

Structure and Organization

Information in this program is presented in a definite order so that employees will see the relationships between the various groups of information and can retain them more easily. The sections included in the program are:

- OSHA and its mission.
- Employees' rights under OSHA.
- Employers' responsibilities under OSHA.
- How OSHA inspections are conducted.
- Filing a complaint with OSHA.
- Learning more about safety and health issues.

Each of the sections covers important information in one topic area, providing employees with the basis for understanding OSHA's history, its mission and how it helps to protect their safety and health.

Background

Until the Occupational Safety and Health Act of 1970, there were no federal laws in the U.S. that protected employees from safety and health hazards at work.

Since the early 1900's, incidents in which employees were injured or killed on the job had increased alarmingly. By the 1960s, almost 15,000 workers were dying every year, and more than two million had to stop working because of job-related illness or injuries.

The 1970 OSH Act created OSHA, the Occupational Safety and Health Administration. Its mission is to prevent accidents and injuries in the workplace and protect the health and safety of America's workers. It gives employees many rights related to job safety and creates uniform regulations that apply to workplaces across the country.

Employees need to understand why OSHA was created, what its mission is, and what rights they have under the OSHA Act. They also need to know the responsibilities that their employers have to protect them on the job, and the role that they can play in creating safer workplaces for everyone.

Objectives

This education and training program is designed to present basic information about OSHA and how it protects employee health and safety in the workplace. Upon completion of the program, employees should:

- Understand the purpose of the OSH Act.
- Know their rights under the OSH Act.
- Understand OSHA's mission.
- Understand how OSHA helps to protect their health and safety.
- Know what OSHA requires an employer to do to safeguard employee health and safety in the workplace.
- Understand their right to discuss safety and health concerns with their employer without retaliation.
- Know how an employee can file a complaint about workplace hazards with OSHA.
- Know how they can help OSHA improve workplace safety for everyone.

OUTLINE OF MAJOR PROGRAM POINTS

The following outline summarizes the major points of information presented in the program. The outline can be used to review the program before conducting a classroom session, as well as in preparing to lead a class discussion about the program.

OSHA & ITS MISSION

- **"OSHA" stands for the Occupational Safety and Health Administration, an agency of the U.S. Department of Labor.**
 - OSHA has the responsibility for protecting workers' safety and health.
- **The U.S. Congress created OSHA under the Occupational Safety and Health Act of 1970 (the OSH Act).**
 - Congress passed this law and established OSHA *"to assure so far as possible every working man and woman in the nation safe and healthful working conditions, and to preserve our human resources."*
- **OSHA was created because until 1970 there were no national laws protecting employees from safety and health hazards.**
 - With the creation of OSHA, for the first time all employers in the United States had the legal responsibility to provide a safe and healthy workplace for their employees.
- **Employers and workers in many fields are covered by the Act, including:**
 - Manufacturing.
 - Construction.
 - Longshoring.
 - Agriculture.
 - Medicine.
 - Disaster relief.
- **Religious groups are also covered if they employ workers for non-religious purposes, such as maintenance or gardening.**
- **OSHA's mission is to save lives, prevent injuries and protect the health of America's workers.**
- **Some of the things that OSHA does to carry out this mission include:**
 - Developing job safety and health standards, and enforcing them through worksite inspections.
 - Maintaining a reporting and recordkeeping system that tracks job-related injuries and illnesses.
 - Providing training programs to increase people's knowledge about occupational safety and health.
- **Federal OSHA also helps to ensure safe and healthy working conditions by assisting with job safety and health programs that are operated by individual states.**

EMPLOYEES' RIGHTS UNDER OSHA

- **The OSH Act gives you many rights related to your safety and health on the job. These include:**
 - The right to a safe and healthy workplace.
 - The right to information about injuries and illnesses that occur in your workplace.
 - The right to complain about a hazard to your employer, and request that it be corrected.
 - The right to know about the hazardous chemicals you may work with.
 - The right to be trained on how to deal with safety and health hazards.

- **You also have the right to:**
 - File a complaint with OSHA.
 - Participate in an OSHA inspection.
 - Not be retaliated against for exercising your safety and health rights.
- **The broadest and most important of your rights is the right to a "safe and healthy workplace".**
 - A "safe and healthy workplace" means that hazards are removed from it, and workers are trained on how to work safely.
 - If a hazard cannot be removed completely, protection from that hazard must be provided.
- **Another important right workers have under OSHA is the "right-to-know" about any hazardous chemicals in their workplaces.**

EMPLOYERS' RESPONSIBILITIES UNDER OSHA

- **Employers must have a comprehensive written "Hazard Communication Program" that includes information on:**
 - Container labeling.
 - Safety Data Sheets (SDSs).
 - Worker training.
- **The training must provide information on the hazards that the chemicals in the facility present, and how workers can protect themselves from them.**
- **The Hazard Communication Program must also include a list of the hazardous chemicals in each work area.**
- **OSHA's Recordkeeping Rule requires most employers with more than ten workers to keep a log of all work-related injuries and illnesses that result in an employee being:**
 - Away from work.
 - Restricted as to the type of work they can do.
 - Transferred to another job.
- **The log must also document any incident where the victim requires more than simple first aid.**
- **Another right that workers have under the OSH Act is to be able to discuss safety and health concerns in the workplace with their employers without the fear of being discharged or discriminated against.**
 - The Act specifically protects workers who complain to their employer about any unsafe or unhealthy conditions.
- **The OSH Act also gives you the right to receive training from your employer on a variety of health and safety hazards, as well as on the OSHA standards that your employer must follow.**
- **The Act gives you the right to examine and copy your employer's medical records as well as logs of any measurement or monitoring of exposure to toxic chemicals or other hazardous substances that has been done in your workplace.**
- **You have the right to file a complaint with OSHA if you believe that a violation of a safety or health standard, or a situation that would place you or your coworkers in imminent danger, exists in your workplace.**

OSHA INSPECTIONS

- **OSHA has the authority to conduct a workplace inspection to determine if any hazardous conditions exist, or standards have been violated.**
 - If they conduct an inspection in your workplace, you or your representative (such as a union steward or a safety committee member) have the right to participate in all phases of the inspection.
- **During an OSHA inspection you can:**
 - Point out hazards.
 - Describe injuries, illnesses or "near misses" that resulted from those hazards.
 - Describe any concern you have about a safety or health issue.
- **You also have the right to:**
 - See the inspection results.
 - Be advised of the measures your employer is taking to abate any hazards.
 - Participate in any meetings or hearings related to the inspection.
- **Establishing a safe and healthy workplace requires every employer to make safety and health a priority.**
 - To accomplish this OSHA requires employers to do a number of things.
- **Employers need to be familiar with the OSHA standards that apply to their workplaces and comply with them.**

THE GENERAL DUTY CLAUSE

- **When no specific standards apply, employers must still comply with the OSH Act's "General Duty Clause".**
 - This requires them to "*furnish a place of employment which is free from recognized hazards that are causing or are likely to cause death or serious physical harm to employees.*"
- **This begins by implementing safety policies and procedures, called "administrative controls", in their facilities.**
- **Next, "engineering controls" are used to build physical safety measures into the workplace, and even the job itself, to eliminate hazards or reduce exposure to them as much as possible.**
- **When engineering and administrative controls can't reduce employees' exposure to hazards to acceptable levels, OSHA requires employers to provide their employees with the appropriate personal protective equipment (PPE).**
- **When PPE needs to be used, the employer must implement a "Personal Protective Equipment Program" that addresses:**
 - The hazards that are present in each work area.
 - The selection, maintenance and use of PPE.
 - Employee training in the use of their PPE.
 - How the program will be monitored to ensure its ongoing effectiveness.

TRAINING & RECORDKEEPING

- **OSHA believes that training is an essential part of protecting workers from injuries and illnesses.**
 - OSHA standards make it the employer's responsibility to limit certain job assignments to employees who are "certified", "competent" or "qualified", meaning that they have received thorough training for those tasks.

- **Recordkeeping is another important employer responsibility.**

- Injury and illness records allow OSHA to collect survey material, identify high-hazard industries, and inform you and other workers about the injuries and illnesses that occur in your workplace.

- **Employers must also:**

- Set up an injury and illness reporting system within their facility.
- Report any accident that results in a fatality to OSHA within eight hours of when it happens.
- Report any accident that results in an in-patient hospitalization, amputation or loss of an eye to OSHA within 24 hours of the event.
- Post copies of the required "Annual Summary of Work-Related Injuries and Illnesses" in their facility.
- Provide copies of injury and illness logs to workers upon request.

- **Additionally, employers must inform workers about how to report an injury or illness, as well as give OSHA access to all injury and illness records.**

OTHER EMPLOYER RESPONSIBILITIES

- **When you're handling chemicals or other hazardous substances, your employer may be required to conduct exposure monitoring or provide medical examinations for you.**

- Your employer must also give you copies of your medical or exposure records if you request them.

- **The OSH Act provides workers with other types of protections as well, and prohibits your employer from discharging, retaliating or discriminating against you or any other worker for exercising your rights under the Act.**

- **Depending on the circumstances, "retaliation" can include:**

- Being fired, laid off, demoted or disciplined.
- Being denied overtime or a promotion.
- Having your number of work hours or pay reduced.
- Other similar actions.

- **Employers must also post a copy of any citation that they receive as a result of an OSHA inspection.**

- **The citation informs both the employer and workers of:**

- The standards that OSHA says have been violated.
- The length of time that the employer has to correct the violations.
- Any proposed penalties that are attached to the violations.

- **Having access to this information can help safeguard your health and safety.**

- **As we discussed earlier, another form of protection that OSHA provides is to require the use of personal protective equipment when other controls cannot bring exposures to workplace hazards down to acceptable levels.**

- It's the employer's responsibility to determine if and when PPE should be used.
- OSHA also requires employers to pay for most required PPE.

HOW OSHA INSPECTIONS ARE CONDUCTED

- **The OSH Act authorizes OSHA Compliance Safety and Health Officers (CSHOs) to conduct workplace inspections to determine if workers can perform their jobs in a safe and healthy way.**

- **Since OSHA can't inspect all of the 8 million worksites that they are responsible for, the agency created a system of inspection priorities that includes:**
 - "Imminent danger" situations.
 - Situations where "fatalities or catastrophes" have occurred.
 - "Complaints and referrals".
 - Regularly scheduled "programmed" inspections that address targeted hazards.

- **There are four major stages in an OSHA inspection:**
 - Presenting credentials.
 - The "opening conference".
 - The "walkaround".
 - The "closing conference".

- **When they arrive at a workplace to do an inspection, the inspector first presents their credentials to the person in charge.**

- **Then comes the "opening conference" which will usually be brief. The inspector will:**
 - Explain why OSHA has selected that particular worksite for inspection.
 - Obtain information about the company, including copies of all hazard assessments.
 - Explain the scope of the inspection, as well as the procedures that will be followed.

- **The inspector, along with the employer and worker representatives, will then proceed through the workplace, looking at work areas to determine if there are any potentially hazardous conditions. The inspector will also:**
 - Check the facility's injury and illness records.
 - Make sure that the required OSHA poster is displayed.
 - Verify that the company's "Summary of Work-Related Injuries and Illnesses" is posted from February 1st to April 30th each year.

- **The inspector may also interview workers, take photographs or video, and monitor worker exposure to any noise, air contaminants or other substances.**

- **After the walkaround, the inspector will hold a "closing conference" with the employer and worker representatives.**
 - They will discuss any apparent violations that they have observed, and how and when these violations should be corrected.
 - The employer will be informed of their rights and responsibilities regarding the inspection as well.

- **Once they're back in their office, the inspector will write up a report of their findings.**
 - The OSHA area director will then review the report and make a final determination as to what citations and penalties should be imposed, if any.

OSHA VIOLATIONS

- **"Citations" inform employers and employees about:**
 - What violations exist and what OSHA standards are involved.
 - What hazardous working conditions have been found.
 - How long the employer has to correct or abate the hazards.
 - What penalties, if any, have been proposed.

- **"Penalties" are based on the type of violation that has occurred.**

- **OSHA violations fall into six categories, including "willful", "repeated", "serious", "other than serious" and "de minimis".**
 - "De minimis" is the least serious type of infraction and basically means "a trifling matter".
- **Employers and workers both have the right to disagree with, or appeal, parts of an OSHA citation.**
 - Workers may contest the length of time that has been given the employer to abate a violation, but they cannot contest the citations or penalties themselves.
 - If an employer decides to contest a citation, the abatement date or the proposed penalty, this must be done in writing, within a 15-working day "contest period".

FILING A COMPLAINT WITH OSHA

- **If you, your coworkers or your union representative feel that an OSHA inspection is needed to address hazards in your workplace, you have several options.**
 - You can file a complaint online at OSHA's website, www.osha.gov.
 - You can also download the complaint form from the site, complete it and send it back to OSHA via FAX or snail mail.
 - Another option is to telephone or visit your local or regional OSHA office to discuss your concerns.
- **If you believe that a hazard in your workplace is life-threatening, you shouldn't delay.**
 - Call your local or regional OSHA office or 1-800-321-OSHA immediately.
- **If you do decide to file a complaint form with OSHA, there are a number of things you must pay attention to:**
 - Be as specific as possible in your description of the problem, and include as many details as you can.
 - Be sure to enter your company's name, address and the type of business that it's in.
 - Describe the hazard and the location where it occurs, in detail.
- **You should indicate whether the hazard that you are complaining about has been brought to the attention of your employer or of another government agency.**
- **Be sure to say whether you tried to get your employer to fix the hazard before you filed the complaint.**
 - You should also indicate if a building inspector or another agency, such as a local fire department, has been notified of the hazard.
 - If so, OSHA may want to talk with them.
- **Let OSHA know if you want to keep your complaint confidential.**
 - They will remove your name from the official copy of the complaint if you wish.
- **Make sure that you sign the complaint and provide your personal mailing address.**

OTHER SAFETY & HEALTH RESOURCES

- **There are many resources that are available both inside and outside of your workplace that can provide you with information on occupational safety or health issues.**
 - For example, labels and signs posted in your facility can make you aware of potential safety or health hazards, and provide specific information about them.
- **Your company will also have Safety Data Sheets (SDSs) on file for all of the chemicals that you work with.**

— An SDS will tell you about each chemical's hazards as well as the safety precautions to take, including what personal protective equipment you should wear when you handle them.

• **Job orientation manuals, standard operating procedures and training materials will also include information on the proper and safe ways that you can do your work.**

• **If the safety and health information that you need is not available in your own company, there are resources outside of your workplace that you can use.**

— The OSHA website at www.osha.gov contains a lot of helpful material, as well as links to even more resources.

— Your own primary care physician, nurses and other healthcare professionals can provide information as well.

• **Your local library will have books, journals and magazines that you can consult, too.**

— At most libraries you can also get access to even more health and safety information online.

QUIZ

"INTRODUCTION TO OSHA"

Employee Name: _____

Training Date: _____

1. True or False?... Until the creation of OSHA in 1970, there were no national laws that protected U.S. employees from safety and health hazards on the job.
 True False
2. True or False?... The warning labels and signs posted in a workplace by the employer will never give you specific information on how to do your job safely.
 True False
3. True or False?... If an employee does not want their employer to know that they have filed a complaint, OSHA will remove their name from the official copy of the complaint.
 True False
4. True or False?... OSHA develops job safety and health standards and enforces them by conducting worksite inspections.
 True False
5. True or False?... The OSH Act gives employees the right to a safe and healthy workplace.
 True False
6. True or False?... OSHA requires employers to provide copies of their injury and illness records to employees upon request.
 True False
7. True or False?... You must visit your local or regional OSHA office in person to file a complaint about unsafe working conditions.
 True False
8. True or False?... When an employee files a complaint about unsafe conditions in their workplace, OSHA cannot protect them from being fired or otherwise retaliated against by their employer.
 True False
9. True or False?... Administrative controls are physical safety measures that are built into a workplace to eliminate hazards or reduce exposure to them.
 True False
10. True or False?... A "de minimis" violation is the most serious type of OSHA infraction.
 True False

QUIZ

"INTRODUCTION TO OSHA"

PRESENTER'S COPY...WITH ANSWERS

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