OSHA® Occupational Safety and Health Administration

Introduction to OSHA

Directorate of Training and Education
OSHA Training Institute

Lesson Overview

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 are OSHA standards?
5. How are OSHA inspections conducted?
6. Where can you go for help?

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Topic 1:
Why is OSHA Important to You?

- 4,821 workers were killed on the job in 2014 (3.2 per 100,000 full-time equivalent workers)
- An average of nearly 13 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 2013

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.

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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's Mission

- The mission of OSHA is to assure safe and healthful working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education and assistance.
- Some of the things OSHA does to carry out its mission are:
  - Developing job safety and health standards and enforcing them through worksite inspections
  - Providing training programs to increase knowledge about occupational safety and health

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Topic 2:
What Rights Do You Have Under OSHA?

- You have the right to:
- A safe and healthful workplace
- Know about hazardous chemicals
- Report injury to employer
- Complain or request hazard correction from employer
- Training

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Topic 2:
What Rights Do You Have Under OSHA?

- You have the right to:
- 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

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Worker Rights

OSHA Poster

- Have you seen this poster at your place of work?
- Why was OSHA created?

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Job Safety and Health
IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

FREE ASSISTANCE to identify and correct hazards is available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

Contact OSHA. We can help.

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

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

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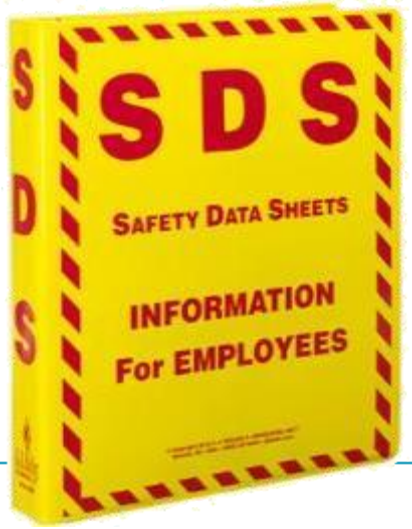
Your Right to…

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.

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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**

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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

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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

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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

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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 your supervisor or employer.**

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Your Right to…

Participate in an OSHA Inspection

- 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

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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
- Workers have 30 days to contact OSHA if they feel they have been punished for exercising their safety and health rights

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

- 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 hazard correction notices
- Provide and pay for most PPE

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Employer Responsibilities *(cont.)*

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

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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.

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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

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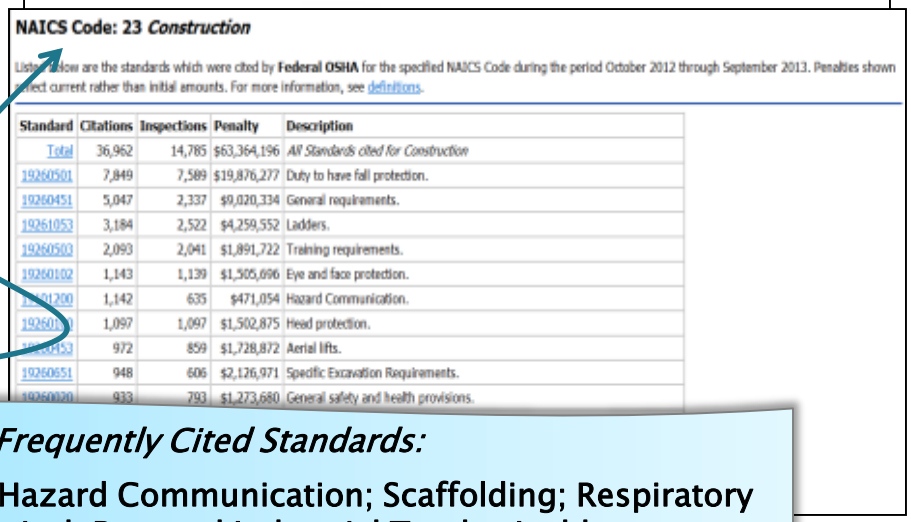
Most Frequently Cited OSHA Standards

OSHA's website provides information regarding the most frequently cited standards

Click: Frequently Cited OSHA Standards to view current data

- "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
- "NAICS," enter ALL for all Industry groups, or enter a valid 2 to 6 digit code for a specific Industry from the NAICS Manual
- Shown are search results for: All sizes of establishments, in Federal jurisdiction, with a Construction NAICS code of "23"



NAICS Code: 23 *Construction*

Listed below are the standards which were cited by **Federal OSHA** for the specified NAICS Code during the period October 2012 through September 2013. Penalties shown reflect current rather than initial amounts. For more information, see definitions.

Standard	Citations	Inspections	Penalty	Description
Total	36,962	14,785	$63,364,196	*All Standards cited for Construction*
19260501	7,849	7,589	$19,876,277	Duty to have fall protection.
19260451	5,047	2,337	$9,020,334	General requirements.
19261053	3,184	2,522	$4,259,552	Ladders.
19260503	2,093	2,041	$1,891,722	Training requirements.
19260102	1,143	1,139	$1,505,696	Eye and face protection.
[illegible]1200	1,142	635	$471,054	Hazard Communication.
1926[illegible]	1,097	1,097	$1,502,875	Head protection.
[illegible]453	972	859	$1,728,872	Aerial lifts.
19260651	948	606	$2,126,971	Specific Excavation Requirements.
[illegible]	933	793	$1,273,680	General safety and health provisions.

Common Most Frequently Cited Standards:

Fall Protection; Hazard Communication; Scaffolding; Respiratory Protection; Electrical; Powered Industrial Trucks; Ladders

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

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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

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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.

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Questions for Review

- 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?

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

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Sources Within the Workplace/Worksite

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

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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
- Other local, community-based resources

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How to Raise a Concern

Handout #7: 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

- 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

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Group Activity: Filing a Complaint

Handout #8a:
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?

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Group Activity: Filing a Complaint

Handout #8b: 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

Handout #8c:
Maritime 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?

Questions for Review

- 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?

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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.

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Thank You!