OSHA Updates

June 13, 2017
2:45 to 4:00

Dale Glacken,
Compliance Assistance Specialist
Harrisburg Area Office
This information has been developed by an OSHA Compliance Assistance Specialist and is intended to assist employers, workers, and others as they strive to improve workplace health and safety. While we attempt to thoroughly address specific topics [or hazards], it is not possible to include discussion of everything necessary to ensure a healthy and safe working environment in a presentation of this nature. Thus, this information must be understood as a tool for addressing workplace hazards, rather than an exhaustive statement of an employer’s legal obligations, which are defined by statute, regulations, and standards. Likewise, to the extent that this information references practices or procedures that may enhance health or safety, but which are not required by a statute, regulation, or standard, it cannot, and does not, create additional legal obligations. Finally, over time, OSHA may modify rules and interpretations in light of new technology, information, or circumstances; to keep apprised of such developments, or to review information on a wide range of occupational safety and health topics, you can visit OSHA’s website at www.osha.gov.
We will review:

1. Updates to the OSHA Recordkeeping Reporting Rule, lessons learned.
2. OSHA’s new penalty structure.
3. What is considered to be compliant employee involvement with your:
   - Incident reporting program,
   - Incentive programs,
   - Post accident drug testing policies.
4. New electronic submission requirement. Depth of the topic will depend upon what information is available at the time of the presentation.
5. Other standards.
Safe+Sound Week

June 12–18, 2017

SHOW Your Commitment to SAFETY

OSHA
Safety and Health Programs

IMPLEMENTING a safety and health program PREVENTS workplace injuries and illnesses and can help employers avoid DIRECT COSTS such as high WORKERS COMPENSATION PREMIUMS and INDIRECT COSTS $ that result from WORKPLACE INCIDENTS. Such as... TIME LOST due to work stoppages and investigations, training and other costs associated with REPLACING INJURED WORKERS, LOSS OR DAMAGE to material, machinery and property.
Safety and Health Programs Work

A study of small employers in Ohio found that workers’ compensation claims fell dramatically after working with OSHA’s SHARP program to adopt programs similar to those described in these recommended practices.

- average number of claims DECREASED 52%
- cost per claim DECREASED 80%
- average lost time per claim DECREASED 87%
- claims per million dollars of payroll DECREASED 88%

Source: Ohio Bureau of Workers’ Compensation (2011), Ohio 21(d) SHARP Program Performance Assessment.
Why Participate?

• Kick off a new or energize an existing safety and health program
• Proactively identify and manage workplace hazards before they cause injury or illness
• Improve the bottom line

www.osha.gov/safeandsoundweek
OSHA’s Recommended Practices for Safety and Health Programs

1. Management leadership
2. Worker participation
3. Hazard identification and assessment
4. Hazard prevention and control
5. Education and training
6. Program evaluation and improvement
7. Communication and coordination for host employers, contractors and staffing agencies
Example: Safe + Sound Week Activities

<table>
<thead>
<tr>
<th>Management Leadership</th>
<th>Worker Participation</th>
<th>Finding and Fixing Hazards</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Deliver a safety and health message to your organization</td>
<td>• Show you are listening and ask for feedback</td>
<td>• Launch an ongoing effort to communicate and identify hazard controls</td>
</tr>
<tr>
<td>• Establish a visible presence to promote safety and health</td>
<td>• Recognize workers, teams, or committees for contributions to workplace safety</td>
<td>• Create and host challenges and competitions</td>
</tr>
<tr>
<td>• Formalize and publicize your commitment to safety and health</td>
<td>• Ensure systems and processes enable and encourage your workers to participate</td>
<td>• Evaluate safety and health processes and systems</td>
</tr>
<tr>
<td>• Take your commitment to safety and health outside your organization</td>
<td></td>
<td>• Analyze data, records, and information on safety and health</td>
</tr>
</tbody>
</table>

www.osha.gov/safeandsoundweek
A companion effort to promote SHPs broadly
- Partnerships => leverage => reach
EVERY business and workplace needs an SHP
Many valid approaches: choose one
- Recommended Practices (2016)
- Journey to Safety Excellence
- VPP
- OHSAS 18001
- ANSI Z10
- ISO 45001
Next Steps

• Visit www.osha.gov/safeandsoundweek
  • Sign up for email updates
  • Get free tools and templates
  • Start planning!
• Access ideas to implement:
  • Management leadership
  • Worker participation
  • Finding and fixing hazards
• Learn more about safety and health programs:
  www.osha.gov/shpcampaign
• Participant certificate

www.osha.gov/safeandsoundweek
Rate of fatal workplace injuries

- 1974-2001 data were estimated from BLS Survey of Employers
- 2002-2013 data were gathered from BLS Census of Fatal Injuries
- In 2006, BLS switched from employment-based calculations to hourly calculations
A total of 4,836 workers died from an occupational injury in 2015. This number increased slightly from 2014 and is the highest count since 2008. Self-employed workers have consistently accounted for around one-fifth of fatal work injuries.
The 2015 rate of fatal work injuries for all workers was 3.4 fatal work injuries per 100,000 full-time equivalent workers (FTEs). The rate for self-employed workers has consistently been higher than that of all workers since the adoption of hours-based rates.

Note: Rate = (Fatal work injuries/Total hours worked by all workers) x 200,000,000 where 200,000,000 = base for 100,000 full-time equivalent workers (FTEs) working 40 hours per week, 50 weeks per year. The total hours worked figures are annual average estimates of total hours multiplied by average hours for civilians, 16 years of age and over, from the Current Population Survey (CPS).

In 2008, BLS implemented a new methodology, using hours worked for fatal work injury rate calculations rather than employment. For additional information on the fatal work injury rate methodology, please see www.bls.gov/ife/_supported.htm.

More fatal work injuries resulted from transportation incidents than from any other event in 2014. Roadway incidents alone accounted for nearly one out of every four fatal work injuries.
Top Fatal Construction Events by Percent Distribution
(July - September 2016 and 2015 Total)

- Fall from Roof
- Electric Shock from Equipment
- Fall from/into Structure
- Fall from/into Ladder
- Crushed/Runover of Operator
- Crushed/Runover of Non-operator
- Crushed/Runover by Highway Vehicle
- Fall from/into Scaffold
- Heat Hypothermia
- Trench Collapse

Legend:
- Jul - Sept 2016
- 2015 Total
Trend in Fall Fatalities
5. Updates to the OSHA Recordkeeping Reporting Rule, Status.

WASHINGTON – The U.S. Department of Labor’s Occupational Safety and Health Administration today announced a final rule requiring employers to notify OSHA when an employee is killed on the job or suffers a work-related hospitalization, amputation or loss of an eye. The rule, which also updates the list of employers partially exempt from OSHA record-keeping requirements, will go into effect on Jan. 1, 2015, for workplaces under federal OSHA jurisdiction.


“All workers and employers have a role in protecting America’s workers from these tragedies,” said David Michaels, assistant secretary of labor for occupational safety and health. “This rule is a significant step in the ongoing effort to prevent workplace injuries and illnesses.”

Under the revised rule, employers will be required to notify OSHA of work-related fatalities within eight hours, and work-related in-patient hospitalizations, amputations or losses of an eye within 24 hours. Previously, OSHA’s regulations required an employer to report only work-related fatalities and in-patient hospitalizations of three or more employees. Reporting single hospitalizations, amputations or loss of an eye was not required under the previous rule.

All employers covered by the Occupational Safety and Health Act, even those maintaining injury and illness records, are required to comply with OSHA’s reporting requirements. To assist employers in fulfilling these requirements, OSHA is developing a Web portal for employers to report incidents electronically, in addition to the phone reporting options.

“Hospitalizations and amputations are sentinel events, indicating that serious hazards exist at a workplace and that an intervention is warranted to protect the other workers and the injured employee,” Michaels said.

In addition to the new reporting requirements, OSHA has also updated the list of industries with relatively low occupational injury and illness rates, exempting them from recordkeeping for the first time. The previous list of exempt industries was based on the old Standard Industrial Classification system and the new rule uses the North American Industry Classification System to classify establishments by industry. The new list is based on updated injury and illness data from the Bureau of Labor Statistics. The new rule maintains the exemption for any employer with 10 or fewer employees, regardless of their industry classification, from the requirement to routinely keep records of worker injuries and illnesses.


http://content.govdelivery.com/accounts/USDOL/bulletins/cee625

U.S. Department of Labor Sept. 11, 2014
The rule requires an employer to report to OSHA, within eight hours, all work-related fatalities and within 24 hours, all work-related in-patient hospitalizations, amputations and loss of an eye.
What if the fatality, in-patient hospitalization, amputation, or loss of an eye does not occur during or right after the work-related incident?

• If a **fatality** occurs within **30 days** of the work-related incident, or if an **in-patient hospitalization, amputation, or loss of an eye** occurs within **24 hours** of the work-related incident, then you must report the event to OSHA. If the fatality occurs **after** more than 30 days of the work-related incident, or if the in-patient hospitalization, amputation, or loss of an eye occurs **after** more than 24 hours after the work-related incident, then you do not have to report the event to OSHA. However, you must record the event on your OSHA injury and illness records, if you are required to keep OSHA injury and illness records.

Source: FAQ
Not aware of a work-related incident

1904.39(b)(8):  What if I don't learn right away that the reportable fatality, in-patient hospitalization, amputation, or loss of an eye was the result of a work-related incident?

If you do not learn right away that the reportable fatality, in-patient hospitalization, amputation, or loss of an eye was the result of a work-related incident, you must make the report to OSHA within the following time period after you or any of your agent(s) learn that the reportable fatality, in-patient hospitalization, amputation, or loss of an eye was the result of a work-related incident: Eight (8) hours for a fatality, and twenty-four (24) hours for an inpatient hospitalization, an amputation, or a loss of an eye.
Reporting Q: Do I have to report an in-patient hospitalization that involves only observation or diagnostic testing?

• No, you do not have to report an in-patient hospitalization that involves only observation or diagnostic testing. You must only report to OSHA each inpatient hospitalization that involves care or treatment.
How do I report these events to OSHA?

You have three options for reporting the event:

- By telephone to the OSHA Area Office nearest to the site of the work-related incident, during normal business hours.
- By telephone to the 24-hour OSHA hotline (1-800-321-OSHA or 1-800-321-6742).
Pennsylvania OSHA Area Offices

Allentown Area Office
(267) 429-7542

Erie Area Office
(814) 874-5150

Harrisburg Area Office
(717) 782-3902

Philadelphia Area Office
(215) 597-4955

Pittsburgh Area Office
(412) 395-4903

Wilkes-Barre Area Office
(570) 826-6538

Main OSHA Number:
1-800-321-OSHA,
1-800-321-6742
What information do I have to give to OSHA when I report the fatality, in-patient hospitalization, amputation, or loss of an eye?

You must give OSHA the following information for each fatality, in-patient hospitalization, amputation, or loss of an eye:

1. The establishment name;
2. The location of the work-related incident;
3. The date and time of the work-related incident;
4. The type of reportable event (i.e., fatality, in-patient hospitalization, amputation, or loss of an eye);
What information do I have to give to OSHA when I report the fatality, in-patient hospitalization, amputation, or loss of an eye?

5. The number of employees who suffered a fatality, in-patient hospitalization, amputation, or loss of an eye;

6. The names of the employees who suffered a fatality, in-patient hospitalization, amputation, or loss of an eye;

7. Are there any temporary workers involved;

8. Name and address for temporary agency;

9. Union information;
What information do I have to give to OSHA when I report the fatality, in-patient hospitalization, amputation, or loss of an eye?

10. Your contact person and his or her phone number; and

11. A brief description of the work-related incident, including specific location, materials equipment involved, routine task? Frequency of task, does hazard still exist, are employees still exposed, steps taken toward abatement, any previous incidents or near misses.

12. What is being done to prevent a reoccurrence?
Who should Report a fatality or in-patient hospitalization of a temporary worker?

- Similar to the requirements in section 1904.31 for recording injuries and illnesses, the employer that provides the day-to-day supervision of the worker must report to OSHA any work-related incident resulting in a fatality, in-patient hospitalization, amputation or loss of an eye.

Source: Q&A
Failing to Report an Incident

- With the new penalty increases, an unadjusted penalty of: $9054.
Severe Injury Reporting:

YEAR ONE FINDINGS

- **10,388** severe injuries reported, including **2,644** amputations and **7,636** hospitalizations
- This is an average of **30** worker injuries every day of the year
- Most reported injuries (**62%**) were addressed by employer investigation (RRI), *not* OSHA inspection
- For 2016: **80% / 20%**
7. **New Penalty Structure**

- For the first time in 25 years, the Occupational Safety and Health Administration (OSHA) is poised to increase the civil monetary penalties issued for violations of OSHA's health and safety regulations.
- On November 2, 2015, President Obama signed the Federal government's bipartisan budget bill, permitting OSHA to issue a "catch up adjustment" to be effective August 1, 2016, and subsequent annual adjustments based on the Consumer Price Index (CPI).
Key Changes

- 78% Initial Increase in Penalties
- New Size Category
- January 13, 2017: Multiplier 1.01636
Penalty Factors:

- Type of Citation (OTS, Serious, Repeat, Willful)
- The Gravity of the violation (severity and probability)
- Employer’s History of previous violations.
- The Good Faith of the employer, and
- Quick Fix
- The Size of the employers business
- Applied serially for each factor.

## Maximum Penalties

<table>
<thead>
<tr>
<th>Level</th>
<th>Previous Maximum Penalty</th>
<th>Current Maximum Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Serious</td>
<td>$7,000 per violation</td>
<td>$12,675 per violation</td>
</tr>
<tr>
<td>Other-Than-Serious</td>
<td>$7,000 per violation</td>
<td>$12,675 per violation</td>
</tr>
<tr>
<td>Willful or Repeated</td>
<td>$70,000 per violation</td>
<td>$126,749 per violation</td>
</tr>
<tr>
<td>Posting Requirements</td>
<td>$7,000 per violation</td>
<td>$12,675 per violation</td>
</tr>
<tr>
<td>Failure to Abate</td>
<td>$7,000 per day unabated beyond the abatement date [generally limited to 30 days maximum]</td>
<td>$12,675 per day unabated beyond the abatement date [generally limited to 30 days maximum]</td>
</tr>
</tbody>
</table>

As of January 15, 2017
# Change in GBP Amounts

<table>
<thead>
<tr>
<th>Severity</th>
<th>Probability</th>
<th>Gravity</th>
<th>Pre 2016 GBP</th>
<th>2016 GBP</th>
<th>2017 GBP</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>Greater</td>
<td>High</td>
<td>$7,000</td>
<td>$12,471</td>
<td>$12,675</td>
</tr>
<tr>
<td>Medium</td>
<td>Greater</td>
<td>Moderate</td>
<td>$6,000</td>
<td>$10,689</td>
<td>$10,864</td>
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<tr>
<td>Low</td>
<td>Greater</td>
<td>Moderate</td>
<td>$5,000</td>
<td>$8,908</td>
<td>$9,054</td>
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<tr>
<td>High</td>
<td>Lesser</td>
<td>Moderate</td>
<td>$5,000</td>
<td>$8,908</td>
<td>$9,054</td>
</tr>
<tr>
<td>Medium</td>
<td>Lesser</td>
<td>Moderate</td>
<td>$4,000</td>
<td>$7,126</td>
<td>$7,243</td>
</tr>
<tr>
<td>Low</td>
<td>Lesser</td>
<td>Low</td>
<td>$3,000</td>
<td>$5,345</td>
<td>$5,432</td>
</tr>
</tbody>
</table>

* Amounts will be adjusted annually

U: 2017 Jan 15
# Size Adjustment

<table>
<thead>
<tr>
<th># Employees</th>
<th>Current Percent Reduction</th>
<th>New Percent Reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>60</td>
<td>70</td>
</tr>
<tr>
<td>11-25</td>
<td>60</td>
<td>60</td>
</tr>
<tr>
<td>26-100</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>101-250</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>251 or more</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>
6. Improve Tracking Of Workplace Injuries and Illnesses

https://www.osha.gov/recordkeeping/finalrule/index.html
Timeline

- Final Rule Federal Register Notice – May 12, 2016
- Correction to 1904.35b2 - May 20, 2016:
- Employee Rights (anti-retaliation provisions), changed effective date until – December 1, 2016
- Electronic Reporting effective Date – January 1, 2017
- Phase-in data submission due dates:

<table>
<thead>
<tr>
<th>Submission year</th>
<th>Establishments with 250 or more employees in industries covered by the recordkeeping rule</th>
<th>Establishments with 20-249 employees in select industries</th>
<th>Submission deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>CY 2016 300A Form</td>
<td>CY 2016 300A Form</td>
<td>July 1, 2017</td>
</tr>
<tr>
<td>2018</td>
<td>CY 2017 300A, 300, 301 Forms</td>
<td>CY 2017 300A Form</td>
<td>July 1, 2018</td>
</tr>
<tr>
<td>2019 and beyond</td>
<td>300A, 300, 301 Forms</td>
<td>300A Form</td>
<td>March 2</td>
</tr>
</tbody>
</table>
Improve Tracking of Workplace Injuries and Illnesses

Key elements to the rule:
1. Employee Involvement (1904.35).
2. Prohibition against discrimination (1904.36).
3. Electronic submission of injury and illness records to OSHA (1904.41).
1. Establish a reasonable reporting procedure
2. Inform employees of the procedure
3. Inform employees of the right to report injuries and illnesses, without discrimination.
Employee Involvement

Reasonable Reporting Procedure:

• An employer's **procedure for reporting** work-related injuries and illnesses must be **reasonable**.

• A procedure is not reasonable if it would deter or discourage an employee from accurately reporting a workplace injury or illness.

• Time and Means:
Employee Involvement

Time:

• It is a reasonable time if the procedure requires employees to report a work-related injury or illness as soon as practicable after the employee realizes that he or she has a work-related injury or illness that should be reported to the employer.

• It is not a reasonable time requirement if the employer has a rigid prompt-reporting requirement that disciplines employees for late reporting when the employee could not have realized that he or she has a work-related injury or illness.

  – Example: Procedures that do not allow a reasonable amount of time for an employee to realize that they have suffered a work-related injury or illness. The employer reporting procedure must account for work-related injuries and illnesses that build up over time, have latency periods, or do not initially appear serious enough to be reportable.
Employee Involvement

Means:

• It is a reasonable means requirement if the procedure requires employees to report a work-related injury or illness by reasonable means, such as by phone, email, or in person when practicable.

• However, it is not reasonable means requirement if the procedure requires the employee to report the injury or illness in person at location remote from his or her workplace.

• Similarly, it is not a reasonable means if the procedure requires employees to take unnecessarily cumbersome steps or an excessive number of steps to report a work-related injury or illness.
Employee Rights

• Modifications to 1904.35 make it a violation for an employer to discourage employee reporting of injuries and illnesses.

• Employers must inform employees of their right to report work-related injuries and illnesses free from retaliation. This obligation may be met by posting the OSHA “It’s The Law” worker rights poster v. April 2015 or later.

All workers have the right to:

• Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
Employee Rights

- Be trained in a language you understand
- Work on machines that are safe
- Be provided required safety gear, such as gloves or a harness and lifeline for falls
- Be protected from toxic chemicals
- Request an OSHA inspection, and speak to the inspector
- Report an injury or illness, and get copies of your medical records
- See copies of the workplace injury and illness log
- Review records of work-related injuries and illnesses
- Get copies of test results done to find hazards in the workplace
What forms of "retaliation" does this rule prohibit? EXAMPLES:

- Firing or laying off
- Demoting
- Denying overtime or promotion
- Disciplining
- Denying benefits
- Failing to hire or rehire
- Intimidation
- Making threats
- Reducing pay or hours
- Blacklisting (e.g., notifying other potential employers that an applicant should not be hired or refusing to consider applicants for employment who have reported concerns to previous employers)
- Reassignment to a less desirable position or actions affecting prospects for promotion (such as excluding an employee from training meetings)
- More subtle actions, such as isolating, ostracizing, mocking, or falsely accusing the employee of poor performance.
Employee Rights

- An employer may not retaliate against employees for reporting work-related injuries or illnesses. OSHA will be able to cite an employer for retaliation even if the employee does not file a complaint under 11(c) of the act, or if the employer has a program that deters or discourages reporting through the threat of retaliation.

  - This rule does not ban incentive programs. However, employers must not create incentive programs that deter or discourage an employee from reporting an injury or illness. Incentive programs should encourage safe work practices and promote worker participation in safety-related activities.

  - The rule does not ban drug testing of employees. It only bans employers from using drug testing, or the threat of drug testing, as a form of retaliation against employees who report injuries or illnesses. In addition, employers cannot create drug testing policies or practices that deter or discourage an employee from reporting an injury or illness.
MAR 12 2012

MEMORANDUM FOR:
REGIONAL ADMINISTRATORS, WHISTLEBLOWER PROGRAM MANAGERS

FROM:
RICHARD E. FAIRFAX
Deputy Assistant Secretary

SUBJECT:
Employer Safety Incentive and Disincentive Policies and Practices

Section 11(c) of the OSH Act prohibits an employer from discriminating against an employee because the employee reports an injury or illness. 29 CFR 1904.36. This memorandum is intended to provide guidance to both field compliance officers and whistleblower investigative staff on several employer practices that can discourage employee reports of injuries and violate section 11(c), or other whistleblower statutes.

Reporting a work-related injury or illness is a core employee right, and retaliating against a worker for reporting an injury or illness is illegal discrimination under section 11(c). Other whistleblower statutes enforced by OSHA also may protect employees who report workplace injuries. In particular, the Federal Railroad Safety Act (FRSA) prohibits railroad carriers, their contractors and subcontractors from discriminating against employees for reporting injuries. 49 U.S.C. 20109(a)(4).

If employees do not feel free to report injuries or illnesses, the employer’s entire workforce is put at risk. Employers do not learn of and correct dangerous conditions that have resulted in injuries, and injured employees may not receive the proper medical attention, or the workers’ compensation benefits to which they are entitled. Ensuring that employees can report injuries or illnesses without fear of retaliation is therefore crucial to protecting worker safety and health.

There are several types of workplace policies and practices that could discourage reporting and could constitute unlawful discrimination and a
Improve Tracking of Workplace Injuries and Illnesses – Employee's right to report injuries and illnesses free from retaliation

One of the goals of this recordkeeping rule is to improve the completeness and accuracy of injury and illness data collected by employers and reported to OSHA. When workers are discouraged from reporting occupational injuries and illnesses, the information gathered and reported is incomplete and inaccurate.

The rule includes three provisions that are intended to address this issue:

1. An employer’s procedure for reporting work-related injuries and illnesses must be reasonable and must not deter or discourage employees from reporting
2. Employers must inform employees of their right to report work-related injuries and illnesses free from retaliation
3. An employer may not retaliate against employees for reporting work-related injuries or illnesses

Injury Tracking and Use of Disciplinary, Incentive or Drug Testing Programs

The rule does not ban appropriate disciplinary, incentive, or drug-testing programs as described below.

However, it allows OSHA to issue citations for retaliatory actions against workers when these programs are used to discourage workers from exercising their right to report workplace injuries and illnesses. Employers should review their reporting procedures, programs, and policies for elements that may result in retaliatory actions against an employee for reporting an injury or illness.

Disciplinary Programs
Incentive Programs
Drug Testing Programs

https://www.osha.gov/recordkeeping/modernization_guidance.html
Consequences of not reporting injuries/illness:

- Problems remain concealed. Places the workforce at risk for another injury/illness.
- Incidents are not investigated.
- Nothing is learned.
- The hazard is not corrected.
- Employee may not receive the proper medical attention.
- Employee not made whole through workers' compensation benefits.
• The rule *does not* ban appropriate disciplinary, incentive, or drug-testing programs:
Disciplinary Programs

The rule does not prohibit disciplinary programs. However, employers must not use disciplinary action, or the threat of disciplinary action, to retaliate against an employee for reporting an injury or illness.
Disciplinary Programs, Scenario 1:

Employee X is injured when he is stung by a bee at work, and he reports the injury to Employer. Employer disciplines Employee X for violating a work rule requiring employees to "maintain situational awareness." Employer only enforces the rule when employees get hurt.
Employee X reports a hand injury that she sustained while operating a saw after bypassing the guard on the saw, contrary to the employer's work rule. Employee X's hand injury required her to miss work for two days. Employer disciplined Employee X for bypassing the guard contrary to its instructions. Employer regularly monitors its workforce for safety rule violations and disciplines employees who bypass machine guards regardless of whether they report injuries.
Disciplinary Programs, Scenario 3:

Employee X twists his ankle at work but does not immediately realize that he is injured because his ankle is not sore or swollen, and therefore he does not report the injury to Employer. The next morning, Employee X's ankle is sore and swollen, and he realizes he has the kind of injury he is required to report to Employer. He reports the injury to the employer that day. Employer disciplines Employee X for failing to report his injury "immediately" as required by Employer's X's injury reporting rules.
Employee X twists her ankle at work but does not immediately realize that she is injured because her ankle is not painful or swollen, and therefore she does not report the injury to Employer. The next morning, Employee X's ankle is painful and swollen and she realizes it is the kind of injury she is required to report to Employer as soon as practicable. However, Employee X does not report the injury after this realization, although she easily could have, and instead reports it several weeks later. Employer disciplines Employee X for failing to report her injury as soon as practicable after realizing she has the kind of injury she is required to report.
Incentive Programs

Employers must not use incentive programs in a way that penalizes workers for reporting work-related injuries or illnesses. If an employee reports an injury or illness, and is subsequently denied a benefit as part of an incentive program, this may constitute retaliatory action against the employee for exercising his or her right to report an injury or illness.
Types of Disincentive Programs:

1. Taking disciplinary action against employees who are injured on the job, regardless of the circumstances. {A direct violation of section 11(c)}

2. Disciplining an employee who reports an injury/illness, regarding the time or manner for reporting. {You cannot penalize workers who do not realize immediately that their injuries are serious enough to report, or even that they are injured at all.}
Types of Disincentive Programs:

3. An employee reports an injury and the employer imposes discipline on the grounds that the injury resulted from the violation of a safety rule by the employee.

4. Programs that unintentionally or intentionally provide employees an incentive to not report injuries, such as:
   – a drawing to win a prize,
   – a team of employees might be awarded a bonus
Incentives That Promote Injury and Illness Reporting and Worker Involvement:

• Focus on a positive incentive program that encourages or rewards workers for reporting injuries, illnesses, near-misses, or hazards;

• Recognizing, rewarding, and encouraging workers for being involved in the company safety and health management system.
Incentives That Promote Injury and Illness Reporting and Worker Involvement:

Examples:
+ Providing tee shirts to workers serving on safety and health committees;
+ Offering modest rewards for suggesting ways to strengthen the company safety and health program.
+ Giving a recognition party at the successful completion of company-wide safety and health training.
+ Reporting and responding to hazards and close calls/near misses;
+ Or participating in investigations of injuries, incidents or "near misses".

• What have you seen?
Incentive Programs, Scenario 1:

Employer informs its employees that it will hold a substantial cash prize drawing for each work group at the end of each month in which no employee in the work group sustains a lost-time injury. Employee X reports an injury that she sustained while operating a mechanical power press. Employee X did not violate any employer safety rules when she sustained her injury. Employee X's injury requires her to miss work for two days. Employer cancels the cash prize drawing for that month for Employee X's work group because of Employee X's lost-time injury.
Incentive Programs, Scenario 2:

Employer informs its employees that it will hold a substantial cash prize drawing for each work group at the end of each month in which all members of the work group comply with applicable safety rules, such as wearing required fall protection. Employee X sustains a lost-time injury when he falls from a platform while not wearing required fall protection, and he reports the injury to Employer. Employer cancels the cash prize drawing for Employee X's work group that month because Employee X failed to wear required fall protection. Employer actively monitors its workforce for compliance with applicable work rules and cancels the cash prize drawings when it discovers work rule violations regardless of whether the employee who violated the work rule also reported an injury.
Incentive Programs, Scenario 3:

Employer informs its employees that it will hold a substantial cash prize drawing for each work group at the end of each month in which all members of the work group comply with applicable safety rules, such as wearing required fall protection. Employee X sustains a lost-time injury when he falls from a platform while not wearing required fall protection. Employer cancels the cash prize drawing for Employee X's work group that month ostensibly because Employee X failed to wear required fall protection. However, Employer's employees routinely fail to wear required fall protection but the only time Employer cancels the cash prize drawing is when an employee reports an injury.
Employer holds a party for all employees who complete a safety training course. Employee X failed to attend the training because she was absent from work due to a work-related injury that she reported. Employer excluded Employee X from the training-completion party because she did not complete the training. Employer consistently excluded all employees who failed to complete a training course from the training-completion party regardless of why they failed to complete the training, including those who were on vacation or absent because of a non-work-related injury or illness.
Drug Testing Programs

The rule does not prohibit drug testing of employees, including drug testing pursuant to the Department of Transportation rules or any other federal or state law. It only prohibits employers from using drug testing, or the threat of drug testing, to retaliate against an employee for reporting an injury or illness.
Some commenters stated their belief that drug testing of employees is important for a safe workplace; some expressed concern that OSHA planned a wholesale ban on drug testing (Exs. 1667, 1674). To the contrary, this final rule does not ban drug testing of employees. However, the final rule does prohibit employers from using drug testing (or the threat of drug testing) as a form of adverse action against employees who report injuries or illnesses. To strike the appropriate balance here, drug testing policies should limit post-incident testing to situations in which employee drug use is likely to have contributed to the incident, and for which the drug test can accurately identify impairment caused by drug use. For example, it would likely not be reasonable to drug-test an employee who reports a bee sting, a repetitive strain injury, or an injury caused by a lack of machine guarding or a machine or tool malfunction. Such a policy is likely only to deter reporting without contributing to the employer's understanding of why the injury occurred, or in any other way contributing to workplace safety. **Employers need not specifically suspect drug use before testing, but there should be a reasonable possibility that drug use by the reporting employee was a contributing factor** to the reported injury or illness in order for an employer to require drug testing. In addition, drug testing that is designed in a way that may be perceived as punitive or embarrassing to the employee is likely to deter injury reporting.
Drug Testing, Scenario 1:

Employer required Employee X to take a drug test after Employee X reported work-related carpal tunnel syndrome. Employer had no reasonable basis for suspecting that drug use could have contributed to her condition, and it had no other reasonable basis for requiring her to take a drug test. Rather, Employer routinely subjects all employees who report work-related injuries to a drug test regardless of the circumstances surrounding the injury. The state workers' compensation program applicable to Employer did not address drug testing, and no other state or federal law requires Employer to drug test employees who sustain injuries at work.
Drug Testing, Scenario 2:

Employee X was injured when he inadvertently drove a forklift into a piece of stationary equipment, and he reported the injury to Employer. Employer required Employee X to take a drug test.
Drug Testing, Scenario 3:

Employer drug tests all employees who report work-related injuries to the employer to get a 5% reduction in its workers' compensation premiums under the state's voluntary Drug-Free Workplace program. Employer drug tests Employee X when she reports a work-related injury that could not reasonably have been caused by drug use, such as a bee sting or carpal tunnel syndrome.
Drug Testing, Scenario 4:

Employer requires all employees who report lost-time injuries to take a drug test because the employer's private insurance carrier provides discounted rates to employers that implement such a drug-testing policy. The relevant rate discount provisions in the private policy are identical to those in the applicable state workers' compensation law. Employer drug tests Employee X when she reports a lost-time injury that could not reasonably have been caused by drug use, such as a bee sting or carpal tunnel syndrome.
Drug Testing, Scenario 5:

Employer requires all employees who report lost-time injuries to take a drug test regardless of whether drug use could have contributed to the injury because the drug testing requirement is included in the collective bargaining agreement at the workplace. Employer drug tests Employee X (who is covered by the collective bargaining agreement) when she reports a lost-time injury that could not reasonably have been caused by drug use, such as a bee sting or carpal tunnel syndrome. The employer had no reasonable basis for suspecting that drug use could have contributed to her injury and had no other reasonable basis for requiring the test.
OSHA Trade Release

U.S. Department of Labor
Occupational Safety and Health Administration
Office of Communications
Washington, D.C.
www.osha.gov
For Immediate Release

January 13, 2017
Contact: Office of Communications
Phone: 202-693-1999

The document outlines five key elements of an effective anti-retaliation program:

1. Management leadership, commitment, and accountability
2. System for listening to and resolving employees’ safety and compliance concerns
3. System for receiving and responding to reports of retaliation
4. Anti-retaliation training for employees and managers
5. Program oversight

"These recommended practices will provide companies with the tools to create a robust anti-retaliation program," said Jordan Barab, acting assistant secretary of labor for occupational safety and health. "In the long run, it’s good for workers and good for business."

An initial draft of the Recommended Practices was posted for review and comment in the fall of 2016. The final document incorporates many of these comments, as described here.

Timeline

- Final Rule Federal Register Notice – May 12, 2016
- Correction to 1904.35b2 - May 20, 2016
- Employee Rights (anti-retaliation provisions), changed effective date until – December 1, 2016
- Electronic Reporting effective Date – January 1, 2017
- Phase-in data submission due dates:

<table>
<thead>
<tr>
<th>Submission year</th>
<th>Establishments with 250 or more employees in industries covered by the recordkeeping rule</th>
<th>Establishments with 20-249 employees in select industries</th>
<th>Submission deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>CY 2016 300A Form</td>
<td>CY 2016 300A Form</td>
<td>July 1, 2017</td>
</tr>
<tr>
<td>2018</td>
<td>CY 2017 300A, 300, 301 Forms</td>
<td>CY 2017 300A Form</td>
<td>July 1, 2018</td>
</tr>
<tr>
<td>2019 and beyond</td>
<td>300A, 300, 301 Forms</td>
<td>300A Form</td>
<td>March 2</td>
</tr>
</tbody>
</table>
Electronic Reporting

- 1904.41(a)(1) – Establishments with 250 or more employees in industries covered by the recordkeeping rule:
  - Non-Mandatory Appendix A to Subpart B -- Partially Exempt Industries
  - Must, on an annual basis (starting July 1, 2018), provide data from the:
    - Summary Form 300A (begins on July 1, 2017)
    - Log Form 300
    - Incident Report 301
  - Does not include the injured worker’s name and address
  - Does not include the physician’s name and address
Electronic Reporting

• 1904.41(a)(2) – Establishments with 20 to 249 employees in certain industries:
  – Appendix A to Subpart E of Part 1904-Designated Industries for § 1904.41(a)(2) Annual Electronic Submission of OSHA Form
  – Must provide, on an annual basis, data from the Summary Form 300A starting July 1, 2017.
  • This replaces the OSHA Data Initiative (ODI)
Electronic Reporting

• 1904.41(a)(2) covered Industries
  – Ag., forestry and fishing (NAICS 11)
  – Utilities (NAICS 22)
  – Construction (NAICS 23)
  – Manufacturing (NAICS 31-33)
  – Wholesale Trade (NAICS 42)
  – Industry groups (4-digit NAICS) with a three year average DART rate of 2.0 or greater in the Retail, Transportation, Information, Finance, Real Estate and Service sectors.
1904.41(a)(3) **Electronic submission of part 1904 records upon notification.** Upon notification, you must electronically submit the requested information from your part 1904 records to OSHA or OSHA’s designee.
1902.7 Injury and illness recording and reporting requirements

- **1902.7(d)** As provided in section 18(c)(7) of the Act, **State Plan States** must adopt requirements identical to those in 29 CFR 1904.41 in their recordkeeping and reporting regulations as enforceable State requirements. The data collected by OSHA as authorized by § 1904.41 will be made available to the State Plan States. Nothing in any State plan shall affect the duties of employers to comply with § 1904.41.

- **FAQ 11. Does this rule apply to employers in State Plan states?** Yes, within six months after publication of this final rule, State Plan states will have to adopt requirements that are substantially identical to the requirements in this final rule. Some states may choose to allow employers in their state to use the federal OSHA data collection website to meet the new reporting obligations. Other states may provide their own data collection sites. OSHA will provide further information and guidance as the States decide how to implement these new reporting requirements.
The rule does not add to or change any employer’s obligation to complete and retain the injury and illness records or change the recording criteria or definitions for these records. The rule only modifies employers’ obligations to transmit information from these records to OSHA.
How do I submit the information?

- You must submit the information **electronically**. OSHA will provide a **secure Web site** for the electronic submission of information.
Injury Tracking Application
Electronic Submission of Injury and Illness Records to OSHA

Overview: Access to OSHA’s electronic injury and illness data collection system will be available from this page. The site is scheduled to go live in February 2017. OSHA will announce the availability of the website prominently on our home page when it becomes operational.

Who: Establishments with 250 or more employees that are currently required to keep OSHA injury and illness records, and establishments with 20-249 employees that are classified in certain industries with historically high rates of occupational injuries and illnesses.

What: Covered establishments with 250 or more employees must electronically submit information from OSHA Forms 300 (Log of Work-Related Injuries and Illnesses), 300A (Summary of Work-Related Injuries and Illnesses), and 301 (Injury and Illness Incident Report). Covered establishments with 20-249 employees must electronically submit information from OSHA Form 300A.

Where: The requirement becomes effective on January 1, 2017. The new reporting requirements will be phased in over two years. In 2017, all covered establishments must submit information from their completed 2016 Form 300A by July 1, 2017. In 2018, covered establishments with 250 or more employees must submit information from all completed 2017 forms (300A, 300, and 301) by July 1, 2018, and covered establishments with 20-249 employees must submit information from their completed 2017 Form 300A by July 1, 2018. Beginning in 2019 and every year thereafter, covered establishments must submit the information by March 2.
Valid Actions with the Application Program Interface (API) There are several valid actions you can perform using the Injury Tracking Application (ITA) API, including:

1. Create one or more establishments
2. Get a list of establishments
3. Get a specific establishment
4. Edit one or more establishments
5. Add Form 300A data to one or more establishments
6. Get a specific Form 300A
7. Edit Form 300A data for one or more establishments
8. Create a submission
9. Get a specific submission record
**How:** OSHA will provide a secure website that offers three options for data submission.

- **First**, users will be able to manually enter data into a web form.
- **Second**, users will be able to upload a CSV file to process single or multiple establishments at the same time.
- **Last**, users of automated recordkeeping systems will have the ability to transmit data electronically via an API (Application Programming Interface). We will provide status updates and related information here as it becomes available.

  - View the CSV instructions.
  - Download a CSV file template.
  - Download a CSV sample file.
  - View the API technical specifications.
How: OSHA will provide a secure website that offers three options for data submission, cont.

- If your submit request is successful, you will receive a confirmation email listing the establishments that have been successfully submitted, meaning that OSHA considers the information to be complete.
- If your submit request is not successful, you will receive a list of errors in the API response.
- If you have any questions or problems, please use the contact form located at https://www.osha.gov/injuryreporting/ita/help-request-form.
- A testing/sandbox environment will be made available. Please contact us for more information.
New email sign-up available for recordkeeping reminders and updates on electronic submission of injury logs

• OSHA has established an email notification system to provide recordkeeping reminders as well as updates on a new requirement that employers electronically submit their injury and illness logs to the agency. This year's deadline is July 1, 2017.
• OSHA is not accepting electronic submissions at this time, but will notify interested parties when and how to provide electronic submissions. To receive these notifications, sign up online.

https://www.osha.gov/recordkeeping/finalrule/index.html
Welcome glacken.dale@dol.gov

Success

glacken.dale@dol.gov has been successfully subscribed to OSHA Recordkeeping Updates for United States Department of Labor.

Subscriber Preferences

NEXT  CLOSE

Your contact information is used to deliver requested updates or to access your subscriber preferences.

Privacy Policy - Help
May a third party submit data for an establishment or firm?

Yes, just as a third party is allowed to maintain the injury and illness records for an employer, a third party is allowed to submit the data for that employer. However, as with recordkeeping, responsibility for the completeness and accuracy of the data lies with the employer, not the third party.
An establishment is a single physical location where business is conducted or where services or industrial operations are performed.

For activities where employees do not work at a single physical location, such as construction; transportation; communications, electric, gas and sanitary services; and similar operations, the establishment is represented by main or branch offices, terminals, stations, etc. that either supervise such activities or are the base from which personnel carry out these activities.

**Review: What is an Establishment?**
Q: Are the electronic reporting requirements based on the size of the establishment or the size of the firm?

The electronic reporting requirements are based on the size of the establishment, not the firm. The OSHA injury and illness records are maintained at the establishment level. An establishment is defined as a single physical location where business is conducted or where services or industrial operations are performed. A firm may be comprised of one or more establishments. To determine if you need to provide OSHA with the required data for an establishment, you need to determine the establishment's peak employment during the last calendar year. Each individual employed in the establishment at any time during the calendar year counts as one employee, including full-time, part-time, seasonal, and temporary workers.
Q: My company operates multiple facilities on a campus setting. Each facility has less than 250 employees, but the campus has more than 250 employees. How should I count my employees to determine if I have to electronically provide OSHA my injury and illness records?

The recording and reporting requirements of Part 1904 are establishment based. Under most circumstances, a campus is a single physical location and considered as a single establishment. Under limited conditions, you may consider two or more separate facilities that share a single location to be separate establishments. You may divide one location into two or more establishments only when:

1) Each facility represents a distinctly separate business;
2) Each facility is engaged in a different economic activity;
3) No one industry description applies to the joint activities of the establishments; and
4) Separate reports are routinely prepared for each establishment on the number of employees, their wages and salaries, sales or receipts, and other business information.
Q: *Can an establishment include more than one physical location?* Yes, but only under certain conditions. An employer may combine two or more physical locations into a single establishment only when:

- The employer operates the locations as a single business operation under common management;
- The locations are all located in close proximity to each other; and
- The employer keeps one set of business records for the locations, such as records on the number of employees, their wages and salaries, sales or receipts, and other kinds of business information.

- **For example**, one manufacturing establishment might include the main plant, a warehouse a few blocks away, and an administrative services building across the street.
Q: May a firm with multiple establishments make a single submission of the data from the multiple establishments?

Yes, a firm with more than one establishment may submit establishment-specific data for multiple establishments. To do this, the firm will create one registration and follow the directions provided to submit data for multiple establishments. It is important to note that the electronic reporting requirements are for data at the establishment level, not the firm level. The submitted data must be specific for each individual establishment.

Note: that establishments under state plan jurisdiction must comply with state plan regulations. For more information about the regulations in individual state plans, see here: https://www.osha.gov/dcsp/osp/statetstandards.html
Q: My firm has multiple establishments that do different things. Which determines whether I have to submit data for those establishments, the industry classification of the firm or the industry classification of the establishment?

The electronic reporting requirements are based on the industry classification of the establishment, not the industry classification of the firm. An establishment is defined as a single physical location where business is conducted or where services or industrial operations are performed. A firm may be comprised of one or more establishments.
Review: Posting Requirement

- **1904.32(b)(5): How do I post the annual summary?** You must post a copy of the annual summary in each establishment in a conspicuous place or places where notices to employees are customarily posted. You must ensure that the posted annual summary is not altered, defaced or covered by other material.

- **1904.32(b)(6): When do I have to post the annual summary?** You must post the summary no later than February 1 of the year following the year covered by the records and keep the posting in place until April 30.
Final Rule Issued to Improve Tracking of Workplace Injuries and Illnesses

Provisions call for employers to electronically submit injury and illness data that they already record.

Why is OSHA issuing this rule?

This simple, publicly available will “nudge” employers to focus on safety. And, as we have seen in many examples, more attention to safety will

https://www.osha.gov/recordkeeping/finalrule/index.html
Final Rule to Improve Tracking of Workplace Injuries and Illnesses

Each year, millions of workers suffer serious injuries and illnesses on the job. Under the Federal Occupational Safety and Health Act, employers must provide their workers with workplaces free of recognized serious hazards. In order to help prevent work-related injuries and illnesses, the Occupational Safety and Health Administration (OSHA) has for decades required employers to keep track of their workers’ injuries and illnesses by recording them in what is often called an “OSHA log.”

Under a final rule that becomes effective January 1, 2017, OSHA will revise its requirements for recording and submitting records of workplace injuries and illnesses to require that some of this recorded information be submitted to OSHA electronically for posting to the OSHA website.

We are taking information that employers are already required to collect and using these data to help keep workers safer and make employers, the public, and the government better informed about workplace hazards. Releasing the data in standard, open formats will:

- Encourage employers to increase their efforts to prevent worker injuries and illnesses, and, as a result of their efforts, to rate their industry in terms of worker safety; and
- Enable researchers to examine these data in innovative ways that may help employers make their workplaces safer and healthier and may also help to identify new workplace safety hazards before they become widespread.

In addition, the final rule includes provisions that encourage workers to report work-related injuries or illnesses to their employers and prohibit employers from retaliating against workers for making those reports.

OSHA expects this new rule will help improve workplace safety through expanded access to timely, establishment-specific injury and illness information for OSHA, employers, employees, employee representatives, potential employers, customers, potential customers, and public health researchers.

The rule will also provide OSHA with data to assist the agency in improving allocation of compliance assistance — help OSHA provide to employers who want to improve their safety standards — and enforcement resources, expanding the Agency’s ability to identify, target, and remove safety and health hazards, thereby preventing workplace injuries, illnesses and deaths. It will also enable OSHA to conduct more rigorous evaluations of the impact of government injury prevention activities.

In addition, behavioral science suggests that public disclosure of the data will “nudge” employers to reduce work-related injuries and illnesses in order to demonstrate to investors, job seekers, customers, and the broader public that their workplaces provide safe and healthy work environments for their employees.

Currently, employers cannot compare their injury experience with other businesses in their industry; they can only compare their experience with their industry as a whole. Access to establishment-specific data will enable employers to benchmark their safety and health performance against industry leaders, encouraging them to improve their safety programs.

Finally, public access to very large sets of workplace injury and illness data will provide public health researchers with unprecedented opportunities to advance the fields of injury and illness causation and prevention research.

Background
In 2013, OSHA issued a proposed rule to improve tracking of workplace injuries and illnesses through the electronic collection of establishment-specific injury and illness data.

Silica: Regulatory Update

March 23, 2016
General Industry/Maritime - Compliance Dates

- Effective date is 90 days after publication in Federal Register: June 23, 2016.
- Employers must comply with all requirements of the standard by two years (June 23, 2018) after the effective date, except:
  - Employers must comply with the action level trigger for medical surveillance four years after the effective date. (The PEL is the trigger from two years after the effective date.)
  - Hydraulic fracturing operations in the oil and gas industry must implement engineering controls to limit exposures to the new PEL five years after the effective date.
Construction - Compliance Dates

- Employers must comply with all requirements (except methods of sample analysis) by June 23, 2017.
- Compliance with methods of sample analysis required by June 23, 2018.

DELAY

OSHA®
New Walking-Working Surfaces and PPE (Fall Protection) Rule

Dale Glacken
Compliance Assistance Specialist,
Harrisburg Area Office
2017 April 10
Heat Stress

Campaign to Prevent Heat Illness in Outdoor Workers
NIOSH releases sound app to help protect workers from hearing loss

The National Institute for Occupational Safety and Health has developed a new, free mobile application for iOS devices that measures sound levels in workplaces. The NIOSH Sound Level Meter app displays real-time noise exposure data based on NIOSH and OSHA limits. The easy-to-use app can be particularly helpful to occupational safety and health trainers as they teach construction apprentices about noise hazards and the need for hearing protection. Visit the [app webpage](https://www.cdc.gov/niosh/topics/noise/app.html) for more information.

https://www.cdc.gov/niosh/topics/noise/app.html
Heat-related Illnesses and First Aid

**Heat Stroke**, the most serious form of heat-related illness, happens when the body becomes unable to regulate its core temperature. Sweating stops and the body can no longer rid itself of excess heat. Signs include confusion, loss of consciousness, and seizures. "Heat stroke is a medical emergency that may result in death! Call 911 immediately.

**Heat Exhaustion** is the body's response to loss of water and salt from heavy sweating. Signs include headache, nausea, dizziness, weakness, irritability, thirst, and heavy sweating.

**Heat Cramps** are caused by the loss of body salts and fluid during sweating. Low salt levels in muscles cause painful cramps. Tired muscles—those used for performing the work—are usually the ones most affected by cramps. Cramps may occur during or after working hours.

**Heat Rash**, also known as prickly heat, is skin irritation caused by sweat that does not evaporate from the skin. Heat rash is the most common problem in hot work environments.
<table>
<thead>
<tr>
<th>Symptom</th>
<th>First Aid</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Heat stroke</strong></td>
<td>Call 911</td>
</tr>
<tr>
<td>Confusion</td>
<td>While waiting for help:</td>
</tr>
<tr>
<td>Pains in head</td>
<td></td>
</tr>
<tr>
<td>Seizures</td>
<td>Place worker in shady, cool area</td>
</tr>
<tr>
<td>Excessive sweating or red, hot, dry skin</td>
<td>Loosen clothing, remove outer clothing</td>
</tr>
<tr>
<td>Very high body temperature</td>
<td>Fan air on worker; cold packs in armpits</td>
</tr>
<tr>
<td></td>
<td>Wet worker with cool water; apply ice packs, cool compresses, or ice if available</td>
</tr>
<tr>
<td></td>
<td>Provide fluids (preferably water) as soon as possible</td>
</tr>
<tr>
<td></td>
<td>Stay with worker until help arrives</td>
</tr>
<tr>
<td><strong>Heat exhaustion</strong></td>
<td>Have worker sit or lie down in a cool, shady area</td>
</tr>
<tr>
<td>Cool, moist skin</td>
<td>Give worker plenty of water or other cool beverages to drink</td>
</tr>
<tr>
<td>Heavy sweating</td>
<td>Cool worker with cold compresses/ice packs</td>
</tr>
<tr>
<td>Headache</td>
<td>Take to clinic or emergency room for medical evaluation or treatment if signs or symptoms worsen or do not improve within 60 minutes.</td>
</tr>
<tr>
<td>Nausea or vomiting</td>
<td>Do not return to work that day</td>
</tr>
<tr>
<td>Dizziness</td>
<td></td>
</tr>
<tr>
<td>Light headedness</td>
<td></td>
</tr>
<tr>
<td>Weakness</td>
<td></td>
</tr>
<tr>
<td>Thirst</td>
<td></td>
</tr>
<tr>
<td>Irritability</td>
<td></td>
</tr>
<tr>
<td>Fast heart beat</td>
<td></td>
</tr>
<tr>
<td><strong>Heat cramps</strong></td>
<td>Have worker rest in shady, cool area</td>
</tr>
<tr>
<td>Muscle spasms</td>
<td>Worker should drink water or other cool beverages</td>
</tr>
<tr>
<td>Pain</td>
<td>Wait a few hours before allowing worker to return to strenuous work</td>
</tr>
<tr>
<td>Usually in abdomen, arms, or legs</td>
<td>Have worker seek medical attention if cramps don’t go away</td>
</tr>
<tr>
<td><strong>Heat rash</strong></td>
<td>Try to work in a cooler, less humid environment when possible</td>
</tr>
<tr>
<td>Clusters of red bumps on skin</td>
<td>Keep the affected area dry</td>
</tr>
<tr>
<td>Often appears on neck, upper chest, folds of skin</td>
<td></td>
</tr>
</tbody>
</table>

* Remember, if you are not a medical professional, use this information as a guide only to help workers in need.
How do I know if it's too hot?

**Environmental Factors:**
- The temperature rises
- Humidity increases
- The sun gets stronger
- There is no air movement

**Job Task:**
- No controls are in place to reduce the impacts of equipment that radiates heat
- Protective clothing or gear is worn
- Contact with hot objects
- Work is strenuous

The Heat Index, which takes both temperature and humidity into account, is a useful tool for outdoor workers and employers.

<table>
<thead>
<tr>
<th>Heat Index</th>
<th>Risk Level</th>
<th>Protective Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 91°F</td>
<td>Lower (Caution)</td>
<td>Basic heat safety and planning</td>
</tr>
<tr>
<td>91°F to 103°F</td>
<td>Moderate</td>
<td>Implement precautions and heighten awareness</td>
</tr>
<tr>
<td>103°F to 115°F</td>
<td>High</td>
<td>Additional precautions to protect workers</td>
</tr>
<tr>
<td>Greater than 115°F</td>
<td>Very High to Extreme</td>
<td>Triggers even more aggressive protective measures</td>
</tr>
</tbody>
</table>
Welcome to OSHA's Campaign to Prevent Heat Illness in Outdoor Workers

HEAT ILLNESS CAN BE DEADLY. Every year, thousands of workers become sick from exposure to heat, and some even die. These illnesses and deaths are preventable.

http://www.osha.gov/SLTC/heatillness/index.html
Stand-Down for Fall Safety!

https://www.osha.gov/StopFallsStandDown/
Trend in Fall Fatalities

- OSHA
Who Can Participate?
Anyone who wants to prevent falls in the workplace can participate in the Stand-Down. In past years, participants included commercial construction companies of all sizes, residential construction contractors, sub- and independent contractors, highway construction companies, general industry employers, the U.S. Military, other government participants, unions, employer's trade associations, institutes, worker interest organizations, and safety equipment manufacturers.
How do You Hold a Stand-Down?

• Companies conduct a Safety Stand-Down by stopping work and providing a focused toolbox talk on: Ladders, Scaffolds or Roofs
• Equipment inspections
• Whatever works in your situation
• Stand-Down events can be listed on the OSHA webpage if they are “free” and open to the “public”.

Suggestions to Prepare for a Successful "Stand-Down"
http://www.osha.gov/StopFallsStandDown/suggestions.html
Falls Can Be Prevented

**PLAN** ahead to get the job done safely.

**PROVIDE** the right equipment

**TRAIN** everyone to use the equipment safely
OSHA Stand-Down Resources
After the Stand-Down

• Receive a “Certificate of Participation” for holding a Stand-Down.
  – Secretary of the Department of Labor saying thank you for participating.
  – Go to the Stand-Down certificate webpage after your stand-down, complete a short survey, then print your certificate.
  – Share your stand-down experience and pictures with us for possible posting on the webpage

![Certificate of Recognition](certificate.png)
Visit our improved homepage: OSHA.gov
OSHA QuickTakes

- **Free** OSHA e-newsletter delivered twice monthly to more than 110,000 subscribers

- **Latest news** about OSHA initiatives and products to help employers and workers find and prevent workplace hazards

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OSHA Consultation Service
Indiana University of Pennsylvania

- Aimed to help employers who want help in recognizing and correcting safety and health hazards and in improving their safety and health programs.
- Free, largely funded by OSHA
- Requirement: A commitment to correcting serious safety and health hazards
- Confidential, tailored to small business
On-site Consultation Visits by Industry Sector: FY 2014

Total FY 2014 Visits with a Closing Conference Date: 24,643

- Construction, 6,474, 26%
- Manufacturing, 8,571, 35%
- Wholesale & Retail, 2,394, 10%
- Agriculture, 524, 2%
- Other, 3,373, 14%
- Services, 3,302, 13%

• Parameters: Private Sector, Closing Conference Date: October 1, 2013 – September 30, 2014.
• Totals include 21(d) and 23(g) On-site Consultation Project data.
Size of Employers Receiving Consultation Services  FY 2014

Total FY 2014 Closed Visits: 26,847

- 1-25 Employees, 14,836, 55%
- 26-100 Employees, 8,614, 32%
- 101-250 Employees, 2,866, 11%
- >250 Employees, 531, 2%

• Totals include 21(d) and 23(g) On-site Consultation Project data.
OSHA Consultation Service
Indiana University of Pennsylvania

• Safety and Health Achievement Recognition Program (SHARP)
• Contact Information:
  1 – 800 – 382 – 1241
  www.hhs.iup.edu/sa/osha
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Erie Area Office
(814) 874-5150

Harrisburg Area Office
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Philadelphia Area Office
(215) 597-4955

Pittsburgh Area Office
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Wilkes-Barre Area Office
(570) 826-6538

Main OSHA Number:
1-800-321-OSHA,
1-800-321-6742
Area Offices

• Charleston West Virginia       Prentice Cline

• Wilmington Delaware           Erin Patterson

• Baltimore Maryland/DC         Nadira Janack
Additional Assistance

Harrisburg Area Office

Duty Officer Hours
8:00 am - 4:30 pm

(717) 782-3902

Web Site:
www.osha.gov