

Training Intro to OSHA 10-Hour

Introduction to OSHA (Occupational Safety & Health Administration) in 1970 implemented the OSH Act (Occupational Safety & Health Act)

A Safe Place to Work

Triangle Shirtwaist Factory, NYC in 1911 - locked doors and missing fire escapes contributed to the deaths of 146 workers.

1935: Approximately 1,500 workers were killed by exposure to silica dust while building a tunnel in Gauley Bridge, West Virginia.

1970: Before the implementation of OSH

Job related accidents accounted for more than 14,000 worker deaths.

Nearly 2.5 million workers were disabled

Ten times as many person-days were lost from job related disabilities as from strikes

To address these serious problems, the Occupational Safety & Health Act of 1970 was passed - 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.

The following year 1971, OSHA - the Occupational Safety & Health Administration - was established as a division of the United States Department of Labor.

The purpose of the introduction to OSHA is to tell you more about OSHA, so that you can understand its role, your employer's role and your own role in keeping your workplace safe.

More than 100 million Americans spend their days on the job

Most of us go to our jobs confident that we will not face unnecessary danger and will return home safely

American workers have not always been able to trust that their safety and health were protected in the work place.

Job related accidents accounted for more than 14,000 worker deaths and nearly 2.5 million workers were disabled.

The estimated new cases of occupational diseases totaled 300,000.

To address these serious problems, the Occupational Safety and Health Act of 1970 The OSH Act was passed to assure as far as possible every working man and woman in the US Nation has a safe and healthful working conditions and to preserve our human resources.

The following year, OSHA The Occupational Safety and Health Administration was established as a division of the United States Department of Labor.

The Training Objectives are to:

- State the Purpose of OSHA
- Give examples of how workplace health and safety has improved since the OSH _ Act was passed
- Summarize the general duty clause of the OSH ACT
- State where and how to obtain copies of OSHA Standards
- Identify the responsibilities and rights of employers and employees under the OSH Act
- Outline OSAH recordkeeping and reporting requirements
- Summarize the OSHA inspection process
- Discuss OSHA citations and penalties
- Describe the appeals process for citations and penalties issued by OSHA
- Explain when and how to contact OSHA in an emergency

OSHA's Mission is to assure the safety and health of America's workers by:

- Setting and enforcing standards
- Providing training, outreach and education
- Establishing partnerships
- Encouraging continual improvement in workplace safety and health.

OSHA's Coverage

- Nearly every working man and woman in the nation comes under OSHA's jurisdiction.

- Exceptions include miners, transportation workers, atomic energy workers, many public employees such as firefighters and police officers, immediate members of farm families that do not employ outside workers and the self employed.
- Coverage is provided directly by federal OSHA or through an OSHA approved state program.
- State plans are OSHA-approved job safety and health programs operated by individual states instead of by federal OSHA.
- State plans must provide standards and enforcement programs, as well as voluntary compliance activities that are "At least as effective as the federal OSHA program."
- States with approved plans cover most private sector employees as well as state and local government workers in the state.
- Twenty-six states operate state plans. For more information on state plans, visit OSHA's web site: www.osha.gov

OSHA's Impact since 1971:

- Work-related fatality rates have been cut in half
- Workplace injuries were reduced by 40 %
- Brown lung disease in the textile industry was virtually eliminated
- They reduced trenching and excavation fatalities by 35 %

AND still there is currently:

- Nearly 6,000 workplace fatalities each year
- 50,000 deaths from work-related illnesses every year
- 5.7 million non-fatal workplace injuries each year

OSHA Standards

In general standards require that employers:

- Maintain conditions or adopt practices reasonably necessary and appropriate to protect workers on the job.
- Be familiar with and comply with standards applicable to their establishments.
- Ensure that employees have and use personal protective equipment when required for safety and health
- If employers fail to comply with OSHA's standards, they risk being issued citations and in extreme cases can face imprisonment.

What so OSHA Standards Cover?

1. General Industry
2. Construction
3. Maritime
4. Some agricultural actions

Where can I find OSHA Standards?

- OSHA Standards are published by the Department of Labor in the Code of Federal Regulations ("the rule book" of the executive departments and agencies of the Federal Government)
- It is divided into 50 titles that represent broad areas subject to Federal regulation
- All parts are organized in sections, and most citations in the CFR are provided at the section level. OSHA standards are found in title 29
- CD-ROM subscriptions through U. S. Government Printing Office (GPO)
- Code of Federal Regulations (CFR) in public libraries and through GPO
- In addition to being published in hard copy, OSHA standards together with interpretations of them and directives, can also be found on the internet at OSHA's web site www.osha.gov

General Duty Clause

- The general duty clause states that each employer "[shall 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](#)"
- If an OSHA investigator determines that the hazard in question was clearly recognized by the employer and no effort was made to correct it, then the company can be fined accordingly.

OSHA Saves Lives

- Houston Texas August 8, 2001:
- Two window washers were suspended from the Baker Hughes building when their scaffold broke, leaving them dangling high above the ground

- They were hooked to the proper safety equipment and so they remained aloft until firefighters rescued them. This scenario was a happy ending.

Employer Responsibilities

If you are an employer you must also:

- As of February 1, 2008 - Post a copy of OSHA 300A, Summary of Work Related Injuries and Illnesses for the previous year from February 1, 2008 to April 30, 2008 OSHA reminds employers that as of February 1, 2008 they must post a summary of the total number of job-related injuries and illnesses that occurred during 2007 for all employees to view.
- Post at a prominent location within the workplace, the "It's the Law" poster (OSHA 3165) informing employees of their rights and responsibilities.
- Provide employees, former employees, and their representatives access to the work related Occupational Injuries and Illnesses (OSHA 300 form) at a reasonable time and in a reasonable manner.
- Provide access to employee medical records and exposure records to the employees and others as required by law
- Not discriminate against employees who properly exercise their rights under the OSH Act.
- Post OSHA citations and abatement verification notices at or near the worksite involved

If you are an employer you have the right to:

- Seek free advice and on-site consultation from OSHA
- Be involved in job safety and health through your industry association
- Take an active role in developing safety and health programs

Employer Rights:

Be assured of the confidentiality of any trade secrets

Submit a written request to the National Institute for Occupational Safety and Health (NIOSH) for information on whether any substance in your workplace has potentially toxic effects in the concentrations being used.

Employee Responsibilities:

If you are an Employee you must:

- Read the OSHA "It's the Law" poster (OSHA 3165) at the job site
- Comply with all applicable OSHA standards
- Follow all employer safety and health rules and regulations, and wear or use prescribed protective equipment while engaged in work
- Report hazardous conditions to the supervisor
- Report any job related injury or illness to the employer, and seek treatment promptly
- Cooperate with OSHA compliance officer conducting an inspection
- Exercise your rights under the OSH Act in a responsible manner

If you are an Employee you have the right to:

1. Review copies of appropriate OSHA standards, rules, regulations and requirements that the employer should have available at the work place.
2. Request information from your employer on safety and health hazards, precautions and emergency procedures.
3. Participate in hearings conducted by the Occupational Safety and Health Review Commission.
4. Submit information or comments to ISHA on the issuance, modification or revocation of OSHA standards and request a public hearing.

ALL Employers must report to OSHA within eight (8) hours of learning about:

- The death of any employee from a work-related accident
- The hospitalization of three or more employees as a result of a work-related incident
- All fatal heart attacks

Reporting:

- Deaths from motor vehicle accidents on public streets (except those in a construction work zone) and in accidents on commercial air planes, trains, subways or buses do not need to be reported
- Reports may be made by telephone or in person to the nearest OSHA area office listed at www.osha.gov or by calling OSHA's toll free number 800-321-6742 (OSHA)

Recordkeeping:

- OSHA's recordkeeping requirements, as set out in the OSH Act, established an effective, centralized, nationwide system for monitoring occupational safety and health problems - a vital requirement for gauging problems and solving them

- Keeping records allows OSHA to compile survey material, helps identify high-hazard
- Industries, and informs employers' workplace safety record
- These records also help employers identify (then correct and mitigate) potential source of injuries and illnesses at their worksites.

OSHA's reporting and recordkeeping regulations require employers to:

- Maintain records in each establishment of occupational injuries and illnesses as they occur and make those records accessible to employees.
- Keep injury and illness records and post from February 1 through April 30 of the current year the annual summary of occupational injuries and illnesses for each establishment from the **ENTIRE - PREVIOUS - YEAR for each establishment**
- A company executive must certify the accuracy of the summary
- Record any fatality regardless of the length of time between the injury and death.
- Provide, upon request, pertinent injury and illness records for inspection and copying by any representative of the Secretaries of Labor or HHS, or the state during any investigation, research or statistical compilation.
- Comply with any additional recordkeeping and reporting requirements in specific OSHA standards.

Recordkeeping:

Employers with 10 or fewer employees are exempt from maintaining the OSHA log of injuries and illnesses unless the Bureau of Labor Statistics (BLS) or OSHA notifies them that they have been selected to participate in a mandatory data collection

OSHA also exempts employers in certain low-hazard industries such as real estate agencies and clothing stores, as defined in the recordkeeping standard

Exempt employers must still comply with requirements to display an OSHA "It's The Law" poster (OSHA 3165) and report to OSHA within eight (8) hours any accident that results in one or more fatalities or the hospitalization of three (3) or more employees
Employers must log injuries and illnesses on recordkeeping forms, keep the logs current and retain them for five (5) years at each establishment.

Logs must be available for inspection by representatives of OSHA, HHS, BLS, or the designated state agency within four hours of the request

Employers are required to update logs to reflect any changes that occur

DO NOT send any recordkeeping forms to OSHA or any other agency. The employer maintains forms and posts the annual summary in the workplace, the employer will be required to produce the forms

Three forms are needed for recordkeeping

1. OSHA 300, Log of work-related injuries and illness

- Employers must log each recordable occupational injury and illness on this form within six working days from the time the employer learns of it

2. OSHA 301, Injury and Illness Incident Report

- Each employer must complete the OSHA 301 form within seven calendar days from the time the employer learns of the work-related injury or illness
- This form includes more data about how the injury or illness occurred

3. OSHA Form 300A, Summary of Work-Related Injuries and Illnesses

This form was created to make it easier to post and calculate incident rates. Employers must post copies of the previous year's records no later than February 1 and keep them in place through April 30 of the current year - - posting illnesses and accidents from the entire previous year

Recording zero injuries or illnesses:

If there were no injuries or illnesses during the year, employers must enter "Zero" (0) on the totals line of the form and post it.

All establishments covered by Part 1904 must complete this Summary page, even if no injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the log. If you had no cases write "0."

Employees former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR 1904.35, in OSHA's Recordkeeping rule, for further details on the access provisions for these forms.

Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	0	0
_____	_____	_____	_____
(G)	(H)	(I)	(J)

Number of Days

Total number of days of job transfer or restriction	Total number of days away from work
0	0
_____	_____

(K)

(L)

Injury and Illness Types

Total number of...

(M)

(1) Injury	0	(4) Poisoning	0
(2) Skin Disorder	0	(5) All other illnesses	0
(3) Respiratory Condition	0		

Post this Summary page from February 1 to April 30 of the year following the year covered by the form

The form must be signed and certified by a company executive

Establishment information

Your establishment name _____

Street _____

City _____ State _____ Zip _____

Industry description (e.g., Manufacture of motor truck trailers)

Standard Industrial Classification (SIC), if known (e.g., SIC 3715)

Employment information

Annual average number of employees _____

Total hours worked by all employees last year _____

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

John R Hancock

Company executive

President

Title

Phone

Date

Employee privacy

Employers must withhold the names of individuals with sensitive injuries such as sexual assaults, HIV infections and mental illness

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

Workplace inspections

Inspection Priorities:

- Jobsites where Imminent Danger is present (any condition where there is a reasonable certainty that a danger exists that can be expected to cause death or serious physical harm immediately, or before the danger can be eliminated through normal enforcement procedures)
- Fatalities and Catastrophes (Incidents resulting in hospitalization of 3 or more employees)

- Responses to Employee Complaints/Referrals
- Programmed High-Hazard Inspections
- Follow-ups to previous inspections

Phone / Fax inspections

There are two (2) ways that OSHA can respond to a complaint: an on-site inspection or an off-site inspection, also known as a "phone / fax investigation"

- OSHA responds more quickly to lower-priority hazards using a phone / fax approach. This enables the agency to concentrate resources on the most serious workplace hazards
- Employees who request a phone / fax investigation DO NOT give up the right to request an on-site inspection of potential violations and hazards if they are not satisfied with the investigation.
- Workers should call their nearest OSHA area office to discuss their options
- If an on-site investigation is appropriate, the agency telephones the employer, describes the alleged hazards and then follows up with a fax or letter
- The employer must respond in writing within five (5) days, identifying any problems found and noting corrective actions taken or planned
- If the response is adequate, OSHA generally will not conduct an inspection
- The employee or employee representative who filed the original complaint will receive a copy of the employer's response and, if still not satisfied, may then request an on-site inspection

On Site Inspections

A typical OSHA on-site inspection includes four stages:

1. Presentation of inspector's credentials
2. Opening Conference
3. Inspection walk around
4. Closing Conference

Opening Conference

In the opening conference, the compliance officer:

- Explains why OSHA selected the establishment for inspection
- Obtains information about the establishment
- Explains the purpose of the visit, the scope of the inspection, walk-around procedures, employee representation, employee interviews, and the closing conference
- Determines whether an OSHA-funded consultation is in progress or whether the facility has received an inspection exemption. If so, the compliance officer usually terminates the inspection
- The compliance officer asks the employer to select an employer representative to accompany him or her during the inspection
- OSHA welcomes, but does not require, an employee representative to accompany the inspector

Inspection Walk-around

- After the opening conference, the compliance officer and accompanying representatives proceed through the establishment, inspecting work areas for potentially hazardous working conditions.
- The compliance officer will discuss possible corrective actions with the employer
- OSHA may consult with employees during the inspection walk-around
- Trade secrets observed by the compliance officers are kept confidential
- Some apparent violations detected by the compliance officer can be corrected immediately
- The compliance officer records these corrections to help evaluate the employer's good faith for compliance
- Apparent violations that have been corrected may still serve as the basis for a citation or notice of proposed penalty or both

The compliance officer checks posting and recordkeeping practices, including whether the employer has:

- Maintained records of deaths, injuries and illnesses

- Posted OSHA's Summary of Work-Related injuries and Illnesses (OSHA 300A) from February 1 to April 30

The compliance officer checks posting and recordkeeping practices, including whether the employer has:

- Prominently displayed the OSHA "It's the Law" poster.
-
- The Compliance Officer also examines records, where required, of employee exposure to toxic substances and harmful physical agents

The compliance officer holds a closing conference with the employer and the employee representatives, either jointly or separately. During the closing conference, the compliance officer:

- Discusses with the employer all unsafe or unhealthful conditions observed on the inspection and indicates all apparent violations for which a citation may be recommended
- Tells the employer of his or her appeal rights, anti-discrimination rights under 11 © of the OSH Act, and procedures for contesting citations within 15 working days after receiving the citation
- The compliance officer will hold a separate closing conference with the employees or their representative, if requested, to discuss matters of direct interest to employees and to inform them of their rights after an inspection

OSHA Saves Lives

- While investigating the death of an aerial lift operator on September 11, 2001, OSHA inspector Rich LeVinus from the Concord, New Hampshire Area OSHA Office helped prevent another serious injury or fatality
- An aerial lift had rolled off the side of a flat bed truck, catapulting the operator to the ground, resulting in his death
- A tow truck operator was preparing to bring the lift upright, and LeVinus realized that doing so could cause the aerial lift to shift and possibly swing into the driver's side of the tow truck
- He insisted that the tow truck driver use the passenger side controls to winch up the aerial lift, possibly saving the driver's life when the basket of the aerial lift did indeed strike the driver's side of the tow truck

Citations:

- After the compliance officer reports his or her findings, the OSHA area director determines what citations, if any, will be issued, and what penalties, if any will be proposed
- Citations and notices of proposed penalties are sent to employers by certified mail
- Citations inform employer and employees of the regulations and standards allegedly violated and of the proposed time for abatement
- The employer must post a copy of each citation at or near the place where the violation occurred, for 3 days or until the violation is corrected which ever is longer

Types of penalties

Under the OSH Act, OSHA may cite the following violations and propose the following penalties:

Other-than-serious

- A violation that has a direct relationship to job safety and health, but probably would not cause death or serious physical harm
- OSHA may propose a penalty of up to \$7000.00 for each other-than-serious 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. OSHA may propose a mandatory penalty of up to \$7000.00 for each serious violation

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 \$70,000.00 for each willful violation, with a minimum penalty of \$5,000 for each willful violation
- If a court convicts such an employer, the offense is punished by a court imposed fine or by imprisonment for up to six months, or both
- If a court convicts such an employer, the offense is punishable by a court-imposed fine or by imprisonment for up to six months or both
- The court may impose a fine for a criminal conviction of up to \$250,000.00 for an individual or \$500,000.00 for a corporation.

Repeated

A violation of any standard, regulation, rule or order where OSHA finds a substantially similar violation during a re-inspection.

OSHA may propose penalties of up to \$70,000.00 for each repeated violation

Failure to Abate

OSHA may propose an additional penalty of up to \$7,000.00 for EACH DAY an employer fails to correct a previously cited violation beyond the prescribed abatement date

Appeals

- If an employer decides to contest a citation, a time set for abatement and/or a proposed penalty, he or she has 15 working days after receiving the citation and notice of proposed penalty to notify the OSHA area director in writing
- This written notification is called a notice of contest
- Any employer, employee or employee representative also may request an informal conference within the 15 working day contest period to discuss inspection results
- Based on information and evidence presented at the informal conference, OSHA may enter into an informal settlement agreement with the employer, which could involve changes to citations, penalties or abatement dates.
- If the written notice of contest has been filed within the required 15 working days the OSHA area director forwards it to the Occupational Safety and Health Review Commission (OSHRC)
- The commission is an independent federal agency created by the OSH Act to decide contested OSHA citations and penalties. It is not associated with OSHA or the Department of Labor.
- The commission will assign an administrative law judge to hear the case
- The administrative law judge may:
 - Find the contest legally invalid and disallow it
 - Set a hearing for a public place near the employer's workplace

Appeals

- The employer and the employees have the right to participate in the hearing
- Once the administrative law judge has ruled, any party to the case may request a further review by that commission.
- Employers and OSHA may appeal commission rulings to the appropriate U. S. Court of Appeals

Outreach Materials on OSHA's Website

- OSHA also produces Quick-Takes, a biweekly e-news memo filled with timely information, updates and results from OSHA about safety and health in America's workplaces. Subscriptions are free; just click on the agency website.
- In addition, OSHA's website includes Spanish-language pages, a small business page, a workers page that explains workers' rights and responsibilities under the OSH Act and a teen workers' page that addresses safety and health issues for workers under age of 18.
- These and other web-based resources are available at www.osha.gov.

Compliance assistance Materials

- These include numerous publications on regulatory topics such as hazard communication, asbestos and blood borne pathogens, and on programs such as consultation, voluntary protection, grants and training and education.
- The agency also publishes guidance documents, such as guidelines on ergonomics for specific industries and recommended for addressing violence in the workplace.
- Many publications are now available in Spanish as well as English.

Help for Employers and Employees

- OSHA works closely with the states to help employers and employees comply with OSHA Standards and regulations through an active compliance assistance program.
- Compliance assistance specialists in each OSHA area office respond to requests for help.
- Compliance assistance specialists are also available for Seminars, workshops and speaking events.
- They can help employers establish safety and health management systems for their workplaces or refer them to the OSHA Consultation Service for assistance.

OSHA Consultation Services

- A free service that enables employers to identify potential hazards at their worksites and ways to correct them, improve their occupational safety and health management systems, and even qualify for a one-year exemption from routine OSHA inspection.
- The service is delivered by state governments using well-trained professional staff.
- Most consultations take place on site, through limited services away from the worksite are available.
- No citations are issued or penalties proposed for hazards identified by the consultant.
- The purpose of the program is to help smaller employers identified through consultation assistance. The consultant may refer the employer for a possible inspection.

OSHA Training Institute

- The OSHA Training Institute in Arlington Heights, IL, provides basic and advanced training and education in safety and health for federal and state compliance officers, state consultants, other federal agency personnel, and private sector employers, employees and their representatives.
- Institute courses cover areas such as electrical hazards, machine guarding, ventilation and ergonomics.
- Nearly 60 courses are available for private sector workers dealing with subjects such as safety and health in the construction industry and methods of voluntary compliance with OSHA standards.

- Under the program, certain non profit organizations offer the most frequently requested OSHA Training institute courses for the private sector and other federal agency personnel at locations throughout the United States.

OSHA Emergency Hotline

- 1-800-321 OSHA
- Report workplace safety or health fatalities or the hospitalization of 3 or more employees.
- Report a work place hazard
- File a complaint about a workplace hazard
- Request information on OSHA
- When a call is made to the hot line number in an emergency, it is important to give as much information as is known about the emergency, including:
 - Complete description of the hazard
 - Name and location of the establishment
 - Duration of the hazard (Is it still going on? When will it end)
 - Type of operation
 - Contact phone number (company or personnel)

Conclusion

- We have looked at:
- The purpose of OSHA
- How workplace health and safety has improved since the OSG Act was passed
- OSHA's standards and where to find them
- The General Duty Clause of the OSH Act designed to protect employees in situations where there are no established standards
- The responsibilities and rights of employers and employees under the OSH Act
- OSHA recordkeeping and reporting requirements
- The OSHA inspection process, OSHA citations and penalties and the appeals process for citations and penalties issued by OHSA
- Examples of the outreach, education and compliance assistance available from OSHA
- When and how to contact OSHA in an emergency