Introduction to OSHA

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OSHA-Authorized General Industry Trainer
OSHA Introduction

• OSHA History and Mission
• Why OSHA is important to workers
• Rights and Responsibilities under OSHA
• The use of OSHA standards
• Explain how OSHA inspections are conducted
• Helpful OSHA safety and health resources
CAUTION

IF YOU THINK OSHA IS A SMALL TOWN IN WISCONSIN, YOU’RE IN TROUBLE
The Big Bad Wolf? ......
• Who is covered by OSHA?
  ◦ All employees/employers under Federal Government authority
    ▪ Federal OSHA or through an OSHA-approved state program

• Who is not covered by OSHA?
  ◦ Self-employed
  ◦ Immediate members of farm families that do not employ outside workers
  ◦ Workers covered by other fed agencies (miners, rail, nuclear)
  ◦ State/Local government employees (police, fire, county workers)
    ▪ Some expectations under state programs
  ◦ Professional Athletes
Prior to OSHA
Dawn of Time - 1970
### Pre-OSHA History

**1870s to 1910**

- America in the lead...not in a good way....
  - Little thought or regulation for safety
  - “Harder Work = Higher Gains”
  - Accidents were “cheap”
- Worker and Employer Responses
  - People quit!
  - Higher Risk = Higher Pay
  - Unions/Fraternal Organizations
  - Expansion of Insurance Industry
  - Care or jobs given to injured

<table>
<thead>
<tr>
<th>Comparative Safety of British and American Railroad Workers, 1889 – 1901</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Fatality Rates per Thousand Workers per Year)</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>British railroad workers</td>
</tr>
<tr>
<td>All causes</td>
</tr>
<tr>
<td>1889: 1.14  1895: 0.95  1901: 0.89</td>
</tr>
<tr>
<td>British trainmen</td>
</tr>
<tr>
<td>All causes</td>
</tr>
<tr>
<td>1889: 4.26  1895: 3.22  1901: 2.21</td>
</tr>
<tr>
<td>Coupling</td>
</tr>
<tr>
<td>1889: 0.94  1895: 0.83  1901: 0.74</td>
</tr>
<tr>
<td>American Railroad workers</td>
</tr>
<tr>
<td>All causes</td>
</tr>
<tr>
<td>1889: 2.67  1895: 2.31  1901: 2.5</td>
</tr>
<tr>
<td>American trainmen</td>
</tr>
<tr>
<td>All causes</td>
</tr>
<tr>
<td>1889: 8.52  1895: 6.45  1901: 7.35</td>
</tr>
<tr>
<td>Coupling</td>
</tr>
<tr>
<td>1889: 1.73  1895: 1.2  1901: 0.78</td>
</tr>
<tr>
<td>Braking</td>
</tr>
<tr>
<td>1889: 3.25  1895: 2.44  1901: 2.03</td>
</tr>
</tbody>
</table>

Source: Aldrich, Safety First, Table 1 and Great Britain Board of Trade, General Report.
1910 - 1939

- Small steps in regulatory authority
  - Previous programs/agencies got some power and influence
  - New agencies established

- Federal Employer’s Liability Law 1908
  - Increased liability/cost for employers
  - $200 -> $2000

- Workers Compensation Laws
  - European idea, first adopted in New York 1910
  - Workers don’t need to sue; compensated at fixed rate
  - Costs became more predictable and created less strife/anxiety
  - 1911-1921 - 44/48 states pass law

Steel Industry fatality and Injury rates, 1910-1939 (Rates per million man hours)

<table>
<thead>
<tr>
<th>Period</th>
<th>Fatality rate</th>
<th>Injury Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1910-1913</td>
<td>0.4</td>
<td>44.1</td>
</tr>
<tr>
<td>1937-1939</td>
<td>0.13</td>
<td>11.7</td>
</tr>
</tbody>
</table>

Shortly Before OSHA

• Prior to 1970 (average per year)
  ◦ ≈ 14,000 workplace fatalities
  ◦ ≈ 2.5 million job-related disabilities
  ◦ ≈ 300,000 new cases of job-related illnesses
“The OSHA Era”
1970-Present
Occupational Safety and Health Act (OSH Act)

• December 29, 1970
  ◦ President Nixon signs OSH Act

• April 28, 1971
  ◦ OSHA is officially established under the U.S. Department of Labor
  ◦ George Guenther – 1st Assistant Secretary of Labor for OSHA
OSH Act
General Duty Clause

• Section 5(a) – Each **employer** shall
  ◦ (1) furnish to each employee a workplace which is free from recognized hazards that are causing or are likely to cause death or serious physical harm;
  ◦ (2) comply with occupational safety and health standards declared under this Act.

• Section 5(b) – Each **employee** shall
  ◦ comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.
OSHA Mission Statement

• “The mission of OSHA is to save lives, prevent injuries, and protect America’s workers.”

  ◦ “Workers have a right to a safe workplace, and it is the employers responsibility to provide safe and healthy workplaces.”

Source: OSHA Introduction to OSHA – 1 Hour Presentation – Outreach Trainer Guide
Page 1, Topic 1, Present, 2nd paragraph
https://www.osha.gov/dte/outreach/intro_osh/1hr_IntroToOSHAwApp.pdf
OSHA Incident Stats

• 2015: 4,836 workplace fatalities, 2.9 million injuries/illnesses
  ◦ Average: 93 deaths per week or 13 deaths per day

• 2016: 5,190 workplace fatalities, 3.4 million injuries/illnesses
  ◦ Average: 99 deaths a week or 14 deaths a day

In perspective, only a total of 4,059 Players in The 4 Major Sports
(1,696 NFL / 1,200 MLB / 713 NHL / 450 NBA)
OSHA Target Areas

• National Emphasis Areas
  ◦ Machinery, Chemical Safety, Trenching/Excavation

• Regional Emphasis Areas
  ◦ Region 4 – Electrical, Landscaping, Poultry Processing, Forklifts, Noise, Food/Beverage Industry Sanitation
OSHA Target Areas

Most Cited Violations (2017)

1. Fall Protection – Use, Misuse, Lack of Use
2. Hazard Communication Standard
3. Scaffolding
4. Respiratory Protection
5. Control of Hazardous Energy (Lockout/Tagout)
6. Ladders
7. Powered Industrial Trucks (Forklifts & Similar)
8. Machinery and Machine Guarding
9. Fall Protection – Training Requirements
10. Electrical - Wiring Methods, Components and Equipment
What Does OSHA Do?
What does OSHA do?

- In their own words...
  - Encourage safety and health in the workplace
  - Develops and enforce standards
  - Monitor injury and illness data
  - Provided assistance, training, and other support programs
What does OSHA do? - Standards

• Write Standards
  ◦ Based upon research, accepted practices, and/or other applicable information
  ◦ Standard drafts are put out for review and comment in Federal Register
  ◦ Finalized standards given an implementation date (usually with significant lead time)
What does OSHA do? - Standards

- Enforce Standards
  - Inspection and Citation
  - Inspection Priority List
    1. Imminent Danger
    2. Fatal or Catastrophic Events
    3. Employee Complaints or Referrals
    4. Programmed High-Hazard Inspections
    5. Follow-Up Inspections

[YouTube Video](https://youtu.be/0wmcD3aM8X4)
State Standards

- Approved State Programs - 28
  - OSHA must approve the state
  - Standards must be as stringent as Federal, and can be more stringent

<table>
<thead>
<tr>
<th>Alaska</th>
<th>Iowa</th>
<th>New Jersey</th>
<th>Tennessee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Kentucky</td>
<td>New Mexico</td>
<td>Utah</td>
</tr>
<tr>
<td>California</td>
<td>Maine</td>
<td>New York</td>
<td>Vermont</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Maryland</td>
<td>North Carolina</td>
<td>Virgin Islands</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Michigan</td>
<td>Oregon</td>
<td>Virginia</td>
</tr>
<tr>
<td>Illinois</td>
<td>Minnesota</td>
<td>Puerto Rico</td>
<td>Washington</td>
</tr>
<tr>
<td>Indiana</td>
<td>Nevada</td>
<td>South Carolina</td>
<td>Wyoming</td>
</tr>
</tbody>
</table>
Standards, when there are no standards...

• Where there is no specific standard?
  ◦ General Duty Clause – “must provide safe workplace”

Example:

• OSHA Ergonomics Standard
  ◦ Passed November 2000
  ◦ Took Effect January 2001
  ◦ Repealed by Congress and Pres Bush March 2001
Letters of Interpretation

- OSHA requirements set by statute, standards and regulations
- Interpretation letters explain requirements and how they apply to particular circumstances,
  - They cannot create additional employer obligations.
  - The letter constitutes OSHA's interpretation of only the requirements discussed.
What does OSHA do? - Recordkeeping

• Workplaces with 11 or more employees* must maintain records of injuries and illnesses
• Maintained on a calendar year basis
• Records are NOT submitted to OSHA (or BLS) unless requested*
• Data used to monitor trends and determine regulatory, training, and enforcement needs
What is recorded?

- Medical Only Cases
  - Requires treatment beyond first aid
- Restricted Duty Cases
  - Injuries preventing return to normal activities
- Lost Time Cases
  - Injuries preventing return to work
- Fatalities
  - Death
The management and care of a patient to combat disease or disorder.

For the purposes of Part 1904, medical treatment does not include:

- Visits to a medical professional solely for observation or counseling
- Diagnostic procedures
  - X-rays, blood tests, diagnostic prescription medications (e.g., eye drops to dilate pupils)
- "First aid" as defined in 1904.7(b)(5)(ii)
Recordables

• Restricted Time/Duty
  ◦ “Just because you have a restriction, doesn’t mean it is restricted duty”
  ◦ Carpenter broken arm –VS– Accountant broken ankle

• Lost Time
  ◦ Usually very serious cases
  ◦ May involve surgery and/or long-term care
When do you have to notify OSHA?

- As of Jan 1, 2015, employers are required to notify OSHA if...and within...
  - Fatality – 8hrs
  - Amputation – 24hrs
    - Loss of all or part of body, including fingertip without bone loss
    - Not an avulsion
  - Loss of Eye – 24hrs
    - Not loss of vision, actual removal of eyeball
  - Hospitalization of 1 Employee – 24hrs
    - Actually admitted to hospital, not just a trip to ER

Changed from only requiring notification for a fatality or 3+ hospitalizations.
**OSHA's Form 300 (Rev. 01/2004)**

**Log of Work-Related Injuries and Illnesses**

You must record information about every work-related death and about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid. You must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional. You must also record work-related injuries and illnesses that meet any of the specific recording criteria listed in 29 CFR Part 1904.6 through 1904.12. Feel free to use two lines for a single case if you need to. You must complete an Injury and Illness Incident Report (OSHA Form 301) or equivalent form for each injury or illness recorded on this form. If you’re not sure whether a case is recordable, call your local OSHA office for help.

### Identify the person

- **Case no.**
- **Employee’s name**
- **Job title (e.g., Handler)**

### Describe the case

- **Date of injury or onset of illness**
- **Where the event occurred** (e.g., Loading dock north end)
- **Describe injury or illness, parts of body affected, and object/ substance that directly injured or made person ill (e.g., Scraped degree burns on right forearm from acetone tank)**

### Classify the case

CHECK ONLY ONE box for each case based on the most serious outcome for that case:

- **Death**
- **Remained at work**
  - Days away from work
  - On job transfer or restriction
  - Other recordable cases

### Enter the number of days the injured or ill worker was:

- **Away from work**
- **On job transfer or restriction**
- **Other recordable cases**

### Check the "injury" column or choose one type of illness:

- **Injury**
- **Sprain/ Strain**
- **Other Illness**
- **Infectious Disease**

### Page totals

Be sure to total these loads to the Summary Page (Form 300A) before you post it.
Summary of Work-Related Injuries and Illnesses

All establishments covered by part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to view the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you need for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0".

Employees, former employees, and their representatives have the right to review the OSHA Form 300 or its equivalent. See 29 CFR Part 1904.25, on OSHA's referencing rule, for further details on the access provisions for these forms.

### Number of Cases

<table>
<thead>
<tr>
<th>Total number of deaths</th>
<th>Total number of cases with days away from work</th>
<th>Total number of cases with job transfer or restriction</th>
<th>Total number of other recordable cases</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0</td>
<td>23</td>
<td>56</td>
</tr>
</tbody>
</table>

### Number of Days

<table>
<thead>
<tr>
<th>Total number of days away from work</th>
<th>Total number of days of job transfer or restriction</th>
</tr>
</thead>
<tbody>
<tr>
<td>668</td>
<td>3167</td>
</tr>
</tbody>
</table>

### Injury and Illness Types

<table>
<thead>
<tr>
<th>Total number of...</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>(1) Injuries</td>
</tr>
<tr>
<td>(2) Skin disorder</td>
</tr>
<tr>
<td>(3) Respiratory conditions</td>
</tr>
<tr>
<td>(4) Pneumoconiosis</td>
</tr>
<tr>
<td>(5) Hearing Loss</td>
</tr>
<tr>
<td>(6) All other illnesses</td>
</tr>
</tbody>
</table>

### Employment Information

- **Your establishment name**
- **Address**
- **Industry description** (e.g., Manufacture of motor truck trailers)
  - Educational Services
  - Standard Industrial Classification (SIC), if known (e.g., 3715) 8221
  - OR
    - North American Industrial Classification (NAICS), if known (e.g., 336212)
- **Employment information** (If you don't have these figures, see the worksheet on the back of this page to estimate)
  - Annual average number of employees: 7013
  - Total hours worked by all employees last year: 9383027

### Sign here

Knowing that 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 correct.

**Company executive**

**Title**

**Phone**

**Date** 1/23/2017

This OSHA 300a Summary report was produced with the automatic 180 day cap.
What does OSHA require?
• Employers must
  ◦ Assess workplace and determine hazards
  ◦ Decide which standards apply and how
  ◦ Follow applicable standards
  ◦ Provide and record training, medical surveillance, hazard monitoring, etc
  ◦ Pay for training, monitoring, PPE, etc.

“Excuse me, Sir, but me and the rest of the work force think this dress code probably violates OSHA rules.”
Worker Responsibilities

- Employees must:
  - Read the OSHA poster
  - Follow the employer’s safety and health rules
  - Follow safe work practices for your job, as directed by your employer
  - Wear or use all required gear and equipment
  - Report hazardous conditions to management (or OSHA if employer does not fix)
  - Cooperate with OSHA inspectors
Worker Rights

• Have a safe work environment
• Ask OSHA to inspect their workplace
• Receive information and training
  ◦ In language you can understand
• Get copies of results
  ◦ Air Samples/Other Testing, Medical Records, Etc
• Allowed to review injury/illness records
  ◦ Privacy rules still apply
• Be protected against retaliation
OSHA Inspections
Workplace Inspection

- Every establishment under OSH Act jurisdiction is subject to inspection
- Conducted by CSHO
  - Compliance Safety and Health Officer
- Usually no advance notice is given
Inspection Process

• CSHO displays credentials
• Opening Conference
• Walkaround Inspection
• Closing Conference
Opening Conference

• Explains purpose of visit
• Provides copy of complaint if available
• Employees may attend if employer approves
• Refusals or interference may result in Federal Marshal warrant and assistance
• Purpose is to identify and eliminate hazards
• Documents/Records/Etc may be reviewed
  ◦ “...evaluated to determine the employer’s good faith.”
• May point out needed corrective actions
  ◦ Shows good faith to fix it then!
Inspection

- Pictures or video may be taken
- Air, surface, or other samples may be collected
- Trade Secrets and other Competitive Advantages kept confidential
- Employee Rep may participate in inspection process
- Employees may be interviewed privately
  - Employee Rep may be present upon employee request
  - CSHO may request written statements
Closing Conference

- Following inspection, CHSO will
  - Describe any apparent violations or other pertinent issues found
  - Discuss both employer and employee rights
  - Discuss any further visits or actions that may be needed

- CSHO will NOT discuss any citations or fines
  - Citations or fines, if assessed, will come later
• OSHA may or may not issue citations
  ◦ Citations inform employer and employees of the regulations and standards allegedly violated and of the proposed time for abatement
  ◦ Employer must post a copy of each citation at or near place where violation occurred, for 3 days or until violation is corrected, whichever is longer
OSHA Assistance and References
Contact OSHA

• OSHA Website – [www.osha.gov](http://www.osha.gov)
• OSHA Emergency Hotline – 1-800-321-OSHA
• Contact Regional or Area Offices
OSHA Worker Fatalities Report

- Report of fatal events/basic details for each year
- Updated throughout the year
- [https://www.osha.gov/dep/fatcat/dep_fatcat.html](https://www.osha.gov/dep/fatcat/dep_fatcat.html)

BLS Census of Fatal Occupational Injuries (CFOI)

- Analysis and characterization of events
- Data for each year released near end of following year
  - 2015 data released Dec 16, 2016
  - Previously would release in Aug or Sept then revise as needed
- [http://www.bls.gov/iif/oshcfoi1.htm#2014](http://www.bls.gov/iif/oshcfoi1.htm#2014)
• OSHA helps save lives and prevent injuries
• OSHA balances a cooperative approach with traditional enforcement
• OSHA standards are the enforceable requirements for worker safety and health
• Inspections are OSHA’s way to ensure compliance
• OSHA offers various means of assistance
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