

ENV315 – GENERAL OCCUPATIONAL SAFETY AND HEALTH



UNIT 1 LECTURE NOTES

The Mission of OSHA

The mission of OSHA is to ensure to the extent possible that every working person in the United States has a safe and healthy working environment so that valuable human resources are preserved and protected.

Purposes of OSHA

The Department of Labor breaks down this mission statement further into the following specific purposes:

- Encourage employers and employees to reduce workplace hazards.
- Implement new safety and health programs.
- Improve existing safety and health programs.
- Encourage research that will lead to innovative ways of dealing with workplace safety and health problems.
- Establish the rights of employers and employees regarding the illnesses and injuries through a system of reporting and record keeping.
- Establish training programs to increase the number of safety and health professionals and to continually improve their competence.
- Establish mandatory workplace safety and health standards and enforce those standards.
- Provide for the development and approval of state-level workplace safety and health programs.
- Monitor, analyze, and evaluate state-level safety and health programs.

The OSH Act covers all employers and all 50 states, the District of Columbia, Puerto Rico, and all other territories that fall under the jurisdiction of the U.S. government with the following exceptions:

- Persons who are self-employed
- Family farms that employ only immediate members of the family
- Federal agencies covered by other federal statutes
- State and local governments

Input from and Help for Small Business in Standards Development and Compliance

The *Small Business Regulatory Enforcement Act (SBREFA)* provides help to small businesses that struggle with understanding and complying with OSHA regulations.

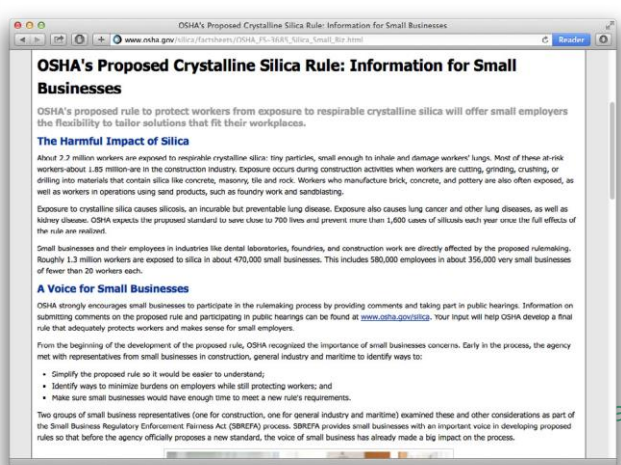
Input from and Help for Small Business

SBREFA also gives small businesses a voice in the development of new and revised standards by requiring that OSHA:

- Produce small entity compliance guides for selected agency rules.
- Be responsive to small business inquiries about complying with OSHA regulations.
- Have a penalty reduction policy for small businesses.
- Involve small businesses in developing proposed rules that are expected to have a significant effect on a large number of small businesses.
 - This is accomplished through Small Business Advocacy Review Panels.
- Give small businesses opportunities to undertake court challenges to OSHA rules and regulations they believe will adversely affect them.



OSHA Website



- Restricted motion or restrictions to the work an employee can do
- Loss of consciousness to one or more workers

OSHA Standards

OSHA developed standards based on its perception of need at the request of other federal agencies, state and local governments, other standard-setting agencies, labor organizations, and even individual citizens.

OSHA standing committees are the:

- National Advisory Committee on Occupational Safety
- Advisory Committee on Construction Safety and Health

Types of OSHA Action

OSHA can take three different types of action on standards. A standard may be adopted, amended, or revoked.

Before any of these actions can be undertaken, OSHA must publish its intentions in the Federal Register. OSHA has two options for meeting this requirement:

- A notice of proposed rule-making
- An advance notice of proposed rule-making

Effective Date and Appeals

Once the standard has been passed, it becomes effective on the date prescribed. However, a person who is opposed to a standard may file an appeal in the court of appeals within 60 days of a standard's approval.

Temporary Compliance Variances

When an employer is unable to comply with a new standard immediately, a temporary variance may be requested for up to a maximum of one year.

Employers must demonstrate that they are making an effort to comply and must take steps to protect employees while working toward compliance.

Permanent Compliance Variances

Employers who feel that their workplace already exceeds the requirements of a new standard may request a permanent variance and present their evidence to OSHA for inspection.

Reporting

OSHA provides for the centralization and systematization of record-keeping and reporting requirements of the OSH Act to employers of 11 or more workers. All employers must report the following types of accidents within eight hours:

- Those that result in deaths
- Those that result in the hospitalization of three or more employees

All occupational illnesses and injuries must be reported if they result in one or more of the following:

- Death to one or more workers
- One or more days away from work for the employee

- Transfer of an employee to another job
- Medical treatment needed beyond in-house first aid
- Appear in Appendix B of the OSH Act

OSHA Forms

All records required by OSHA can be maintained using the following forms:

- OSHA Form 300, 301, and 300A

OSHA's Form 300 (Rev. 11/2004)
Log of Work-Related Injuries and Illnesses

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.

Year 20

U.S. Department of Labor
Occupational Safety and Health Administration

Identify the person

Case No.	Employee's name	Job title	Date of injury or onset of illness	When the event occurred	Description of injury or illness, parts of body affected, and occupational task directly related or made person ill	Classification of the case	Enter the number of days lost or restricted	Check the " Injury or illness type of case"
						<input type="checkbox"/> Death <input type="checkbox"/> Lost work days <input type="checkbox"/> Job transfer or restriction <input type="checkbox"/> Other		<input type="checkbox"/> (1) <input type="checkbox"/> (2) <input type="checkbox"/> (3) <input type="checkbox"/> (4) <input type="checkbox"/> (5) <input type="checkbox"/> (6) <input type="checkbox"/> (7) <input type="checkbox"/> (8) <input type="checkbox"/> (9) <input type="checkbox"/> (10) <input type="checkbox"/> (11) <input type="checkbox"/> (12) <input type="checkbox"/> (13) <input type="checkbox"/> (14) <input type="checkbox"/> (15) <input type="checkbox"/> (16) <input type="checkbox"/> (17) <input type="checkbox"/> (18) <input type="checkbox"/> (19) <input type="checkbox"/> (20)

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OSHA's form 300 ([click to open](#))

OSHA's Form 300A (Rev. 11/2004)
Summary of Work-Related Injuries and Illnesses

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.

Year 20

U.S. Department of Labor
Occupational Safety and Health Administration

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
(a)	(b)	(c)	(d)

Number of Days

Total number of days away from work	Total number of days of job transfer or restriction
(e)	(f)

Injury and Illness Types

Total number of	(1) Injuries	(2) Poisonings	(3) Skin disorders	(4) Hearing loss	(5) All other illnesses
(g)					

Establishment Information

Your establishment name: _____
 Street: _____
 City: _____ State: _____ ZIP: _____
 Industry description (e.g., Manufacturer of metal roof): _____
 Standard Industrial Classification (SIC), if known (e.g., 3329): _____
 NAICS: _____
 North American Industrial Classification (NAICS), if known (e.g., 332910): _____

Employment Information (If you don't have this data, or if the data is not for the full year covered)

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.

Supervisor: _____
 Title: _____
 Date: _____

OSHA's form 300A ([click to open](#))

OSHA's Form 301
Injury and Illness Incident Report

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.

U.S. Department of Labor
Occupational Safety and Health Administration

Information about the employee

1) Full name: _____
 2) Street: _____
 City: _____ State: _____ ZIP: _____
 3) Date of birth: _____
 4) Date hired: _____
 Male Female

Information about the case

5) Case number from the Log: _____
 6) Date of injury or illness: _____
 7) Time employee began work: _____ AM/PM
 AM PM Check if time cannot be determined

8) What was the employee doing just before the incident occurred? Describe the activity, as well as the tools, equipment, or material the employee was using. Be specific. Examples: "Working a lathe while carrying roofing materials"; "Spraying, liberator from hand sprayer"; "Daily company keyway."

9) What happened? Tell us how the injury occurred. Examples: "I was ladder slipped on wet floor, worker fell 20 feet." "Worker was struck with forklift when forklift broke during employment." "Worker developed asthma in work area."

10) What was the injury or illness? Tell us the part of the body that was affected and how it was affected. Be more specific than "hurt," "pain," or "sore." Examples: "Sprained back," "Skinned knee, hand," "Carpal tunnel syndrome."

11) What object or substance directly harmed the employee? Examples: "Concrete block," "Machete," "Inhaler area air." (If this question does not apply to the incident, leave it blank.)

12) If the employee died, when did death occur? Date of death: _____

Information about the physician or other health care professional

13) Name of physician or other health care professional: _____
 14) If treatment was given away from the workplace, where was it given?
 Facility: _____
 Street: _____
 City: _____ State: _____ ZIP: _____

15) Was employee treated as an emergency case?
 Yes No

16) Was employee hospitalized overnight as an inpatient?
 Yes No

Completed by: _____
 Title: _____
 Phone: _____ Date: _____

OSHA's form 301 ([click to open](#))

OSHA Required Posting Materials

Employers are required to post the following material at locations where employee information is normally displayed:

- OSHA Poster 2203
- Summaries of variance requests of all types
- Copies of all OSHA citations received for failure to meet standards
- The summary page of OSHA Form 300

Authorized Workplace Inspections

OSHA compliance officers are authorized to take the following action with regard to workplace inspections:

- Enter at reasonable times any site, location, or facility where work is taking place.
- Inspect at reasonable times any condition, facility, machine, equipment, materials, and so on.
- Question in private any employee or other person formally associated with the company.

Citations Issued by OSHA

OSHA is empowered to issue citations and/or set penalties. Citations are for:

- Other than serious violations
- Serious violations
- Willful violations
- Repeat violations
- Failure to correct prior violations
- De minimis violations

Severe Violator Enforcement

OSHA's Severe Violator Enforcement Program (SVEP) took effect in 2010.

SVEP focuses on employers who willfully and repeatedly endanger workers by exposing them to seriously hazardous conditions without the proper precautions or protections.

Procedures for dealing with severe violators include mandatory follow-up inspections of worksites.

Employer Petitions

Employers may petition for:

- Modification of abatement
- Contest a citation, abatement period, and/or penalty

Employee Appeals

Employees may appeal the following aspects of OSHA's decisions regarding their workplace:

- The amount of time (abatement period) given an employer to correct a hazardous condition that has been cited
- An employer's request for an extension of an abatement period

OSHA Whistleblower Program

OSHA provides protections for workers who observe hazardous conditions in the workplace and file complaints.

Workers should first try to have hazardous conditions resolved by approaching their supervisors.

However, if supervisors are not responsive or if there is reason to fear retribution, workers may file a complaint directly with OSHA by calling 1-800-321-OSHA (6742).

Workers who feel they are being discriminated against because they filed a complaint have 30 days to contact OSHA at the same phone number.



Worker reporting hazardous conditions to OSHA (OSHA Whistleblower Program)

Developing State Safety and Health Programs

States may develop their own environmental health & safety programs. As an incentive, OSHA will fund up to 50% of the cost of operating a state program.

States may develop comprehensive plans covering all employers or limit their plans to public employers only.

Setting Standards and Inspecting for Compliance

In addition to setting standards and inspecting for compliance, OSHA provides services to help employers meet the latest safety and health standards. Services are free and intended for smaller companies, particularly those with especially hazardous processes or materials.

Services Available from OSHA

Services available from OSHA include:

- Consultation
- Volunteer inspection programs
- Training/education

Detractors of OSHA

OSHA is not without detractors.

Some characterize OSHA as an overbearing bureaucracy with little sensitivity to the needs of employers who are struggling to survive in a competitive marketplace.

Others label OSHA as too timid and claim it does not do enough. At different times and different places, both points of view have probably been at least partially accurate.

OSHA's Stand on Safety Incentives

OSHA has come out strongly against the types of safety incentive that discourage employees from reporting accidents and injuries.

OSHA directs field-compliance officers and whistleblower investigators to be especially vigilant in identifying instances in which accidents, incidents, or injuries have not been reported because of safety incentives.

Other Important Federal Agencies

Other federal agencies and organizations that play important roles with regard to workplace health and safety are:

- The National Institute for Occupational Safety and Health
- The Occupational Safety and Health Review Commission

Standards and Codes

“Standards” and “codes” each play an important role in modern safety and health management and engineering. These written procedures detail the safe and healthy way to perform jobs, and therefore make for a safer and healthier work environment.

A standard is an operational principle, criterion, or requirement.

A code is a set of standards, rules or regulations relating to a specific area.

Fundamental Legal Principles

Fundamental legal principles for health and safety professionals:

- Negligence
- Liability
- Care
- Ability to pay
- Damages
- Proximate cause
- Willful/reckless conduct
- Tort
- Foreseeability

