What is OSHA and Why is it Important to Your Business?

Why is job safety and health important?
In 2013, 4,585 employees died from occupational incidents, and there were a staggering 3.0 million total recordable cases of workplace injury and illness. On average, each of these 3.0 million cases required eight days away from work, which means U.S. employers as a whole paid for millions of days of lost work time. Experts estimate that workplace injuries and illnesses cost U.S. businesses more than $125 billion annually. Effective job safety and health programs not only help reduce worker injuries and illnesses, they save employers money in the long run.

How does OSHA contribute to job safety and health?
The primary goal of the Occupational Safety and Health Administration (OSHA) is to carry out the Occupational Safety and Health Act (OSH Act), which Congress originally passed in 1970. The OSH Act has undergone several amendments and revisions since its inception, but it is still in place "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 contributes to job safety and health by enacting regulations that forward this ideal. Title 29 of the Code of Federal Regulations (CFR), Parts 1902-1990, houses all the OSHA standards, though OSHA also allows states to enact occupational safety and health laws of their own under federally-approved plans. State-run programs are at least as strict, and sometimes more so, than federal standards. This ensures a minimum standard of job safety and health that all employers must follow to protect employees.

Are all employees covered by the OSH Act?
The OSH Act covers all employees except public employees in state and local governments and those who are self-employed. Public employees in state and local governments are covered by their state's OSHA-approved plan, if applicable.

Federal employees are covered under the OSH Act's federal employee occupational safety and health programs, which are outlined in 29 CFR Part 1960. United States Postal Service employees, however, are subject to the same OSH Act coverage provisions as those in the private sector.

Other federal agencies that have issued requirements affecting job safety or health include the Mine Safety and Health Administration (MSHA) and some agencies of the Department of Transportation (DOT), including the Federal Motor Carrier Safety Administration (FMCSA). Employees in these industries are subject to their respective regulations.

Additionally, businesses in the retail, service, finance, insurance and real estate sectors that are classified as low-hazard are exempt from most OSHA requirements, as are small businesses with 10 or fewer employees. Exceptions are discussed in 29 CFR Part 1904, which also explains which OSHA regulations exempt employers are still required to follow.

What are your responsibilities as an employer?
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. You must also comply with the OSHA statutory requirements, standards and regulations that require you to:

- Provide well-maintained tools and equipment, including appropriate personal protective equipment (PPE)
- Provide medical assistance and guidance for employees sustaining workplace injuries/illnesses
- Provide required OSHA training
- Report accidents that result in fatalities to OSHA within eight hours
- Report accidents that result in the hospitalization of three or more employees to OSHA within eight hours
- Keep records of work-related accidents, injuries, illnesses and their causes
- Post annual injury/illness summaries for the required period of time

What are your rights as an employer?

When working with OSHA, you may do the following:

- Request identification from OSHA compliance officers
- Request an inspection warrant
- Receive a reason for inspection from compliance officers
- 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 or proposed penalties
- Apply for a variance from a standard's requirements under certain circumstances
- Be assured of the confidentiality of trade secrets
- Submit a written request to the National Institute for Occupational Safety and Health (NIOSH) for information on potentially toxic substances in your workplace

What are employees' responsibilities?

All employees are obligated to help prevent exposure to workplace safety and health hazards by becoming familiar with and adhering to all applicable OSHA requirements.

What are employees' rights?

With regards to OSHA regulations, employees have the right, among other actions, to:

- Review employer-provided OSHA standards, regulations and requirements
- Request information from the employer on emergency procedures
- Receive adequate, OSHA-required safety and health training on toxic substances and emergency action plan(s)
- Ask the OSHA area director to investigate hazardous conditions or violations of standards in the workplace
- Have his or her name withheld from the employer when filing a complaint with OSHA
- Know what actions OSHA took as a result of the employee's complaint and have an informal review of any decision not to inspect or issue a citation
- Have an employee representative accompany the OSHA compliance officer on inspections
- Observe monitoring and measuring of toxic substances or harmful physical agents and review related records (including medical records)
- Review the Log of Work-Related Injuries and Illnesses (OSHA 300 Form), if applicable, at a reasonable time
- Request a closing discussion following an inspection
- Object a citation's set abatement period
- Seek safe and healthful working conditions without your employer retaliation

Why is OSHA important to your business?
OSHA plays a key role in making your facility a safe, healthy place to work. Beyond providing the tools and guidance to work toward an injury- and illness-free workplace, OSHA is important in identifying businesses that are not committed to safety. Employers that do not carefully follow OSHA regulations often face hundreds of thousands, if not millions, of dollars in fines.

How can you get more information on safety and health?
OSHA provides free publications, standards, technical assistance and compliance tools to help you understand the nuances of the regulations. OSHA's website also offers extensive assistance by way of workplace consultation, voluntary protection programs, grants, strategic partnerships, state plans, training and education to guide you in your quest for workplace safety. To learn more about OSHA and the critical elements of a successful safety and health management system in your workplace, visit www.osha.gov.

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