



JOB SAFETY AND HEALTH

Why should everyone be concerned about job safety and health?

Each year approximately 6,000 employees in this country die from workplace injuries while another 50,000 die from illnesses caused by exposure to workplace hazards. In addition, 6 million workers suffer non-fatal workplace injuries at an annual cost of to U.S. businesses of more than \$125 billion. Effective job safety and health add value to the workplace and help reduce worker injuries and illnesses.

How does OSHA contribute to job safety and health?

Congress passed the Occupational Safety and Health Act of 1970, (OSH Act), "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." Title 29 of the Code of Federal Regulations (CFR), Parts 1902-1990, contains OSHA regulations and standards. Some states have enacted occupational safety and health laws and operate federally approved state plans. Such states adopt and enforce state standards and regulations that are at least as effective as those enacted under federal law.

Are all employees covered by the OSH Act?

The OSH Act covers all employees except workers who are self-employed and public employees in state and local governments. In states with OSHA-approved state plans, public employees in state and local governments are covered by their state's OSHA-approved plan. Federal employees are covered under the OSH Act's federal employee occupational safety and health programs, see 29 CFR Part 1960. United States Postal Service employees, however, are subject to the same OSH Act coverage provisions as are private sector employers. The OSH Act does not apply to particular working conditions addressed by regulations or standards affecting occupational safety or health that are issued by federal agencies, other than OSHA, or by a state atomic energy agency. Other federal agencies that have issued requirements affecting job safety or health include the Mine Safety and Health Administration and some agencies of the Department of Transportation.

What are your responsibilities as an employer?

If you are an employer covered by the OSH Act, you must provide your employees with jobs and a place of employment free from recognized hazards that are causing, or are likely to cause, death or serious physical harm. Among other actions, you must also comply with the OSHA statutory requirements, standards, and regulations that, in part, require you to do the following:

- Provide well-maintained tools and equipment, including appropriate personal protective equipment.
- Provide medical examinations.
- Provide training required by OSHA standards.
- Report to OSHA within 8 hours accidents that result in fatalities.
- Report to OSHA within 8 hours accidents that result in the hospitalization of three or more employees.
- Keep records of work-related accidents, injuries, illnesses- and their causes- and post annual summaries for the required period of time. A number of specific industries in the retail, service, finance, insurance and real estate sectors that are classified as low-hazard are exempt from most requirements of the regulation, as are small businesses with 10 or fewer employees (see 29 CFR Part 1904).
- Post prominently the OSHA poster (OSHA 3165) informing employees of their rights and responsibilities.
- Provide employees access to their medical and exposure records.
- Do not discriminate against employees who exercise their rights under the OSH Act.
- Post OSHA citations and abatement verification notices at or near the work site.
- Abate cited violations within the prescribed period.
- Respond to survey requests for data from the Bureau of Labor Statistics, OSHA or a designee of either agency.

What are your rights as an employer?

When working with OSHA, you may do the following:

- Request identification from OSHA compliance officers.
- Request an inspection warrant.
- Be advised by compliance officers of the reason for any inspection.
- Have an opening and closing conference with compliance officers.
- Accompany compliance officers on inspections.
- Request an informal conference after an inspection.
- File a NOTICE of CONTEST to citations, proposed penalties, or both.
- Apply for a variance from a standard's requirements under certain circumstances.

- Be assured of the confidentiality of trade secrets.
- Submit a written request to the National Institute for Occupational Safety and Health for information on potentially toxic substances in your workplace.

What are your responsibilities as an employee?

To help prevent exposure to workplace safety and health hazards, you must comply with all OSHA requirements that apply to your actions and conduct.

What are your rights as an employee?

In your associations with OSHA and your employer, you have the right, among other actions, to do the following:

- Review employer-provided OSHA standards, regulations and requirements.
- Request information from your employer on emergency procedures.
- Receive adequate safety and health training when required by OSHA standards related to toxic substances and any such procedures set forth in any emergency action plan required by an OSHA standard.
- Ask the OSHA Area Director to investigate hazardous conditions or violations of standards in your workplace.
- Have your name withheld from your employer if you file a complaint with OSHA.
- Be advised of OSHA actions regarding your complaint, and have an informal review of any decision not to inspect or to issue a citation.
- Have your employee representative accompany the OSHA compliance officer on inspections.
- Observe any monitoring or measuring of toxic substances or harmful physical agents and review any related monitoring or medical records.
- Review at a reasonable time the Log of Work-Related Injuries and Illnesses (OSHA 300) if your employer is required to maintain it.
- Request a closing discussion following an inspection.
- Object to the abatement period set in a citation issued to your employer.
- Seek safe and healthful working conditions without your employer retaliating against you.

How can you get more information on safety and health?

OSHA has various publications, standards, technical assistance, and compliance tools to help you, and offers extensive assistance through workplace consultation,

voluntary protection programs, grants, strategic partnerships, state plans, training, and education. OSHA's Safety and Health Program Management Guidelines (Federal Register 54:3904-3916, January 26, 1989) detail elements critical to the development of a successful safety and health management system. This and other information are available on OSHA's website.

