

# **OSHA**

**THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 PROVIDES JOB SAFETY AND HEALTH PROTECTION FOR WORKERS BY PROMOTING SAFE AND HEALTHFUL WORKING CONDITIONS THROUGHOUT THE NATION.**

# **OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION**

**OSHA WAS CREATED TO:**

- 1. ENCOURAGE EMPLOYEES AND EMPLOYERS TO REDUCE WORKPLACE HAZARDS. IMPLEMENT SAFETY AND HEALTH PROGRAMS.**
- 2. PROVIDE FOR RESEARCH IN OCCUPATIONAL SAFETY AND HEALTH.**
- 3. ESTABLISH “RESPONSIBILITIES AND RIGHTS” FOR EMPLOYERS AND EMPLOYEES.**
- 4. MAINTAIN REPORTING AND RECORDKEEPING.**
- 5. ESTABLISH TRAINING PROGRAMS.**
- 6. DEVELOP MANDATORY JOB SAFETY AND HEALTH STANDARDS AND ENFORCE THEM.**
- 7. PROVIDE FOR THE DEVELOPMENT AND APPROVAL OF STATE OCCUPATIONAL SAFETY AND HEALTH PROGRAMS.**

# OSHA

OSHA:

- **IS PART OF THE U.S. DEPARTMENT OF LABOR.**
- **IS RESPONSIBLE FOR ADMINISTERING THE ACT.**
- **ISSUES OCCUPATIONAL SAFETY AND HEALTH STANDARDS.**
- **CONDUCTS JOBSITE INSPECTIONS TO HELP ENSURE COMPLIANCE WITH THE ACT.**

# **EMPLOYER RESPONSIBILITIES**

- **Meet general duty responsibility.**
- **Be familiar with OSHA standards and inform employees.**
- **Examine workplace conditions.**
- **Minimize or reduce hazards.**
- **Make sure employees have and use tools and equipment.**
- **Use color codes, posters, labels or signs when needed to warn employees of potential hazards.**
- **Establish or update and communicate operating procedures and provide training.**
- **Report to the nearest OSHA office within 8 hours of any fatal accident or one that results in the hospitalization of three or more employees.**
- **Keep OSHA-required records of work-related injuries and illnesses and provide employees access to the summary.**
- **Cooperate with OSHA compliance officer.**
- **Post the OSHA poster and any citations.**
- **Abate cited violations within the prescribed period.**
- **Recognize employees' option to exercise their rights under the act and not discriminate against them.**

# EMPLOYER RIGHTS

- **Seek advice and free consultation as needed from OSHA.**
- **Be active in your industry association's involvement in job safety and health.**
- **File a Notice of Contest with the OSHA area director within 15 working days of receipt of a notice of citation and proposed penalty.**
- **Apply to OSHA for a temporary or permanent variance from a standard.**
- **Take an active role in developing safety and health standards.**
- **Be assured of the confidentiality of any trade secrets observed by an OSHA compliance officer during an inspection.**
- **Submit a written request to NIOSH for information on whether any substance in your workplace has potentially toxic effects.**

# WHERE TO FIND OSHA REGULATIONS

**29 CODE OF FEDERAL REGULATIONS(CFR) 1926 CONSTRUCTION**

**29 CODE OF FEDERAL REGULATIONS(CFR) 1910 GENERAL INDUSTRY**

- **1910.20 ACCESS TO EMPLOYEE EXPOSURE AND MEDICAL RECORDS**
- **1910.38 EMERGENCY ACTION PLAN**
- **1910.38(b) FIRE PREVENTION PLAN**
- **1910.101 - 111 HAZARDOUS MATERIAL**
- **1910.132 PERSONAL PROTECTIVE EQUIPMENT**
- **1910.132 JOB HAZARD ANALYSIS**
- **1910.134 RESPIRATORY PROTECTION**
- **1910.146 CONFINED SPACE**
- **1910.147 LOCKOUT/TAGOUT**
- **1910.1001 ASBESTOS**
- **1910.1200 HAZCOM**
- **1910.269 ELECTRICAL**
- **1910.1030 BLOODBORNE PATHOGENS**
- **1910.21 FALL PROTECTION**
- **1910.211 MACHINE GUARDING**

# **EMPLOYEE RESPONSIBILITIES AND RIGHTS**

- **OSHA DOES NOT CITE EMPLOYEES FOR VIOLATIONS.**
- **EACH EMPLOYEE “SHALL COMPLY WITH ALL OCCUPATIONAL SAFETY AND HEALTH STANDARDS AND ALL RULES, REGULATIONS, AND ORDERS ISSUED UNDER THE ACT”.**

# **EMPLOYEE RESPONSIBILITIES**

- 1. READ THE OSHA POSTER AT THE JOBSITE.**
- 2. COMPLY WITH ALL APPLICABLE OSHA STANDARDS.**
- 3. FOLLOW ALL EMPLOYER SAFETY AND HEALTH RULES AND REGULATIONS.**
- 4. REPORT HAZARDOUS CONDITIONS TO YOUR IMMEDIATE SUPERVISOR (AND/OR YOUR JUMCC SAFETY COORDINATOR)**
- 5. COOPERATE WITH THE OSHA COMPLIANCE OFFICER CONDUCTING AN INSPECTION.**
- 6. EXERCISE YOUR RIGHTS UNDER THE ACT IN A RESPONSIBLE MANNER.**



# **EMPLOYEE RESPONSIBILITIES AND RIGHTS**

## **EMPLOYEE RIGHTS:**

- 1. REVIEW COPIES OF OSHA STANDARDS, RULES, REGULATIONS, AND REQUIREMENTS.**
- 2. REQUEST INFORMATION FROM YOUR EMPLOYER ON SAFETY AND HEALTH HAZARDS ON PRECAUTIONS THAT MAY BE TAKEN, AND ON PROCEDURES TO BE FOLLOWED.**
- 3. RECEIVE TRAINING AND INFORMATION ON WORKPLACE SAFETY AND HEALTH HAZARDS.**
- 4. REQUEST OSHA TO INVESTIGATE HAZARDOUS CONDITIONS OR VIOLATIONS OF STANDARDS YOU BELIEVE EXIST IN YOUR WORKPLACE.**
- 5. HAVE YOUR NAME WITH HELD FROM YOUR EMPLOYER IF YOU FILE A WRITTEN AND SIGNED COMPLAINT.**
- 6. BE ADVISED OF OSHA ACTIONS REGARDING YOUR COMPLAINT.**
- 7. HAVE YOUR AUTHORIZED EMPLOYEE REPRESENTATIVE ACCOMPANY THE OSHA INSPECTOR DURING THE INSPECTION TOUR.**
- 8. RESPOND TO QUESTIONS FROM THE OSHA INSPECTOR.**

# COMPLAINT

- **EMPLOYEES OR THEIR REPRESENTATIVES HAVE THE RIGHT TO**
- **FILE A COMPLAINT WITH OSHA REQUESTING AN INSPECTION**
- **IF YOU BELIEVE UNSAFE OR UNHEALTHFUL CONDITIONS**
- **EXIST IN THEIR WORKPLACE. OSHA WILL WITHHOLD, ON**
- **REQUEST, NAMES OF EMPLOYEES COMPLAINING.**
- **THE ACT PROVIDES THAT EMPLOYEES MAY NOT BE**
- **DISCHARGED**
- **OR DISCRIMINATED AGAINST IN ANY WAY FOR FILING SAFETY**
- **AND HEALTH COMPLAINTS OR FOR OTHERWISE EXERCISING**
- **THEIR RIGHTS UNDER THE ACT.**
- **EMPLOYEES WHO BELIEVE THEY HAVE BEEN DISCRIMINATED**
- **AGAINST MAY FILE A COMPLAINT WITH THEIR NEAREST OSHA**
- **OFFICE WITHIN 30 DAYS OF THE ALLEGED DISCRIMINATORY**
- **ACTION.**

# OSHA INSPECTIONS

**THE ACT REQUIRES THAT A REPRESENTATIVE OF THE EMPLOYER AND A REPRESENTATIVE AUTHORIZED BY THE EMPLOYEES BE GIVEN AN OPPORTUNITY TO ACCOMPANY THE OSHA INSPECTOR FOR THE PURPOSE OF AIDING THE INSPECTION.**

**WHERE THERE IS NO AUTHORIZED EMPLOYEE REPRESENTATIVE, THE OSHA INSPECTOR MUST CONSULT WITH A REASONABLE NUMBER OF EMPLOYEES.**

# OSHA INSPECTIONS

## **FIVE TIMES YOU CAN COUNT ON AN OSHA INSPECTION**

- 1. IMMINENT DANGER**
- 2. CATASTROPHES AND FATAL ACCIDENTS**
- 3. EMPLOYEE COMPLAINTS**
- 4. PROGRAMMED HIGH-HAZARD INSPECTION**
- 5. FOLLOW-UP INSPECTION**

# OSHA INSPECTIONS

**OSHA INSPECTION MAY INCLUDE REVIEW OF:**

- 1. PROCESSING, RECEIVING, SHIPPING, AND STORAGE**
- 2. BUILDINGS AND GROUND CONDITIONS**
- 3. HOUSEKEEPING PROGRAM**
- 4. ELECTRICITY**
- 5. LIGHTING**
- 6. HEATING AND VENTILATION**
- 7. MACHINERY**
- 8. PERSONNEL**
- 9. HAND AND POWER TOOLS**
- 10. CHEMICALS**
- 11. FIRE PREVENTION**
- 12. MAINTENANCE**

# OSHA INSPECTIONS

## **MOST FREQUENT CITATIONS:**

**HAZCOM**

**RECORDKEEPING**

**POSTING NOTICE**

**LOCKOUT/TAGOUT**

**MACHINE GUARDING**

**ABRASIVE WHEEL MACHINERY**

**MEDICAL SERVICES/WASHDOWN**

**PPE**

**SAFETY TRAINING**

**FLOOR/WALL OPENING GUARDING**

# CITATION

**IF UPON INSPECTION, IF OSHA BELIEVES AN EMPLOYER HAS VIOLATED THE ACT, A CITATION ALLEGING SUCH VIOLATIONS WILL BE ISSUED TO THE EMPLOYER. EACH CITATION WILL SPECIFY A TIME PERIOD WITHIN WHICH THE ALLEGED VIOLATION MUST BE CORRECTED.**

**THE OSHA CITATION MUST BE PROMINENTLY DISPLAYED AT OR NEAR THE PLACE OF ALLEGED VIOLATION FOR THREE DAYS, OR UNTIL IT IS CORRECTED, WHICHEVER IS LATER, TO WARN EMPLOYEES**

# OSHA VIOLATION AND FINES

- **WILLFUL** **\$25,000 - \$70,000**
- **REPEATED** **\$70,000**
- **SERIOUS** **\$7,000**
- **FAILURE TO ABATE** **\$7,000**
- **OSHA NOTICE** **\$1,000**
- **POSTING OF OSHA 200 SUMMARY** **\$1,000**
- **MAINTAINING OSHA 200, OSHA 101** **\$1,000**
- **REPORTING FATALITY/CATASTROPHE** **\$5,000**
- **ACCESS TO RECORDS UNDER 1904** **\$1,000**
- **NOTIFICATION REQUIREMENTS UNDER** **\$2,000**
- **1903.6 - ADVANCE NOTICE**



# **OSHA RECORDKEEPING SYSTEM**

## **FIVE STEPS REQUIRED BY THE OSHA RECORDKEEPING SYSTEM:**

- 1. REPORT EVERY INJURY REQUIRING MEDICAL TREATMENT (OTHER THAN FIRST AID).**
- 2. RECORD EACH INJURY ON THE OSHA FORM NO. 300.**
- 3. PREPARE RECORD OF RECORDABLE CASES EITHER ON OSHA  
FORM NO. 301 OR ON WORKERS' COMPENSATION  
REPORTS.**
- 4. EVERY YEAR, POST AN ANNUAL SUMMARY (OSHA FORM  
NO. 300); POST IT NO LATER THAN FEBRUARY 1, AND  
KEEP IT POSTED UNTIL MARCH 1.**
- 5. RETAIN RECORDS FOR AT LEAST FIVE YEARS.**

# OSHA RECORDKEEPING

## OSHA RECORDABLE INJURIES:

1. WORK-RELATED DEATHS.
2. WORK-RELATED ILLNESSES.
3. WORK-RELATED INJURIES WHICH INVOLVE ANY OF THE FOLLOWING:
  - LOSS OF CONSCIOUSNESS
  - RESTRICTION OF WORK OR MOTION
  - TRANSFER TO ANOTHER JOB
  - MEDICAL TREATMENT
4. FIRST AID TREATMENTS OF MINOR INJURIES SHOULD NOT BE RECORDED

# OSHA RECORDKEEPING

**CERTAIN OSHA STANDARDS THAT DEAL WITH TOXIC SUBSTANCES AND HAZARDOUS EXPOSURES REQUIRE RECORDS ON:**

- 1. THE EXPOSURE OF EMPLOYEES**
- 2. PHYSICAL EXAMINATION REPORTS**
- 3. EMPLOYMENT RECORDS.**

# OSHA RECORDKEEPING

## ACCIDENT AND INJURY REPORTS REQUIRE:

1. THE NATURE OF THE INJURY AND THE BODY PART(S) AFFECTED
2. THE SOURCE OF THE INJURY
3. AREA OF OCCURRENCE AND TIME OF DAY
4. ANY HAZARDOUS CONDITION OR CIRCUMSTANCES SURROUNDING THE ACCIDENT
5. ANY ACT OR UNSAFE CONDITION WHICH PERMITTED THE ACCIDENT
6. EMERGENCY CARE OR TREATMENT PROVIDED

# OSHA 300 LOG

**THE 300 LOG IS USED FOR RECORDING AND CLASSIFYING RECORDABLE OCCUPATIONAL INJURIES AND ILLNESSES, AND FOR NOTING THE EXTENT AND OUTCOME OF EACH CASE. THE LOG IDENTIFIES:**

- 1. WHETHER THE CASE RESULTED IN A FATALITY**
- 2. WHEN THE INJURY/ILLNESS OCCURRED**
- 3. TO WHOM IT OCCURRED**
- 4. WHAT THE INJURED OR ILL PERSON'S REGULAR JOB WAS**
- 5. THE DEPARTMENT IN WHICH THE PERSON WAS EMPLOYED**
- 6. THE KIND OF INJURY OR ILLNESS**
- 7. HOW MUCH TIME WAS LOST**

# RECORDABLE INJURIES

**Medical Treatment -- “Involves the provision of medical or surgical care of injuries that are not minor through the application of procedures or systematic therapeutic measures”.**