



The *Occupational Safety and Health Act of 1970* (OSH Act) was passed to prevent workers from being killed or seriously harmed at work. This law created the Occupational Safety and Health Administration (OSHA), which sets and enforces protective workplace safety and health standards. OSHA also provides information, training, and assistance to employers and workers.

Under the OSH Act, employers have the responsibility to provide a safe workplace.

## RIGHTS AND RESPONSIBILITIES

### Employers must:

- Follow all relevant OSHA safety and health standards.
- Find and correct safety and health hazards.
- Inform employees about chemical hazards through training, labels, alarms, color-coded systems, chemical information sheets and other methods.
- Notify OSHA within 8 hours of a workplace fatality or when three or more workers are hospitalized (1-800-321-OSHA [6742]).
- Provide required personal protective equipment at no cost to workers.\*
- Keep accurate records of work-related injuries and illnesses.
- Post OSHA citations, injury and illness summary data, and the OSHA “Job Safety and Health - It’s The Law” poster in the workplace where workers will see them.
- Not discriminate or retaliate against any worker for using their rights under the law.

\* Employers must pay for most types of required personal protective equipment.

### Employees have the right to:

- Working conditions that do not pose a risk of serious harm.
- Receive information and training (in a language workers can understand) about chemical and other hazards, methods to prevent harm, and OSHA standards that apply to their workplace.
- Review records of work-related injuries and illnesses.
- Get copies of test results done to find and measure hazards in the workplace.
- File a complaint asking OSHA to inspect their workplace if they believe there is a serious hazard or that their employer is not following OSHA rules. When requested, OSHA will keep all identities confidential.
- Use their rights under the law without retaliation or discrimination. If an employee is fired, demoted, transferred or discriminated against in any way for using their rights under the law, they can file a complaint with OSHA. This complaint must be filed within 30 days of the alleged discrimination.

## OSHA STANDARDS

OSHA standards are rules that describe the methods employers are legally required to follow to protect their workers from hazards. Before OSHA can issue a standard, it must go through a very extensive and lengthy process that includes substantial public engagement, notice and comment. The agency must show that a significant risk to workers exists and that there are feasible measures employers can take to protect their workers.

Construction, General Industry, Maritime, and Agriculture standards protect workers from a wide range of serious hazards. These standards limit the amount of hazardous chemicals workers can be exposed to, require the use of certain safe practices and equipment, and require employers to monitor certain workplace hazards.

Examples of OSHA standards include requirements to provide fall protection, prevent trenching cave-ins, prevent exposure to some infectious diseases, ensure the safety of workers who enter confined spaces, prevent exposure to such harmful substances as asbestos and lead, put guards on machines, provide respirators or other safety equipment, and provide training for certain dangerous jobs.

Employers must also comply with the General Duty Clause of the OSH Act. This clause requires employers to keep their workplaces free of serious recognized hazards and is generally cited when no specific OSHA standard applies to the hazard.

## INSPECTIONS

Inspections are initiated without advance notice, conducted using on-site or telephone and facsimile investigations, performed by highly trained compliance officers, and based on the following priorities:

- Imminent danger.
- Catastrophes – fatalities or hospitalizations.
- Worker complaints and referrals.
- Targeted inspections – particular hazards, high injury rates.
- Follow-up inspections.

On-site inspections can be triggered by a complaint from a current worker or their representative if they believe there is a serious hazard or that their employer is not following OSHA standards or rules. Often the best and fastest way to get a hazard corrected is to notify your supervisor or employer.

When an inspector finds violations of OSHA standards or serious hazards, OSHA may issue citations and fines. A citation includes methods an employer may use to fix a problem and the date by when the corrective actions must be completed.

Employers have the right to contest any part of the citation, including whether a violation actually exists. Workers only have the right to challenge the deadline for when a problem must be resolved. Appeals of citations are heard by the independent Occupational Safety and Health Review Commission.

## HELP FOR EMPLOYERS

OSHA offers free confidential advice. Several programs and services help employers identify and correct job hazards as well as improve their injury and illness prevention programs.

### Free On-Site Consultation

OSHA provides a free service, On-Site Consultation, for **small businesses** with fewer than 250 workers at a site (and no more than 500 employees nationwide). On-site Consultation services are separate from enforcement and do not result in penalties or citations. Each year, OSHA makes more than 30,000 consultation visits to small businesses to provide free compliance assistance. By working with the OSHA Consultation Program, certain exemplary employers may request participation in OSHA's Safety and Health Recognition Program, SHARP. To locate the OSHA Consultation Office nearest you, visit [www.osha.gov](http://www.osha.gov) or call 1-800-321-OSHA (6742).

### Compliance Assistance

OSHA has Compliance Assistance Specialists throughout the nation who can provide general information about OSHA standards and compliance assistance resources. Contact your local OSHA office for more information.

### Cooperative Programs

OSHA offers cooperative programs to help prevent fatalities, injuries, and illnesses in the workplace.

**Alliance Program** – OSHA works with groups committed to worker safety and health to develop compliance assistance resources and educate workers and employers. **Challenge Program** – This program helps employers and workers improve their safety and health management systems and implement an effective system to prevent fatalities, injuries, and illnesses. **OSHA Strategic Partnership Program (OSPP)** – Partnerships are formalized through tailored agreements designed to encourage, assist, and recognize partner

efforts to eliminate serious hazards and achieve model workplace safety and health practices. **Voluntary Protection Programs (VPP)** – The VPP recognize employers and workers in private industry and federal agencies who have implemented effective safety and health management systems and maintain injury and illness rates below national Bureau of Labor Statistics averages for their respective industries. In VPP, management, labor, and OSHA work cooperatively and proactively to prevent fatalities, injuries, and illnesses.

## INFORMATION AND EDUCATION

### OSHA Training Institute

The OSHA Training Institute (OTI) Education Centers are a national network of nonprofit organizations authorized by OSHA to deliver occupational safety and health training to private sector workers, supervisors, and employers.

### Information and Publications

OSHA has a variety of educational materials and electronic tools available on its website at [www.osha.gov](http://www.osha.gov). These include Safety and Health Topics Pages, Safety Fact Sheets, Expert Advisor software, copies of regulations and compliance directives, videos and other information for employers and workers. OSHA's software programs and eTools walk you through safety and health issues and common problems to find the best solutions for your workplace.

OSHA's extensive publications help explain OSHA standards, job hazards, and mitigation strategies and provide assistance in developing effective safety and health programs.

For a listing of free publications, visit OSHA's website at [www.osha.gov](http://www.osha.gov) or call 1-800-321-OSHA (6742).

### QuickTakes

OSHA's free, twice monthly online newsletter, *QuickTakes*, offers the latest news about OSHA initiatives and products to assist employers and workers in finding and preventing workplace hazards. To sign up for *QuickTakes*, visit OSHA's website at [www.osha.gov](http://www.osha.gov) and click on *QuickTakes* at the top of the page.

## WHO DOES OSHA COVER

### Private Sector Workers

OSHA covers most private sector employers and workers in all 50 states, the District of Columbia, and other U.S. jurisdictions either directly through Federal OSHA or through an OSHA-approved State

Program. State-run programs must be at least as effective as the Federal OSHA program.

### State and Local Government Workers

State and local government workers are not covered by Federal OSHA, but they do have protections in states that operate their own programs. The following states have approved State Programs: AK, AZ, CA, CT, HI, IA, IL, IN, KY, MD, MI, MN, NC, NJ, NM, NV, NY, OR, SC, TN, UT, VA, VT, WA, WY, Puerto Rico and the *Virgin Islands*.

*Connecticut, Illinois, New Jersey, New York and the Virgin Islands programs cover public sector (state and local government) workers only. Federal OSHA covers private sector workers in these jurisdictions.*

### Federal Government Workers

OSHA's protection applies to all federal agencies. Although OSHA does not fine federal agencies, it does monitor federal agencies and responds to workers' complaints.

### Not Covered by the OSH Act:

Self-employed workers; and workers whose hazards are regulated by another federal agency (for example, the Mine Safety and Health Administration, Federal Aviation Administration, and Coast Guard).

## CONTACT OSHA

For questions or to get information or advice, to report an emergency, report a fatality or catastrophe, order products, or to file a complaint, contact your nearest OSHA office, visit [www.osha.gov](http://www.osha.gov) or call OSHA at 1-800-321-OSHA (6742), TTY 1-877-889-5627.

**For assistance, contact us.**

**We are OSHA. We can help.**

**It's confidential.**



U.S. Department of Labor  
Hilda L. Solis, Secretary of Labor

