



Introduction to OSHA

This is a one-hour required course for the OSHA Academy 10- and 30- Hour OSHA Training Program. The purpose of the course is to give students a basic introduction into the Occupational Safety and Health Administration (OSHA) and how it fulfills its mission and protects employees.

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OSHAcademy Course 144 Study Guide

Introduction to OSHA

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Contact OSHAcademy to arrange for use as a training document.

This study guide is designed to be reviewed off-line as a tool for preparation to successfully complete OSHAcademy Course 144.

Read each module, answer the quiz questions, and submit the quiz questions online through the course webpage. You can print the post-quiz response screen which will contain the correct answers to the questions.

The final exam will consist of questions developed from the course content and module quizzes.

We hope you enjoy the course and if you have any questions, feel free to email or call:

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Course Introduction

This course is designed to introduce management and employees with OSHA, its organization, and how to effectively work with OSHA to help make your workplace safe.

Topics within the course include:

-) Why is OSHA important to you?
-) What rights do you have under OSHA?
-) What responsibilities does your employer have under OSHA?
-) What are OSHA standards?
-) How are OSHA inspections conducted?
-) Where can you go for help?

In this course, we'll look at OSHA, its organization, mission, a little history, and jurisdiction. We'll learn how OSHA conducts inspections and assesses penalties as a result of citations issued.

Free Training!

As a registered OSHAcademy student, you gain free access to all training materials, including student dashboard, online courses and study guides, module quizzes, and final course exams. If you decide you would like official documentation of the training including certificates, cards, and transcripts, we charge a small processing fee.

Module 1: About OSHA

OSHA's Mission

The Occupational Safety and Health Act of 1970 (OSH Act) was passed to prevent workers from being killed or seriously harmed at work. The law requires that employers provide their employees with working conditions that are free of known dangers.

The Act created the Occupational Safety and Health Administration ([OSHA](#)), which sets and enforces protective workplace safety and health standards. OSHA also provides information, training, and assistance to workers and employers.

The mission of OSHA is to save lives, prevent injuries and protect the health of America's workers. The OSH Act states that workers have the right to a safe workplace and that it is the employer's responsibility to provide safe and healthy workplaces.

OSHA and its state partners have approximately 2100 inspectors, plus complaint discrimination investigators, engineers, physicians, educators, standards writers, and other technical and support personnel spread over more than 200 offices throughout the country. This staff establishes protective standards, enforces those standards, and reaches out to employers and employees through technical assistance and consultation programs.

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

Today, although occupational safety has come a long way, too many employees are still being injured and killed on the job. Let's look at some recent statistics:

-) 5,190 workers were killed on the job in all sectors in 2016.
-) An average of nearly 13 workers die every day.
-) 2,857,400 recordable workplace injuries and illnesses were reported by private industry employers in 2016.

Quiz Instructions

After each section, there is a quiz question. Make sure to read the material in each section to discover the correct answer to these questions. Circle the correct answer. When you are finished go online to take the final exam. This exam is open book, so you can use this study guide.

1. How many workplace fatalities in all sectors were recorded in 2016?

- a. More than 4,500
- b. Less than 5,200
- c. At least 7,000
- d. Between 6,000 and 6,500

What are OSHA Standards

OSHA standards are rules that describe the methods that employers must use to protect their employees from hazards. There are OSHA standards for [Construction work, Agriculture, Maritime operations, and General Industry](#), which are the standards that apply to most worksites. These standards limit the amount of hazardous chemicals workers can be exposed to, require the use of certain safe practices and equipment, and require employers to monitor hazards and keep records of workplace injuries and illnesses.

The [Code of Federal Regulations \(CFR\)](#) is an annual codification of the general and permanent rules published in the [Federal Register](#) by the executive departments and agencies of the Federal Government. It is divided into 50 "titles," of which is Title 29 assigned to the [Department of Labor](#); therefore, the OSHA standards, called "Parts," are:

-) [Part 1910 is assigned to General Industry](#). Includes topics such as hazard communication, walking-working surfaces, PPE, powered platforms, hazardous materials, confined space safety, and noise exposure.
-) [Part 1915 is assigned to Maritime](#). Includes topics such as welding, scaffolds, ladders, general working conditions, tools, rigging and material handling.
-) [Part 1917 is assigned to Maritime Terminals](#). Includes topics such as terminal operations, cargo handling gear, first aid and lifesaving facilities, terminal facilities.

- J) [Part 1918 is assigned to Longshoring](#). Includes topics such as gangways, working surfaces, opening and closing hatches, cargo handling, vessel cargo handling gear, and gear certification.
- J) [Part 1926 is assigned to Construction](#). Includes topics such as exit routes, environmental controls, walking-working surfaces, ladders, fall protection, hazardous materials, PPE, and permit-required confined spaces.
- J) [Part 1928 is assigned to Agriculture](#). Includes topics such as safety for agricultural equipment, employee operating instruction, guarding farm field equipment, cotton gins, environmental controls, and occupational health.

The Rule-making Process. Before OSHA can issue a standard, it must go through an extensive and lengthy process that includes substantial public engagement, notice and comment periods. This is known as the [OSHA Rulemaking Process](#).

2. Which Code of Federal Regulations (CFR) "Title" is assigned to the Department of Labor (DOL)?

- a. Title 04
- b. Title 10
- c. Title 29
- d. Title 50

OSHA Coverage

The OSH Act covers most private sector employers and their workers, in addition to some public-sector employers and workers in the 50 states and certain territories and jurisdictions under federal authority. Those jurisdictions include the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Northern Mariana Islands, Wake Island, Johnston Island, and the Outer Continental Shelf Lands.

State Plans

The OSH Act encourages states to develop and operate their own job safety and health programs and precludes state enforcement of OSHA standards unless the state has an approved program. [State Plans](#) are OSHA-approved job safety and health programs operated by individual states rather than federal OSHA.

State-run safety and health programs must be at least as effective (ALAE) as the federal OSHA program. OSHA approves and monitors all state plans and provides as much as fifty percent of the funding for each program.

Currently there are 22 states in which state plans are approved for private-sector, and state and local government employees. An additional six states are approved for state and local government employees only.



3. OSHA does NOT have jurisdiction in _____.

- a. Bermuda
- b. Virgin Islands
- c. Guam
- d. California

Most Frequently Cited Standards

Through the years, the same standards seem to be most frequently cited by OSHA. Their position on the list below varies from year to year, but they're all on the TOP 10 list each year. Visit [OSHA's website](#) on this topic.

Notice the Fall Protection and Hazard Communication standards: these two standards are usually at or near the top, so make sure you have an effective hazard communication program. It's smart safety management to give priority to each of these top 10 in your safety program. After all, the following statement is true:

"That which OSHA sees the most, is cited the most."

Look at the following list to get a sense of the most common workplace violations for 2017:

1. [1926.501 - Fall Protection - Construction](#)
2. [1910.1200 - Hazard Communication - General Industry](#)
3. [1926.451 - Scaffolding - Construction](#)
4. [1910.134 - Respiratory Protection - General Industry](#)
5. [1910.147 - Lockout/Tagout - General Industry](#)
6. [1926.1053 - Ladders - Construction](#)
7. [1910.178 - Powered Industrial Trucks - General Industry](#)
8. [1910.212 - Machine Guarding - General Industry](#)
9. [1926.503 - Fall Protection - Training Requirements - Construction](#)
10. [1910.305 - Electrical- Wiring Methods - General Industry](#)

4. Which of the following standards is at the top of OSHA's most frequently cited violations list?

- a. Lockout/Tagout
- b. Ergonomics
- c. Fall Protection-Construction
- d. Machine Guarding

OSHA Inspections

OSHA enforces standards through inspections. There are about 2,400 state and federal OSHA inspectors for over 7 million workplaces. At this rate, it would take about 100 years for OSHA to inspect every workplace once. Therefore, OSHA targets the most dangerous workplaces; industries with fatalities and serious injuries and construction.

The OSH Act authorizes OSHA compliance safety and health officers (CSHOs) to conduct non-notice workplace inspections at reasonable times. The OSHA inspection 3-phase process consists of:

1. **Opening conference:** The compliance officer will explain why OSHA selected the workplace for inspection and describe the scope of the inspection, walkaround procedures, employee representation and employee interviews.
2. **"Walkaround" inspection:** The compliance officer and the representatives will walk through the portions of the workplace covered by the inspection.
3. **Closing conference** with the employer. The compliance officer discusses possible courses of action an employer may take following an inspection, which could include an informal conference with OSHA or contesting citations and proposed penalties.

Results can take up to 6 months, after which OSHA may issue citations. These may include fines and will include dates by which hazard must be abated. See detailed requirements in the Field Operations Manual.

Different Types of OSHA Inspections

Unprogrammed Inspections

These inspections are scheduled in response to alleged hazardous working conditions identified at a specific worksite. This type of inspection responds to the following four priorities:

1. Imminent Danger
2. Fatalities/catastrophes
3. Complaints/Referrals
4. Programmed Inspections

Programmed Inspections

Programmed Inspections are the most common type of inspection and are scheduled based upon objective or neutral selection criteria are programmed inspections. Inspections within the construction industry are scheduled from a list of construction worksites, not employers.

5. Which of the following OSHA inspections has the HIGHEST priority?

- a. Programmed Inspections
- b. Complaints/Referrals
- c. Fatality/Catastrophe
- d. Imminent Danger

On-site OSHA Inspections

OSHA inspectors, called Compliance Safety and Health Officers (CSHOs), are experienced, well-trained industrial hygienists and safety professionals whose goal is to assure compliance with OSHA requirements. OSHA conducts inspections without advanced notice. Employers have the right to require compliance officers to obtain an inspection warrant before entering the worksite.

Preparation: Before conducting an inspection, OSHA compliance officers research the inspection history of a worksite using various data sources, review the operations and processes in use and the standards which are most likely to apply.

Presentation of credentials: The on-site inspection begins with the presentation of the compliance officer's credentials, which include both a photograph and a serial number.

Opening Conference: During the opening conference, the compliance officer will explain why OSHA selected the workplace for inspection and describe the scope of the inspection, walkaround procedures, employee representation and employee interviews. The employer then selects a representative to accompany the compliance officer during the inspection.

Walkaround: Following the opening conference, the compliance officer and the representatives will walk through the portions of the workplace covered by the inspection, inspecting for hazards that could lead to employee injury or illness.

During the walkaround, compliance officers may point out some apparent violations that can be corrected immediately. While the law requires that these hazards must still be cited, prompt correction is a sign of good faith on the part of the employer.

Closing Conference: After the walkaround, the compliance officer holds a closing conference with the employer and the employee representatives to discuss the findings. The compliance officer discusses possible courses of action an employer may take following an inspection, which could include an informal conference with OSHA or contesting citations and proposed penalties.

Results: When an inspector finds violations of OSHA standards or serious hazards, OSHA may issue citations and fines. Citations describe OSHA requirements allegedly violated, list any proposed penalties and give a deadline for correcting the alleged hazards.

Appeals: When OSHA issues a citation, it also offers the employer an opportunity for an informal conference with the OSHA Area Director to discuss citations, penalties, abatement dates or any other information pertinent to the inspection. The agency and the employer may work out a settlement agreement to resolve the matter and to eliminate the hazard.

Employers have 15 working days after receipt of citations and proposed penalties to formally contest the alleged violations and/or penalties by sending a written notice to the Area Director.

6. Which of the following is a sign of "good faith" on the part of the employer during an OSHA inspection?

- a. Promising to correct the hazard within 30 days
- b. Immediate correction of the hazard
- c. Insistence on a warrant
- d. Nothing can be done to show "good faith"

Citations

The following general information on citations and penalties describes the types of violations and explains the actions the employer may take if they receive a citation as the result of an inspection. In settling a penalty, OSHA has a policy of reducing penalties for small employers

and those acting in good faith. For more information on employer responsibilities, see [OSHA Publication 3000, Employer Rights and Responsibilities](#).

Willful violation: A willful violation is cited when the employer intentionally and knowingly commits the violation. It is also cited when the employer commits a violation with plain indifference to the law.

Repeated violation: This violation is cited by OSHA when it is the same as a similar or previous violation.

Serious violation: OSHA cites a serious 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.

Other-than-serious violation: An other-than-serious violation is cited when the violation has a direct relationship to safety and health, but probably would not cause death or serious physical harm.

De Minimis: De minimis conditions are those where an employer has implemented a measure different from one specified in a standard, that has no direct or immediate relationship to safety or health. These conditions do not result in citations or penalties.

Failure to Abate. A failure to abate violation exists when a previously cited hazardous condition, practice or non-complying equipment has not been brought into compliance since the prior inspection (i.e., the violation remains continuously uncorrected) and is discovered at a later inspection.

7. OSHA cites 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.

- a. formal
- b. imminent danger
- c. serious
- d. other-than-serious

Penalties

The penalties that OSHA assesses are based on the type of violation. In settling a penalty, OSHA has a policy of reducing penalties for small employers and those acting in good faith. For serious

violations, OSHA may also reduce the proposed penalty based on the gravity of the alleged violation. No good faith adjustment will be made for alleged willful violations. Below are the penalty amounts adjusted for inflation as of January 13, 2017:

Serious and other-than-serious violations: OSHA may propose penalties of up to \$12,675 for each serious, other than serious, and repeated violation.

Failure to abate: When the employer fails to abate a violation, a maximum of \$12,675 may be proposed for each day the violation remains unabated beyond the abatement date. Generally, there is a 30-day maximum limit.

Willful or repeated violations: OSHA may propose penalties of up to \$126,749 for each willful or repeated violation.

OSHA cites employers, not employees: It is important to know the OSHA Act does not provide for the issuance of citations or the proposal of penalties against employees. Employers are responsible for employee compliance with the standards.

Penalty Adjustments: OSHA may apply penalty adjustments that vary depending upon the employer's size (maximum number of employees), good faith, and the history of previous violations. Adjustments based on the number of employees may be applied as follows:

-) 70 percent for employers with 1-10 employees
-) 60 percent for employers with 11-25 workers
-) 30 percent for employers with 26-100 workers
-) 10 percent for employers with 101-250 workers

8. Which one of the following violations will NOT result in a possible "good faith" adjustment in penalty?

- a. De Minimis violation
- b. Serious violation
- c. Other-than-serious violation
- d. Willful violation

OSHA Resources

Over the years, OSHA has developed many helpful resources for employers. OSHA has a lot of safety and health information and links to resources that can help you.

For example, from the Home Page, you can:

- J Find information in Spanish from the [OSHA en Español page](#);
- J Locate Fact Sheets and QuickCards by going to [OSHA's Publications page](#);
 - o **OSHA Fact Sheets** provide basic background information on safety and health hazards; and
 - o **QuickCards** are small, laminated cards that provide brief, plain language safety and health information for workers.

You can contact OSHA by calling or visiting your [local area or regional office](#) for safety and health information or to discuss [filing a complaint](#). [Compliance Assistance Specialists](#) in the area offices conduct many training sessions and have training materials and information that can be useful.

Open the following [Safety and Health Resources](#) handout to get valuable links to many more resources from NIOSH, universities, professional organizations, and unions.

You can also learn more about the OSHA website by opening the [Navigating the OSHA Website](#) handout.

9. Who would you contact to get help with safety training?

- a. A Compliance Assistance Specialist (CAS)
- b. A Compliance Safety and Health Officer (CSHO)
- c. A Safety and Health Compliance Officer (SHCO)
- d. A Consultation and Education Technician (CET)

OSHA On-Site Consultation

OSHA's On-site Consultation Program offers free and confidential advice to small and medium-sized businesses in all states across the country, with priority given to high-hazard worksites. In Fiscal Year (FY) 2015, responding to requests from small employers looking to create or improve their injury and illness prevention programs, OSHA's On-site Consultation Program conducted approximately 28,000 visits to small business worksites covering over 1.4 million workers across the nation.

On-site Consultation services are separate from enforcement and do not result in penalties or citations. Consultants from state agencies or universities work with employers to identify

workplace hazards, provide advice on compliance with OSHA standards, and assist in establishing injury and illness prevention programs.

Because consultation is a voluntary activity, you must request it. The consultant will discuss your specific needs with you and set up a visit date based on the priority assigned to your request, your work schedule, and the time needed for the consultant to adequately prepare to serve you.

- J The consultant will start with an opening conference with you before beginning the walk through.
- J The consultant will study your entire workplace, pointing out safety or health risks (some which may not have an applicable OSHA standard).
- J After the walk-through, the consultant will review the findings with you before leaving.
- J Finally, the consultant will send you a detailed written report explaining the findings and confirming any abatement periods agreed upon. They may also contact you from time to time to check your progress.

10. Which of the following is TRUE regarding OSHA on-site consultations?

- a. They are the result of an OSHA letter
- b. They are confidential
- c. They will result in an OSHA Inspection
- d. They are mandatory

Partnering with OSHA

OSHA Alliance Program: Through the [OSHA Alliance Program](#), OSHA works with groups committed to worker safety and health to prevent workplace fatalities, injuries, and illnesses. These groups include unions, consulates, trade or professional organizations, businesses, faith- and community-based organizations, and educational institutions. OSHA and the groups work together to develop compliance assistance tools and resources, share information with workers and employers, and educate workers and employers about their rights and responsibilities.

Alliance Program participants do not receive exemptions from OSHA inspections or any other enforcement benefits.

Safety and Health Achievement Recognition Program: The On-site Consultation Program's [Safety and Health Achievement Recognition Program \(SHARP\)](#) recognizes small business employers who operate an exemplary injury and illness prevention program.

Acceptance of your worksite into SHARP from OSHA is an achievement of status that singles you out among your business peers as a model for worksite safety and health. Upon receiving SHARP recognition, OSHA exempts the worksite from OSHA programmed inspections during the period that the SHARP certification is valid.

OSHA's Voluntary Protection Program: The [Voluntary Protection Programs \(VPP\)](#) recognize employers and workers in the private industry and federal agencies who have implemented effective safety and health management systems and maintain injury and illness rates below national Bureau of Labor Statistics averages for their respective industries.

To participate, employers must apply to OSHA and undergo a rigorous onsite evaluation by a team of safety and health professionals. Union support is required for applicants represented by a bargaining unit.

VPP participants are exempt from OSHA programmed inspections while they maintain their VPP status.

11. Which of the following OSHA programs recognizes small employers for exemplary safety programs?

- a. OSHA Consultation and Training Service (OCTS)
- b. OSHA Alliance Program (OAP)
- c. Safety and Health Recognition Program (SHARP)
- d. Voluntary Prevention Program (VPP)

Ways to Report Safety Hazards

The first action to report a safety hazard should be to contact the employer's safety team leader, supervisor, manager, safety committee, etc. While anyone who knows about a workplace safety or health hazard may report unsafe conditions to OSHA, it's a good practice to try to correct the hazard and prevent further exposure before involving OSHA.

-) **Contact:** Contact the team leader, supervisor, manager, safety committee, etc.
-) **Phone:** Call the Regional or Local OSHA office or 1-800-321-OSHA.
-) **Fax or Mail:** Obtain the complaint form online or from the [local or regional OSHA office](#).

- J **In Person:** Visit the local OSHA office.
- J **Online:** File complaints using [OSHA's Online Form](#).

How OSHA Responds to Complaints

OSHA evaluates each complaint to determine how it can be handled best--an off-site investigation or an on-site inspection. Workers who would like an on-site inspection must submit a written request. Workers who complain have the right to have their names withheld from their employers, and OSHA will not reveal this information. At least one of the following eight criteria must be met for OSHA to conduct an on-site inspection:

- J A written, signed complaint by a current employee or employee representative with enough detail to enable OSHA to determine that a violation or danger likely exists that threatens physical harm or that an imminent danger exists;
- J An allegation physical harm has occurred as a result of the hazard and it still exists;
- J A report of an imminent danger;
- J A complaint about a company in an industry covered by one of [OSHA's local or national emphasis programs](#) or a hazard targeted by one of these programs;
- J Inadequate response from an employer who has received information on the hazard through a phone/fax investigation;
- J A complaint against an employer with a past history of egregious, willful or failure-to-abate OSHA citations within the past three years;
- J Referral from a whistle blower investigator; or
- J Complaint at a facility scheduled for or already undergoing an OSHA inspection.

12. Which of the following criteria must be met before on-site OSHA inspection will occur as a result of a complaint?

- a. A report of an imminent danger
- b. Complaint of stressful work schedules
- c. Unspecified employer response to employee complaints
- d. Past history of an OSHA inspection

Module 2: Rights and Responsibilities

OSHA was created to provide workers the right to a safe and healthful workplace. Let's look at what the Occupational Safety and Health Act of 1970 (OSH Act) says about employer and employee duties.

OSH Act of 1970 Section 5(a) Duties - General Duty Clause

(a) Each employer --

(1) shall furnish to each of his employees employment and a place of employment which are free from **recognized** hazards that are causing or are likely to cause death or serious physical harm to his employees;

(2) shall comply with occupational safety and health standards promulgated under this Act.

(b) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

1. OSHA's "General Duty Clause" states the employer must protect employees from _____.

- a. dangerous hazards
- b. serious hazards
- c. all hazards
- d. recognized hazards

"Recognized" Hazards

Occasionally, people ask what is considered a "recognized" hazard in the workplace. As described in OSHA's Field Compliance Manual, recognition of a hazard is established on the basis of industry recognition, employer recognition, or "common sense" recognition criteria. Let's take a closer look at these three categories to better understand what OSHA means.

-) **Industry Recognition:** A hazard is recognized if the employer's industry recognizes it.
-) **Employer Recognition:** A recognized hazard can be established by evidence of actual employer knowledge. Evidence may consist of previous written or oral statements by managers, supervisors, and employees clearly recognizing the hazard.

- J **Common Sense Recognition:** If industry or employer recognition of the hazard cannot be established, recognition can still be established if it is concluded that any reasonable person would have recognized the hazard. This argument is used by OSHA only in flagrant cases.

2. During an inspection, the OSHA compliance officer cited a machine guarding violation which had been previously reported to a supervisor. Under which criteria is hazard recognition established?

- a. Employee recognition
- b. Industry recognition
- c. Common sense recognition
- d. Employer recognition

Employer Responsibilities

According to the OSHAct, employers must provide employees a workplace free from recognized hazards. Specifically, OSHA standards mandate that employers must:

- J Provide a workplace free from recognized hazards and comply with OSHA standards.
- J Provide training required by OSHA standards.
- J Keep records of injuries and illnesses.
- J Set up a reporting system.
 - o Provide copies of logs (i.e., OSHA 300), upon request; Post the annual summary;
 - o Report within 8 hours any work-related fatalities and within 24 hours, all work-related: inpatient hospitalizations, amputations, and losses of an eye.
- J Provide medical exams when required by OSHA standards and provide workers access to their exposure and medical records.
- J Not discriminate against workers who exercise their rights under the Act.
- J Post OSHA citations and abatement verification notices.
- J Provide and pay for most [Personal Protective Equipment \(PPE\)](#).

3. Which of the following is a fundamental employer obligation under the OSHAct of 1970?

- a. Provide social justice to the workplace
- b. Provide training required by OSHA standards
- c. Ensure all injuries are reported to OSHA
- d. Share costs of PPE with employees

Worker Rights

Under OSHA law, you are entitled to working conditions that do not pose a risk of serious harm. Workers have certain rights, under OSHA law, and employers have certain responsibilities.

Workers have the right to the following:

-) A safe and healthful workplace.
-) Right to be free from retaliation for exercising safety and health rights.
-) 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.
-) Refuse to do a task if you believe it is unsafe or unhealthful.
-) 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.

4. Each of the following is an employee right under the OSHAct, except _____.

- a. filing a complaint
- b. enforcing safety rules
- c. participating in an OSHA inspection
- d. requesting copies of medical records

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)
- worker training

The training must include the physical and health hazards of the chemicals and how workers can protect themselves.

More than 30 million workers in the United States are potentially exposed to one or more chemical hazards. There are an estimated 650,000 existing hazardous chemical products, and hundreds of new ones are being introduced annually. This poses a serious problem for exposed workers and their employers.

The [OSHA Hazard Communication Standard \(HCS\) - 29 CFR 1910.1200](#) provides workers exposed to hazardous chemicals with the identities and hazards of those materials, as well as appropriate protective measures. When workers have such information, they can take steps to protect themselves from experiencing adverse effects from exposure.

5. The Hazard Communication Program (HCP) requires all the following information, except

_____.

- a. Container labeling
- b. Safety Data Sheets (SDSs)
- c. Worker training
- d. Storage and disposal

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 the current OSHA 300 log. Remember, it is against the OSHA law to retaliate or discriminate against a worker for reporting an injury or illness.
-) Workers also have the right to view the annually posted summary of the injuries and illnesses (OSHA 300A)

For more on OSHA recordkeeping download the [OSHA 300, 300A and 301 forms and instructions](#).

Employers must report the following work-related events to OSHA:

-) fatalities
-) in-patient hospitalizations of one or more employees
-) amputations
-) losses of an eye

6. You should expect your employer to post the OSHA 300A Summary Form if the company has more than _____ employees.

- a. 5
- b. 10
- c. 15
- d. 20

Right to Complain or Request Corrections

According to OSHA law, you may bring up safety and health concerns in the workplace to your employer without fear of discharge or discrimination.

If you become aware of a hazard where you're working, be sure to notify your immediate supervisor. If you are not comfortable doing that for some reason, contact the safety manager or a member of your safety committee. If employees are afraid to report their concerns about hazards and unsafe practices, there may be a fundamental lack of trust between management and labor in the organization.

OSHA rules protect workers who raise concerns to their employer or OSHA about unsafe or unhealthful conditions in the workplace.

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. No person should ever have to be injured, become ill, or die for a paycheck.

-) 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

See OSHA's [Publication 2254, Training Requirements in OSHA Standards](#) for more information on the required training in General Industry, Maritime, Construction, Agriculture, and Federal Employee Programs.

7. If employees are afraid to report hazards to their supervisor, it may indicate _____.

- a. the employees are wrong
- b. the supervisor is busy
- c. they don't care
- d. a lack of trust

Right to Participate in OSHA Inspections

When the OSHA inspector arrives, workers and their representatives have the right to talk privately with the OSHA inspector before and after the inspection.

-) A worker representative may also go along on the inspection.
-) Where there is no union or employee representative, the OSHA inspector must talk confidentially with a reasonable number of workers during the course of the investigation.
-) Workers can talk to the inspector privately.
-) They 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 and abatement measures, and get involved in any meetings or hearings related to the inspection.
-) Workers may object to the date set for the violation to be corrected and be notified if the employer files a contest.

8. What may the OSHA inspector do if there is no employee representative participating in the inspection?

- a. Talk with workers during the inspection
- b. Demand additional management representatives participate
- c. Reschedule the inspection with the employer
- d. Delay the inspection until the next day

Right to Examine Exposure and Medical Records

Under OSHA's standard [1910.1020, Access to employee exposure and medical records](#), employees, their designated representatives, and OSHA representatives have the right to examine and copy their own exposure and medical records, including records of workplace monitoring or measuring a toxic substance. This is important if you have been exposed to toxic substances or harmful physical agents in the workplace, as this regulation may help you detect, prevent, and treat occupational disease.

Examples of toxic substances and harmful physical agents are:

- J) metals and dusts, such as lead, cadmium, and silica;
- J) biological agents, such as bacteria, viruses, and fungi; and
- J) physical stress, such as noise, heat, cold, vibration, repetitive motion, and ionizing and non-ionizing radiation.

OSHA standards require employers to measure exposure to harmful substances. "Exposure" or "exposed" means that an employee is subjected to a toxic substance or harmful physical agent in the course of employment through any route of entry (inhalation, ingestion, skin contact or absorption, etc.), and includes past exposure and potential (e.g., accidental or possible) exposure.

Workers or their representatives have the right to observe the testing and examine the results. If the exposure levels are above the limit set by the standard, the employer must tell workers what will be done to reduce their exposure.

9. According to OSHA, which of the following are records to which employees do NOT have access?

- a. Toxic substance measurements
- b. Exposure to toxic substances
- c. Other employee records
- d. Their own medical records

Right to Refuse Dangerous Work

Workers have the right to refuse to do a job if they believe in good faith that they are exposed to an [imminent danger](#). "Good faith" belief means that even if an imminent danger is not found to exist, the worker had reasonable grounds to believe that it did exist.

Your right to refuse to do a task is protected if **ALL** the following four conditions are met:

1. Where possible, you have asked the employer to eliminate the danger, and the employer failed to do so; **and**
2. You refused to work in "good faith." This means that you must genuinely believe that an imminent danger exists; **and**
3. A reasonable person would agree that there is a real danger of death or serious injury; **and**

4. There isn't enough time, due to the urgency of the hazard, to get it corrected through regular enforcement channels, such as requesting an OSHA inspection.

10. Which of the following is TRUE regarding the right to refuse to do a job?

- a. You must have a good faith belief you are exposed to an imminent danger
- b. You should leave the worksite after you file a complaint
- c. You can walk off the site to get an OSHA inspector
- d. You may not refuse to do a job due to an unsafe condition

Right to File an OSHA Complaint

You may file a complaint with OSHA if you believe a violation of a safety or health standard or an imminent danger situation exists in your workplace. You may request that your name not be revealed to your employer. You can file a complaint on OSHA's website, in writing or by calling the nearest OSHA area office. You may also call the office and speak with an OSHA compliance officer about a hazard, violation, or the process for filing a complaint.

If the above conditions are met, you should take the following steps:

-) Ask your employer to correct the hazard, or to assign other work;
-) Tell your employer that you won't perform the work unless and until the hazard is corrected; and
-) Remain at the worksite until ordered to leave by your employer.

If you file a complaint, you have the right to find out OSHA's action on the complaint and request a review if an inspection is not made.

The table below offers a few “IF/THEN” scenarios to follow.

IF	THEN
You believe working conditions are unsafe or unhealthful.	Call your employer's attention to the problem.
Your employer does not correct the hazard or disagrees with you about the extent of the hazard.	You may file a complaint with OSHA.
Your employer discriminates against you for refusing to perform the dangerous work.	Contact OSHA immediately.

11. What should you do if your employer discriminates against you for refusing to perform dangerous work?

- a. File a complaint with OSHA
- b. Contact OSHA immediately
- c. Call your lawyer
- d. Let OSHA know within 30 days

Whistleblower Protections

The whistleblower protection statutes enforced by OSHA generally provide that employers may not discharge or otherwise retaliate against an employee because the employee has filed a complaint or exercised any rights provided to employees. Each law requires that complaints be filed within 30 days after the alleged retaliation. Complaints may be filed orally or in writing, and OSHA will accept the complaint in any language. As a result of filing a complaint, workers cannot be subject to:

- J applying or issuing a policy which provides for an unfavorable personnel action due to activity protected by a whistleblower law enforced by OSHA
- J blacklisting, demotions, or failing to hire or rehire
- J disciplinary actions
- J denying benefits, over time or promotion
- J firing, suspending or laying off
- J intimidation or making threats
- J re-assignment to a less desirable position, including one adversely affecting prospects for promotion
- J reduction in pay or hours

Help is available from OSHA for whistleblowers. See the [OSHA Fact Sheet: Your Rights as a Whistleblower](#) for detailed information.

It is recommended you announce and/or post the following:

"If you have been punished or discriminated against for using your rights, you must file a complaint with OSHA within 30 days of the alleged reprisal for most complaints."

No form is required, but you must send a letter or call the OSHA Area Office nearest you to report the discrimination within 30 days of the alleged discrimination.

12. Which of the following statutes provide that employers may not discharge employees because they have filed a complaint or exercised OSHA rights?

- a. Universal Omnibus Protections
- b. Employee Protection Statutes
- c. OSHAct of 1970
- d. Whistleblower Statutes