by federal OSHA. OSHA publishes this list to alert employers about these commonly cited standards so they can take steps to find and fix recognized hazards addressed in these and other standards before OSHA shows up. Far too many preventable injuries and illnesses occur in the workplace.

1. Fall protection, construction (29 CFR 1926.501) [related OSHA Safety and Health Topics page]
2. Hazard communication standard, general industry (29 CFR 1910.1200) [related OSHA Safety and Health Topics page]
3. Scaffolding, general requirements, construction (29 CFR 1926.451) [related OSHA Safety and Health Topics page]
4. Respiratory protection, general industry (29 CFR 1910.134) [related OSHA Safety and Health Topics page]
5. Control of hazardous energy (lockout/tagout), general industry (29 CFR 1910.147) [related OSHA Safety and Health Topics page]
6. Ladders, construction (29 CFR 1926.1053) [related OSHA Safety and Health Topics page]
7. Powered industrial trucks, general industry (29 CFR 1910.179) [related OSHA Safety and Health Topics page]
8. Fall Protection-Training Requirements (29 CFR 1926.503) [related OSHA Safety and Health Topics page]
9. Machinery and Machine Guarding, general requirements (29 CFR 1910.212) [related OSHA Safety and Health Topics page]
10. Eye and Face Protection (29 CFR 1926.102) [related OSHA Safety and Health Topics page]



INTRODUCTION TO OSHA Lesson

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



Different Types of OSHA Inspections

- ▶ Imminent danger
- ▶ Fatality or hospitalizations
- ▶ Worker complaints/referrals
- ▶ Targeted inspections— Local Emphasis Program (LEP), National Emphasis Program (NEP), particular hazards or industries
- ▶ Follow-up Inspections



Citations and Penalties

VIOLATION TYPE	PENALTY
WILLFUL 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.
SERIOUS 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.
OTHER-THAN-SERIOUS 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.
REPEATED 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.



INTRODUCTION TO OSHA Lesson

Sources Within the Workplace/Worksite

- ▶ Supervisor, co-workers and union representatives
- ▶ Safety Data Sheet (SDS) for information on chemicals
- ▶ Labels and warning signs
- ▶ Labor and Safety Postings Board
- ▶ County Safety Manual
- ▶ HR Safety Division 955-3520
- ▶ <http://safety.rc-hr.com/Home.aspx>



Sources Outside the Workplace/Worksite

- ▶ 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



Filing an OSHA Complaint

- ▶ Download the OSHA complaint 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