

## AN INTRODUCTION TO OSHA'S ROLE IN THE WORKPLACE, PART I

The goal of the Occupational Safety and Health Act (OSHACT, Public Law 91-596 of 1970) is to assure every man and woman working in the United States a safe and healthy working environment. Many of OSHA's requirements under the act are designed to reduce workplace accidents and to provide greater safety for employees. The Occupational Safety and Health Administration was created within the Department of Labor to do such things as:

- Encourage employers and employees to reduce workplace hazards and to implement new or improve existing safety and health programs,

- Provide research in occupational safety and health,

- Maintain a reporting and recordkeeping system to monitor job related injuries and illnesses,

- Develop mandatory job safety and health standards and enforce them.

OSHA standards include the areas of: General Industry, Maritime, Construction and Agriculture. The standards are contained in The Federal Register in Public Libraries and online. Every year OSHA standards are published in the Federal Register with new amendments, corrections or changes to the regulations. These items are published as part of the Code of Federal Regulations (CFR) and the provisions applicable to OSHA are contained at Title 29 of the CFR, Part 1900-1999.

OSHA applies to all employers and their employees in all 50 states and extends to the District of Columbia and to Puerto Rico. Employers in fields such as manufacturing, construction, long shoring, agriculture, law and medicine charity and disaster relief are covered. Self-employed persons and family farms employing only family members are not covered by the act.

OSHA requires that employers follow many safety standards on job sites such as factories and on construction sites. In factories that have loud equipment such as in bottle plants, brewing plants and canning plants, OSHA requires these employers to comply with OSHA standards to provide training for the employees to recognize hazards to their hearing and methods to protect their hearing. OSHA requires that employers provide the employees with adequate hearing protection to reduce the sound levels of noises that are harmful to the human ear. Employers must conduct annual hearing tests to monitor the employees hearing and to determine if the employees have suffered a significant reduction of his/her hearing from the prior year (also called a Standard Threshold Shift). By conducting annual testing the employer is required to monitor the employee's hearing and if there is a loss of hearing, the employer is required to educate the person on proper methods of protection of hearing and methods to reduce noise exposure. OSHA is allowed to inspect the factories and conduct periodic noise sampling tests of the factory to determine which equipment is harmful to employees.

On construction job sites, OSHA requires many safety standards to be followed. For example, in work sites where a worker is required to enter a confined space, various safety standards must be followed.

These safety standards include such areas as Hazard communications between the employer and the employees, Personal Protective Equipment and Clothing that is necessary to protect the employee from head, eye, foot, torso and breathing hazards. It also covers such areas as providing ladders that have been deemed safe for the worksite that comply with OSHA's requirement for the proper height of the ladder to get in and out of a hole safely. OSHA requires that training be provided to the employee that is designed to alert the employee to the hazards and risks of the jobsite so that the employee is better able to avoid hazards and remain safe in the work environment. In a situation where an employee is to enter a confined space to do work, the employee may have had annual OSHA training on Personal Protective Equipment and Clothing and the risks of using chemicals and potential hazards to health. However, OSHA also requires the Employer or entity controlling the job site to conduct site specific training to educate the employee of what hazards exist on that construction site or that specific confined space. This could include hazards of improper ventilation, pipes that may be leaking fumes or gases, electrical risks of shock, fall hazards or similar dangers on the job site.

To enforce its standards OSHA is authorized to inspect worksites to determine if the employer is complying with the relevant safety standards. Inspections are conducted without advanced notice. If an employer refuses to allow OSHA to inspect the premises, OSHA may take legal action against the employer and impose fines and penalties for the failure to comply with the OSHA act. However as a practical matter, OSHA can't inspect every work site. Therefore, OSHA gives certain situations the highest priority. These situations include a job site with an imminent-danger where there is reasonable certainty that a danger exists to cause death or serious physical harm before the danger can be eliminated. Next OSHA investigates fatalities and catastrophes in the jobsite that resulted in hospitalization. Next OSHA investigates employee complaints against an employer for OSHA violations or hazards in the workplace. Last, OSHA conducts pre-planned inspections that are for high-risk occupations or employers that have risks of death and injury in the workplace.

When employers follow OSHA's guidelines on health and safety it helps prevent the risk of serious injuries and death to employees. OSHA contained a very complex set of standards and guidelines that are impossible to fully explore in one article. Therefore, future articles will focus more in depth on requirements in confined spaces, the OSHA inspection process and the OSHA process for charging employers with violations of the regulations and standards under the ACT.

For more information about OSHA see: [www.osha.gov](http://www.osha.gov) and 29CFR1910.

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