TOP OSHA VIOLATIONS & HOW TO MITIGATE THEM

SOURCE: INNOMARK
A SPECIAL THANK YOU TO THE SHOP! EDUCATION COUNCIL for their contributions to the editorial and research of this white paper.

The COVID-19 pandemic of 2020 has brought safety to the forefront of everyone's mind around the world. Given the uncertain conditions associated with COVID-19, safety for retail customers and employees has never been more important. As retailers start to open, safety within the stores is of the essence. The suppliers to the retailers also have safety on their mind. But, safety is not just around masks, face shields, and social distancing. Safety around slipping and falling is still a concern. And for manufacturers, machine guards is also a priority.

This white paper will look at the safety standards that are most frequently violated in the United State, their implications, and how retailers and their supplier companies can help mitigate these issues from their establishments. The goals of this white paper are to create awareness of the OSHA standards; enhance safety of Shop! member employees; protect Shop! members against potential OSHA fines; and educate Shop! members to help mitigate/eliminate OSHA fines.

While this white paper is focused on the United States OSHA violations and ways to mitigate those violations, the learnings can be applied across the globe. Links to global health and safety organizations are given to help our global partners stay safe both in the manufacturing setting as well as in a retail setting.

Effective job safety adds value to the workplace and helps reduce worker accidents, injuries, illnesses, and possible deaths. Non-compliance can be very costly to the bottom line in terms of injury lawsuits and violation fines. Depending on the extent of the violation and fine, a company’s reputation can be damaged.

Because the marketplace is continually changing and growing more challenging, Shop! provides professional development resources to help you grow personally and professionally, while also building connections in our industry. We hope this white paper will provide you with the resources needed to keep your employees and customers safe.

If you have any questions about this or other Shop! white papers, feel free to reach out to us at shop@shopassociation.org.
INTRODUCTION

IT IS SAFE TO SAY THAT 2020 has been both unique and interesting. Given the uncertain conditions associated with COVID-19, safety for customers and employees has never been more important. Coincidentally, 2020 also marks the 40th anniversary of the Occupational Safety and Health Administration (OSHA). OSHA, which was created by the United States Department of Labor to ensure safe and healthful working conditions, sets and enforces safety standards by providing training, outreach, education, and assistance.

WHY IS OSHA IMPORTANT?
OSHA requires employers to follow federal standards for employee health and safety. This means that all workplace environments must establish and enforce safety measures to protect employees from potential dangers, such as hazardous chemicals or heavy equipment.

Creating and maintaining a safe work environment should be a major priority for all manufacturers, retailers, designers, and suppliers of the retail industry. Injuries and accidents occur when employees are not properly trained and committed to safety compliance.

This white paper will look at the standards that are most frequently violated, their implications, and how retailers and their supplier companies can help mitigate these issues from their establishments. The goals of this white paper are to create awareness of the OSHA standards; enhance safety of Shop! member employees; protect Shop! members against potential OSHA fines; and educate Shop! members to help mitigate/eliminate OSHA fines.

Fall Protection and Hazard Communication top OSHA’s most recent annual list (Fiscal Year 2019) of the 10 most frequently cited safety violations. Personal Protective and Lifesaving Equipment also made the top ten. The following page details these common citations. These violations, which are the most applicable to retail and manufacturing, are the focus of this white paper. We will also discuss machine guarding, which is pertinent to our manufacturing industry leaders.

CAUTIONARY NOTE
This document is to be used as an overview of OSHA standards that may affect you and your company. Please consult with your Safety Director and OSHA.GOV for complete information as it pertains to you and your organization.
## TOP 10 MOST CITED OSHA VIOLATIONS OF 2019

1. **Fall Protection – General Requirements**
   - **Standard**: 1926.501
   - **Total Violations**: 7,014
   - **2018 Rank**: 1
   - **Purpose**: This section sets forth requirements for employers to provide fall protection systems. The employer shall determine if the walking/working surfaces on which its employees are to work have the strength and structural integrity to support employees’ safety.

2. **Hazard Communication**
   - **Standard**: 1910.1200
   - **Total Violations**: 4,170
   - **2018 Rank**: 2
   - **Purpose**: The purpose of this section is to ensure that the hazards of all chemicals produced or imported are classified, and that information concerning the classified hazards is transmitted to employers and employees. The transmittal of information is to be accomplished by means of comprehensive hazard communication programs, which are to include container labeling and other forms of warning, safety data sheets and employee training.

3. **Scaffolding – General Requirements**
   - **Standard**: 1926.451
   - **Total Violations**: 3,228
   - **2018 Rank**: 3
   - **Purpose**: Each scaffold and scaffold component shall be capable of supporting, without failure, its own weight and at least 4 times the maximum intended load applied or transmitted to it. Scaffolds shall be designed by a qualified person and shall be constructed and loaded in accordance with that design.

4. **Control of Hazardous Energy – Lockout/Tagout**
   - **Standard**: 1910.147
   - **Total Violations**: 2,975
   - **2018 Rank**: 5
   - **Purpose**: This standard covers the servicing and maintenance of machines and equipment in which the unexpected energization or startup of the machines or equipment, or release of stored energy, could harm employees. This standard establishes minimum performance requirements for the control of such hazardous energy.

5. **Respiratory Protection**
   - **Standard**: 1910.134
   - **Total Violations**: 2,826
   - **2018 Rank**: 4
   - **Purpose**: In the control of those occupational diseases caused by breathing air contaminated with harmful dusts, fogs, fumes, mists, gases, and vapors, the primary objective shall be to prevent atmospheric contamination. This shall be accomplished as far as feasible by accepted engineering control measures (for example, enclosure or confinement of the operation, general and local ventilation, and substitution of less toxic materials).

6. **Ladders**
   - **Standard**: 1926.1053
   - **Total Violations**: 2,766
   - **2018 Rank**: 6
   - **Purpose**: Ladders shall be capable of supporting the following loads without failure: Each self-supporting portable ladder: At least four times the maximum intended load, except that each extra-heavy-duty type 1A metal or plastic ladder shall sustain at least 3.3 times the maximum intended load.

7. **Powered Industrial Trucks**
   - **Standard**: 1910.178
   - **Total Violations**: 2,347
   - **2018 Rank**: 7
   - **Purpose**: This section contains safety requirements relating to fire protection, design, maintenance, and use of fork trucks, tractors, platform lift trucks, motorized hand trucks, and other specialized industrial trucks powered by electric motors or internal combustion engines. This section does not apply to compressed air or nonflammable compressed gas-operated industrial trucks, nor to farm vehicles, nor to vehicles intended primarily for earth moving or over-the-road hauling.

8. **Fall Protection – Training Requirements**
   - **Standard**: 1926.503
   - **Total Violations**: 2,059
   - **2018 Rank**: 8
   - **Purpose**: The employer shall provide a training program for each employee who might be exposed to fall hazards. The program shall enable each employee to recognize the hazards of falling and shall train each employee in the procedures to be followed in order to minimize these hazards.

9. **Machine Guarding – General Requirement**
   - **Standard**: 1910.212
   - **Total Violations**: 1,987
   - **2018 Rank**: 9
   - **Purpose**: One or more methods of machine guarding shall be provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks. Examples of guarding methods are-barrier guards, two-hand tripping devices, electronic safety devices, etc.

10. **Personal Protective and Lifesaving Equipment – Eye and Face Protection**
    - **Standard**: 1926.102
    - **Total Violations**: 1,630
    - **2018 Rank**: 10
    - **Purpose**: The employer shall ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation. The eye protection shall provide side protection when there is a hazard from flying objects. Detachable side protectors (e.g. clip-on or slide-on side shields) meeting the pertinent requirements of this section are acceptable.

Sources: [https://www.safetyandhealthmagazine.com/articles/19087-OSHAS-TOP-10-MOST-CITED-VIOLATIONS](https://www.safetyandhealthmagazine.com/articles/19087-OSHAS-TOP-10-MOST-CITED-VIOLATIONS)
WHY YOU SHOULD CARE

EFFECTIVE JOB SAFETY and health add value to the workplace and help reduce worker accidents, injuries, illnesses, and possible deaths. Non-compliance can be very costly to the bottom line in terms of injury lawsuits and OSHA violation fines. Depending on the extent of the violation and fine, a company’s reputation can be damaged.

Each year, approximately 6,000 employees in this country die from workplace injuries while another 50,000 die from illnesses caused by exposure to workplace hazards. In addition, 6 million workers suffer non-fatal workplace injuries at an annual cost to U.S. businesses of more than $125 billion.

There were 2.8 million nonfatal workplace injuries and illnesses reported by private industry employers in 2018, unchanged from 2017, the U.S. Bureau of Labor Statistics reported today. These data are estimates from the Survey of Occupational Injuries and Illnesses (SOII).

OSHA inspectors generally will not show up unannounced. They are usually called to make an inspection for one of the following reasons:

1. **Immediate and serious dangers**: If there’s a major problem on a jobsite, manufacturing facility or retail location, you can expect an inspector to arrive in short order to investigate.
2. **An incident**: If there is a major work-related incident—fatality or serious injury—OSHA will come to investigate.
3. **Complaints**: If an employee or another concerned party tips off OSHA about a potential hazard, expect a visit. Improper or nonexistent work gloves, for example, could be a viable safety complaint.
4. **Routine inspections**: Routine, programmed inspections of high-hazard industries may happen periodically, whether or not there’s an incident or a risky situation afoot.

OSHA inspectors can visit worksites without warning. Employers need to be prepared to accommodate an inspection, including knowing who on the worksite will serve as the point of contact, where various documents are located and how to respond to inspector questions.

### ARE YOU PREPARED FOR AN OSHA INSPECTION?

- **Do**
  - Be nice
  - Establish procedures for when OSHA knocks
  - Verify the identity of the OSHA inspector
  - Ensure the inspector is wearing appropriate safety gear for your establishment
  - Make sure records are easily accessible
  - Take photos and notes during the inspection
  - Provide a room or area for the inspector to interview employees
  - Correct hazards pointed out by the inspector

- **Don’t**
  - Be rude
  - Keep inaccurate records
  - Refuse entry to the inspector
  - Avoid answering questions
  - Tell employees to lie to the inspector
  - Give money to an inspector
  - Wait to correct hazards until cited
FALL PREVENTION

FALLS ARE THE MOST COMMON FORM of injury in any workplace or establishment. OSHA standards demand that employers provide training for each employee that may be exposed to fall hazards. They also require that employers provide fall protection systems. Employers and employees share the responsibility of helping to prevent falls. Below are a few activities both can be done to minimize risk. For more details, please visit Preventing Slips, Trips, and Falls in Wholesale and Retail Trade Establishments.

DAYS AWAY FROM WORK IN RETAIL TRADE (2018)

| TOTAL CASES | 126,850 |
| CONTACT WITH OBJECTS OR EQUIPMENT | 38,940 | 10% |
| FALL, SLIPS OR TRIPS | 34,190 | 11% |

SOURCE: THE U.S. BUREAU OF LABOR STATISTICS

INJURY OR ILLNESS IN RETAIL TRADE SECTOR (BY TYPE AND NUMBER OF CASES)

<table>
<thead>
<tr>
<th>Category</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Merchandise</td>
<td>96,000</td>
</tr>
<tr>
<td>Food &amp; Beverage</td>
<td>92,600</td>
</tr>
<tr>
<td>Motor Vehicle &amp; Parts</td>
<td>61,500</td>
</tr>
<tr>
<td>Building &amp; Garden Supply</td>
<td>53,800</td>
</tr>
</tbody>
</table>

SOURCE: THE U.S. BUREAU OF LABOR STATISTICS

HOW TO MINIMIZE SLIPS, TRIPS, AND FALLS – EMPLOYER RESPONSIBILITIES

For All Employers
- Develop a written slip, trip, and fall (STF) prevention policy that specifies both employer and worker responsibilities.
- Ensure aisles and passageways are free of clutter and other tripping hazards.
- Provide proper lighting in all indoor and outdoor areas to reduce shadows, dark areas, and glare. Also, replace burnt out light bulbs promptly.
- If electrical cords are used on a regular basis, install outlets so that cords do not cross walkways.
- Provide cleaning supplies (paper towels, absorbent material, “wet floor” signs, etc.) at convenient locations in the facility.
- Select flooring material according to the work to be done in the area.
- Use mats to create slip-resistant walking surfaces that absorb liquid and remove dirt, debris, etc. from shoes.
- Train employees to identify STF hazards and prevent through safe cleaning procedures and caution signs and/or cones that warn employees and visitors to avoid wet walking surfaces.
- Make sure that employees know who to call to report hazards and initiate clean-up or repair.

Employers in All Retail Stores
- Keep walkways clear of pallets, boxes and other items that could cause tripping.
- Avoid having cords or other tripping hazards in walkways. If necessary, ensure that the cord is safely covered to prevent tripping.
- Repair cracks in the flooring, torn carpet and other damage that could cause tripping.
- Provide good lighting so that people can see where they are stepping.
- Have employees regularly monitor the store for hazards, including dropped or spilled items.
- Respond to hazards such as spilled beverages immediately.
- Use caution signs to warn customers of wet floors when needed.

If in Grocery.....
- Ensure that water from produce spray misters is directed on produce and is not spraying onto the floor.
- Provide plastic bags and paper towels for handling produce to prevent water from dripping on the floor.

SOURCES: CDC.GOV/HEFFERNAN INSURANCE BROKERS

HOW TO MINIMIZE SLIPS, TRIPS, AND FALLS – EMPLOYEE RESPONSIBILITIES

Footwear
- Slip-resistant shoes are essential to a comprehensive STF prevention program. Those who work on wet or contaminated walking surfaces should wear slip-resistant shoes.
- Choose footwear that is resistant to oil, chemicals, and heat.

Material handling
- Ensure that the walkway is unobstructed before transporting large materials that might block your vision.
- Walk with caution and make wide turns at corners.
- Push (rather than pull) carts to allow a better line of sight.
- Keep passageways clear at all times, and mark permanent aisles and passageways.
- For purposes of one-time use, tape or anchor electrical cords to floors if they cross walkways.

SOURCES: CDC.GOV

For more information on fall prevention and training visit www.osha.gov/SLTC/fallprotection/
HAZARD COMMUNICATION

OSHA’S HAZARD COMMUNICATION STANDARD (HCS) is designed to protect against chemical-source injuries and illnesses by ensuring that employers and workers receive sufficient information to anticipate, recognize, evaluate, and control chemical hazards and take appropriate protective measures.

Although virtually all products are considered chemicals under this definition, the HCS identifies certain categories of chemicals that are not covered by the standard. These categories include, but are not limited to:
- Tobacco or tobacco products
- Wood or wood products
- Articles (i.e., a product that is formed to a specific shape or design during manufacture; (ii) which has end use function(s) dependent in whole or in part upon its shape or design)
- Food or alcoholic beverages which are sold, used, or prepared in a retail establishment;
- Any drug, as that term is defined in the Federal Food, Drug, and Cosmetic Act
- Cosmetics which are packaged for sale to consumers in a retail establishment, and cosmetics intended for personal consumption by employees while in the workplace
- Any consumer product or hazardous substance, as those terms are defined in the Consumer Product Safety Act and the Federal Hazardous Substances Act

EMPLOYER RESPONSIBILITIES
Employers are responsible for maintaining the labels on the containers, including, but not limited to, tanks, totes, and drums. Employers are not responsible for updating labels on shipped containers, even if the shipped containers are labeled under HazCom 1994. The employer must relabel items if the labels are removed or defaced. However, if the employer is aware of newly-identified hazards that are not disclosed on the label, the employer must ensure that workers are aware of the hazards as discussed below under workplace labels.

EMPLOYEE TRAINING
At a minimum, employers are required to train employees on the type of information that should be on the new labels and how labels are to be used in the workplace.
LABEL REQUIREMENTS
The HCS requires chemical manufacturers, importers, or distributors to ensure that each container of hazardous chemicals leaving the workplace is labeled, tagged or marked with the following information:
- Name, Address and Telephone Number (of chemical Mfr., importer, or other responsible party)
- Product Identifier
- Signal Word
- Hazard Statement(s)
- Precautionary Statement(s)
- Pictogram(s)

Labels must be legible, in English, and prominently displayed. Other languages may be displayed in addition to English. See sample label in next column.

PICTOGRAMS AND HAZARDS
Figure 1 shows each pictogram symbol, as well as its written name and associated hazards. Many chemical users may already be familiar with most of the symbols, which are already used for transportation.

For more information from OSHA on hazard communication and training, please visit www.osha.gov/dsg/hazcom/index.html and www.osha.gov/Publications/OSHA3642.pdf
PERSONAL PROTECTIVE AND LIFE SAVING EQUIPMENT – EYE AND FACE PROTECTION

UNDER THE EYE AND FACE PROTECTION STANDARD, OSHA mandates that employers ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation.

WHAT IS PERSONAL PROTECTIVE EQUIPMENT?
Personal protective equipment, commonly referred to as “PPE”, is equipment worn to minimize exposure to hazards that cause serious workplace injuries and illnesses. These injuries and illnesses may result from contact with chemical, radiological, physical, electrical, mechanical, or other workplace hazards.

Personal protective equipment may include items such as gloves, safety glasses and shoes, earplugs or muffs, hard hats, respirators, or coveralls, vests and full body suits.

ENSURE PROPER USE OF PERSONAL PROTECTIVE EQUIPMENT
All personal protective equipment should be safely designed and constructed, and should be maintained in a clean and reliable fashion. It should fit comfortably, encouraging worker use. If the personal protective equipment does not fit properly, it can make the difference between being safely covered or dangerously exposed. When engineering, work practice, and administrative controls are not feasible or do not provide sufficient protection, employers must provide personal protective equipment to their workers and ensure its proper use. Employers are also required to train each worker required to use personal protective equipment to know:

• When it is necessary
• What kind is necessary
• How to properly put it on, adjust, wear and take it off
• The limitations
• Proper care, maintenance, useful life, and disposal
• If PPE is to be used, a PPE program should be implemented.

This program should address the hazards present; the selection, maintenance, and use of PPE; the training of employees; and monitoring of the program to ensure its ongoing effectiveness.

PERSONAL PROTECTIVE EQUIPMENT (PPE) CRITERIA
Eye and face personal protective equipment (PPE) shall be distinctly marked to facilitate identification of the manufacturer. All protective devices must meet the following minimum requirements.

PROTECTIVE DEVICE REQUIREMENTS

- Provide adequate protection against the particular hazards for which they are designed.
- Be of safe design and construction for the work to be performed.
- Be reasonably comfortable when worn under the designated conditions.
- Fit snugly and not unduly interfere with the movements of the wearer.
- Be durable.
- Be capable of being disinfected.
- Be easily cleanable.
- Be distinctly marked to facilitate identification only of the manufacturer.

SOURCE: OSHA.GOV

Top OSHA Violations and How to Mitigate Them
OSHA recognizes the importance of keeping retail workers and their customers safe during the time of COVID-19. The key to keeping retail open while maintaining safety comes down to what they call Engineering Controls, Administrative Controls, Safety Work Practices, and Personal Protective Equipment. Below are some of the key guidelines. For the complete recommendation, please visit Retail Workers and Employers in Critical and High Customer-Volume.

Administrative Controls
- Whenever possible, direct customers to self-checkout kiosks to minimize worker interaction with customers.
- Establish protocols and provide supplies to disinfect frequently-touched surfaces in workspaces and public-facing areas, such as points of sale.
- Take steps to discourage customers from queueing at customer service lanes, cash register lanes, or other areas within the retail environment.
- Consider restricting the number of customers allowed inside the facility at any point in time.
- Employers may be able to reduce crowding in retail environments by extending store hours.
- When developing staff schedules, consider options for additional short breaks to increase the frequency with which staff can wash hands with soap and water.
- Employers should consider options for increasing in-store pickup or delivery to minimize the number of customers shopping in store facilities.

Engineering Controls
- Use physical barriers to separate retail employees and customers.
- Create physical queueing near work areas.

Safety Work Practices
- Workers should avoid touching their faces, including their eyes, noses, and mouths, particularly until after they have thoroughly washed their hands upon completing work and/or removing PPE.
- Throughout the work shift, frequently wash hands with soap and water for at least 20 seconds, or, if soap and water are unavailable, use an alcohol-based hand sanitizer with at least 60% alcohol.

Personal Protective Equipment
- Most retail workers in critical and high customer-volume environments are unlikely to need PPE beyond what they use to protect themselves during routine job tasks. However, employers should consider whether their hazard and risk assessments warrant the use of items such as gloves or eye and face protection. For example, workers may need gloves when implementing protocols for cleaning and disinfecting frequently touched surfaces.

SOURCE: WWW.OSHA.GOV/SLTC/COVID-19/RETAIL.HTML

TARGET’S CORONAVIRUS RESPONSE

The Target Corporation, like many other retailers, have shopper and employee safety measures in place during this time of COVID. From increased cleanliness and social distancing to masks and gloves, Target has both their customers’ and employees’ safety in mind.

SOURCE: TARGET CORPORATION

For more information from OSHA on personal protective equipment (PPE), please visit www.osha.gov/SLTC/personalprotectiveequipment/index.html

SOURCE: TARGET.COM

TARGET’S CORONAVIRUS RESPONSE

Increased cleanliness

Masks available & required

Quantity limits on in-demand items

Dedicated shopping hours for vulnerable guests & team

Monitoring & metering guest access

Reminders for social distancing

Plexiglass shields at checklanes

Carts and baskets sanitized between use

SOURCE: TARGET.COM
MACHINE GUARDING

MACHINERY AND MACHINE GUARDING, GENERAL REQUIREMENTS One or more methods of machine guarding shall be provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks.

Machines can help improve production efficiency in the workplace. However, their moving parts, sharp edges, and hot surfaces can also cause serious workplace injuries such as crushed fingers or hands, amputations, burns, or blindness. Safeguards are essential to protect workers from injury. Any machine part, function, or process that might cause injury should be safeguarded. When the operation of a machine may result in a contact injury to the operator or others in the area, the hazard should be removed or controlled.

The basic regulation that any machine that creates a hazard must be safeguarded to protect the operator and other employees.

For more information on machine guarding from OSHA, please visit www.osha.gov/SLTC/machineguarding/index.html
KEY TAKEAWAYS

**EMPLOYER RIGHTS**

When working with OSHA, you may do the following:
- Request identification from OSHA compliance officers;
- Request an inspection warrant;
- Be advised by compliance officers of the reason for an inspection;
- Have an opening and closing conference with compliance officers;
- Accompany compliance officers on inspections;
- Request an informal conference after an inspection;
- File a Notice of Contest to citations, proposed penalties, or both;
- Apply for a variance from a standard’s requirements under certain circumstances;
- Be assured of the confidentiality of trade secrets; and
- Submit a written request to the National Institute for Occupational Safety and Health for information on potentially toxic substances in your workplace.

**EMPLOYER RESPONSIBILITIES**

If you are an employer covered by the OSH Act, you must provide your employees with jobs and a place of employment free from recognized hazards that are causing, or are likely to cause, death or serious physical harm. Among other actions, you must also comply with the OSHA statutory requirements, standards, and regulations that, in part, require you to do the following:
- Provide well-maintained tools and equipment, including appropriate personal protective equipment;
- Provide medical examinations;
- Provide training required by OSHA standards;
- Report to OSHA within 8 hours accidents that result in fatalities;
- Report to OSHA within 8 hours accidents that result in the hospitalization of three or more employees;
- Keep records of work-related accidents, injuries, illnesses—and their causes—and post annual summaries for the required period of time. A number of specific industries in the retail, service, finance, insurance, and real estate sectors that are classified as low-hazard are exempt from most requirements of the regulation, as are small businesses with 10 or fewer employees. For more information see [https://www.osha.gov/recordkeeping/index.html](https://www.osha.gov/recordkeeping/index.html);
- Post prominently the OSHA poster (OSHA 3165) informing employees of their rights and responsibilities;
- Provide employees access to their medical and exposure records;
- Do not discriminate against employees who exercise their rights under the OSH Act;
- Post OSHA citations and abatement verification notices at or near the worksite;
- Abate cited violations within the prescribed period; and
- Respond to survey requests for data from the Bureau of Labor Statistics, OSHA, or a designee of either agency.

SOURCE: OSHA.GOV
EMPLOYEE RIGHTS

- Review employer-provided OSHA standards, regulations and requirements;
- Request information from your employer on emergency procedures;
- Receive adequate safety and health training when required by OSHA standards related to toxic substances and any such procedures set forth in any emergency action plan required by an OSHA standard;
- Ask the OSHA Area Director to investigate hazardous conditions or violations of standards in your workplace;
- Have your name withheld from your employer if you file a complaint with OSHA;
- Be advised of OSHA actions regarding your complaint, and have an informal review of any decision not to inspect or to issue a citation;
- Have your employee representative accompany the OSHA compliance officer on inspections;
- Observe any monitoring or measuring of toxic substances or harmful physical agents and review any related monitoring or medical records;
- Review at a reasonable time the Log of Work Related Injuries and Illnesses (OSHA 300) if your employer is required to maintain it;
- Request a closing discussion following an inspection;
- Object to the abatement period set in a citation issued to your employer; and
- Seek safe and healthful working conditions without your employer retaliating against you.

SOURCE: OSHA.GOV

EMPLOYEE RESPONSIBILITIES

- To help prevent exposure to workplace safety and health hazards, you must comply with all OSHA requirements that apply to your actions and conduct.

SOURCE: OSHA.GOV

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 a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. 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.
- 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.
- 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.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

Contact OSHA. We can help.

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

ADDITIONAL RESOURCES

www.osha.gov/training
www.osha.gov/hazfinder/index.html
www.osha.gov/otiec/
www.osha.gov/recordkeeping/index.html
www.osha.gov/Publications/OSHA3844.pdf