

Hazard Communication Program

General

A company should have a written hazard communication program and should inform each employee where information on the program is located. The key elements of the hazard communication program are training, container labeling, Material Safety Data Sheets (MSDS), and inventory of hazardous materials.

Written Plan

OSHA requires all workplaces where employees are exposed to hazardous chemicals to have a written plan which describes how the Hazard Communication Program will be implemented. The written program must reflect what employees are doing in a particular workplace. For example, the written plan must list the chemicals present at the work site, indicate who is responsible for the various aspects of the program in that facility and where written materials on hazardous substances will be made available to employees.

The written program must describe how the requirements for labels and other forms of warning, material safety data sheets, and employee information and training are going to be met by the employer.

Common Hazardous Materials Injuries

A company hazard communication program should inform employees of health and safety hazards of chemicals in the workplace. The three most common ways an employee can be injured by hazardous materials are:

Inhalation - this is the most common way a hazardous chemical can enter the body.

Absorption - hazardous substances can be absorbed through the skin and is the second most common type of exposure.

Ingestion - things put into the mouth such as food, drink or cigarettes can transfer hazardous substances which are on workers' hands into the stomach.

Container Labeling

Chemical manufacturers are required to provide the following information on their containers:

- ◆ Name of the hazardous material
- ◆ Hazard information like health, flammability and reactivity
- ◆ Manufacturer's name and address

Most labels have additional information like emergency first aid procedures, recommended personal protective equipment and clean up procedures for a chemical spill. The three words used by most manufacturers to provide information on how hazardous a material is are:

Danger - this means be aware, this chemical can be very hazardous.

Caution - this means the chemical is less hazardous, but you should still handle it carefully.

Warning - this is one step lower but don't ignore the safety procedures on the label.

The container label is your first and most immediate source of information in an emergency. It may not give you all the information you need. If additional information is needed, it should be provided in the Material Safety Data Sheet (MSDS).

If a worker places a hazardous substance from a manufacturer's container into another container, it must be labeled with information about the hazardous substance. This is not necessary if the worker plans to use up all of the hazardous substance that work day. But if you plan to store the substance, it must be labeled.

Check the labels on all chemicals used at the work site and report any missing, damaged or miss-labeled substances.

Material Safety Data Sheets

Material Safety Data Sheets (MSDS) should be available for all the hazardous chemicals at the work site. The information that should be included in the MSDS is:

Manufacturer Information - The address and telephone number of the manufacturer. This is important if you need more information about a chemical during an emergency.

Chemical Name - This gives the name of the chemical as it appears on the container label. It may also give common names for the product or chemical.

Health Hazards - This section will provide information on what risks exist for being injured by the chemical. It will warn of dangers such as inhalation, absorption and ingestion and describe symptoms caused by these types of exposures.

Flammability Information - This will tell whether or not the chemical is flammable and how to store it.

First Aid - This section will tell what should be done (and what not to do) if a worker is injured by a hazardous material.

Personal Protective Equipment - This section will give information on what protective equipment will protect workers from injury from the hazardous material. Examples are gloves or protective eyewear.

Ladders must be used only on stable and level surfaces unless secured to prevent accidental movement. Ladders must not be used on slippery surfaces unless secured or provided with slip-resistant feet. Even then, a ladder should be secured to prevent movement.

OSHA Standards for Crane Operators, Riggers and Signal Persons

General

Moving large, heavy loads is crucial to today's manufacturing and construction industries. Much technology has been developed for these operations, including careful training and extensive workplace precautions. There are significant safety issues to be considered, both for the operators of the diverse "lifting" devices, and for workers in proximity to them.

An OSHA rule that became effective November 1, 2010 requires operators of most types of cranes to be qualified or certified. Employers have up to four years to ensure that their operators are qualified or certified, unless they are operating in a state or city that has operator requirements. Employers must pay for qualification or certification of their currently unqualified or uncertified operators. OSHA rule 1926.1427 lists crane operator qualifications. This information can be found at <http://www.osha.gov/doc/cranesreg.pdf>.

Employers must use a qualified rigger for rigging operations during assembly/disassembly. So both the crane operator must be "qualified" and the person rigging the home to be lifted must be "qualified."

A crane operator often needs a second set of eyes, in the form of a signal person, to be able to operate safely. It is not uncommon for a manufactured or modular home installer to be used as the signal person. This person must also meet some specific qualifications.

The following pages contain OSHA fact sheets on signal person and rigger qualifications.

OSHA[®] FactSheet

Subpart CC – Cranes and Derricks in Construction: Qualified Rigger

This fact sheet describes the qualified rigger requirements of subpart CC – Cranes and Derricks in Construction, as specified in 29 CFR 1926.1401, 1926.1404, and 1926.1425. These provisions are effective November 8, 2010.

When is a *qualified rigger* required?

Employers must use *qualified riggers* during hoisting activities for assembly and disassembly work (1926.1404(r)(1)). Additionally, *qualified riggers* are required whenever workers are within the fall zone and hooking, unhooking, or guiding a load, or doing the initial connection of a load to a component or structure (1926.1425(c)).

Who can be a *qualified rigger*?

A *qualified rigger* is a rigger who meets the criteria for a qualified person. Employers must determine whether a person is qualified to perform specific rigging tasks. Each *qualified rigger* may have different credentials or experience. A *qualified rigger* is a person that:

- possesses a recognized degree, certificate, or professional standing, or
- has extensive knowledge, training, and experience, and
- can successfully demonstrate the ability to solve problems related to rigging loads.

The person designated as the *qualified rigger* must have the ability to properly rig the load for a particular job. It does not mean that a rigger must be qualified to do every type of rigging job.

Each load that requires rigging has unique properties that can range from the simple to the complex. For example, a rigger may have extensive experience in rigging structural

components and other equipment to support specific construction activities. Such experience may have been gained over many years. However, this experience does not automatically qualify the rigger to rig unstable, unusually heavy, or eccentric loads that may require a tandem lift, multiple-lifts, or use of custom rigging equipment. In essence, employers must make sure the person can do the rigging work needed for the exact types of loads and lifts for a particular job with the equipment and rigging that will be used for that job.

Do *qualified riggers* have to be trained or certified by an accredited organization or assessed by a third party?

No. Riggers do not have to be certified by an accredited organization or assessed by a third party. Employers may choose to use a third party entity to assess the qualifications of the rigger candidate, but they are not required to do so.

Does a certified operator also meet the requirements of a *qualified rigger*?

A certified operator does not necessarily meet the requirements of a *qualified rigger*. Determining whether a person is a *qualified rigger* is based on the nature of the load, lift, and equipment used to hoist that load plus that person's knowledge and experience. A certified/qualified operator may meet the requirements of a *qualified rigger*, depending on the operator's knowledge and experience with rigging.

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: (877) 889-5627.

For more complete information:



U.S. Department of Labor

www.osha.gov

(800) 321-OSHA

DOC 10/2010

OSHA[®] FactSheet

Subpart CC – Cranes and Derricks in Construction: Signal Person Qualification

This fact sheet describes the signal person qualification requirements of subpart CC – Cranes and Derricks in Construction, as specified in 29 CFR 1926.1419 and 1926.1428. Other requirements related to signal persons can be found at 29 CFR 1926.1404, 1926.1430, 1926.1431, and 1926.1441. These provisions are effective November 8, 2010.

When is a signal person required?

A signal person is required when:

- The point of operation is not in full view of the operator (1926.1419(a)).
- The operator's view is obstructed in the direction the equipment is traveling.
- Either the operator or the person handling the load determines that a signal person is needed because of site-specific safety concerns.

What does a signal person need to know?

The signal person is considered qualified if he or she:

- Knows and understands the type of signals used at the worksite.
- Is competent in using these signals.
- Understands the operations and limitations of the equipment, including the crane dynamics involved in swinging, raising, lowering and stopping loads and in boom deflection from hoisting loads.
- Knows and understands the relevant signal person qualification requirements specified in subpart CC (1926.1419-1926.1422; 1926.1428).
- Passes an oral or written test and a practical test.

How does a signal person become qualified?

Employers must use one of the following options to ensure that a signal person is qualified (see 1926.1428).

1. *Third party qualified evaluator.* The signal person has documentation from a third party qualified evaluator showing that he or she meets the qualification requirements.
2. *Employer's qualified evaluator* (not a third party). The *employer's qualified evaluator* assesses the individual, determines the individual meets the qualification requirements, and provides documentation of that determination. This assessment may not be relied on by other employers.

Refer to 1926.1401 for definitions of qualified evaluators.

How will an employer show that a signal person is appropriately qualified?

Employers must make the documentation of the signal person's qualifications available at the worksite, either in paper form or electronically. The documentation must specify each type of signaling (e.g., hand signals, radio signals, etc.) for which the signal person is qualified under the requirements of the standard.

When are signal persons required to be qualified?

The qualification requirements for signal persons go into effect on November 8, 2010.

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: (877) 889-5627.

For more complete information:



U.S. Department of Labor

www.osha.gov

(800) 321-OSHA

DOC 10/2010

Electrical

General

The employer is responsible for ensuring that all electrical equipment is free from hazards and defects which may pose a risk of death or serious physical harm. Broken or damaged tools and equipment must be removed from the job site.

The employer should also ensure that equipment being used on the construction site is designed for the job being performed. This can be done by checking the listing, labeling or certification for each piece of equipment.

When using a tool which is not plugged directly into the permanent wiring of the house, a Ground Fault Circuit Interrupter (GFCI) should be used. The GFCI should be used any time you use temporary power sources such as a generator, a temporary power pole or an extension cord.

Extension Cords

The GFCI is always needed when you are using an extension cord, whether or not it is plugged into the permanent wiring of the house. A damaged extension cord can create the ground fault and expose the user to electric current. The GFCI should be plugged into the power source receptacle with the extension cord coming after. Extension cords should not be fastened with staples, hung from nails, or suspended by wire.

Inspect extension cords each work day looking for nicks, cuts and abrasions. Never repair an extension cord with black electrical tape. It does not provide adequate protection from electrical shock. If you believe a cord needs to be repaired or replaced, mark it as “out of service” and have it removed from the construction site.

Extension cords used at a construction site must be designed for hard or extra-hard usage. Hard service cord (types S, ST, SO, STO) and junior hard service cords (types SJ, SJO, SJT, SJTO) are acceptable for the work site. All extension cords used must have a third ground pin. If your tool or receptacle does not accept a cord with the ground prong on it, you must use an adapter. Never clip the third ground pin from your extension cord.

Electrical Power Lines

Electrical hazards do not only come from using power tools. At the job site, locate and identify overhead electrical power lines. Make sure ladders, scaffolds, equipment (including vehicles) and materials never come within 10 feet of electrical power lines. You don't have to actually touch a power line to get hurt, the electricity can “jump” if you get too close. Cranes should be operated with extra care and more slowly when near electrical power lines.

Excavation and Trenching

General

An open excavation is an unnatural situation. Soil or dirt is a very heavy material and when an excavation is cut, the soil in the excavation wall immediately begins to move, however slowly, into the excavation. Excavations pose a risk from cave-ins and falls into the open area.

Inspections

OSHA requires that inspections of an excavation or trench site be made by a competent person and should be documented. The following guide specifies the frequency and conditions requiring inspections:

- ◆ Daily and before the start of each shift.
- ◆ As dictated by the work being done in the trench.
- ◆ After every rain storm.
- ◆ After other events that could increase hazards, e.g., snowstorm, windstorm, thaw, earthquake, etc.
- ◆ When fissures, tension cracks, sloughing, undercutting, water seepage, bulging at the bottom, or other similar conditions occur.
- ◆ When there is a change in the size, location, or placement of the spoil pile.
- ◆ When there is any indication of change or movement in adjacent structures.

The employer must designate (name) the competent person. This competent person should have and be able to demonstrate the following:

- ◆ Training, experience, and knowledge of:
 - soil analysis,
 - use of protective systems, and
 - requirements of 29 CFR Part 1926 Subpart P.
- ◆ Ability to detect:
 - conditions that could result in cave-ins,
 - failures in protective systems,
 - hazardous atmospheres, and
 - other hazards including those associated with confined spaces.
- ◆ Authority to take prompt corrective measures to eliminate existing and predictable hazards and to stop work when required.

Specific Trench Safety Guidelines

Before you begin an excavation the following precautions must be taken to eliminate potential site hazards.

- ◆ Determine the location of all underground utilities, such as gas, water and sewer lines.
- ◆ Notify utility companies 24 hours in advance of your intent to excavate.
- ◆ Safely locate and mark the exact location of the utilities.
- ◆ Protect, support or remove exposed utilities.

In trenches more than 4 feet deep, provide a safe means of access and exit from the trench.

- ◆ Trenches 4 feet or more in depth should be provided with a fixed and safe means of egress (e.g. stairway, ladder, or ramp).
- ◆ Spacing between ladders or other means of egress must be such that a worker will not have to travel more than 25 feet laterally to the nearest means of egress.
- ◆ Ladders must be secured and extend a minimum of 36 inches above the landing.
- ◆ Metal ladders should be used with caution, particularly when electric utilities are present.

Trench Safety Systems - Sloping

Sloping is defined by OSHA as "...excavating to form sides of an excavation that are inclined away from the excavation so as to prevent cave-ins."

Maximum allowable slopes for excavations less than 20 feet based on soil type and angle to the horizontal are as follows:

<u>Soil type</u>	<u>Height/depth ratio</u>	<u>Slope angle</u>
Stable Rock	Vertical	90 degrees
Type A	3/4:1	53 degrees
Type B	1:1	45 degrees
Type C	1 1/2:1	34 degrees
Type A (short-term)	1/2:1	63 degrees

(For a maximum excavation depth of 12 feet)

Benching

There are two basic types of benching, simple and multiple. The type of soil determines the horizontal to vertical ratio of the benched side.

As a general rule, the bottom vertical height of the trench must not exceed 4 feet for the first bench. Subsequent benches may be up to a maximum of 5 feet vertical in Type A soil and 4 feet in Type B soil to a total trench depth of 20 feet. All subsequent benches must be below the maximum allowable slope for that soil type. For Type B soil the trench excavation is permitted in cohesive soil only.

Soil Categories

OSHA categorizes soil and rock deposits into four types.

1. Stable Rock

Stable rock is natural solid mineral matter that can be excavated with vertical sides and remain intact while exposed. It is usually identified by a rock name such as granite or sandstone. Determining whether a deposit is of this type may be difficult unless it is known whether cracks exist and whether or not the cracks run into or away from the excavation.

2. Type A Soils

Type A soils are cohesive soils with an unconfined compressive strength of 1.5 tons per square foot (tsf) or greater. Examples of Type A cohesive soils are often: clay, silty clay, sandy clay, clay loam and, in some cases, silty clay loam and sandy clay loam. (No soil is Type A if it is fissured, is subject to vibration of any type, has previously been disturbed, is part of a sloped, layered system where the layers dip into the excavation on a slope of 4 horizontal to 1 vertical (4H:1V) or greater, or has seeping water.

3. Type B Soils

Type B soils are cohesive soils with an unconfined compressive strength greater than 0.5 tsf but less than 1.5 tsf. Examples of other Type B soils are: angular gravel; silt; silt loam; previously disturbed soils, unless otherwise classified as Type C; soils that meet the unconfined compressive strength or cementation requirements of Type A soils but are fissured or subject to vibration; dry unstable rock; layered systems sloping into the trench at a slope less than 4H:1V (only if the material would be classified as a Type B soil).

4. Type C Soils

Type C soils are cohesive soils with an unconfined compressive strength of 0.5 tsf or less. Other Type C soils include granular soils such as gravel, sand and loamy sand, submerged soil, soil from which water is freely seeping, and submerged rock that is not stable. Also included in this classification is material in a sloped, layered system where the layers dip into the excavation or have a slope of four horizontal to one vertical (4H:1V) or greater.

Test Equipment and Methods for Evaluating Soil Type

Many kinds of equipment and methods are used to determine the type of soil prevailing in an area. These are described below.

◆ *Pocket Penetrometer*

Penetrometers are direct-reading, spring-operated instruments used to determine the unconfined compressive strength of saturated cohesive soils. Once pushed into the soil, an indicator sleeve displays the reading. The instrument is calibrated in either tons per square foot (tsf) or kilograms per square centimeter (kPa). However, penetrometers have error rates in the range of +/-20-40%.

◆ *Shearvane (Torvane)*

To determine the unconfined compressive strength of the soil with a shearvane, the blades of the vane are pressed into a level section of undisturbed soil, and the torsional knob is slowly turned until soil failure occurs. The direct instrument reading must be multiplied by 2 to provide results in tons per square foot (tsf) or kilograms per square centimeter (kPa).

◆ *Thumb Penetration Test*

The thumb penetration procedure involves an attempt to press the thumb firmly into the soil in question. If the thumb makes an indentation in the soil only with great difficulty, the soil is probably Type A. If the thumb penetrates no further than the length of the thumb nail, it is probably Type B soil, and if the thumb penetrates the full length of the thumb, it is Type C soil. The thumb test is subjective and is the least accurate of the testing methods.

◆ *Dry Strength Test*

Dry soil that crumbles freely or with moderate pressure into individual grains is granular. Dry soil that falls into clumps that subsequently break into smaller clumps (and the smaller clumps can be broken only with difficulty) is probably clay in combination with

gravel, sand, or silt. If the soil breaks into clumps that do not break into smaller clumps (and the soil can be broken only with difficulty), the soil is considered unfissured unless there is visual indication of fissuring.

◆ *Plasticity Or Wet Thread Test*

This test is conducted by molding a moist sample of the soil into a ball and attempting to roll it into a thin thread approximately 1/8 inch in diameter (thick) by two inches in length. The soil sample is held by one end. If the sample does not break or tear, the soil is considered cohesive.

◆ *Visual Test*

A visual test is a qualitative evaluation of conditions around the site. In a visual test, the entire excavation site is observed, including the soil adjacent to the site and the soil being excavated. If the soil remains in clumps, it is cohesive; if it appears to be coarse-grained sand or gravel, it is considered granular. The evaluator also checks for any signs of vibration.

During a visual test, the evaluator should check for crack-line openings along the failure zone that would indicate tension cracks, look for existing utilities that indicate that the soil has previously been disturbed, and observe the open side of the excavation for indications of layered geologic structuring.

The evaluator should also look for signs of bulging, boiling, or sloughing, as well as for signs of surface water seeping from the sides of the excavation or from the water table. If there is standing water in the cut, the evaluator should check for "quick" conditions.

In addition, the area adjacent to the excavation should be checked for signs of foundations or other intrusions into the failure zone, and the evaluator should check for surcharging and the spoil distance from the edge of the excavation.

Protection of Employees From Loose Rock or Soil.

Protect employees from loose rock or soil that could fall or roll from a trench face by some means such as:

- ◆ scaling to remove loose material.
- ◆ installation of protective barricades on the face to stop and contain falling material.

Protect employees from excavated or other materials or equipment that could pose a hazard by falling or rolling into trenches by one of the following means:

- ◆ place and keep such materials or equipment at least 2 feet (.61 m) from the edge of trenches,
- ◆ use retaining devices that are sufficient to prevent materials or equipment from falling or rolling into trenches.

OSHA Services and Complaint Procedures

OSHA Consultation Service

Consultation Office Directory

Using a free consultation service, largely funded by the U.S. Occupational Safety and Health Administration (OSHA), employers can find out about potential hazards at their worksites, improve their occupational safety and health management systems, and even qualify for a one-year exemption from routine OSHA inspections.

The service is delivered by state governments using well-trained professional staff. Most consultations take place on-site, though limited services away from the worksite are available. Primarily targeted to smaller businesses, this safety and health consultation program is completely separate from the OSHA inspection effort. In addition, no citations are issued or penalties proposed at the time the consultation services are delivered.

It's confidential, too. Your name, your firm's name, and any information you provide about your workplace, plus any unsafe or unhealthful working conditions that the consultant uncovers, will not be reported routinely to the OSHA inspection staff.

Your only obligation will be to **commit yourself to correcting serious job safety and health hazards** -- a commitment which you are expected to make prior to the actual visit and carry out in a timely manner.

How to Get Started

Because consultation is a voluntary activity, you must request it. Your telephone call or letter sets the consulting machinery in motion. The consultant will discuss your specific needs with you and set up a visit date based on the priority assigned to your request, your work schedule, and the time needed for the consultant to adequately prepare to serve you. OSHA encourages a complete review of your firm's safety and health situation; however, if you wish, you may limit the visit to one or more specific problems.

Opening Conference

When the consultant arrives at your worksite for the scheduled visit, he or she will first meet with you in an opening conference to briefly review the consultant's role and the obligation you incur as an employer.

Walk Through

Together, you and the consultant will examine conditions in your workplace. OSHA strongly encourages maximum employee participation in the walk-through. Better informed and more alert employees can more easily work with you to identify and correct potential injury and illness hazards in your workplace. Talking with employees during the walk-through helps the consultant identify and judge the nature and extent of specific hazards.

The consultant will study your entire workplace, or the specific operations you designate, and discuss the applicable OSHA standards. Consultants will also point out other safety or health risks that might not be cited under OSHA standards, but nevertheless may pose safety or health risks to your employees. They may suggest and even provide other measures such as self-inspection and safety and health training you and your employees can use to prevent future hazardous situations.

A comprehensive consultation also includes (1) appraisal of all mechanical and environmental hazards and physical work practices, (2) appraisal of the present job safety and health program or establishment of one, (3) a conference with management on findings, (4) a written report of recommendations and agreements, and (5) training and assistance with implementing recommendations.

Closing Conference

The consultant will then review detailed findings with you in a closing conference. You will learn not only what you need to improve, but also what you are doing right. At that time you can discuss problems, possible solutions and abatement periods to eliminate or control any serious hazards identified during the walk-through.

In rare instances, the consultant may find an "imminent danger" situation during the walk-through. If so, you must take immediate action to protect all employees. In certain other situations, that would be judged a "serious violation" under OSHA criteria. You and the consultant are required to develop and agree on a reasonable plan and schedule to eliminate or control that hazard. The consultants will offer general approaches and options to you and may also suggest other sources for technical help.

Abatement and Follow Through

Following the closing conference, the consultant will send you a detailed written report explaining the findings and confirming any abatement periods agreed upon. Consultants may also contact you from time to time to check your progress. You, of course, may always contact them for assistance.

Ultimately, OSHA requires hazard abatement so that each consultation visit achieves its objective -- effective employee protection. If you fail to eliminate or control identified serious hazards (or an imminent danger) according to the plan and within the limits agreed upon, or an agreed upon extension, the situation must be referred from consultation to an OSHA enforcement office for appropriate action. OSHA claims that this has rarely occurred in the past.

Benefits

Knowledge of your workplace hazards and ways to eliminate them can only improve your own operations and the management of your firm. You will get professional advice and assistance on the correction of workplace hazards and benefit from on-site training and assistance provided by the consultant to you and your employees. The consultant can help you establish or strengthen an employee safety and health program, making safety and health activities routine considerations rather than crisis-oriented responses. In many states, employers may participate in the OSHA Consultation SHARP (Safety and Health Achievement Recognition Program). This program provides incentives and support to smaller, high-hazard employers to develop, implement and continuously improve effective safety and health programs at their worksite(s). The program recognizes employers who have demonstrated exemplary achievements in workplace safety and health by receiving a comprehensive safety and health consultation visit, correcting all workplace safety and health hazards, adopting and implementing effective safety and health management systems, and agreeing to request further consultative visits if major changes in working conditions or processes occur that may introduce new hazards. Employers meeting these specific program requirements may be exempt from general scheduled OSHA inspections for one year.

The On-Site Consultants Will:

- ◆ Help you recognize hazards in your workplace.
- ◆ Suggest general approaches or options for solving a safety or health problem.
- ◆ Identify kinds of help available if you need further assistance.
- ◆ Provide you a written report summarizing findings.
- ◆ Assist you to develop or maintain an effective safety and health program.
- ◆ Provide training and education for you and your employees.
- ◆ Recommend you for a one-year exclusion from OSHA programmed inspections, once program criteria are met.

The On-Site Consultants Will Not:

- ◆ Issue citations or propose penalties for violations of OSHA standards.
- ◆ Report possible violations to OSHA enforcement staff.
- ◆ Guarantee that your workplace will “pass” an OSHA inspection.

OSHA Consultation Service Directory

ALABAMA

Safe State Program
University of Alabama
432 Martha Parham West
Box 870388
Tuscaloosa, Alabama 35487
(205) 348-8975
(205) 348-9878 FAX

ALASKA

Consultation and Training
State of Alaska
Department of Labor and Workforce Development
Labor Standards and Safety - OSH
3301 Eagle Street, Suite 305
Anchorage, Alaska 99503-4149
1-800-656-4972 or (907) 269-4957
(907) 269-3723 FAX

ARIZONA

Consultation & Training
Industrial Commission of Arizona
Division of Occupational Safety & Health
2675 East Broadway Road; Suite 239
Tucson, Arizona 85716
(520) 628-5478
(520) 322-8008 FAX

ARKANSAS

OSHA Consultation
Arkansas Department of Labor
10421 West Markham
Little Rock, Arkansas 72205
(501)-682-4522
(501) 682-4532 FAX

CALIFORNIA

CAL/OSHA Consultation Service
Department of Industrial Relations
2424 Arden Way, Suite 485
Sacramento, California 95825
1-800-963-9424
(916) 263-5760 FAX

COLORADO

Colorado State University
Department of Environmental and Radiological Health Services
Occupational Health and Safety Consultation
1681 Campus Delivery
Fort Collins, Colorado 80523
(970) 491-6151
(970) 491-7778 FAX

CONNECTICUT

Connecticut Department of Labor
Division of Occupational Safety & Health
38 Wolcott Hill Road
Wethersfield, Connecticut 06109
(860) 263-6900
(860) 263-6940 FAX

DELAWARE

Delaware Department of Labor
Occupational Safety & Health
Division of Industrial Affairs
4425 North Market Street
Wilmington, Delaware 19802
(302)-761-8217
(302) 761-6602 FAX

DISTRICT OF COLUMBIA

Office of Occupational Safety & Health
D.C. Department of Employment Services
64 New York Avenue, NE-Room 2106
Washington, D.C. 20002
(202) 671-1800
(202) 673-2380 FAX

Program available only for employers within the District of Columbia

FLORIDA

Safety Florida Consultation Program
University of South Florida
13201 Bruce B. Downs Boulevard, MDC 56
Tampa, Florida 33612
1-866-273-1105
(813) 974-8270 FAX

GEORGIA

21(d) Onsite Consultation Program
Georgia Institute of Technology
430 10th St., N.E.
North Building
Atlanta, Georgia 30332-0837
(404) 407-8276
(404) 894-8275 FAX

HAWAII

Consultation & Training Branch
Department of Labor & Industrial Relations
830 Punchbowl Street
Room #425
Honolulu, Hawaii 96813
(808)-586-9083
(808)-586-9099 FAX

IDAHO

Idaho OSHA Consultation Program
Boise State University
1910 University Drive, M.S. 1825
Boise, Idaho 83725-1825
(208) 426-3283
(208) 426-4411 FAX

ILLINOIS

Illinois Onsite Consultation
Industrial Service Division
Department of Commerce & Economic Opportunity
State of Illinois Center, Suite 3-400
100 West Randolph Street
Chicago, Illinois 60601
(800)-972-4216 or (217)-524-7946
(217) 558-4044 FAX

INDIANA

INSafe

Indiana Department of Labor
402 West Washington, W195
Indianapolis, Indiana 46204
(317) 234-4792
(317) 233-1868 FAX

IOWA

Iowa Workforce Development
Division of Labor Services
Bureau of Consultation and Education
1000 East Grand Avenue
Des Moines, Iowa 50319
(515) 281-7629
(515) 281-5522 FAX

KANSAS

Kansas Consultation Project
Kansas Department of Labor
700 SW Harrison - Room 420
Topeka, Kansas 66612-1227
(785)-296-4386
(785) 296-1775 FAX

KENTUCKY

Kentucky Labor Cabinet
Division of Education & Training
Kentucky OSH Program
1047 U.S. Highway 127, South, Suite 4
Frankfort, Kentucky 40601
(502) 564-3070
(502) 564-4769 FAX

LOUISIANA

21(d) Consultation Program
Louisiana Department of Labor
OSHA Consultation, Office of Workers' Compensation
P.O. Box 94094
Baton Rouge, Louisiana 70804-9094
(225)-342-0720
(225) 342-6756 FAX

MAINE

Maine Bureau of Labor Standards
Workplace Safety & Health Division
State House Station #45
Augusta, Maine 04333-0045
(207) 623-7900
(207) 623-7938 FAX

MARYLAND

MOSH Consultation Services
10946 Golden West Drive, Suite 160
Hunt Valley, MD 21031
(410) 527-4472
(410) 527-5678 FAX

MASSACHUSETTS

MASSACHUSETTS
Division of Occupational Safety
Dept. of Labor
1001 Watertown Street
West Newton, Massachusetts 02465
(617) 969-7177
(617) 727-4581 FAX

MICHIGAN

Consultation Education & Training Division
Michigan Occupational Safety and Health Administration
Labor & Economic Growth
7150 Harris Drive
P.O. Box 30643
Lansing, Michigan 48909-8413
1-800-866-4674 or (517) 322-1809
(517) 322-1374 FAX

MINNESOTA

Department of Labor & Industry
Consultation Division
443 Lafayette Road
Saint Paul, Minnesota 55155
(651) 284-5060
(651) 284-5739 FAX

MISSISSIPPI

Mississippi State University
Center for Safety and Health
2151 Hwy 18
Suite B
Brandon, MS 39042
(601) 825-0783
(601) 825-6609 FAX

MISSOURI

Onsite Consultation Program
Division of Labor Standards
Dept. of Labor & Industrial Relations
3315 West Truman Boulevard
Post Office Box 449
Jefferson City, Missouri 65102
(573) 751-3403
(573) 751-3721 FAX

MONTANA

Department of Labor & Industry
Occupational Safety and Health Bureau
PO Box 1728
1625 11th Avenue
Helena, Montana 59601
(406) 444-6401
(406) 444-9396 FAX

NEBRASKA

Nebraska Department of Labor
550 So. 16th Street
P. O. Box 94600
Lincoln, NE 68509-4600
(402) 471-4717
(402) 471-5039 FAX

NEVADA

Safety Consultation & Training Section
Division of Industrial Relations
Department of Business & Industry
1301 North Green Valley Parkway #200
Henderson, Nevada 89074
(702)-486-9147
(702) 990-0326 FAX

NEW HAMPSHIRE

Occupational Health and Safety Consultation Service
New Hampshire Department of Environmental Services
P.O. Box 95
29 Hazen Drive
Concord, New Hampshire 03302-0095
(603) 271-8590
(603) 271-2667 FAX

NEW JERSEY

New Jersey Department of Labor and Workforce Development
1 John Fitch Plaza
P.O. Box 386
Trenton, New Jersey 08625-0386
(609) 292-0404
(609) 292-4409

NEW MEXICO

New Mexico Environment Department
Occupational Health & Safety Bureau
Address: 525 Marquez Plaza
Santa Fe, New Mexico 87502
(505)-827-4230 or (877)-610-6742
(505)-827-4422 FAX
Toll Free: 877-610-6742

NEW YORK

Division of Safety & Health
State Office Building Campus
Building 12, Room 168
Albany, New York 12240
(518) 457-2238
(518) 457-3454 FAX

NORTH DAKOTA

North Dakota Occupational Safety & Health
Consultation - Bismarck State College
Corporate & Continuing Education
1815 Schafer St
PO Box 5587
Bismarck, North Dakota 58506
(877) 846-9387 or (701) 224-5778
(701) 224-5763 FAX

OHIO

Ohio Bureau of Workers' Compensation
Division of Safety and Hygiene
OSHA On-Site Consultation
13430 Yarmouth Drive
Pickerington, Ohio 43147
Toll Free: 1-800-282-1425
614-644-3133 FAX

OKLAHOMA

Oklahoma Department of Labor
OSHA Consultation Division
3017 N. Stiles, Suite 100
Oklahoma City, Oklahoma 73105-5212
(405) 521-6100
(405)-557-1214 FAX

OREGON

Oregon OSHA Consultation and Services
Department of Consumer & Business Services
350 Winter Street, N.E., Room 430
Salem, Oregon 97301-3882
(503)-947-7434
(503) 947-7462 FAX

PENNSYLVANIA

Indiana University Pennsylvania
Room 210 Walsh Hall
302 East Walk
Indiana, Pennsylvania 15705-1087
1-800-382-1241
(724) 357-2396
(724) 357-2385 FAX

RHODE ISLAND

OSH Consultation Program
Division of Occupational Health & Radiation Control
Rhode Island Department of Health
3 Capital Hill,
Cannon Building, Room 206
Providence, Rhode Island 02908
(401)-222-7745
(401) 222-2456 FAX

SOUTH CAROLINA

South Carolina Department of Labor, Licensing & Regulation
110 Centerview Dr.
P.O. Box 11329
Columbia, South Carolina 29211-1329
(803) 896-7744
(803) 896-7750 FAX

SOUTH DAKOTA

South Dakota State University
Engineering Extension - OSHA Consultation
SHH 201, Box 2220
Brookings, South Dakota 57007-0597
(605) 688-4101
605-688-6290 FAX

TENNESSEE

TOSHA Consultation Services
Tennessee Department of Labor and Workforce Development
TOSHA/Consultation
220 French Landing Drive
Nashville, Tennessee 37243
(615) 741-7155
(615) 532-2997 FAX

TEXAS

Workers' Health & Safety Division- MS 22
Texas Department of Insurance
7551 Metro Center Drive
Austin, Texas 78744-1609
(512) 804-4693
(512) 804-4641 FAX
OSHCN Request Line: 800-687-7080

UTAH

Utah OSHA Consultation Program
160 East 300 South, Third Floor
Salt Lake City, Utah 84114-6650
801-530-6868 or 800-530-5090
(801) 530-7606 FAX
(801) 530-6901 TDY
1-800-530-5090

VERMONT

Vermont Department of Labor
Workers' Compensation and Safety Division
P.O. Box 488, 5 Green Mountain Drive
Montpelier, VT 05601-0488
(802) 888-2598
(802) 828-2195 FAX

VIRGINIA

Virginia Department of Labor & Industry
Occupational Safety & Health
Training & Consultation
13 South 13th Street
Richmond, Virginia 23219
(804) 786-6613
(804) 786-8418 FAX

WASHINGTON

WISHA Services Division
P.O. Box 4648
Olympia, WA 98504-4648
(360) 902-5554
(360) 902-5438 FAX

NORTH CAROLINA

Bureau of Consultative Services
North Carolina Department of Labor
1101 Mail Service Center
Raleigh, North Carolina 27699-1101
(919) 807-2905
(919) 807-2902 FAX

WEST VIRGINIA

West Virginia Department of Labor
WISHA Services Division
Capitol Complex Building #6
1800 East Washington Street, Room B-749
Charleston, West Virginia 25305
(304) 558-7890
(360) 902-5438 FAX

WISCONSIN

University of Wisconsin State Laboratory of Hygiene

2601 Agriculture Drive

P.O. Box 7996

Madison, WI 53707-7996

Toll Free: 1-800-947-0553

(608) 226-5240 or (800) 947-0553

(360) 902-5438 FAX

WYOMING

Wyoming Workers' Safety

1510 East Pershing Blvd.

Cheyenne, Wyoming 82002

(307) 777-7786

(307) 777-3646 FAX

How Complaints Are Filed and Handled by OSHA

General

The legislation that set up OSHA in 1970 gives employees the right to complain about workplace safety and health issues. The idea is that those who work in a particular environment are usually most familiar with its hazards. Consequently, employee complaints about workplace hazards have special significance.

In FY 2010, OSHA conducted 40,993 total inspections. This number includes 164 significant and egregious (instance-by-instance) enforcement actions, each resulting in a total proposed monetary penalty of more than \$100,000. In addition, OSHA conducted 24,759 programmed inspections. These inspections indicate that OSHA devoted more resources to proactively target the industries and employers that experienced the greatest number of workplace injuries and illnesses. OSHA also conducted 16,234 unprogrammed inspections, including employee complaints, accidents, and referrals.

In FY 2010, OSHA found 96,742 violations of OSHA's standards and regulations in the nation's workplaces, a 15.3% increase since FY 2006. The total number of serious and repeat violations issued increased by 22.1% and 8.1%, respectively, over the past five years. The total number of willful violations issued significantly increased by 217.1% since FY 2006 and increased by 278.8% since FY 2009.

These numbers demonstrate that OSHA is identifying and eliminating more serious hazards in the workplace, as well as identifying more employers who have intentionally violated OSHA standards and ignored their duty to provide a safe and healthful workplace under the OSH Act.

Complaints

OSHA always recommends that employees try to resolve safety and health issues by first reporting them to their supervisors, managers, or company safety and health committees. However, at any time, employees can bring these problems to the nearest OSHA area office for resolution. Furthermore, under Section 11 (c) of the OSH Act, employees have a right to make a complaint without discrimination or reprisal from their employers.

Who Can Complain

Employees or their representatives have a right to request an inspection of an establishment if they believe there is a violation of a safety or health standard that

threatens physical harm, or represents an imminent danger. Anyone, not just employees, who has sufficient knowledge of a workplace safety or health hazard, may make a complaint. A complaint is considered a request for an OSHA inspection, but not all complaints result in inspections.

Federal OSHA Complaint Handling Process

OSHA evaluates each complaint to determine how it can be handled best--an off-site investigation or an on-site inspection. Workers who would like an on-site inspection must submit a written request (on OSHA-7 form, "Notice of Alleged Safety and Health Hazards"). It should be noted that all complaints submitted in electronic format via OSHA's public website are considered non-formal. Workers who complain have the right to have their names withheld from their employers, and OSHA will not reveal this information. At least one of the following criteria must be met for OSHA to conduct an on-site inspection:

1. A written, signed complaint by a current employee or employee representative with enough detail to enable OSHA to determine that a violation or danger likely exists that threatens physical harm or that an imminent danger exists;
2. An allegation that physical harm has occurred as a result of the hazard and that it still exists;
3. A report of an imminent danger;
4. A complaint about a company in an industry covered by one of OSHA's local or national emphasis programs or a hazard targeted by one of these programs;
5. Inadequate response from an employer who has received information on the hazard through a phone/fax investigation;
6. A complaint against an employer with a past history of egregious, willful or failure-to-abate OSHA citations within the past three years;

Telephone, Fax, Email, Letter Investigation

OSHA's telephone, fax, email, letter off-site investigation method enables the agency to respond more quickly to hazards where none of the criteria listed above are met or where the employee or employee representative requests the off-site method. OSHA telephones the employer, describes the alleged hazards and then follows up with a fax, email or letter. The employer must respond within five days, identifying in writing any problems found and noting corrective actions taken or planned. If the response is adequate, OSHA generally will not conduct an on-site inspection. The employee who filed the original complaint will receive a copy of the employer's response. If still not satisfied, the complainant may then request an on-site inspection.

Inspection Priorities

OSHA's top priority for inspection is an imminent danger—a situation where workers face an immediate risk of death or serious physical harm. Second priority goes to any fatality or catastrophe—an accident that requires hospitalization of three or more workers.

Employers are required to report fatalities and catastrophes to OSHA within eight hours.

Third priority is employee complaints and referrals. Lower inspection priorities include inspections targeted toward high hazard industries, planned inspections in other industries and, finally, follow-up inspections to determine whether previously cited violations have been abated.

Evaluating Employee Complaints

Before beginning an inspection, OSHA staff must be able to determine from the complaint that there are reasonable grounds to believe that a violation of an OSHA standard or a safety or health hazard exists. If OSHA has information indicating the employer is aware of the hazard and is correcting it, the agency may not conduct an inspection after obtaining the necessary documentation from the employer.

Complaint inspections generally are limited to the hazards listed in the complaint, although other violations in plain sight may be cited as well. The inspector may decide to expand the inspection based on his/her professional judgment or conversations with workers.

Complaints are not necessarily inspected in "first come, first served" order. OSHA ranks complaints based on the severity of the alleged hazard and the number of employees exposed. That is why lower priority complaints can often be handled more quickly using the phone/fax method than through on-site inspections.

Worker Involvement in OSHA Inspections

The OSH Act gives the workers' representative the right to accompany the OSHA inspector during the inspection. The representative is chosen by the employees, never by the employer.

Workers have a right to talk privately to the inspector on a confidential basis whether or not a workers' representative has been chosen. Workers are encouraged to point out hazards, describe accidents or illnesses that resulted from those hazards and relate past worker complaints about hazards. Workers should also inform the inspector if working conditions are not the same as usually exist in the workplace.

Keeping Workers and Worker Representatives Informed

After OSHA conducts a phone/fax investigation or an on-site inspection, the agency sends a letter to the worker or worker representative who filed the complaint outlining the findings, including citations and proposed penalties. Copies of citations also must be

posted by the employer at or near the site of the violation. This assures that all workers who might be exposed to a hazard are aware of it and understand the need and the schedule for correction.

What Information Must the Complainant Give?

The complainant must provide enough information for OSHA to determine that safety or health hazards exist and if they are potential violations of safety or health standards. This means describing the alleged hazard in enough detail so OSHA can determine the existence and seriousness of the hazard. A complainant should be prepared to give all the requested information on the OSHA-7 form, whether it or an equivalent form or a letter is used.

The more detailed and exact the information given in the complaint, the better OSHA can evaluate the alleged hazard or hazardous condition and make the proper determination whether to conduct a workplace inspection, to telephone the employer, or to send a letter. This determination is becoming increasingly important as more and more demands are put on OSHA's resources.

Because it is important to give as much complete and accurate information as possible about an alleged hazard, answers to the following types of questions may be useful:

- ◆ How many employees work at the site and how many are exposed to the hazard?
- ◆ How and when are workers exposed?
- ◆ What work is performed in the unsafe or unhealthful area?
- ◆ What type of equipment is used? Is it in good condition?
- ◆ What materials and/or chemicals are used?
- ◆ Have employees been informed or trained regarding hazardous conditions?
- ◆ What process and/or operation is involved?
- ◆ What kinds of work are done nearby?
- ◆ How often and for how long do employees work at the task that leads to their exposure?
- ◆ How long (to your knowledge) has the condition existed?
- ◆ Have any attempts been made to correct the problem?
- ◆ On what shifts does the hazard exist?
- ◆ Has anyone been injured or made ill as a result of this problem?
- ◆ Have there been any "near-miss" incidents?

The Following are Some Specific Questions for Health Hazards

- ◆ Has the employer administered any tests to determine if employees are exposed to the hazardous condition or substance?
- ◆ What are these tests and the results of the tests?

- ◆ What engineering controls are in place in the area in which the employees work? (For instance, are there any fans or acoustical insulation in the area which may reduce exposure?)
- ◆ What administrative or work practice controls has the employer put into effect?
- ◆ Do any employees have any symptoms which they think are caused by the hazardous condition or substance?
- ◆ Have any employees been treated by a doctor for a work-related disease or condition? What was it?

When the complainant does not provide the essential information or the complaint is too vague to evaluate, or when the area office has other specific information that the complaint is not valid, OSHA will attempt to clarify or supplement available information. If OSHA decides that the complaint is not valid, a letter is sent to the complainant advising of the decision and its reasons.

Potential complainants also should keep in mind that it is unlawful to make any false statement, representation, or certification in any complaint. Violations can be punished under Section 17(g) of the OSH Act by a fine of not more than \$10,000, or by imprisonment of not more than six months, or both.

How Does Federal OSHA Respond to Complaints?

There are two ways that OSHA can respond to a complaint. OSHA can either perform an on-site inspection or an off-site investigation, also known as a "telephone, fax, email or letter investigation."

Although every worker has a right to receive an onsite inspection if certain conditions are met, there are times when a telephone, fax, email or letter investigation may be a better alternative. OSHA responds more quickly to lower priority hazards using a telephone, fax, email, letter approach. This enables the agency to concentrate resources on the most serious workplace hazards. Employees who request a telephone, fax, email, letter investigation do not give up the right to request an on-site inspection of potential violations and hazards if they are not satisfied with the investigation. Workers should call the nearest OSHA Area Office to discuss their options.

If an off-site investigation is appropriate, the agency telephones the employer, describes the alleged hazards and then follows up with a fax, email or letter. The employer must respond in writing within five days, identifying any problems found and noting corrective actions taken or planned. If the response is adequate, OSHA generally will not conduct an inspection. The employee or employee representative who filed the original complaint will receive a copy of the employer's response and, if still not satisfied, may then request an on-site inspection.

If the employee or employee representative files a written complaint that meets certain conditions described in OSHA Directive CPL 2.115, or a state plan's equivalent

procedures, then OSHA may conduct an on-site inspection. Those conditions include claims of serious physical harm that have already resulted in disabling injuries or illnesses or claims of imminent danger situations; written, signed complaints requesting inspections; and situations where the employer provided an inadequate response to a telephone, fax, email, letter investigation.

Finally, 25 states have an OSHA state plan, as provided by Section 18 of the OSH Act, must have an inspection process at least as effective as that provided by Federal OSHA and must include procedures for filing workplace safety and health complaints.

States with Approved Occupational Safety and Health Plans

Alaska Department of Labor and Workforce Development

P.O. Box 111149

1111 W. 8th Street, Room 304

Juneau, Alaska 99811-1149

Clark Bishop, Commissioner (907) 465-2700 Fax: (907) 465-2784

Grey Mitchell, Director (907) 465-4855 Fax: (907) 465-6012

Industrial Commission of Arizona

800 W. Washington

Phoenix, Arizona 85007-2922

Laura L. McGrory, Director, ICA (602) 542-4411 Fax: (602) 542-7889

Darin Perkins, Program Director (602) 542-5795 Fax: (602) 542-1614

California Department of Industrial Relations

455 Golden Gate Avenue, 10th Floor

San Francisco, California 94102

Christine Baker, Acting Director (415) 703-5050 Fax: (415) 703-5059

Ellen Widess, Chief, Cal/OSHA (510) 286-7000 Fax: (510) 286-7037

Chris Lee, Deputy Chief, Cal/OSHA (510) 286-7000 Fax (510) 286-7037

Connecticut Department of Labor

200 Folly Brook Boulevard

Wethersfield, Connecticut 06109

Linda L. Agnew, Acting Commissioner (860) 263-6505 Fax: (860) 263-6529

Conn-OSHA

38 Wolcott Hill Road

Wethersfield, Connecticut 06109

Kenneth Tucker, Program Manager (860) 263-6900 Fax: (860) 263-6940

Hawaii Department of Labor and Industrial Relations

830 Punchbowl Street

Honolulu, Hawaii 96813

Dwight Takamine, Director (808) 586-8844 Fax: (808) 586-9099

Jennifer Shishido, HIOSH Administrator (808) 586-9078 Fax: (808) 586-9104

Illinois Department of Labor

900 South Spring Street
Springfield, IL 62702
Joe Costigan, Director (217) 782-6206 Fax: (217) 782-0596
Cheryl Neff, Acting Manager (217) 782-1442

Indiana Department of Labor

State Office Building
402 West Washington Street, Room W195
Indianapolis, Indiana 46204-2751
Lori A. Torres, Commissioner (317) 232-2378 Fax: (317) 233-3790
Jeffrey S. Carter, Deputy Commissioner, IOSHA (317) 233-3605 Fax: (317) 233-3790

Iowa Division of Labor Services

1000 E. Grand Avenue
Des Moines, Iowa 50319-0209
Michael A. Mauro, Labor Commissioner (515) 281-5082 Fax: (515) 281-4698
Stephen Slater, Deputy Labor Commissioner/IOSH Administrator (515) 281-3469 Fax: (515) 281-7995

Kentucky Department of Labor

1047 U.S. Highway 127 South, Suite 4
Frankfort, Kentucky 40601
Mark Brown, Acting Secretary, (502)564-5387, Fax (502) 564-5387
Michael L. Dixon, Commissioner, Office of Occupational Safety & Health, (502) 564-3070 ext. 294
Fax: (502) 564-2248

Maryland Division of Labor and Industry

Department of Labor, Licensing and Regulation
Division of Labor and Industry
1100 North Eutaw Street, Room 606
Baltimore, Maryland 21201-2206
Ron DeJuliis, Commissioner (410) 767-2241 Fax: (410) 767-2986
Craig Lowry, Deputy Commissioner (410) 767-2929 FAX: (410) 767-7909
Maryland Occupational Safety and Health (MOSH)
10946 Golden West Drive, Suite 160
Hunt Valley, MD 21031
Eric Uttenreither, Assistant Commissioner (410) 527-2065 FAX: (410) 527-4495

Michigan Department of Licensing and Regulatory Affairs

Steven H. Hilfinger, Director (517) 373-3034 Fax: (517) 373-2129
Michigan Occupational Safety and Health Administration
P.O. Box 30643
Lansing, MI 48909-8143
Douglas Kalinowski, Director (517) 322-1817 Fax: (517) 322-1775

Minnesota Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
Ken Peterson, Commissioner (651) 284-5010 Fax: (651) 284-5721
Gary Hall, Assistant Commissioner (651) 284-5285 Fax: (651) 284-5720
James Krueger, Compliance Director, MNOSHA Compliance, (651) 284-5110 Fax: (651) 284-5741

Nevada Division of Industrial Relations

400 West King Street, Suite 400
Carson City, Nevada 89703
Donald Jayne, Administrator (775) 684-7260 Fax: (775) 687-6305
Occupational Safety and Health Administration
1301 N. Green Valley Parkway, Suite 200
Henderson, Nevada 89074
Steve Coffield, Chief Administrative Officer (702) 486-9044 Fax: (702) 990-0365

New Jersey Department of Labor and Workforce Development

Office of Public Employees' Occupational Safety & Health (PEOSH)
1 John Fitch Plaza
P.O. Box 386
Trenton, NJ 08625-0386
Harold J. Wirths, Commissioner (609) 292-2975 Fax: (609) 633-9271
Howard Black, Acting Assistant Commissioner (609) 292-2313 Fax: (609) 695-1314
Howard Black, Director, PSOSH (609) 292-0501 Fax: (609) 292-3749
Joe Eldridge, Director Consumer, Environmental and Occupational Health Service, NJ Dept. of Health and Senior Services (609) 588-7864 Fax: (609) 984-0849

New Mexico Environment Department

525 Camino de los Marquez, Suite 3
P.O. Box 5469
Santa Fe, New Mexico 87502
F. David Martin, Secretary (505) 827-2855 Fax: (505) 827-2836
Butch Tongate, Bureau Chief (505) 476-8700 Fax: (505) 476-8734

New York Department of Labor

New York Public Employee Safety and Health Bureau (PESH)

State Office Campus Building 12, Room 158

Albany, New York 12240

Colleen C. Gardner, Commissioner (518) 457-2741 Fax: (518) 457-6908

Maureen Cox, Director, Division of Safety and Health (518) 457-3518 Fax: (518) 457-1519

David Ruppert, Assistant Director, Division of Safety and Health (518) 457-1263 Fax: (518) 457-5545

Normand Labbe, Public Employee Safety and Health Program Manager (518) 457-1263 Fax: (518) 457-5545

North Carolina Department of Labor

1101 Mail Service Center

Raleigh, North Carolina 27699-1101

Cherie Berry, Commissioner (919) 733-0359 Fax: (919) 733-6197

Allen McNeely, Deputy Commissioner, OSH Director (919) 807-2861 Fax: (919) 807-2855

Kevin Beauregard, OSH Assistant Director (919) 807-2863 Fax: (919) 807-2856

Oregon Occupational Safety and Health Division

Department of Consumer and Business Services

350 Winter Street, NE, Room 430

P.O. Box 14480

Salem, Oregon 97309-0405

Michael Wood, Administrator (503) 378-3272 Fax: (503) 947-7461

Joan Fraser, Deputy Administrator (503) 378-3272 Fax: (503) 947-7461

South Carolina Department of Labor, Licensing, and Regulation

Synergy Business Park, Kingstree Building

110 Centerview Drive

P.O. Box 11329

Columbia, South Carolina 29211

Catherine Templeton, Director (803) 896-4300 Fax: (803) 896-4393

Dottie Ison, Administrator (803) 896-7686 Fax: (803) 896-7670

Office of Voluntary Programs (803) 896-7787 Fax: (803) 896-7750

Tennessee Department of Labor and Workforce Development

220 French Landing Drive

Nashville, Tennessee 37243

Karla Davis, Commissioner (615) 741-2582 FAX: (615) 741-5078

John Winkler, Program Director (615) 741-2793 Fax: (615) 741-3325

Utah Labor Commission

160 East 300 South, 3rd Floor

P.O. Box 146600

Salt Lake City, Utah 84114-6600

Sherrie M. Hayashi, Commissioner (801) 530-6848 Fax: (801) 530-6390

Louis Silva, UOSH Administrator (801) 530-6901 Fax: (801) 530-7606

Vermont Department of Labor

5 Green Mountain Drive

P.O. Box 488

Montpelier, Vermont 05601-0488

Valerie Rickert, Acting Commissioner (802) 828-4301 Fax: (802) 888-4022

Robert McLeod, Vermont OSHA Compliance Program Manager (802) 828-2765 Fax: (802) 828-0408

Virginia Department of Labor and Industry

Powers-Taylor Building

13 South 13th Street

Richmond, Virginia 23219-4101

Courtney Malveaux, Commissioner (804) 786-2377 Fax: (804) 371-6524

William Burge, Assistant Commissioner (804) 371-2327 Fax: (804) 371-6524

Jim Garrett, Acting Director, Safety Compliance, VOSHA (804) 786-7776 Fax: (804) 371-6524

Jay Withrow, Director, Office of Legal Support (804) 371-2327 Fax: (804) 371-6524

Washington Department of Labor and Industries

General Administration Building

PO Box 44001

Olympia, Washington 98504-4001

7273 Linderson Way SW

Tumwater, WA 98501-5414

Judy Schurke, Director (360) 902-4200 Fax: (360) 902-4202

Division of Occupational Safety and Health

Michael Silverstein, Assistant Director, DOSH, (360) 902-4805, Fax: (360) 902-5619

Anne Soiza, Deputy Assistant Director, DOSH

Wyoming Department of Employment

Workers' Safety and Compensation Division

1510 East Pershing Boulevard - West Wing

Cheyenne, Wyoming 82002

John Ysebaert, Administrator Standards & Compliance (307) 777-7159 AND Fax: (307) 777-6552

J.D. Danni, OSHA Deputy Administrator (307) 777-7786 Fax: (307) 777-3646

Sample

Company Policy Statement

On

OSHA Construction Safety Requirements

TO: ALL EMPLOYEES, SUBCONTRACTORS, SUPPLIERS, AND CUSTOMERS OF «Company»

RE: SAFETY IN CONSTRUCTION

Safety in all «Company» operations is not a corporate goal, it is a requirement!

To this end, we have formulated this written policy to govern all the operations of «Company».

It is a condition of employment with «Company» that all employees must adhere faithfully to the requirements of this policy and the safety rules, instructions and procedures issued in conjunction with it. Failure to do so will result in disciplinary action as outlined in the attached policy.

It is a condition of all subcontracts and purchase orders issued by «Company» that this policy and the safety rules, instructions and procedures issued in conjunction with this policy, as well as applicable state, Federal and local codes and regulations, be adhered to. Failure to comply is a breach of contract terms.

All visitors to «Company» operations, including but not limited to suppliers, owners representatives, agents of the architect or engineer, regulatory authorities and insurance company representatives, shall be required to follow all safety rules and regulations in effect during their visit.

«Company» will make an effort to insure that the operations of other contractors not under our control do not endanger the safety of our employees. To this end, all employees are required to report hazardous activities of other employers to appropriate «Company» officials.

The safety director and foreman have the full backing of management to enforce the provisions of this policy as it relates to their assigned responsibilities.

«Company»

President

«Company» GENERAL POLICY STATEMENT

It is the policy of «Company» to provide a safe and healthful place of employment for all employees. It is the purpose of this policy to:

1. Abide by all Federal, state and local regulations as they pertain to construction.
2. Apply good sense and safe practices as dictated by locations, conditions and circumstances.
3. Exercise good judgment in the application of this policy.

«Company» MANAGEMENT SHALL

1. Establish rules and programs designed to promote safety.
2. Make known to all employees the rules established.
3. Require all subcontractors, as a matter of contract, to follow safety rules.
4. Encourage all prime contractors to work safely.
5. Record all instances of violations and investigate all accidents.
6. Discipline any employee willfully disregarding this policy.
7. Provide protective equipment for employees where required.
8. Inform employees of changes in safety rules.
9. Appoint a safety officer with full enforcement authority over safety matters.
10. Conduct safety inspections of all job-sites and maintain records.
11. Provide all supervisors with copies of appropriate rules and regulations.

«Company» FOREMEN SHALL

1. Carry out safety program at work level.
2. Be aware of all safety requirements and safe working practices.
3. Report all injuries and safety violations.
4. Instruct new employees and existing employees performing new tasks in safe working practices.
5. Make sure protective equipment is available and used.
6. Secure prompt medical attention for any injured employees.
7. Make sure all work is performed in a safe manner and no unsafe conditions or equipment are present.
8. Provide the crew with proper instruction of safety requirements.

«Company» WORKERS SHALL

1. Work safely.
2. Request help when unsure how to perform any task safely.
3. Report any unsafe acts to supervision.
4. Work in such a manner as to insure his/her safety as well as that of co-workers.
5. Avail himself/herself of company and industry sponsored safety programs.
6. Use and maintain all safety devices provided.

7. Maintain and properly use all tools under his/her control.
8. Follow all safety rules.
9. Provide fellow employees help with safety requirements.
10. Report for work in clothing suitable for work and in such a manner that clothes and jewelry worn will not constitute a safety hazard.

SUBCONTRACTORS AND SUPPLIERS OF «Company» SHALL

1. Abide by all safety rules of «Company», the owner and other contractors.
2. Notify all other contractors when actions or activities undertaken by them could affect health or safety of employees of other companies.
3. Check with job site supervision before entering job site.
4. Inform «Company» of all injuries to workers.
5. Report to «Company» any unsafe conditions that come to their attention.

ARCHITECTS, OWNERS AND VISITORS ON «Company» PROJECTS SHALL

1. Abide by all safety rules.
2. Check with superintendent so protective equipment may be provided such as hard hats, or eye and respirator protection.
3. Refrain from entering construction areas without contacting employees working in those areas.

ALL PERSONNEL SHALL

1. Strive to make all operations safe.
2. Maintain mental and physical health conducive to working safely.
3. Keep all work areas clean and free of debris.
4. Assess result of their actions on the entire workplace.
5. Replace or repair safety precautions removed or altered before leaving work area. Unsafe conditions will not be left to imperil others.
6. Abide by the safety rules and regulations of the owner on their work sites.
7. Work in strict conformance with OSHA regulations.
8. Report promptly all accidents and injuries observed, whether involving company personnel or others.

«Company» PROBLEM SOLVING PROCEDURE

To have an effective safety program, we will communicate both down and up corporate structure.

When a safety problem arises, everyone, even the least senior and experienced employees, have a responsibility to co-workers and the company to report or correct any hazardous conditions found. Every employee's concerns will be heard and each situation will be corrected or a valid explanation tendered.

The following is «Company»'s procedure for solving safety problems.

SAFETY PROBLEM SOLVING

It is the intent of «Company» to provide a safe workplace for all employees. Supervision personnel have been instructed to observe and correct all unsafe conditions immediately. Construction sites are complex and items are easily overlooked. It is important that all employees be on the lookout for unsafe conditions. If you observe a condition that is unsafe, the following actions are to be taken:

1. If possible, correct the condition immediately. Many safety hazards like a piece of missing guardrail are easy to correct.
2. If you are not able to take corrective action, report the condition to your immediate supervisor for correction.
3. All company employees with any supervisory responsibility have been instructed to take corrective action, or contact someone who can, when a safety concern is raised. In the event corrective action is not begun in a reasonable length of time, the employee is requested to contact the safety director who can be reached at «WorkPhone».

We appreciate your cooperation in reporting all safety problems. If we all work together, we can all work safely.

«Company» COMPANY DISCIPLINARY PROCEDURES

The normal disciplinary policy of «Company» is as follows:

For minor first instance violations:

- ◆ Immediate correction if applicable
- ◆ Verbal warning (documented in the supervisors log)

For minor second instance violations of the same safety requirement:

- ◆ Immediate correction if applicable
- ◆ Written warning with a copy to the Safety Director

For minor third violation of the same safety requirement:

- ◆ Immediate dismissal

For more than three verbal warnings for minor violations of different safety requirements:

- ◆ Immediate correction
- ◆ Written warning with a copy to the Safety Director

For more than two written warnings for minor violations of different safety requirements:

- ◆ Immediate dismissal

Nothing in this policy prevents the immediate dismissal or removal from the job site of any employee or subcontractor whose conduct is a serious violation of the safety requirements and constitutes a grave danger to himself, co-workers, property, equipment, or the employees of others.