Welcome to Course #7510
Introduction to OSHA for Small Businesses in the Forging Industry

Presented by the FIA Safety & Health Committee
Introduction

The course is divided into six sections:

- Background of OSHA
- Coverage, responsibilities and rights under OSHA
- Standards
- OSHA inspection process
- Implementing a safety and health management system
- Assistance to small businesses

Objectives

At the end of the workshop, participants will be able to:

1. Describe the tools OSHA uses to reduce workplace injuries and illnesses.
2. Identify basic employer and employee responsibilities and rights under OSHA.
3. Recognize how OSHA standards are organized and developed.
4. Select the steps of the OSHA inspection process.
5. Recognize the four elements of a safety and health management system.
6. Obtain information about compliance assistance.

Form Groups

- Introductions
- Elect a group leader
- Select a spokesperson
- Recorders
Group Exercise: Answer the following question.

How did you become interested in this course and what do you hope to bring back to your workplace?

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OVERVIEW

Small businesses are vital to the U.S. economy. Small firms:

- represent more than 99.7 percent of all employers
- employ more than half of all private sector employees
- pay 44.5 percent of total U.S. private payroll
- generate 60 to 80 percent of net new jobs annually

1. Background of OSHA

OSHA’s Establishment

- Occupational Safety and Health Administration
- Law signed on December 29, 1970
- To provide worker safety and health protection

Purpose – Why OSHA is needed

- Prior to 1970
  - More than 14,000 worker deaths annually
  - 2.5 million workers disabled by work-related injuries
  - Estimated 300,000 cases of work-related illness

OSHA’s Impact

- Since 1970
  - Work-related fatalities cut by 62%
• Overall injury and illness rate reduced 42%
• Brown lung disease eliminated
• Trenching fatalities reduced 35%

OSHA’s Tools

• Strong, fair and effective enforcement
• Outreach, education and compliance assistance
• Partnerships and other cooperative programs

Summary of Section 1

• When was the Occupational Safety and Health Act signed?

• Why was OSHA necessary?

• What are the three tools OSHA uses to fulfill its mission?

2. Coverage, Responsibilities and Rights under OSHA

OSHA Coverage

• Private sector employers and employees in U.S. and its territories and jurisdictions
• Does not cover
  • Self-employed
  • Immediate members of farming families with no outside workers
- Mine workers, certain truckers and transportation workers, atomic energy workers
- Public employees

**Group Exercise:** Answer the following questions.

<table>
<thead>
<tr>
<th>OSHA Coverage?</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>1. Dana Wilson, a public school teacher at Apple Valley Elementary.</td>
<td></td>
</tr>
<tr>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>2. Harry Adams, a miner at Below Ground Inc.</td>
<td></td>
</tr>
<tr>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>3. Adrian Smith, one of 3 employees of ABC landscaping.</td>
<td></td>
</tr>
<tr>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>4. Taylor Dell, an accountant in business for herself.</td>
<td></td>
</tr>
</tbody>
</table>

**Employer Responsibilities**

- Provide a workplace free from recognized hazards
- Comply with OSHA standards and regulations
- Be familiar with standards applicable to your workplace and make copies available

**Employer Rights**

- Obtain free advice and on-site consultation
- Accompany compliance officer on inspection
- Request an informal conference
- Contest citations and penalties

**Employee Responsibilities and Rights**

- Responsibilities include:
  - Complying with OSHA standards
  - Wearing required PPE
  - Reporting hazards to supervisor
- Rights include:
  - Reviewing standards
  - Receiving training
  - Requesting an OSHA investigation
  - Reviewing the OSHA 300 Log

**Section 11(c)**
Discrimination can include the following:

- Firing or laying off
- Blacklisting
- Demoting
- Denying overtime or promotion
- Disciplining
- Denial of benefits
- Failure to hire or rehire
- Intimidation
- Reassignment affecting prospects for promotion
- Reducing pay or hours

**Summary of Section 2**

- True or False? The OSH Act covers the self-employed.
  
  $T__ F__$

- Name one of an employer’s three major responsibilities under OSHA.
  
  ________________________________________________________________
  ________________________________________________________________

- What is Section 11(c)?
  
  ________________________________________________________________
  ________________________________________________________________
  ________________________________________________________________

**3. Standards**

**OSHA Standards Overview**

29 CFR (Code of Federal Regulations)
Finding Standards on OSHA’s Website

- www.osha.gov
- Select “Standards” and use the Text Search feature

General Duty Clause

- Section 5(a)(1) of the Act
- Employers must furnish a place of employment free from recognized hazards
- Applies when there is no specific standard

How OSHA Develops Standards

- OSHA initiates or in response to petitions from other parties
- Intention to propose, amend, or revoke a standard published in the Federal Register
- Interested parties may submit written information; OSHA may schedule a public hearing
- Final outcome is a standard or amendment, or a determination that none is necessary

Reporting and Recordkeeping

- Report fatality/catastrophe within 8 hours
- Maintain injury and illness records
- Post annual summary February to April
Summary of Section 3

- OSHA standards are broken into parts. Which part contains the standards for General Industry?

- What must employers report to OSHA within eight hours?

4. OSHA Inspection Process

Inspection Priorities

- Imminent danger
- Catastrophes and fatal accidents
- Employee complaints
- Referrals
- Planned or Targeted inspections
- Follow-up inspections

Selecting employee representatives

<table>
<thead>
<tr>
<th>If . . .</th>
<th>Then . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>The employees are represented by a recognized bargaining representative</td>
<td>The union usually designates the employee representative to accompany the compliance officer</td>
</tr>
<tr>
<td>There is a plant safety committee and no recognized bargaining</td>
<td>The employee members of that committee or the employees at large will designate the employee representative</td>
</tr>
<tr>
<td>representative</td>
<td></td>
</tr>
<tr>
<td>There is neither a recognized bargaining representative nor a plant</td>
<td>The employees themselves may select the employee representative, or the compliance officer will determine if any other employees would be suitable to represent the employees</td>
</tr>
<tr>
<td>safety committee</td>
<td></td>
</tr>
<tr>
<td>There is no authorized employee representative</td>
<td>The compliance officer must consult with a reasonable number of employees concerning safety and health matters in the workplace</td>
</tr>
</tbody>
</table>
Inspection Process
- Opening conference
- Walkaround
- Closing conference

OSHA Citations
Inform employers and employees of:
- Regulations and standards the employer allegedly violated
- Hazardous working conditions
- Proposed length of time set for abatement of hazards
- Any proposed penalties

Violations and Penalties
- Other-than-serious
- Serious (up to $7,000)
- Willful (up to $70,000)
- Repeated (up to $70,000)
- Failure to abate

Appeals Process
- May seek an informal conference or settlement prior to contest
- Contest must be done within 15 working days
- In writing to area office

Summary of Section 4
- What are the stages of an OSHA inspection?
• What are the types of OSHA violations?

5. Implementing a Safety and Health Management System

Safety and Health Management System

Four elements

1. Management Leadership and Employee Involvement
2. Worksite Analysis
3. Hazard Prevention and Control
4. Safety and Health Training

Element 1 - Management Leadership and Employee Involvement

Management Leadership

- Motivating force and resources
- Safety and health is a fundamental value

Employee Involvement

- Workers develop and express their own commitment to safety and health, for themselves and fellow workers
Group Exercise: Answer this question in your groups.

What are some specific things managers can do (or have done) at your workplace to demonstrate management leadership and commitment to safety and health?

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Group Exercise: Answer this question in your groups.

Discuss methods your company uses (or could use) to increase employee involvement in safety and health activities.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Element 2 - Worksite Analysis

Involves 4 major actions:

- Comprehensive survey of facility
- Change analysis
- Routine job hazard analyses (JHA)
- Periodic and daily inspections
Element 3 - Hazard Prevention and Control

Systems used to prevent and control hazards include:

- Engineering controls
- Safe work practices
- Administrative controls
- Personal protective equipment

Element 4 - Safety and Health Training

Types of training include:

- Orientation training
- Hazard recognition training
- Training required by OSHA standards
- Emergency response training
- Accident investigation training
- Emergency drill training

Summary of Section 5

- What are the four elements of a safety and health system?

- What are some important factors in making your safety and health program successful?
6. Assistance to Small Businesses

OSHA’s Office of Small Business Assistance

- Administers On-Site Consultation Program
- Serves as liaison within OSHA for small businesses
- Provides outreach and compliance assistance to small businesses

Compliance Assistance Quick Start

- General Industry
- Construction Industry
- Hispanic Outreach

On-Site Consultation Program

- Free, confidential advice to small and medium-sized businesses
- Priority to high-hazard worksites
- Separate from enforcement
- No penalties or citations
- Employers may qualify for a one-year exemption from routine inspections

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
Other Cooperative Programs

- Alliances
- Partnerships
- Voluntary Protection Programs (VPP)

Compliance Assistance

- Compliance assistance resources
- Compliance Assistance Specialists (CASs)
- OSHA website

Training

- OSHA Office of Training and Education
- OSHA Training Institute Education Centers

Summary of Section 6

- What are some benefits of working with the On-Site Consultation program?

- How would you obtain information on resources available to small businesses from OSHA?
Course Summary and Closing

Let’s briefly review the objectives of the course. By now, you should have the information needed to:

1. Describe the tools OSHA uses to reduce workplace injuries and illnesses.
2. Identify basic employer and employee responsibilities and rights under OSHA.
3. Recognize how OSHA standards are organized and developed.
4. Select the steps of the OSHA inspection process.
5. Recognize the four elements of a safety and health management system.
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Closing

Any Questions?
Participant Handouts

- Employer Responsibilities and Rights
- Employee Responsibilities and Rights
- OSHA Standards
- Self-Inspections
Employer Responsibilities & Rights

Responsibilities

Under the provisions of the Occupational Safety and Health Act of 1970 (OSH Act), as an employer, you must:

- Meet your general duty responsibility to provide a workplace free from recognized hazards;
- Keep workers informed about OSHA and safety and health matters with which they are involved;
- Comply, in a responsible manner, with standards, rules, and regulations issued under the OSH Act;
- Be familiar with mandatory OSHA standards;
- Make copies of standards available to employees for review upon request;
- Evaluate workplace conditions;
- Minimize or eliminate potential hazards;
- Provide employees safe, properly maintained tools and equipment, including appropriate personal protective equipment, and ensure that they use it;
- Warn employees of potential hazards;
- Establish or update operating procedures and communicate them to employees;
- Provide medical examinations when required;
- Provide training required by OSHA standards;
- Report within eight hours any accident that results in a fatality or the hospitalization of three or more employees;
- Keep OSHA-required records of work-related injuries and illnesses;
- Post a copy of OSHA 300A, Summary of Work-Related Injuries and Illnesses, for the previous year from February 1 to April 30;
- Post, at a prominent location within the workplace, the OSHA "It's The Law" poster (OSHA 3165) informing employees of their rights and responsibilities;
- Provide employees, former employees, and their representatives access to the Log of Work-Related Occupational Injuries and Illnesses (OSHA 300) at a reasonable time and in a reasonable manner;
- Provide access to employee medical records and exposure records to the employee and others as required by law;
- Cooperate with OSHA compliance officers;
- Not discriminate against employees who properly exercise their rights under the OSH Act;
- Post OSHA citations and abatement verification notices at or near the worksite involved; and
- Abate cited violations within the prescribed period.
Rights

Under the provisions of the Occupational Safety and Health Act of 1970 (OSH Act), as an employer, you have the right to:

- Seek free advice and on-site consultation;
- Be involved in job safety and health through your industry association;
- Request and receive proper identification of OSHA compliance officers;
- Be advised by the compliance officer of the reason for an inspection;
- Have an opening and closing conference with the compliance officer;
- Accompany the compliance officer on the inspection;
- File a notice of contest to dispute inspection results;
- Request an informal settlement agreement process after an inspection;
- Apply for a variance from a standard's requirements when technical expertise and materials are unavailable and other means have been provided to protect employees;
- Take an active role in developing safety and health programs;
- Be assured of the confidentiality of any trade secrets;
- Submit a written request to the National Institute for Occupational Safety and Health (NIOSH) for information on whether any substance in your workplace has potentially toxic effects in the concentrations being used; and
- Submit information or comments to OSHA on the issuance, modification, or revocation of OSHA standards and request a public hearing.

In the event of a workplace emergency:

Call (800) 321-OSHA (6742) if there is a life-threatening situation. OSHA will refer callers immediately to the nearest OSHA area or state office if the state is a state-plan state.

For more information on any OSHA program, contact your nearest OSHA area or regional office listed on the website at www.osha.gov or by calling the toll-free number.
Employee Responsibilities & Rights

Responsibilities

Employees are expected to comply with all applicable standards, rules, regulations, and orders issued under the OSH Act. If you are an employee, you should:

- Read the OSHA "It's The Law" poster (OSHA 3165) at the jobsite;
- Comply with all applicable OSHA standards;
- Follow all employer safety and health rules and regulations, and wear or use prescribed protective equipment while engaged in work;
- Report hazardous conditions to the supervisor;
- Report any job-related injury or illness to the employer, and seek treatment promptly;
- Cooperate with the OSHA compliance officer conducting an inspection; and
- Exercise your rights under the OSH Act in a responsible manner.

Rights

Under the provisions of the Occupational Safety and Health Act of 1970 (OSH Act), as an employee, you have the right to:

- Review copies of appropriate OSHA standards, rules, regulations, and requirements that the employer should have available at the workplace;
- Request information from your employer on safety and health hazards, precautions, and emergency procedures;
- Receive adequate training and information;
- Request that OSHA investigate if you believe hazardous conditions or violations of standards exist in your workplace;
- Have your name withheld from your employer if you file a complaint;
- Be advised of OSHA actions regarding your complaint and have an informal review of any decision not to inspect or to issue a citation;
- Have your authorized employee representative accompany the OSHA compliance officer during an inspection;
- Respond to questions from the OSHA compliance officer;
- Observe any monitoring or measuring of hazardous materials and see any related monitoring or medical records;
- Review the Log and Summary of Work-Related Injuries and Illnesses (OSHA 300 and 300A) at a reasonable time and in a reasonable manner;
- Request a closing discussion following an inspection;
Submit a written request to the National Institute for Occupational Safety and Health for information on whether any substance in your workplace has potentially toxic effects in the concentrations being used and have your name withheld from your employer;

Object to the abatement period set in a citation issued to your employer;

Participate in hearings conducted by the Occupational Safety and Health Review Commission;

Be notified by your employer if he or she applies for a variance, and testify at a variance hearing and appeal the final decision; and

Submit information or comments to OSHA on the issuance, modification, or revocation of OSHA standards and request a public hearing.
OSHA Standards

Under Title 29, Chapter XVII, the OSHA regulations are broken down into Parts. The OSHA General Industry standards are in Part 1910. Part 1926 covers OSHA construction standards and Parts 1915, 1917 and 1918 include the OSHA standards for the maritime industry.

Subparts

Under each part, such as Part 1910, major blocks of information are further broken into subparts. The major subparts of the 1910 standards are:

<table>
<thead>
<tr>
<th>Subpart</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subpart D</td>
<td>Walking-Working Surfaces</td>
</tr>
<tr>
<td>Subpart E</td>
<td>Means of Egress</td>
</tr>
<tr>
<td>Subpart F</td>
<td>Powered Platforms, Manlifts, and Vehicle-Mounted Work Platforms</td>
</tr>
<tr>
<td>Subpart G</td>
<td>Occupational Health and Environmental Control</td>
</tr>
<tr>
<td>Subpart H</td>
<td>Hazardous Materials</td>
</tr>
<tr>
<td>Subpart I</td>
<td>Personal Protective Equipment</td>
</tr>
<tr>
<td>Subpart J</td>
<td>General Environmental Controls</td>
</tr>
<tr>
<td>Subpart K</td>
<td>Medical and First Aid</td>
</tr>
<tr>
<td>Subpart L</td>
<td>Fire Protection</td>
</tr>
<tr>
<td>Subpart M</td>
<td>Compressed Gas and Compressed Air Equipment</td>
</tr>
<tr>
<td>Subpart N</td>
<td>Materials Handling and Storage</td>
</tr>
<tr>
<td>Subpart O</td>
<td>Machinery and Machine Guarding</td>
</tr>
<tr>
<td>Subpart P</td>
<td>Hand and Portable Powered Tools</td>
</tr>
<tr>
<td>Subpart Q</td>
<td>Welding, Cutting and Brazing</td>
</tr>
<tr>
<td>Subpart R</td>
<td>Special Industries</td>
</tr>
<tr>
<td>Subpart S</td>
<td>Electrical</td>
</tr>
<tr>
<td>Subpart T</td>
<td>Commercial Diving Operations</td>
</tr>
<tr>
<td>Subpart Z</td>
<td>Toxic and Hazardous Substances</td>
</tr>
</tbody>
</table>

Sections

Each Subpart is further broken down into sections. For example, Subpart D – Walking-Working Surfaces has sections 1910.21 through 1910.30.

- 1910.21 - Definitions.
- 1910.22 - General requirements.
- 1910.23 - Guarding floor and wall openings and holes.
- 1910.24 - Fixed industrial stairs.
- 1910.25 - Portable wood ladders.
1910.26 - Portable metal ladders.
1910.27 - Fixed ladders.
1910.28 - Safety requirements for scaffolding.
1910.29 - Manually propelled mobile ladder stands and scaffolds (towers).
1910.30 - Other working surfaces.

Sections of standards are divided into paragraphs. For example, 1910.25, Portable Wood Ladders:

**29 CFR 1910.25(b)(1)(i)**

All wood parts shall be free from sharp edges and splinters; sound and free from accepted visual inspection from shake, wane, compression failures, decay, or other irregularities. Low density wood shall not be used.
Self-Inspections

The most widely accepted way to identify hazards is to conduct safety and health inspections because the only way to be certain of an actual situation is to look at it directly from time to time.

Begin a program of self-inspection in your own workplace. Self-inspection is essential if you are to know where probable hazards exist and whether they are under control.

Don't spend time with items that have no application to your business. Make sure that each item is seen by you or your designee and leave nothing to memory or chance. Write down what you see or don’t see and what you think you should do about it.

Add information from your completed checklists to injury information, employee information, and process and equipment information to build a foundation to help you determine what problems exist. Then, as you use the OSHA standards in your problem-solving process, it will be easier for you to determine the actions needed to solve these problems.

Self-Inspection Scope

Your self-inspections should cover safety and health issues in the following areas:

- **Processing, Receiving, Shipping and Storage** - equipment, job planning, layout, heights, floor loads, material handling and storage methods, training for material handling equipment.
- **Building and Grounds Conditions** - floors, walls, ceilings, exits, stairs, walkways, ramps, platforms, driveways, aisles.
- **Housekeeping Program** - waste disposal, tools, objects, materials, leakage and spillage, cleaning methods, schedules, work areas, remote areas, storage areas.
- **Electricity** - equipment, switches, breakers, fuses, switch-boxes, junctions, special fixtures, circuits, insulation, extensions, tools, motors, grounding, National Electrical Code compliance.
- **Lighting** - type, intensity, controls, conditions, diffusion, location, glare and shadow control.
- **Heating and Ventilation** - type, effectiveness, temperature, humidity, controls, natural and artificial ventilation and exhausting.
- **Machinery** - points of operation, flywheels, gears, shafts, pulleys, key ways, belts, couplings, sprockets, chains, frames, controls, lighting for tools and equipment, brakes, exhausting, feeding, oiling, adjusting, maintenance, lockout/tagout, grounding, work space, location, purchasing standards.

- **Personnel** - training, including hazard identification training; experience; methods of checking machines before use; type of clothing; PPE; use of guards; tool storage; work practices; methods for cleaning, oiling, or adjusting machinery.

- **Hand and Power Tools** - purchasing standards, inspection, storage, repair, types, maintenance, grounding, use and handling.

- **Chemicals** - storage, handling, transportation, spills, disposals, amounts used, labeling, toxicity or other harmful effects, warning signs, supervision, training, protective clothing and equipment, hazard communication requirements.

- **Fire Prevention** - extinguishers, alarms, sprinklers, smoking rules, exits, personnel assigned, separation of flammable materials and dangerous operations, explosion-proof fixtures in hazardous locations, waste disposal and training of personnel.

- **Maintenance** - provide regular and preventive maintenance on all equipment used at the worksite, record all work performed on the machinery and train personnel on the proper care and servicing of the equipment.

- **PPE** - type, size, maintenance, repair, age, storage, assignment of responsibility, purchasing methods, standards observed, training in care and use, rules of use, method of assignment.

- **Transportation** - motor vehicle safety, seat belts, vehicle maintenance, safe driver programs.

- **First Aid Program/Supplies** - medical care facilities locations, posted emergency phone numbers, accessible first aid kits.

- **Evacuation Plan** - establish and practice procedures for an emergency evacuation, e.g., fire, chemical/biological incidents, bomb threat; include escape procedures and routes, critical plant operations, employee accounting following an evacuation, rescue and medical duties and ways to report emergencies.

From OSHA Small Business Handbook, OSHA 2209-02R 2005