

# Module 1: Introduction to OSHA Pages 31-72

**Warning Line System:** A barrier erected on a roof to warn employees that they are approaching an unprotected roof side or edge, and which designates an area in which roofing work may take place without the use of guardrail, body belt, or safety net systems to protect employees in the area.

**Watts:** Measurement work produced by the electrical circuit.

**Wire Gauge:** System used to measure the physical size of wire.

**Workplace:** An establishment, job site, or project at one geographical location containing one or more work areas.

## Module 1: Introduction to OSHA

### Module Description

The Occupational Safety and Health Administration (OSHA) was established to protect the health of American workers. In 1970, the Occupational Safety and Health (OSH) Act was passed to give structure to worker protection activities. OSHA holds employers responsible for providing a workplace that is free from recognized hazards. This module will provide an overview of OSHA, employers' responsibilities, and employees' rights in the workplace.

### Module Learning Objectives

At the conclusion of this module, you will be able to:

- Explain why OSHA is important to workers
- Explain workers' rights under OSHA
- Discuss employers' responsibilities under OSHA
- Discuss the use of OSHA standards
- Explain how OSHA inspections are conducted
- Utilize helpful worker safety and health resources

## Lesson 1: Introduction to OSHA

### Lesson Focus

At the end of this lesson, students will be able to:

- Understand OSHA's mission
- Explain how state plans work
- Recognize OSHA standards
- Explain how standards are enforced



## OSHA's Mission

OSHA stands for the Occupational Safety and Health Administration, an agency of the U.S. Department of Labor established on April 28, 1971. OSHA's responsibility is worker safety and health protection. The U.S. Congress created OSHA under the Occupational Safety and Health (OSH) Act, signed into law by President Nixon on December 29, 1970. OSHA was intended "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."

OSHA's current mission is "to ensure safe and healthful working conditions for workers by setting and enforcing standards and by providing training, outreach, education, and assistance." It is the employer's responsibility to keep the workplace free from any known or recognized hazard that is likely to cause injury or illness to their workers.



**HANDOUT #1**

Poster is available for download at: <https://www.osha.gov/Publications/poster.html>



The poster features the OSHA logo and the text "Job Safety and Health IT'S THE LAW!". It lists rights for workers and responsibilities for employers. At the bottom, it provides contact information for OSHA: 1-800-321-OSHA (6742), TTY 1-877-889-5627, and www.osha.gov. An illustration of three workers in safety gear is also present.

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

## Job Safety and Health IT'S THE LAW!

**All workers have the right to:**

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

**Employers must:**

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

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

This poster is available free from OSHA.

**Contact OSHA. We can help.**

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

<https://www.osha.gov/Publications/poster.html>





The OSH Act is also known as Public Law 91-596. It covers all private sector employers and their workers in the 50 states and all territories and jurisdictions under federal authority. Employers and workers in many fields, including but not limited to manufacturing, construction, long shoring, agriculture, law, medicine, charity, and disaster relief are covered by OSHA. Religious groups are covered if they employ workers for secular purposes, such as maintenance or gardening. The next sections go into more detail about who is and is not covered by OSHA.

### **Who is Covered by the OSH Act?**

OSHA's standards apply to all employees and their employers (with a few exceptions) in the 50 states and certain territories and jurisdictions under federal government 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 as defined in the Outer Continental Shelf Lands Act. Coverage is provided either directly by OSHA or through an OSHA-approved state program.

### **Which Groups Do Not Come Under OSHA's Coverage?**

A few groups do not fall under OSHA's coverage, including:

- The self-employed
- Immediate members of farming families who do not employ outside workers
- Workers whose safety is regulated by a different agency, such as mine workers, certain truckers and transportation workers, and atomic energy workers
- Employees of other federal agencies whose agency heads, under section 19 of the OSH Act, are responsible for establishing and maintaining occupational health and safety programs (OSHA conducts federal workplace inspections in response to employee reports of hazards. The OSH Act requires federal agencies to comply with standards consistent with those for private sector employees.)
- Public employees in state and local governments (some states have their own plans that cover these workers)

### **OSHA's Impact**

Since OSHA's creation in 1970, the nation has made substantial progress in occupational safety and health. In 1970, an estimated 14,000 workers were killed on the job—about 38 every day. Since then, OSHA and its many partners in the public and private sectors have made enormous progress:

- The work-related fatality rate has been cut to historic lows. In 2019, this number was about 5,333 or about 15 workers per day. At the same time, U.S. employment has more than doubled to over 157 million workers at more than 8 million worksites.
- The rate of reported serious workplace injuries and illnesses has also dropped from 10.9 per 100 workers in 1972 to 2.8 per 100 workers in 2019.



- In FY 2019, OSHA conducted 33,393 inspections and State Plans conducted 42,063 inspections.
- In FY 2019, OSHA's On-Site Consultation Program conducted over 26,000 visits to worksites covering approximately 1 million workers across the nation.

## State Plans

State plans are OSHA-approved job safety and health programs operated by individual states instead of OSHA itself. The OSH Act encourages states to develop and operate their own job safety and health plans and precludes state enforcement of OSHA standards unless the state has an approved plan. OSHA approves and monitors all state plans, which must be at least as effective as federal OSHA requirements.

State plans covering the private sector also must cover state and local government employees. OSHA rules also permit states and territories to develop plans that cover only public sector (state and local government) employees. In these cases, private sector employment remains under federal OSHA jurisdiction. Twenty-two states and territories operate complete plans and six cover only the public sector.

State plan programs respond to accidents and employee complaints and conduct unannounced inspections, just like OSHA.

For more information about individual state plans, visit [osha.gov/stateplans](https://www.osha.gov/stateplans).

## 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 protect workers from a wide range of serious hazards. For instance, they 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.

OSHA standards include (but are not limited to):

- 29 CFR 1910—Safety and Health Standards for General Industry
- 29 CFR 1926—Safety and Health Regulations for Construction
- 29 CFR 1928—Safety and Health Standards for Agriculture

These OSHA standards are available [online](#).

Examples of OSHA standards include requirements for employers to:

- Provide fall protection
- Prevent trenching cave-ins
- Prevent exposure to some infectious diseases



- Ensure the safety of workers who enter confined spaces
- Prevent exposure to harmful chemicals
- Put guards on dangerous machines
- Provide respirators or other safety equipment
- Provide training for certain dangerous jobs in a language and vocabulary workers can understand

An example of a specific OSHA standard is 29 CFR 1910.95—Occupational Noise Exposure. Noise in the workplace can cause adverse effects to a worker's hearing when the noise reaches levels above 85db for an 8-hour Time Weighted Average (TWA). The damage from continuous loud noise exposure is permanent. OSHA requires that hearing conservation programs are used in workplaces that exceed the 85dB TWA and for employers to provide Personal Protective Equipment (PPE) at no cost to the workers. Earplugs and earmuffs are examples of PPE used to reduce noise hazards in the workplace.

Though PPE is provided for workers at no cost to them, the employer should look for engineering controls such as sound proofing or using sound barriers to further reduce the noise. Additionally, the standard requires that workers have annual Audiometric Testing and training regarding occupational noise.

### **The General Duty Clause**

The General Duty Clause (Section 5(a)(1) of the OSH Act) is used when there is not a specific OSHA standard that applies to a given situation. It states:

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.

The general duty clause ensures the OSH Act has the flexibility to cover types of work not yet specifically envisioned in the law. The following is an example of a citation issued under the general duty clause:

#### **Case Study: Citation 1219419.015/01001 -- OSH ACT of 1970 Section 5(a)(1)**

The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees. Employees were exposed to struck-by hazards from the use of untested, unrated, and unmarked below-the-hook lifting devices. Among other methods, one feasible method of abatement to correct the hazard is to follow the guidelines in the American Society of Mechanical Engineers (ASME) B30.20-2013, "Below-the-Hook Lifting Devices, Section 20-1.2.1: Markings". (a) The Hardware Essentials 5-inch carabiners used to lift transformers. (b) The shop-made spreader bar with two hooks located next to the paint booth.





## Enforcing Standards

OSHA enforces standards through inspections. The current budget is small—all together nationwide (together with State partners) there are only about 1,850 inspectors responsible for the health and safety of 130 million workers, employed at more than 8 million worksites around the nation. This translates to about one compliance officer for every 70,000 workers. At this rate, it would take over 100 years to inspect every workplace once.

Therefore, OSHA targets the most dangerous workplaces, including industries with fatalities and serious injuries (e.g., grain handling in Colorado) and construction (i.e., falls).

The OSHA inspection process consists of an opening conference, a walkthrough, and a closing conference with the employer. Results can take up to 6 months, after which OSHA may issue citations. These may include fines and will specify dates by which hazards must be abated.

When an OSHA inspection is conducted in the workplace, workers have the right to have a worker representative accompany the inspector on the inspection. Workers can talk to the inspector privately. They may point out hazards or describe injuries, illnesses, or near misses that resulted from those hazards and describe any concern you have about a safety or health issue. Workers also can find out about inspection results and abatement measures and get involved in any meetings or hearings related to the inspection. Workers may also object to the date set for the violation to be corrected and be notified if the employer files a contest.

## Lesson Summary

OSHA was established in 1970 to ensure Americans were protected from unsafe or unhealthy working conditions. It is the employer's responsibility to ensure a safe workplace. With a few exceptions, OSHA standards apply to all employers and employees in the United States. Those exceptions include the self-employed, farming families who do not employ outside workers, employees of other federal agencies, and public employees in state and local governments. Since OSHA was created, work-related fatality rates have fallen dramatically.

OSHA encourages states to develop and enforce their own worker safety plans, as long as they are approved by OSHA. If these plans cover the private sector, they must also cover state and local governments. Twenty-two states and territories currently operate plans covering both private and public employees, while six others have plans covering only state and local government employees.

OSHA standards are rules that describe methods employers must use to protect their employees from hazards. OSHA's standards for the construction industry are contained in 29 CFR 1926. An important section of the standards includes the general duty clause, which states that, aside from all specific regulations, employers are generally responsible for maintaining a safe and healthy workplace. Standards are enforced by



OSHA inspectors, but because there are so few inspectors in relation to the number of worksites, only the most dangerous worksites are routinely inspected.

## Lesson 2: Employer Responsibilities

### Lesson Focus

At the end of the lesson, students will be able to:

- Identify and explain employers' responsibilities as specified by OSHA
- Recognize and know how to use safety data sheets

### Employers' Responsibilities

Employers are responsible for maintaining conditions and adopting reasonable practices necessary to protect workers on the job. The first and best strategy is to control the hazard at its source. Engineering controls do this, unlike other controls that generally focus on the worker who is exposed to the hazard. The basic concept behind engineering controls is that, to the extent feasible, the work environment and the job itself should be designed to eliminate hazards or reduce exposure to hazards.

Employers should be familiar with the standards that apply to their workplaces and comply with these standards. This includes ensuring that workers are provided with—and use—personal protective equipment when needed. When exposure to hazards cannot be engineered completely out of normal operations or maintenance work, and when safe work practices and other forms of administrative controls cannot provide sufficient protection, an additional method of control may be the use of protective clothing or equipment

Employers must also comply with the OSH Act's General Duty Clause when no specific standards apply. OSHA also encourages all employers to adopt a safety and health program that includes management leadership, worker participation, and a systematic approach to finding and fixing hazards. Safety and health programs, known by a variety of names, are universal interventions that can substantially reduce the number and severity of workplace injuries.

Under the OSH Act, employers' responsibilities include (but are not limited to) the following:

- Provide a workplace free from recognized hazards and comply with OSHA standards
- Examine workplace conditions to make sure they conform to applicable OSHA standards
- Make sure employees have and use safe tools and equipment and properly maintain this equipment
- Establish and update operating procedures and communicate them so that employees follow safety and health requirements



- Provide training required by OSHA standards in a format, language and vocabulary workers can understand
- Keep records of injuries and illnesses
- Set up a reporting system
- Provide copies of logs (i.e., OSHA 300), upon request
- Post the annual summary
- Report within 8 hours any work-related fatalities and within 24 hours, all work-related inpatient hospitalizations, amputations, and losses of an eye
- Provide medical exams when required by OSHA standards and provide workers access to their exposure and medical records
- Not discriminate against workers who exercise their rights under the Act
- Post, at a prominent location within the workplace, the OSHA poster (or the state-plan equivalent) informing employees of their rights and responsibilities
- Post OSHA citations and abatement verification notices
- Provide and pay for most Personal Protective Equipment (PPE)







## HANDOUT #2

### Employers Must Provide and Pay for PPE



#### Personal Protective Equipment (PPE)

The Occupational Safety and Health Administration (OSHA) requires that employers protect you from workplace hazards that can cause injury or illness. Controlling a hazard at its source is the best way to protect workers. However, when engineering, work practice and administrative controls are not feasible or do not provide sufficient protection, employers must provide personal protective equipment (PPE) to you and ensure its use.

PPE is equipment worn to minimize exposure to a variety of hazards. Examples include items such as gloves, foot and eye protection, protective hearing protection (earplugs, muffs), hard hats and respirators.

Employer Obligations	Workers should:
✓ Performing a "hazard assessment" of the workplace to identify and control physical and health hazards.	✓ Properly wear PPE
✓ Identifying and providing appropriate PPE for employees.	✓ Attend training sessions on PPE
✓ Training employees in the use and care of the PPE.	✓ Care for, clean and maintain PPE, and
✓ Maintaining PPE, including replacing worn or damaged PPE.	✓ Inform a supervisor of the need to repair or replace PPE.
✓ Periodically reviewing, updating and evaluating the effectiveness of the PPE program.	

#### Employers Must Pay for Personal Protective Equipment (PPE)

On May 15, 2008, a new OSHA rule about employer payment for PPE went into effect. With few exceptions, OSHA now requires employers to pay for personal protective equipment used to comply with OSHA standards. The final rule does not create new requirements regarding what PPE employers must provide.

The standard makes clear that employers cannot require workers to provide their own PPE and the worker's use of PPE they already own must be completely voluntary. Even when a worker provides his or her own PPE, the employer must ensure that the equipment is adequate to protect the worker from hazards at the workplace.



#### Examples of PPE that Employers Must Pay for Include:

- Metatarsal foot protection
- Rubber boots with steel toes
- Non-prescription eye protection
- Prescription eyewear inserts/lenses for full face respirators
- Goggles and face shields
- Fire fighting PPE (helmet, gloves, boots, proximity suits, full gear)
- Hard hats
- Hearing protection
- Welding PPE





## HANDOUT #2 Employers Must Provide and Pay for PPE



### Payment Exceptions under the OSHA Rule

Employers are not required to pay for some PPE in certain circumstances:

- Non-specialty safety-toe protective footwear (including steel-toe shoes or boots) and non-specialty prescription safety eyewear provided that the employer permits such items to be worn off the job site. (OSHA based this decision on the fact that this type of equipment is very personal, is often used outside the workplace, and that it is taken by workers from jobsite to jobsite and employer to employer.)
- Everyday clothing, such as long-sleeve shirts, long pants, street shoes, and normal work boots.
- Ordinary clothing, skin creams, or other items, used solely for protection from weather, such as winter coats, jackets, gloves, parkas, rubber boots, hats, raincoats, ordinary sunglasses, and sunscreen
- Items such as hair nets and gloves worn by food workers for consumer safety.
- Lifting belts because their value in protecting the back is questionable.
- When the employee has lost or intentionally damaged the PPE and it must be replaced.

### OSHA Standards that Apply

#### OSHA General Industry PPE Standards

- 1910.132: General requirements and payment
- 1910.133: Eye and face protection
- 1910.134: Respiratory protection
- 1910.135: Head protection
- 1910.136: Foot protection
- 1910.137: Electrical protective devices
- 1910.138: Hand protection

#### OSHA Construction PPE Standards

- 1926.28: Personal protective equipment
- 1926.95: Criteria for personal protective equipment
- 1926.96: Occupational foot protection
- 1926.100: Head protection
- 1926.101: Hearing protection
- 1926.102: Eye and face protection
- 1926.103: Respiratory protection

There are also PPE requirements in shipyards and marine terminals and many standards on specific hazards, such as 1910.1030: Bloodborne pathogens and 1910.146: Permit-required confined spaces.

OSHA standards are online at [www.osha.gov](http://www.osha.gov).

## Safety Data Sheets (SDS) Your Right to... Know About Hazardous Chemicals

Employers must have a written hazard communication program that includes information on:

- Container labeling
- Safety Data Sheets (SDSs )
- Worker training

Training must include information about the physical and health hazards of the



chemicals and how workers can protect themselves including specific procedures the employer has implemented to protect those working with chemical materials. These protections include safe work practices, emergency procedures, and personal protective equipment.

Safety Data Sheets include information such as the properties of each chemical; the physical, health, and environmental health hazards; protective measures; and safety precautions for handling, storing, and transporting the chemical. The information contained in the SDS must be in English (although it may be in other languages as well). In addition, OSHA requires that SDS preparers provide specific minimum information as detailed in Appendix D of 29 CFR 1910.1200. The SDS preparers may also include additional information in various section(s).

Sections 1 through 8 contain general information about the chemical identification, hazards, composition, safe handling practices, and emergency control measures (e.g., firefighting). Sections 9 through 11 and 16 contain other technical and scientific information, such as physical and chemical properties, stability and reactivity information, toxicological information, exposure control information, and other information including the date of preparation or last revision. The SDS should state that no applicable information was found if the preparer does not find relevant information for any required element.

The SDS must also contain Sections 12 through 15, to be consistent with the UN Globally Harmonized System of Classification and Labeling of Chemicals (GHS), but OSHA will not enforce the content of these sections because they concern matters handled by other agencies.

Section 1: Identification
<p>This section identifies the chemical on the SDS as well as the recommended uses. It also provides the essential contact information of the supplier. The required information consists of:</p> <ul style="list-style-type: none"><li>• Product identifier used on the label and any other common names or synonyms by which the substance is known.</li><li>• Name, address, phone number of the manufacturer, importer, or other responsible party, and emergency phone number.</li><li>• Recommended use of the chemical (e.g., a brief description of what it actually does, such as flame retardant) and any restrictions on use (including recommendations given by the supplier).</li></ul>





### Section 2: Hazard(s) Identification

This section identifies the hazards of the chemical presented on the SDS and the appropriate warning information associated with those hazards. The required information consists of:

- The hazard classification of the chemical (e.g., flammable liquid, category<sup>1</sup>).
- Signal word.
- Hazard statement(s).
- Pictograms (the pictograms or hazard symbols may be presented as graphical reproductions of the symbols in black and white or be a description of the name of the symbol (e.g., skull and crossbones, flame).
- Precautionary statement(s).
- Description of any hazards not otherwise classified.
- For a mixture that contains an ingredient(s) with unknown toxicity, a statement describing how much (percentage) of the mixture consists of ingredient(s) with unknown acute toxicity. Please note that this is a total percentage of the mixture and not tied to the individual ingredient(s).

### Section 3: Composition/Information on Ingredients

This section identifies the ingredient(s) contained in the product indicated on the SDS, including impurities and stabilizing additives. This section includes information on substances, mixtures, and all chemicals where a trade secret is claimed. The required information consists of:

#### Substances

- Chemical name.
- Common name and synonyms.
- Chemical Abstracts Service (CAS) number and other unique identifiers.
- Impurities and stabilizing additives, which are themselves classified and which contribute to the classification of the chemical.

#### Mixtures

- Same information required for substances.
- The chemical name and concentration (i.e., exact percentage) of all ingredients which are classified as health hazards and are:
  - Present above their cut-off/concentration limits or
  - Present a health risk below the cut-off/concentration limits.
- The concentration (exact percentages) of each ingredient must be specified except concentration ranges may be used in the following situations:
  - A trade secret claim is made,
  - There is batch-to-batch variation, or
  - The SDS is used for a group of substantially similar mixtures.

#### Chemicals where a trade secret is claimed

- A statement that the specific chemical identity and/or exact percentage (concentration) of composition has been withheld as a trade secret is required.



#### Section 4: First-Aid Measures

This section describes the initial care that should be given by untrained responders to an individual who has been exposed to the chemical. The required information consists of:

- Necessary first-aid instructions by relevant routes of exposure (inhalation, skin and eye contact, and ingestion).
- Description of the most important symptoms or effects, and any symptoms that are acute or delayed.
- Recommendations for immediate medical care and special treatment needed, when necessary.

#### Section 5: Fire-Fighting Measures

This section provides recommendations for fighting a fire caused by the chemical. The required information consists of:

- Recommendations of suitable extinguishing equipment, and information about extinguishing equipment that is not appropriate for a particular situation.
- Advice on specific hazards that develop from the chemical during the fire, such as any hazardous combustion products created when the chemical burns.
- Recommendations on special protective equipment or precautions for firefighters.

#### Section 6: Accidental Release Measures

This section provides recommendations on the appropriate response to spills, leaks, or releases, including containment and cleanup practices to prevent or minimize exposure to people, properties, or the environment. It may also include recommendations distinguishing between responses for large and small spills where the spill volume has a significant impact on the hazard. The required information may consist of recommendations for:

- Use of personal precautions (such as removal of ignition sources or providing sufficient ventilation) and protective equipment to prevent the contamination of skin, eyes, and clothing.
- Emergency procedures, including instructions for evacuations, consulting experts when needed, and appropriate protective clothing.
- Methods and materials used for containment (e.g., covering the drains and capping procedures).
- Cleanup procedures (e.g., appropriate techniques for neutralization, decontamination, cleaning or vacuuming; adsorbent materials; and/or equipment required for containment/clean up).

#### Section 7: Handling and Storage

This section provides guidance on the safe handling practices and conditions for safe storage of chemicals. The required information consists of:

- Precautions for safe handling, including recommendations for handling incompatible chemicals, minimizing the release of the chemical into the environment, and providing advice on general hygiene practices (e.g., eating, drinking, and smoking in work areas is prohibited).
- Recommendations on the conditions for safe storage, including any incompatibilities. Provide advice on specific storage requirements (e.g., ventilation requirements).



### Section 8: Exposure Controls/Personal Protection

This section indicates the exposure limits, engineering controls, and personal protective measures that can be used to minimize worker exposure. The required information consists of:

- OSHA Permissible Exposure Limits (PELs), American Conference of Governmental Industrial Hygienists (ACGIH) Threshold Limit Values (TLVs), and any other exposure limit used or recommended by the chemical manufacturer, importer, or employer preparing the safety data sheet, where available.
- Appropriate engineering controls (e.g., use local exhaust ventilation, or use only in an enclosed system).
- Recommendations for personal protective measures to prevent illness or injury from exposure to chemicals, such as personal protective equipment (PPE) (e.g., appropriate types of eye, face, skin or respiratory protection needed based on hazards and potential exposure).
- Any special requirements for PPE, protective clothing or respirators (e.g., type of glove material, such as PVC or nitrile rubber gloves; and breakthrough time of the glove material).

### Section 9: Physical and Chemical Properties

This section identifies physical and chemical properties associated with the substance or mixture. The minimum required information consists of:

- |   |   |
|---|---|
| • Appearance (physical state, color, etc.); | • Upper/lower flammability or explosive limits; |
| • Odor;                                     | • Vapor pressure;                               |
| • Odor threshold;                           | • Vapor density;                                |
| • pH;                                       | • Relative density;                             |
| • Melting point/freezing point;             | • Solubility(ies);                              |
| • Initial boiling point and boiling range;  | • Partition coefficient: n-octanol/water;       |
| • Flash point;                              | • Auto-ignition temperature;                    |
| • Evaporation rate;                         | • Decomposition temperature; and                |
| • Flammability (solid, gas);                | • Viscosity.                                    |

The SDS may not contain every item on the above list because information may not be relevant or is not available. When this occurs, a notation to that effect must be made for that chemical property. Manufacturers may also add other relevant properties, such as the dust deflagration index (Kst) for combustible dust, used to evaluate a dust's explosive potential.





### Section 10: Stability and Reactivity

This section describes the reactivity hazards of the chemical and the chemical stability information. This section is broken into three parts: reactivity, chemical stability, and other. The required information consists of:

#### Reactivity

- Description of the specific test data for the chemical(s). This data can be for a class or family of the chemical if such data adequately represent the anticipated hazard of the chemical(s), where available.

#### Chemical stability

- Indication of whether the chemical is stable or unstable under normal ambient temperature and conditions while in storage and being handled.
- Description of any stabilizers that may be needed to maintain chemical stability.
- Indication of any safety issues that may arise should the product change in physical appearance.

#### Other

- Indication of the possibility of hazardous reactions, including a statement whether the chemical will react or polymerize, which could release excess pressure or heat, or create other hazardous conditions. Also, a description of the conditions under which hazardous reactions may occur.
- List of all conditions that should be avoided (e.g., static discharge, shock, vibrations, or environmental conditions that may lead to hazardous conditions).
- List of all classes of incompatible materials (e.g., classes of chemicals or specific substances) with which the chemical could react to produce a hazardous situation.
- List of any known or anticipated hazardous decomposition products that could be produced because of use, storage, or heating. (Hazardous combustion products should also be included in Section 5 (Fire-Fighting Measures) of the SDS.)

### Section 11: Toxicological Information

This section identifies toxicological and health effects information or indicates that such data are not available. The required information consists of:

- Information on the likely routes of exposure (inhalation, ingestion, skin and eye contact). The SDS should indicate if the information is unknown.
- Description of the delayed, immediate, or chronic effects from short- and long-term exposure.
- The numerical measures of toxicity (e.g., acute toxicity estimates such as the LD50 (median lethal dose)) - the estimated amount [of a substance] expected to kill 50% of test animals in a single dose.
- Description of the symptoms. This description includes the symptoms associated with exposure to the chemical including symptoms from the lowest to the most severe exposure.
- Indication of whether the chemical is listed in the National Toxicology Program (NTP) Report on Carcinogens (latest edition) or has been found to be a potential carcinogen in the International Agency for Research on Cancer (IARC) Monographs (latest editions) or found to be a potential carcinogen by OSHA.



#### Section 12: Ecological Information (non-mandatory)

This section provides information to evaluate the environmental impact of the chemical(s) if it were released to the environment. The information may include:

- Data from toxicity tests performed on aquatic and/or terrestrial organisms, where available (e.g., acute or chronic aquatic toxicity data for fish, algae, crustaceans, and other plants; toxicity data on birds, bees, plants).
- Whether there is a potential for the chemical to persist and degrade in the environment either through biodegradation or other processes, such as oxidation or hydrolysis.
- Results of tests of bioaccumulation potential, making reference to the octanol-water partition coefficient ( $K_{ow}$ ) and the bioconcentration factor (BCF), where available.
- The potential for a substance to move from the soil to the groundwater (indicate results from adsorption studies or leaching studies).
- Other adverse effects (e.g., environmental fate, ozone layer depletion potential, photochemical ozone creation potential, endocrine disrupting potential, and/or global warming potential).

#### Section 13: Disposal Considerations (non-mandatory)

This section provides guidance on proper disposal practices, recycling or reclamation of the chemical(s) or its container, and safe handling practices. To minimize exposure, this section should also refer the reader to Section 8 (Exposure Controls/Personal Protection) of the SDS. The information may include:

- Description of appropriate disposal containers to use.
- Recommendations of appropriate disposal methods to employ.
- Description of the physical and chemical properties that may affect disposal activities.
- Language discouraging sewage disposal.
- Any special precautions for landfills or incineration activities.

#### Section 14: Transport Information (non-mandatory)

This section provides guidance on classification information for shipping and transporting of hazardous chemical(s) by road, air, rail, or sea. The information may include:

- UN number (i.e., four-figure identification number of the substance)<sup>2</sup>.
- UN proper shipping name<sup>2</sup>.
- Transport hazard class(es)<sup>2</sup>.
- Packing group number, if applicable, based on the degree of hazard<sup>2</sup>.
- Environmental hazards (e.g., identify if it is a marine pollutant according to the International Maritime Dangerous Goods Code (IMDG Code)).
- Guidance on transport in bulk (according to Annex II of MARPOL 73/78<sup>3</sup> and the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (International Bulk Chemical Code (IBC Code))).
- Any special precautions which an employee should be aware of or needs to comply with, in connection with transport or conveyance either within or outside their premises (indicate when information is not available).



**Section 15: Regulatory Information (non-mandatory)**

This section identifies the safety, health, and environmental regulations specific for the product that is not indicated anywhere else on the SDS. The information may include:

- Any national and/or regional regulatory information of the chemical or mixtures (including any OSHA, Department of Transportation, Environmental Protection Agency, or Consumer Product Safety Commission regulations).

**Section 16: Other Information**

This section indicates when the SDS was prepared or when the last known revision was made. The SDS may also state where the changes have been made to the previous version. You may wish to contact the supplier for an explanation of the changes. Other useful information also may be included here.

<https://www.osha.gov/sites/default/files/publications/OSHA3514.pdf>

## Lesson Summary

Employers are responsible for maintaining conditions and adopting reasonable practices necessary to protect workers on the job. Employers must also comply with the OSH Act's General Duty Clause when no specific standards apply. OSHA also encourages all employers to adopt a safety and health program that includes management leadership, worker participation, and a systematic approach to finding and fixing hazards. Safety and health programs, known by a variety of names, are universal interventions that can substantially reduce the number and severity of workplace injuries.

Safety Data Sheets (SDSs) contain information about potentially hazardous chemicals that may be encountered on a worksite, such as the properties of each chemical; the physical, health, and environmental hazards; protective measures; and safety precautions for handling, storing, and transporting the chemical. The information contained in the SDS must be in English (although it may be in other languages as well). SDSs should be made readily accessible to workers and inspectors.

An SDS is divided into 16 sections, containing general information about the chemical identification, hazards, composition, safe handling practices, and emergency control measures (sections 1-8), as well as other technical and scientific information, such as physical and chemical properties, stability and reactivity information, toxicological information, exposure control information, and other information including the date of preparation or last revision. The SDS should state that no applicable information was found if the preparer does not find relevant information for any required element.





## Lesson 3: Workers' Rights and Responsibilities

### Lesson Focus

At the end of this lesson, students will be able to:

- Identify and explain workers' rights as specified by OSHA
- Properly report safety hazards
- Explain whistleblower protections
- Locate worker resources

### Workers' Rights

In addition to a generally safe and healthful workplace, OSHA guarantees workers other rights, such as the right to receive notification and training regarding hazardous chemicals or the right to submit a complaint to OSHA without fear of retribution. The following table lists workers' rights as specified by OSHA:

OSHA Provides Workers the Right to:	
WORKERS RIGHTS	A safe and healthful workplace
	Know about hazardous conditions
	Information about injuries and illnesses in your workplace
	Complain or request hazard correction from employer
	Training as provided in the OSHA standards
	Hazard exposure and medical records
	File a complaint with OSHA
	Participate in an OSHA inspection
	Be free from retaliation for exercising safety and health rights

The following sections provide further details about the rights listed in the table above.

#### Know about hazardous conditions

In addition to a generally safe workplace, workers have the right to know about hazardous substances in their workplace. Employers must have a written, complete hazard communication program that includes information on container labeling as well as safety data sheets (SDSs).

Worker training must include the physical and health hazards of the chemicals and how workers can protect themselves, including specific procedures the employer has implemented to protect workers. This training must be in a language and vocabulary that workers can understand.

The program must also include a list of the hazardous chemicals in each work area and the means the employer uses to inform workers of the hazards of non-routine tasks. It



must also make sure that hazardous chemical containers are properly labeled with the identity of the hazardous chemical and appropriate hazard warnings. In addition, the program must explain how the employer will inform other employers of hazards to which their workers may be exposed (for example, contract workers).

### **Information about injuries and illnesses in your workplace**

OSHA's Recordkeeping rule requires most employers with more than 10 workers to keep a log of injuries and illnesses. The log, which is also called the OSHA 300, must contain all work-related injuries and illnesses resulting in lost workdays, restricted work, or transfer to another job, as well as any incident requiring more than first aid treatment.

Workers have the right to review the current log and the logs stored for the past 5 years. The employer must provide this by the end of the next workday. The names and other information on the log may not be removed unless the case is a "privacy concern case" (a privacy concern case involves an intimate body part, mental illness, HIV, or other sensitive information). For more detail, see [1904.29\(b\)\(7\)](#).

You also have the right to view the annually posted summary of the injuries and illnesses (OSHA 300A). Each year from February 1 through April 30, employers must post a summary of the injury and illness log from the previous year (OSHA Form 300A) in a place where workers can see it. The right to review the log includes former employees, their personal representatives, and authorized employee representatives.

### **Complain or request hazard correction from employer**

Often the best and fastest way to get a hazard corrected is to notify your supervisor or employer. OSHA guarantees that you have the right to do so without fear of retaliation. Many hazards may not be known to the employer or the employer's representative, and once the hazard has been revealed it will be correct promptly. Should it not be correct, the employee has the option of filing a complaint with OSHA (see below).

### **Training as provided in the OSHA standards**

You have a right to get training from your employer on a variety of health and safety hazards and standards that your employer must follow. We have already covered the Safety Data Sheet (SDS), which is one important way employers can provide information about hazards to their employees. Other required training may include lockout-tagout, bloodborne pathogens, noise, confined spaces, fall hazards in construction, personal protective equipment, and a variety of other subjects.

### **Hazard Exposure Records and Medical Records**

Under OSHA's standard 1910.1020, you have the right to examine and copy 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:

- Some metals and dusts, such as, lead, cadmium, and silica
- Biological agents, such as bacteria, viruses, and fungi
- Physical stress, such as noise, heat, cold, vibration, repetitive motion, and ionizing and non-ionizing radiation

OSHA standards require employers to measure exposure to potentially harmful substances, and 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.

### **File a Complaint with OSHA**

You may also 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 telephone. You can contact OSHA by calling 1-800-321-OSHA.

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.

Complaints from employees and their representatives are taken seriously by OSHA. It is against the law for an employer to fire, demote, transfer, or discriminate in any way against a worker for filing a complaint or using other OSHA rights.

### **Participate in an OSHA Inspection**

If an OSHA inspection is conducted in your workplace, you have the right to have your representative accompany the inspector on the inspection.

You also have the right to talk to the inspector privately. You may point out hazards or describe injuries, illnesses, or near misses that resulted from those hazards, and describe any concerns you have about a safety or health issue.

You also have the right to find out about inspection results and abatement measures and get involved in any meetings or hearings related to the inspection. You may also object to the date set for the violation to be corrected and be notified if the employer files a contest.

**Contest:** If an employer disagrees with the results of the OSHA inspection, he or she may submit a written objection within 15 days of the issuance of a citation to OSHA, called a Notice of Contest. Workers may only contest the amount of time the employer is given to correct the hazard.





## Worker Rights Practice Worksheet

### OSHA Provides Workers the Right to:

#### Across

4. Hazard \_\_\_\_\_ and medical records
6. Information about \_\_\_\_\_ and illnesses in your workplace
7. A safe and \_\_\_\_\_ workplace
8. Complain or request hazard \_\_\_\_\_ from employer
9. Participate in an OSHA \_\_\_\_\_

#### Down

1. Know about \_\_\_\_\_ conditions
2. Be free from \_\_\_\_\_ for exercising safety and health rights
3. \_\_\_\_\_ as provided in the OSHA standards
5. File a complaint with \_\_\_\_\_

Across: 4. Exposure; 6. Injuries; 7. Healthful; 8. Correction; 9. Inspection

Down: 1. Hazardous; 2. Retaliation; 3. Training; 5. OSHA

## Reporting Safety Hazards

Workers have a right to take action to secure their safety and health on the job without fear of punishment. That right is spelled out in Section 11(c) of the OSH Act, which says the employer shall not punish or discriminate against employees for complaining about safety hazards to the employer, a union, or to OSHA or any other government agency. Workers are also protected from retaliation for their participation in OSHA inspections, conferences, hearings, and other OSHA-related activities.

Workers also 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" means that even if an imminent danger is not found to exist, the worker had reasonable grounds to believe that it did exist. Since the conditions necessary to justify a work refusal are very stringent, refusing work should be an action taken as a last resort. If time permits, the condition should be reported to OSHA or the appropriate government agency first.

If you believe you have been punished for exercising your safety and health rights, you must contact OSHA within 30 days in order to preserve the protections provided under the OSH Act. The tables below provide information on how OSHA responds to the way a complaint is reported.



Ways to Report Workplace Hazards	
<b>Contact</b> 	Contact your team leader, supervisor, manager, safety committee, etc.
<b>Phone</b> 	Call the Regional or local office or 1-800-321-OSHA. [Provide your local office number.]
<b>Fax or Mail</b> 	Obtain the complaint form online at <a href="http://www.osha.gov">www.osha.gov</a> or from the local OSHA office.
<b>In Person</b> 	Visit the local OSHA Office. [A current list of OSHA offices is at <a href="http://www.osha.gov">www.osha.gov</a> ]
<b>Online</b> 	File complaints online at the OSHA website at <a href="http://www.osha.gov">www.osha.gov</a>

How OSHA Responds to a Complaint	
<i>If the Complaint is...</i>	<i>Then OSHA will...</i>
Filed over the phone, is not signed, or is not a serious hazard	Contact the employer by phone, fax, or email
About a serious hazard	Conduct an inspection at the worksite
Written, signed and submitted to the OSHA area or State Plan office	Most likely, conduct an onsite inspection
Submitted online	Handle most complaints using the OSHA phone/fax system, which means they may even be resolved by phone

## Whistleblower Protections

Workers cannot be transferred, denied a raise, have their hours reduced, be fired, or be punished in any other way because they exercised any right given to them under the OSH Act. Help is available from OSHA for whistleblowers.

OSHA recommends that the following message be posted for outreach students:

*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.*





The law says that employers cannot retaliate against workers for exercising their rights to a safe and healthful workplace under the *Occupational Safety and Health Act*. For example, workers have a lawful right to:

- Notify a supervisor or employer about a hazardous condition
- Report a workplace injury or illness
- Refuse to perform an extremely dangerous task where there is insufficient time to contact OSHA and the employee has requested and been unable to obtain abatement of the hazard
- Ask OSHA to inspect a workplace

If an employer has retaliated against you, *act quickly!* Workers must file a retaliation complaint with OSHA **within 30 days after the alleged adverse action occurred or you became aware of it.**

[www.whistleblowers.gov](http://www.whistleblowers.gov) • 1-800-321-OSHA (6742) • TTY 1-877-889-5627

OSHA 3850-09 2016

## Worker Resources



# We Are OSHA



## We Can Help

### Workers' rights under the OSH Act

Workers are entitled to working conditions that do not pose a risk of serious harm. To help assure a safe and healthful workplace, OSHA also provides workers with the right to:

- Ask OSHA to inspect their workplace;
- Use their rights under the law without retaliation;
- Receive information and training about hazards, methods to prevent harm, and the OSHA standards that apply to their workplace. The training must be in a language you can understand;
- Get copies of test results done to find hazards in the workplace;
- Review records of work-related injuries and illnesses; and
- Get copies of their medical records.



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





## Who OSHA covers

### Private sector workers

Most employees in the nation come under OSHA's jurisdiction. OSHA covers private sector employers and employees in all 50 states, the District of Columbia, and other U.S. jurisdictions either directly through Federal OSHA or through an OSHA-approved state program. State-run health and safety programs must be at least as effective as the Federal OSHA program. To find the contact information for the OSHA Federal or State Program office nearest you, call 1-800-321-OSHA (6742) or go to [www.osha.gov](http://www.osha.gov).



### State and local government workers

Employees who work for state and local governments are not covered by Federal OSHA, but have OSH Act protections if they work in those states that have an OSHA-approved state program. The following 22 states or territories have OSHA-approved programs:

Alaska	Arizona	California
Hawaii	Indiana	Iowa
Kentucky	Maryland	Michigan
Minnesota	Nevada	New Mexico
North Carolina	Oregon	South Carolina
Tennessee	Utah	Vermont
Virginia	Washington	Wyoming
Puerto Rico		

Five additional states and one U.S. territory have OSHA-approved plans that cover public sector workers only:

Connecticut	Illinois	Maine
New Jersey	New York	Virgin Islands

Private sector workers in these five states and the Virgin Islands are covered by Federal OSHA.



### Federal government workers

Federal agencies must have a safety and health program that meets the same standards as private employers. Although OSHA does not fine federal agencies, it does monitor federal agencies and responds to workers' complaints. The United States Postal Service (USPS) is covered by OSHA.



### Not covered under the OSH Act:

- Self-employed;
- Immediate family members of farm employers who do not employ outside employees;
- Workplace hazards regulated by another federal agency (for example, the Mine Safety and Health Administration, the Department of Energy, or Coast Guard).

### OSHA standards: Protection on the job



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.





Examples of OSHA standards include requirements to provide fall protection, prevent trenching cave-ins, prevent some infectious diseases, assure that workers



safely enter confined spaces, prevent exposure to harmful substances like asbestos, put guards on machines, provide respirators or other safety equipment, and provide training for certain dangerous jobs.

Employers must also comply with the General Duty Clause of the OSH Act, which *requires employers to keep their workplace free of serious recognized hazards*. This clause is generally cited when no OSHA standard applies to the hazard.

#### **Workers can ask OSHA to inspect their workplace**

Workers, or their representatives, may file a complaint and ask OSHA to inspect their workplace if they believe there is a serious hazard or that their employer is not following OSHA standards. A worker can tell OSHA not to let their employer know who filed the complaint. **It is a violation of the OSH Act for an employer to fire, demote, transfer or retaliate in any way against a worker for filing a complaint or using other OSHA rights.**

Written complaints that are signed by a worker or their representative and submitted to the closest OSHA office are more likely to result in an on-site OSHA inspection. You can call 1-800-321-OSHA (6742) to request a complaint form from your local OSHA office or visit [www.osha.gov/pls/osha7/eComplaintForm.html](http://www.osha.gov/pls/osha7/eComplaintForm.html) to submit



the form online. Completed forms can also be faxed or mailed to the local OSHA office. Most complaints sent in online may be resolved informally over the phone with your employer.

When the OSHA inspector arrives, workers and their representatives have the right to:

- Go along on the inspection;
- Talk privately with the OSHA inspector; and
- Take part in meetings with the inspector and the employer before and after the inspection is conducted.

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.



When an inspector finds violations of OSHA standards or serious hazards, OSHA may issue citations and fines. A citation includes the methods an employer may use to fix a problem and the date by when the corrective actions must be completed. Workers only have the right to challenge the deadline for when a problem must be resolved. Employers, on the other hand, have the right to contest whether there is a violation or any other part of the citation. Workers or their representatives must notify OSHA that they want to be involved in the appeals process if the employer challenges a citation.

If you send in a complaint requesting an OSHA inspection, you have the right to find out the results of the OSHA inspection and request a review if OSHA does not issue citations.



### Employer responsibilities

Employers have the responsibility to provide a safe workplace. **Employers MUST provide their employees with a workplace that does not have serious hazards and must follow all OSHA safety and health standards.**

Employers must find and correct safety and health problems. OSHA further requires employers to try to eliminate or reduce hazards first by making changes in working conditions rather than just relying on masks, gloves, earplugs or other types of personal protective equipment. Switching to safer chemicals, implementing processes to trap harmful fumes, or using ventilation systems to clean the air are examples of effective ways to get rid of or minimize risks.

Employers **MUST** also:

- Prominently display the official OSHA *Job Safety and Health – It's the Law* poster that describes rights and responsibilities under the OSH Act. **This poster is free and can be downloaded from [www.osha.gov](http://www.osha.gov).**
- Inform workers about chemical hazards through training, labels, alarms, color-coded systems, chemical information sheets and other methods.
- Provide safety training to workers in a language and vocabulary they can understand.
- Keep accurate records of work-related injuries and illnesses.
- Perform tests in the workplace, such as air sampling, required by some OSHA standards.
- Provide required personal protective equipment at no cost to workers.\*
- Provide hearing exams or other medical tests required by OSHA standards.





- Post OSHA citations and injury and illness data where workers can see them.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation or loss of an eye (1-800-321-OSHA [6742]).
- Not retaliate against workers for using their rights under the law, including their right to report a work-related injury or illness.

\* Employers must pay for most types of required personal protective equipment.

### **The law protects workers from retaliation when using their OSHA rights**

The OSH Act protects workers who complain to their employer, OSHA or other government agencies about unsafe or unhealthful working conditions in the workplace or environmental problems. You cannot be transferred, denied a raise, have your hours reduced, be fired, or punished in any other way because you used any right given to you under the OSH Act. Help is available from OSHA for whistleblowers.

If you have been punished or retaliated against for using your rights, you must file a complaint with OSHA **within 30 days** from the date the retaliatory decision was both made and communicated to you. No form is needed, but you must call OSHA within 30 days of the alleged retaliation at 1-800-321-OSHA (6742) and ask to speak to the OSHA area office nearest you to report the retaliation.





## **You have the right to a safe workplace**

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. Workers may file a complaint to have OSHA inspect their workplace if they believe that their employer is not following OSHA standards or there are serious hazards.

**Contact us if you have questions or want to file a complaint. We will keep your information confidential. We are here to help you. Call our toll-free number at 1-800-321-OSHA (6742) or go to [www.osha.gov](http://www.osha.gov).**



**1-800-321-OSHA (6742) TTY 1-877-889-5627  
[www.osha.gov](http://www.osha.gov)**

OSHA 3334-09R 2015



NIOSH is OSHA's sister agency. Workers can request that NIOSH conduct Health Hazard Evaluations (HHEs) of workplaces in cases where workers are getting sick from an unknown cause or are exposed to an agent or working condition that is not regulated by OSHA.



The National Institute for Occupational Safety and Health (NIOSH) is a part of the Centers for Disease Control and Prevention. The NIOSH mission is to develop new knowledge about occupational safety and health and see that it is used to protect workers. Sometimes, NIOSH is confused with the Occupational Safety and Health Administration (OSHA), but they are separate agencies with different responsibilities for ensuring safe and healthy workplaces.

The Health Hazard Evaluation (HHE) Program evaluates workplaces throughout the United States. If you think something in your workplace is making you or other employees sick, you and your coworkers can ask for an evaluation. It is done at no cost to you or your employer.

The HHE Program has expertise in many areas, including health hazard identification, exposure assessment, symptom surveys, medical testing, and engineering controls. Health hazards the HHE Program can assess include the following:

- Physical agents such as heat and noise
- Biological agents such as mold
- Infectious diseases such as tuberculosis and influenza
- Chemical substances such as solvents, metals, and particulates
- Psychosocial issues such as work stress

## Health Hazard Evaluation Program

### What Employees Should Know

Photo by ©Thinkstock

Department of Health and Human Services  
Centers for Disease Control and Prevention  
National Institute for Occupational Safety and Health





## Why Should You Request a Health Hazard Evaluation?



Photo by ©Thinkstock

### **An evaluation can benefit employees.**

- An evaluation can help give you a greater voice in the health and safety of your workplace.
- You will learn whether exposures or conditions in the workplace may harm your health.
- The HHE Program will tell you and your employer how to reduce or eliminate hazards in your workplace.

Many employers use the information to make changes that are good for the health of their employees.





## Who Can Request a Health Hazard Evaluation?



Photo by ©Thinkstock

Employees can request an evaluation for their own workplace. In most workplaces, you will need to ask two coworkers to make the request with you. If there are three or fewer people in the work area you are concerned about, then only one employee is needed to request an evaluation.

If you belong to a union, your union representative can also make a request.

If you are concerned about a work-related health issue where a family member or friend works, you cannot make a request for them. However, you can share information about the HHE Program with them and encourage them to make a request.

**Do you think that something at your workplace is hazardous to your health?**

**If so, request a Health Hazard Evaluation at <http://www.cdc.gov/niosh/hhe/request.html>.**



## Are Employee Requests Confidential?

Photo by ©Thinkstock

If you are an employee requesting an evaluation, you can mark on the request form that you do not want your name revealed to your employer.

As provided by federal law, the HHE Program protects personal information it gets from records, forms, or interviews. Federal law prohibits employers from retaliating or punishing employees for making HHE requests or cooperating with the HHE Program.

If you have any questions about how your identity and information will be protected, contact the HHE Program at [HHERequestHelp@cdc.gov](mailto:HHERequestHelp@cdc.gov) or 513-841-4382.



## What Happens After You Request a Health Hazard Evaluation?



Photo by ©Thinkstock

After you request an evaluation, a health and safety expert from the HHE Program will contact you. Then the HHE Program will contact your employer to tell them about the request. From the information provided, the HHE Program will decide if an on-site evaluation is needed.

For common types of hazards such as mold and indoor environmental quality, an on-site evaluation may not be needed. If this happens in your case, health and safety experts will review information from you and your employer including reports about exposures, illness, and injury. They will recommend ways to reduce employees' exposures and prevent work-related health problems. They may also suggest other resources.





## What Happens During an On-Site Evaluation?

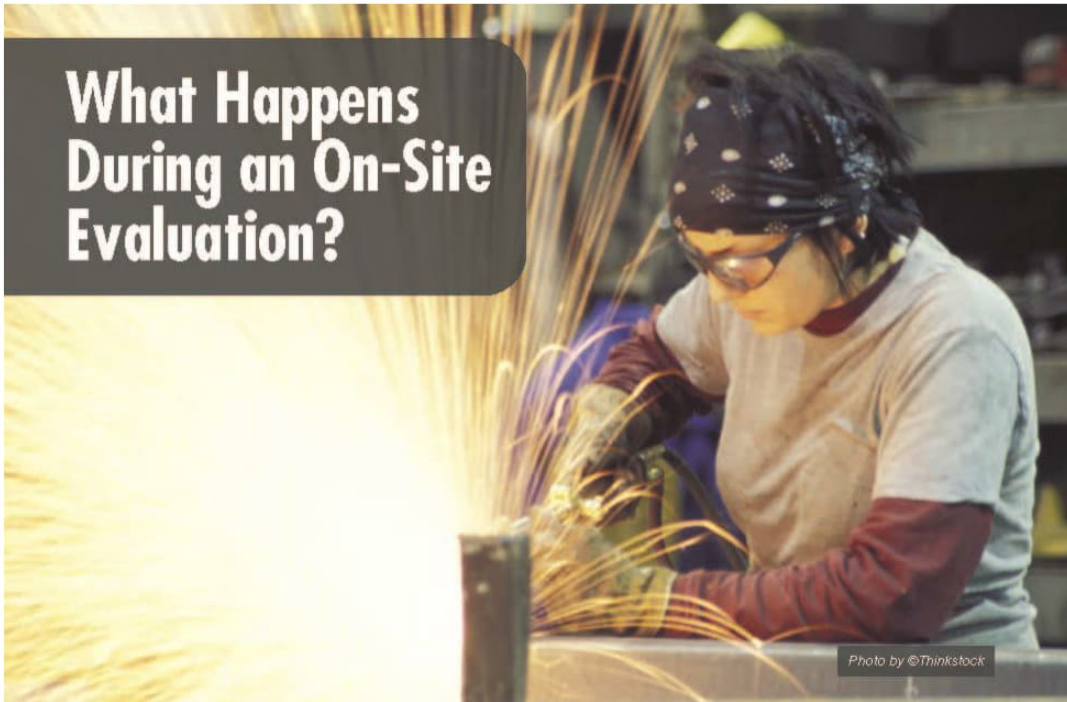


Photo by ©Thinkstock

If the HHE Program decides an on-site evaluation is needed, health and safety experts will come to your workplace at an agreed upon time. The process may require more than one visit. The process may involve:

- Observing work processes and practices
- Meeting with employee and employer representatives
- Talking privately with employees about their health
- Reviewing reports of exposure, injury, and illness
- Measuring exposures
- Surveying employees about their health
- Carrying out medical testing

When exposure measurements or medical tests are done on employees, the HHE Program will send the results directly to each employee. Summary information will be shared with the employer without revealing employees' identities.

If you request an evaluation you can choose to meet with the team when they are on site. If you do not want to meet with the team, you can help find another employee to represent all employees at the workplace. Regardless of what you choose, the HHE Program will keep you informed of its activities and progress.





## What Happens After the Health Hazard Evaluation?



### The Report

After the evaluation is done, the HHE Program will send you and your employer a report that will tell you what the HHE Program did and what was found. It also will suggest ways to make your workplace healthier and safer for you and your coworkers. Your employer must post the report in a location where you and your coworkers can read it. The HHE Program shares its reports with other federal agencies and the reports become part of the public record. The HHE Program posts its reports on its website where the reports are available to everyone for free. This allows other facilities to learn from the findings. The reports do not include your name or the name of the business, agency, or organization where you work.

### The Follow Up

For on-site evaluations, after the report is released, the HHE Program will invite you or another employee representative to ask questions and share your thoughts about the evaluation. Later, the HHE Program will send you surveys by mail to get your opinion about your experience and give you a chance to describe actions taken in your workplace since the evaluation. To help improve the HHE Program, your employer may be asked about their interest in scheduling a follow-up visit. This will help the HHE Program learn how useful its recommendations were in improving health and safety in your workplace.



## How Do You Request a Health Hazard Evaluation?



Photo by ©Thinkslock

The form to request an evaluation can be found at <http://www.cdc.gov/niosh/hhe/request.html>. You can fill it out online or print the form and send it by mail or fax.

If you have questions, please contact the HHE Program Monday–Friday, 9 a.m.–4:30 p.m. Eastern Time

☎ 1-513-841-4382

@ [HHERequestHelp@cdc.gov](mailto:HHERequestHelp@cdc.gov)

✉ NIOSH Health Hazard Evaluation Program  
1090 Tusculum Ave., Mail Stop R-9  
Cincinnati, OH 45226-1998



## Delivering on the Nation's Promise: Safety and health at work for all people through research and prevention.

To receive NIOSH documents or other information about occupational safety and health topics, contact NIOSH:

 1-800-CDC-INFO (1-800-232-4636)

 1-888-232-6348

 CDC INFO: [cdcinfo@cdc.gov](mailto:cdcinfo@cdc.gov)  
or visit the NIOSH website  
<http://www.cdc.gov/niosh/>.

For a monthly update on news at NIOSH, subscribe to *NIOSH eNews* by visiting <http://www.cdc.gov/niosh/eNews>.

DHHS (NIOSH) Publication No. 2014-136  
July 2014

**SAFER • HEALTHIER • PEOPLE™**

Health care providers can also be a resource on the health effects of toxic substances, proper medical and first aid treatment, and other health-related issues.

### Lesson Summary

OSHA guarantees workers certain specific rights in addition to the general right to a safe workplace. Among these are the rights to receive proper training and information about previous, current, and expected hazards, and the right to file a complaint with OSHA or NIOSH without fear of retaliation. Workers may also participate in relevant OSHA inspections. Workers must report safety hazards to OSHA within 30 days and may do so online, in writing, or by telephone.

OSHA's standards provide protections to whistleblowers who report workplace safety violations. Workers cannot be transferred, denied a raise, have their hours reduced, be fired, or be punished in any other way because they exercised any right given to them under the OSH Act.

## Module 2: Managing Safety and Health

### Module Description

Employers are encouraged to develop and maintain a safety and health program that provides policies, procedures, and practices that protect employees from occupational safety and health hazards. In addition to preventing injuries, illnesses, and fatalities,

