

# **Recordkeeping & Anti-retaliation update**

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**“Safety is not the absence of injuries. It is the reduction of risk and exposure to self and others.”**



# Our Challenge

- At least 3 million, and possibly as many as 5 million workers are injured on the job every year.
- The number and rate of workplace injuries and fatalities are changing only marginally from year to year.
- We know less about, and are probably having an even smaller impact, on work illnesses.

# What must we do to dramatically reduce the number of work injuries, illnesses and fatalities occurring in the US today?

- Whatever we are doing now isn't enough
- What must we do to change the behavior of millions of employers?

# OSHA INITIATIVES



Protecting Temporary Workers



Heat Illness Prevention



Preventing Falls



Protecting Health Care Workers



Chemical Hazards



Workplace Violence



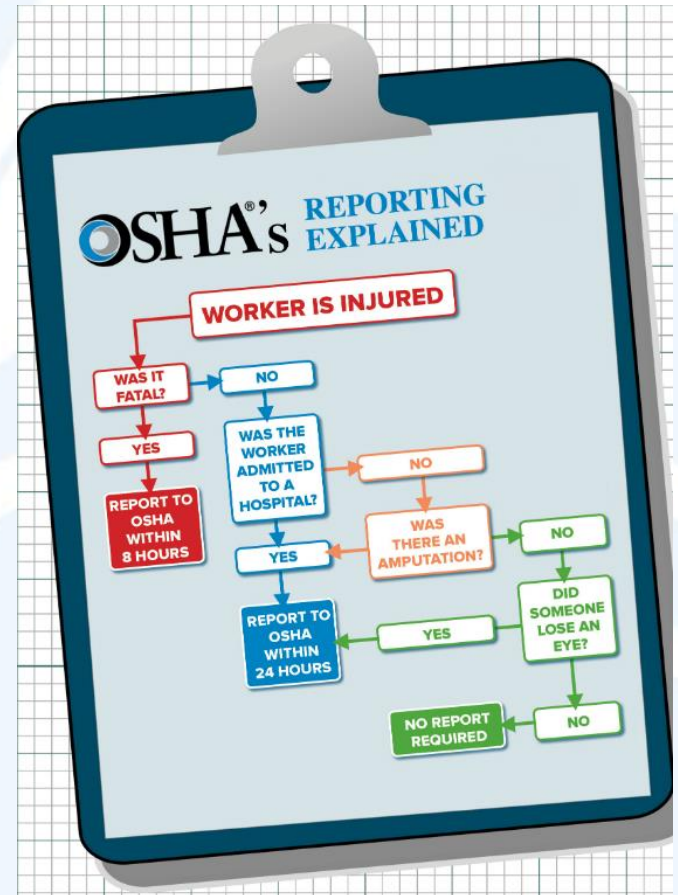
Emergency Preparedness





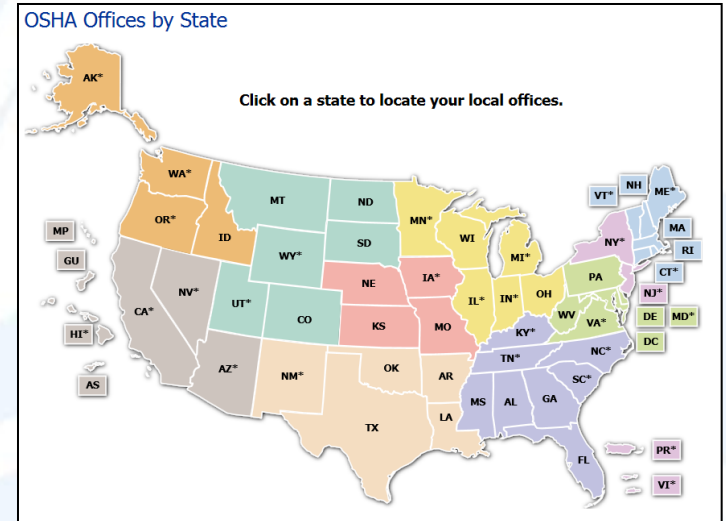
# Report a fatality or severe injury

- All employers are required to notify OSHA when an employee is **killed** on the job or suffers a work-related **hospitalization, amputation, or loss of an eye**.
- A fatality must be reported **within 8 hours**.
- An in-patient hospitalization, amputation, or eye loss must be reported **within 24 hours**.



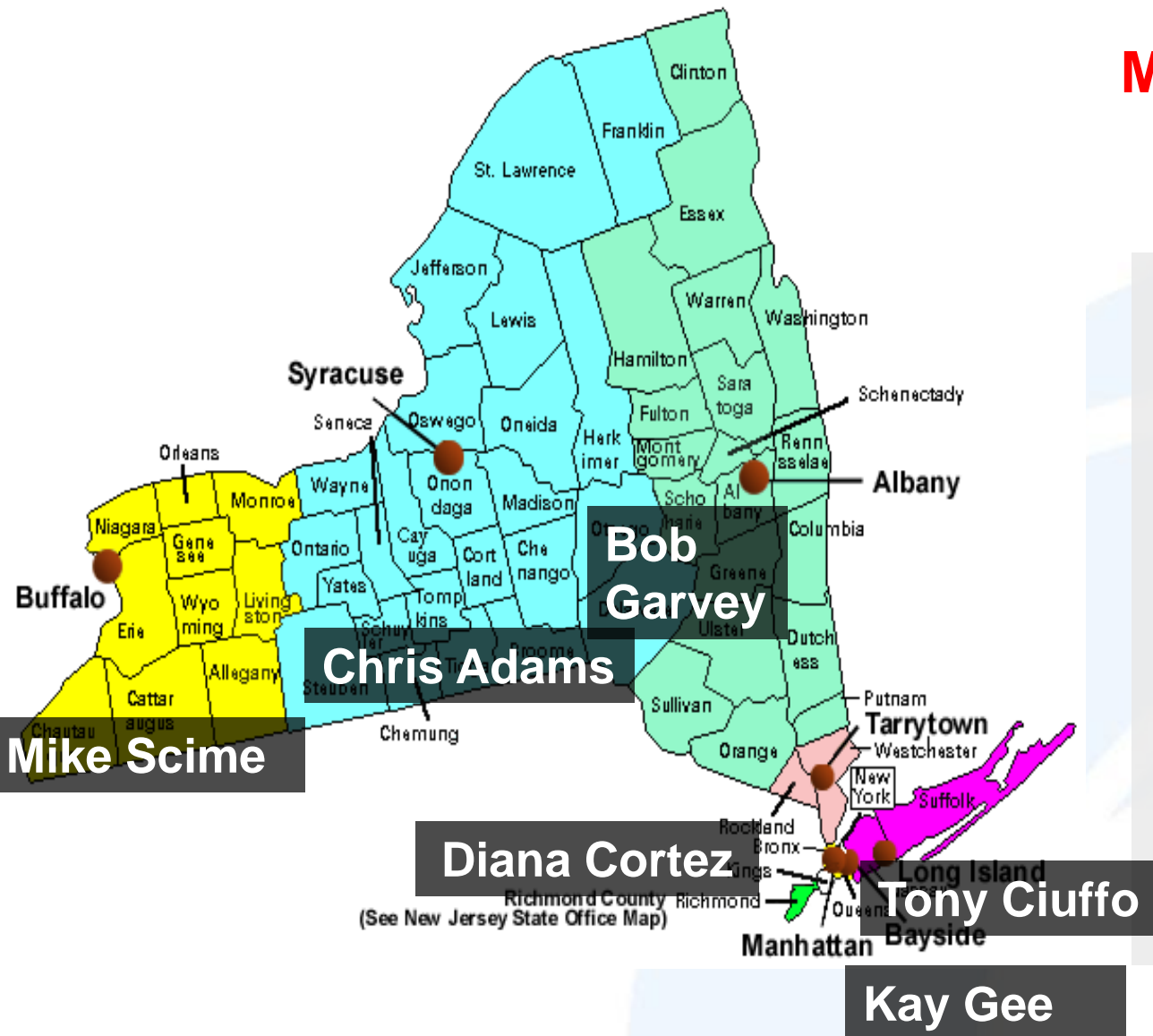
# How can employers report to OSHA?

- During business hours, call the nearest OSHA office
- Or call the OSHA 24-hour hotline 1-800-321-6742 (OSHA)
- Electronically online at [www.osha.gov](http://www.osha.gov)
  - Be prepared to supply:  
Name of the establishment,  
location and time of the incident,  
names of employees affected,  
brief description of incident, and  
a contact person and phone number



# NYS OSHA Area Offices

**Main OSHA Number:**  
1-800-321-OSHA,  
1-800-321-6742



**Buffalo Area Office**  
(716) 551-3053  
**Syracuse Area Office**  
(315) 451-0808  
**Albany Area Office**  
(518) 464-4338  
**Tarrytown Area Office**  
(914) 524-7510  
**Manhattan Area Office**  
(212) 620-3200  
**Long Island Area Office**  
(516) 334-3344

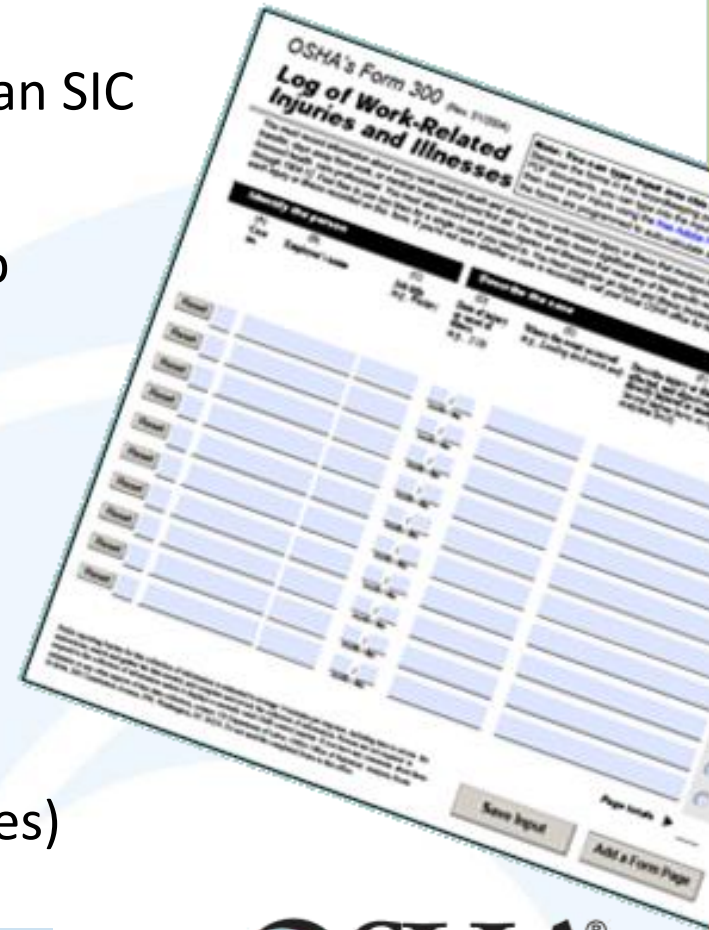




# Updates to OSHA's Recordkeeping Rule

## Changes to who keeps records

- Industries classified by NAICS rather than SIC
- Updates the list of industries exempt from the requirement to routinely keep OSHA injury and illness records due to relatively low occupational injury and illness rates
- Firms with 10 or fewer employees in the previous year are still exempt from keeping OSHA records
- Went into effect 1/1/15 (in federal states)

The image shows a digital version of OSHA's Form 300, titled "Log of Work-Related Injuries and Illnesses". The form is tilted and features a header with the title and a table with columns for "Date", "Description of Injury or Illness", "Employee Name", "Job Title", "Department", "City", "State", and "Zip". The table contains several rows of data. At the bottom right, there are buttons for "Save Input" and "Add a Form Page".

[www.osha.gov/recordkeeping2014](http://www.osha.gov/recordkeeping2014)



# Severe Injury Reporting



OSHA instituted the new reporting program to:

- Better target the Agency's **compliance assistance and enforcement efforts** in places where workers are at greatest risk
- **Engage more high-hazard employers** in identifying and eliminating serious hazards



# Severe Injury Reporting



## RAPID RESPONSE INVESTIGATION (RRI)

- Collaborative, problem-solving approach
- Invites an employer and an OSHA Area Office expert to **work together** toward **shared goal**:

*Find and fix hazards, and improve overall safety*

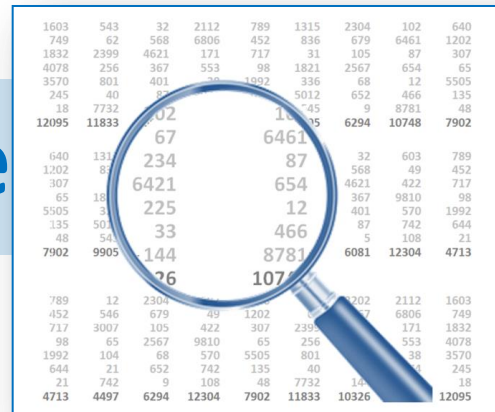
# Severe Injury Reporting:

## 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
- **1,500** amputations reported so far this calendar year
  - Average of **7** amputations per day for both 2015 and 2016
- Most reported injuries (**62%**) were addressed by **employer investigation**, *not* OSHA inspection

# Improve Injury Tracking Rule

A magnifying glass with a blue handle and frame is positioned over a grid of numbers. The magnifying glass is centered over the number '6421' in the second row, third column. The grid contains various numbers, some of which are also visible through the lens of the magnifying glass, such as '6421', '654', '12', '466', '8781', and '107'. The grid is arranged in a roughly rectangular shape with numbers scattered across it.

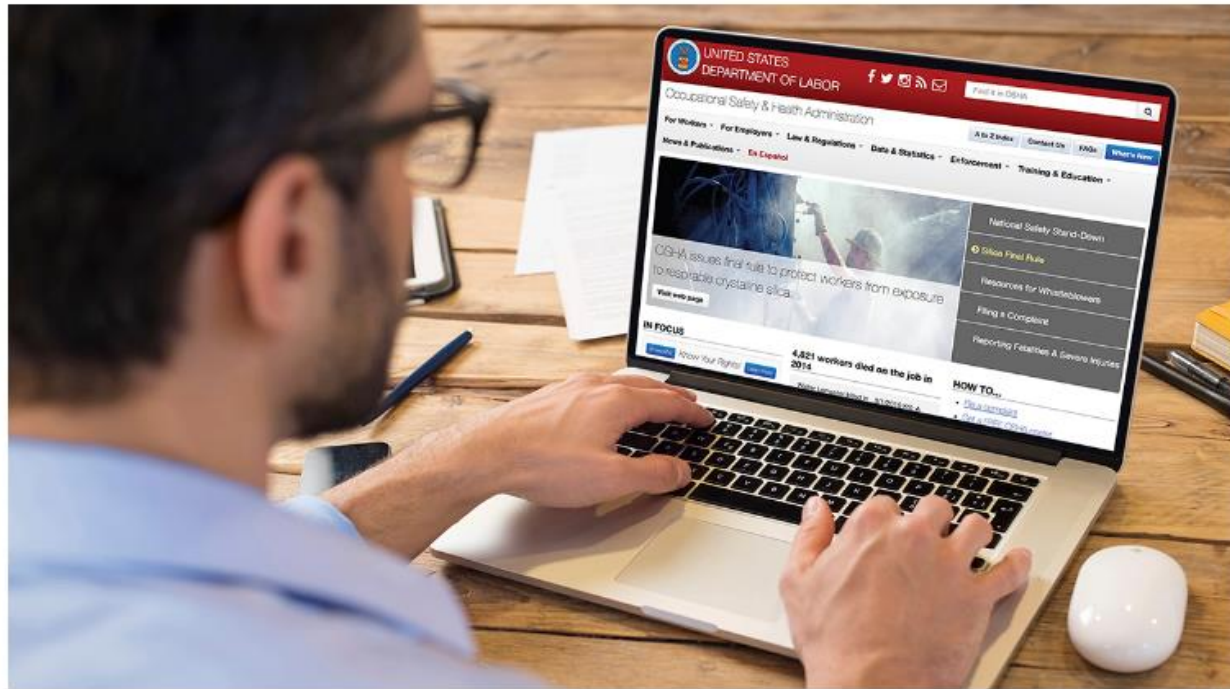
1603	543	32	2112	789	1315	2304	102	640
749	62	568	6806	452	836	679	6461	1202
1832	2399	4621	171	717	31	105	87	307
4078	256	367	553	98	1821	2567	654	65
3570	801	401	1992	336	68	12	5505	
245	40	87	5012	652	466	135		
18	7732	102	107	45	9	8781	48	
12095	11833	67	6461	35	6294	10748	7902	
640	131	234	87	32	603	789		
1202	87	6421	654	4621	422	717		
307	65	18	12	367	9810	98		
65	18	225	12	401	570	1992		
5505	3	33	466	87	742	644		
135	50	144	8781	5	108	21		
48	54	26	107	6081	12304	4713		
7902	9905							
789	12	2304	49	1202	67	2112	1603	
452	546	679	422	307	239	6806	749	
717	3007	105	422	307	239	171	1832	
98	65	2567	9810	65	256	553	4078	
1992	104	68	570	5505	801	38	3570	
644	21	652	742	135	40	245		
21	742	9	108	48	7732	18		
4713	4497	6294	12304	7902	11833	10326	12095	

- Takes effect **January 1, 2017**
- **No new data collection required;** employers will send what they already have
- OSHA will make some of this data **publicly available**
- Most manufacturing, construction and utilities will be required to submit data.



# <https://www.osha.gov/recordkeeping/finalrule/index.html>

## Final Rule Issued to Improve Tracking of Workplace Injuries and Illnesses



### About

[Read the Rule](#)

[Regulatory Text for Recordkeeping Standard - Part 1904 - \[Amended\]](#)

[Corrected Text](#)

[Fact Sheet](#)

[Frequently Asked Questions](#)

[Press Release](#)

[Blog by Deputy Secretary Chris Lu](#)

[Blog by Paul O'Neill](#)

### Related Links

[Recordkeeping Webpage](#)

[Recordkeeping Forms](#)

[Examples of Rate-Based Incentive Programs Submitted to OSHA Regulatory Docket](#)

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

Why is OSHA issuing this rule?

This simple change in OSHA's rulemaking requirements will improve safety for workers across the country. One important reason stems from our understanding of human behavior and motivation. Behavioral economics tells us that making injury information publicly available will "nudge" employers to focus on safety. And, as we have seen in many examples, more attention to safety will save the lives and limbs of many workers, and will ultimately help the employer's bottom line as well. Finally, this regulation will improve the accuracy of this data by ensuring that workers will not fear retaliation for reporting injuries or illnesses.

What does the rule require?

"Our new rule will 'nudge' employers to prevent work injuries to show investors, job seekers, customers and the public they operate safe and well-managed facilities. Access to injury data will also help OSHA better target compliance assistance and enforcement resources, and enable 'big data' researchers to apply their skills to making



# Who Does the Regulation Apply To?

- Establishments with 250 or more employees covered by the recordkeeping regulation
- Establishments with 20-249 employees in certain high-risk industries

# High-Risk Industries

<b>NAICS</b>	<b>Industry</b>
<b>11</b>	<b>Agriculture, forestry, fishing and hunting</b>
<b>22</b>	<b>Utilities</b>
<b>23</b>	<b>Construction</b>
<b>31-33</b>	<b>Manufacturing</b>
<b>42</b>	<b>Wholesale Trade</b>
<b>4413</b>	<b>Automotive parts, accessories and tire stores</b>
<b>4421</b>	<b>Furniture stores</b>
<b>4422</b>	<b>Home furnishings stores</b>
<b>4441</b>	<b>Building material and supplies dealers</b>
<b>4442</b>	<b>Lawn and garden equipment and supplies stores</b>
<b>4451</b>	<b>Grocery stores</b>

# High-Risk Industries

<b>NAICS</b>	<b>Industry</b>
<b>4452</b>	<b>Specialty food stores</b>
<b>4521</b>	<b>Department stores</b>
<b>4529</b>	<b>Other general merchandise stores</b>
<b>4533</b>	<b>Used merchandise stores</b>
<b>4542</b>	<b>Vending machine operators</b>
<b>4543</b>	<b>Direct selling establishments</b>
<b>4811</b>	<b>Scheduled air transportation</b>
<b>4841</b>	<b>General freight trucking</b>
<b>4842</b>	<b>Specialized freight trucking</b>
<b>4851</b>	<b>Urban transit systems</b>
<b>4852</b>	<b>Interurban and rural bus transportation</b>

# High-Risk Industries

<b>NAICS</b>	<b>Industry</b>
<b>4853</b>	<b>Taxi and limousine service</b>
<b>4854</b>	<b>School and employee bus transportation</b>
<b>4855</b>	<b>Charter bus industry</b>
<b>4859</b>	<b>Other transit and ground passenger transportation</b>
<b>4871</b>	<b>Scenic and sightseeing transportation, land</b>
<b>4881</b>	<b>Support activities for air transportation</b>
<b>4882</b>	<b>Support activities for rail transportation</b>
<b>4883</b>	<b>Support activities for water transportation</b>
<b>4884</b>	<b>Support activities for road transportation</b>
<b>4889</b>	<b>Other support activities for transportation</b>
<b>4911</b>	<b>Postal service</b>

# High-Risk Industries

<b>NAICS</b>	<b>Industry</b>
<b>4921</b>	<b>Couriers and express delivery services</b>
<b>4922</b>	<b>Local messengers and local delivery</b>
<b>4931</b>	<b>Warehousing and storage</b>
<b>5152</b>	<b>Cable and other subscription programming</b>
<b>5311</b>	<b>Lessors of real estate</b>
<b>5321</b>	<b>Automotive equipment rental and leasing</b>
<b>5322</b>	<b>Consumer goods rental</b>
<b>5323</b>	<b>General rental centers</b>
<b>5617</b>	<b>Services to buildings and dwellings</b>
<b>5621</b>	<b>Waste collection</b>
<b>5622</b>	<b>Waste treatment and disposal</b>

# High-Risk Industries

NAICS	Industry
5629	Remediation and other waste management services
6219	Other ambulatory health care services
6221	General medical and surgical hospitals
6222	Psychiatric and substance abuse hospitals
6223	Specialty (except psychiatric and substance abuse) hospitals
6231	Nursing care facilities
6232	Residential mental retardation, mental health and substance abuse facilities
6233	Community care facilities for the elderly
6239	Other residential care facilities
6242	Community food and housing, and emergency and other relief services
6243	Vocational rehabilitation services



# High-Risk Industries

NAICS	Industry
7111	Performing arts companies
7112	Spectator sports
7121	Museums, historical sites, and similar institutions
7131	Amusement parks and arcades
7132	Gambling industries
7211	Traveler accommodation
7212	RV (recreational vehicle) parks and recreational camps
7213	Rooming and boarding houses
7223	Special food services
8113	Commercial and industrial machinery and equipment (except automotive and electronic) repair and maintenance
8123	Dry-cleaning and laundry services

# Revised Standards

- 1904.35 Employee involvement
- 1904.36 Prohibition against discrimination
- 1904.41 Electronic submission of injury and illness records to OSHA
- Appendix A High-risk industries with 20-249 employees



U.S. Department of Labor

May 11, 2016

## **OSHA's final rule to 'nudge' employers to prevent workplace injuries, illnesses**

*New federal requirements take effect August 10, 2016*

**WASHINGTON** - The U.S. Department of Labor's [Occupational Safety and Health Administration](#) today issued a [final rule](#) to modernize injury data collection to better inform workers, employers, the public and OSHA about workplace hazards. With this new rule, OSHA is applying the insights of behavioral economics to improve workplace safety and prevent injuries and illnesses.

OSHA requires many employers to keep a [record](#) of injuries and illnesses to help these employers and their employees identify hazards, fix problems and prevent additional injuries and illnesses. The Bureau of Labor Statistics reports more than three million workers suffer a workplace injury or illness every year. Currently, little or no information about worker injuries and illnesses at individual employers is made public or available to OSHA. Under the new rule, employers in high-hazard industries will send OSHA injury and illness data that the employers are already [required to collect](#), for posting on the agency's website.

Just as public disclosure of their kitchens' sanitary conditions encourages restaurant owners to improve food safety, OSHA expects that public disclosure of work injury data will encourage employers to increase their efforts to prevent work-related injuries and illnesses.

"Since high injury rates are a sign of poor management, no employer wants to be seen publicly as operating a dangerous workplace," said [Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels](#). "Our new reporting requirements will 'nudge' employers to prevent worker injuries and illnesses to demonstrate to investors, job seekers, customers and the public that they operate safe and well-managed facilities. Access to injury data will also help OSHA better target our compliance assistance and enforcement resources at establishments where workers are at greatest risk, and enable 'big data' researchers to apply their skills to making workplaces safer."

The availability of these data will enable prospective employees to identify workplaces where their risk of injury is lowest; as a result, employers competing to hire the best workers will make injury prevention a higher priority. Access to these data will also enable employers to benchmark their safety and health performance against industry leaders, to improve their own safety programs.

To ensure that the injury data on OSHA logs are accurate and complete, the final rule also promotes an employee's right to report injuries and illnesses without fear of retaliation, and clarifies that an employer must have a reasonable procedure for reporting work-related injuries that does not discourage employees from reporting. This aspect of the rule targets employer programs and policies that, while nominally promoting safety, have the effect of discouraging workers from reporting injuries and, in turn leading to incomplete or inaccurate records of workplace hazards.

Using data collected under the new rule, OSHA will create the largest publicly available data set on work injuries and illnesses, enabling researchers to better study injury causation, identify new workplace safety hazards before they become widespread and evaluate the effectiveness of injury and illness prevention activities. OSHA will remove all personally identifiable information associated with the data before it is publicly accessible.

Under the new rule, all establishments with 250 or more employees in industries covered by the recordkeeping regulation must electronically submit to OSHA injury and illness information from OSHA Forms 300, 300A, and 301. Establishments with 20-249 employees in certain [industries](#) must electronically submit information from OSHA Form 300A only.

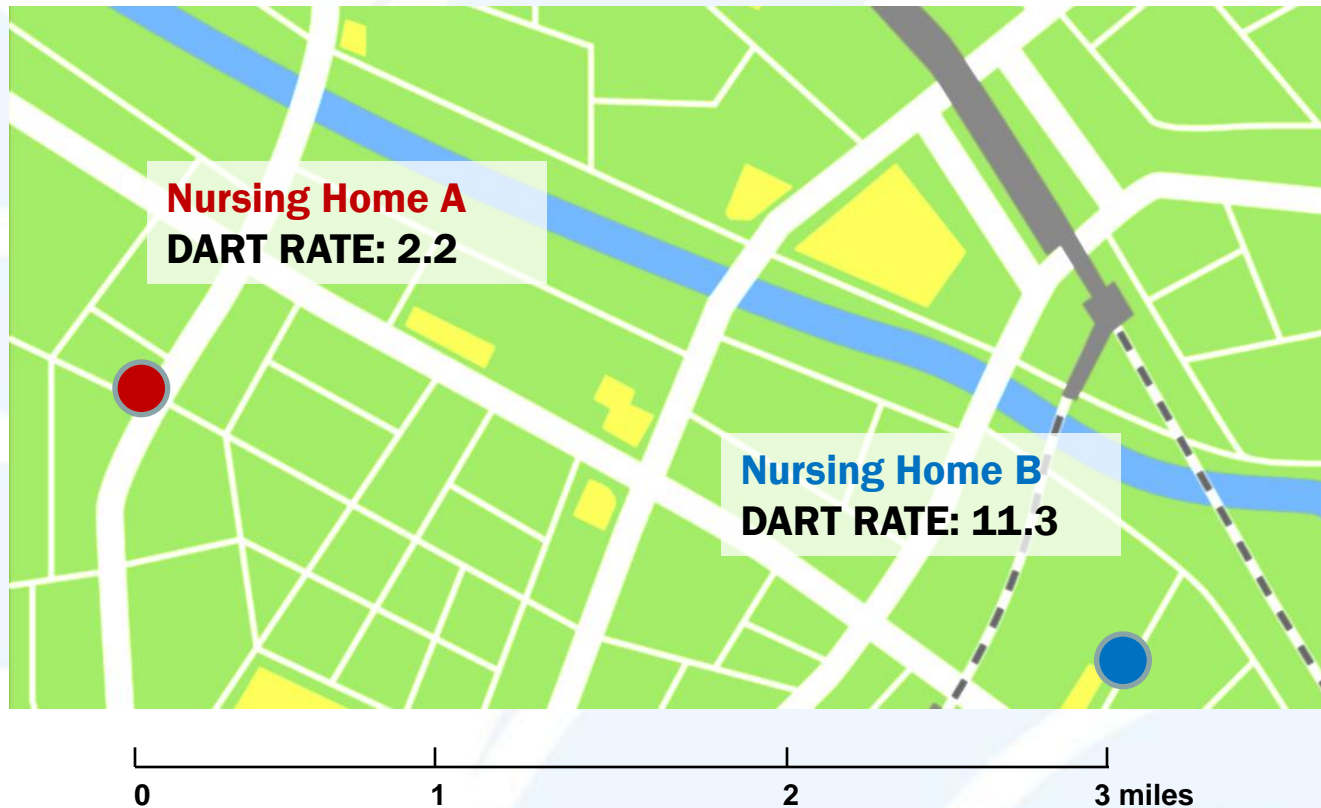
The new requirements take effect Aug. 10, 2016, with phased-in data submissions beginning in 2017. These requirements do not add to or change an employer's obligation to complete and retain







# Where Would You Prefer to Work?



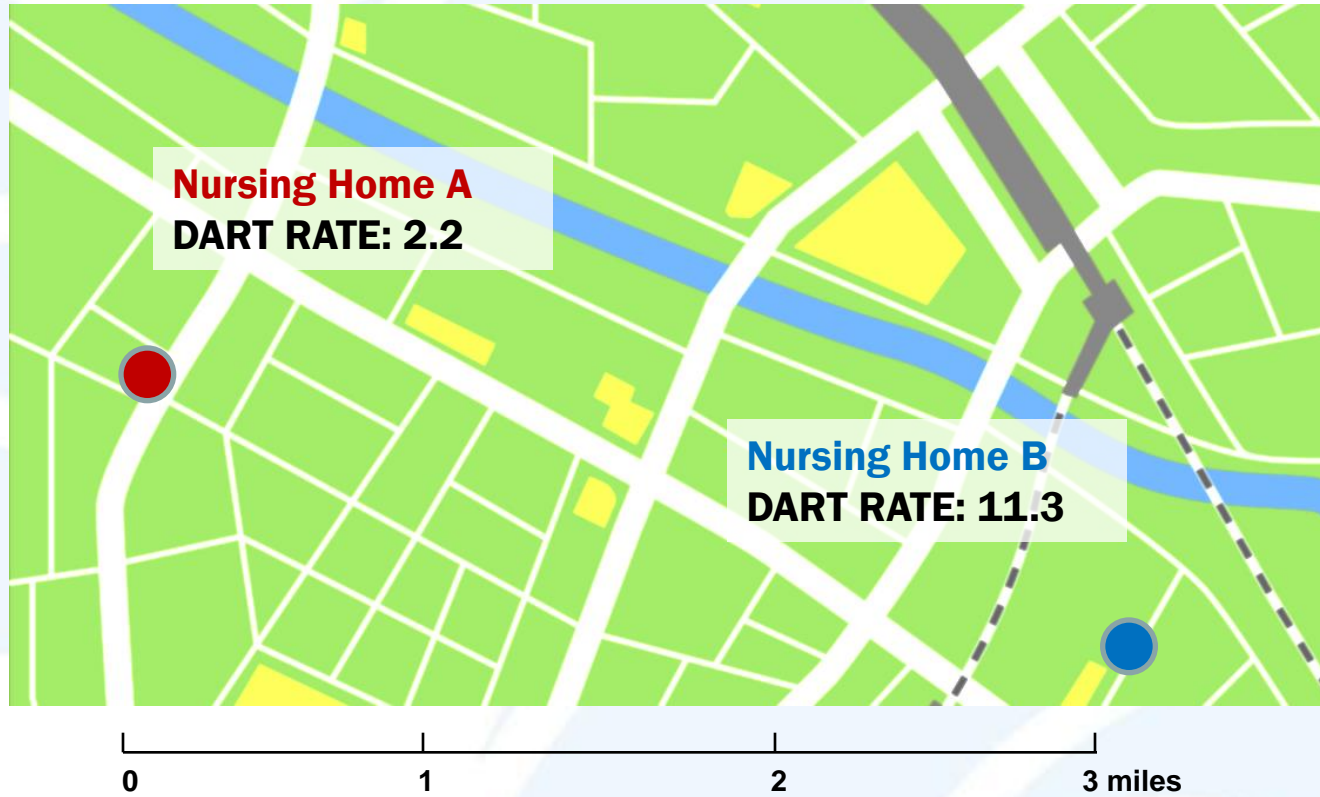
**Injury rates can vary widely within same industry and city**

**DART Case Rate: Days Away, Restrictions, and Transfers**





# Which Would You Choose for Your Elderly Parent?




**Injury rates can vary widely within same industry and city**

**DART Case Rate: Days Away, Restrictions, and Transfers**



# Applying Principles of Behavioral Economics



1603	543	32	2112	789	1315	2304	102	640
749	62	568	6806	452	836	679	6461	1202
1832	2399	4621	171	717	31	105	87	307
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3570	801	401	30	1992	336	68	12	5505
245	40	87	107	5012	5012	652	466	135
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- Employers want to be seen as the **top performers** in their industry
- Responsible employers want to be recognized as **leaders in safety**
- Making data public will “**nudge**” employers to increase efforts to prevent injuries

# 7 reasons why employers will want to have low incidence rates

- 1) Encourage employers to improve workplace safety and health to support their reputations as good places to work or do business with.
- 2) Data will be useful to employers who want to use benchmarking to improve their own safety and health performance.

# 7 reasons why employers will want to have low incidence rates

- 3) Online availability of establishment-specific information will allow employees to compare their own workplaces to the safest workplaces in their industries.
- 4) Access to this data will improve the workings of the labor market by providing more complete information to job seekers, and, as a result, encourage employers to abate hazards in order to attract more desirable employees.



# 7 reasons why employers will want to have low incidence rates

- 5) Access to data will permit investors to identify investment opportunities in firms with low injury and illness rates.
- 6) Members of the public will be able to make more informed decisions about current and potential places with which to conduct business.

# 7 reasons why employers will want to have low incidence rates

- 7) In large construction contracts, particularly those involving work contracted for by state and local governments, preference is often given to subcontractors with lower injury and illness rates.



# No More Discouraging Injury Reporting!

- Goal is to make injury data **complete and accurate**.
- This can't happen if workers are **discouraged** from reporting or **fear retaliation**.
- The rule requires employers to have reporting procedures that are **reasonable** and **do not discourage** workers from reporting.
  - This includes retaliatory drug testing...i.e., drug testing only after a worker is hurt on the job



# Rate-based Incentives Discourage Injury Reporting

## COMPANY PLAN

No Injury Reports =  
Lottery for 40" Flat TV



## MONTHLY BONUS!

— **unless** employees  
report an injury!

## SAFETY BINGO

\$25 pot increases  
each day for each  
employee team  
as long as there are **no**  
**recordable injuries**

B I N G O				
4	26	43	59	70
9	30	41	55	68



## Don't Fail Your Team Mates!

Quarterly payouts  
are based on **everyone**  
meeting **low injury**  
reporting rates.

The fewer injuries  
reported, the more  
money you earn!



1. Percent training completed vs required
2. Percent of IH samples completed vs planned
3. Injury follow up within 72 hours
4. Number of SHMS system reviews
5. Number of SHMS procedure reviews
6. Percent of corrective actions completed by due date
7. Percent of similar exposure group requirements completed versus required
8. Progress on annual injury/illness reduction plan (action items complete)
9. Number of job observations vs target per supervisor/manager or per number of hours worked
10. Number of near miss or concern reports
11. Number of monthly safety management meetings / safety committee meetings
12. Quarterly snapshot program
13. Number of safety critical preventative maintenance done
14. Number of employees included on specific safety teams / elements
15. Number of SSAs (serious safety events?) reviewed by hourly employees
16. Monthly management step up meetings
17. Risk identification and reduction
18. Safety committee monthly meeting
19. Monthly safety work order day (% complete)
20. Number of OFI days (safety/cost saving/process improvement)
21. Job coaching/mentoring
22. Closing a safety work order within 30 days
23. Competency skills complete before job change or assignment
24. Wellness program participation
25. Incident investigations complete per schedule
26. Equipment and tool pre-use inspection
27. Pre-job briefings
28. Stretch and flex programs
29. Safety contact – tips/reminders sent around
30. Supervisors and managers one on one on floor to talk about safety
31. Employee stop works
32. Safety fair participation
33. Number of coaching sessions post-training
34. Safety related preventive maintenance completed on time
35. Number of concern reports
36. Number of employees participating on teams
37. JSAs completed by hourly employees
38. Number of repeat findings
39. Number of coaching sessions for employees who did not pass competency requirement
40. PPE usage
41. Permit completeness

**Still can  
utilize  
incentivize  
programs  
but for the  
right things  
– Leading  
Indicators**



# VPP Memo #5

August 14, 2014

MEMORANDUM FOR REGIONAL ADMINISTRATORS, DIRECTORATES, AND FREE STANDING OFFICES

FROM: DAVID MICHAELS, PhD, MPH

SUBJECT: Revised VPP Policy Memorandum #5: Further Improvements to the Voluntary Protection Programs (VPP)

*This memorandum replaces VPP Policy Memorandum #5: Further Improvements to the Voluntary Protection Programs (VPP) dated June 29, 2011, and includes regional guidance on evaluating safety and health incentive programs (See attached Appendix A).*

This memorandum, which supplements the August 3, 2009 memorandum, "Improving the Administration of the Voluntary Protection Programs (VPP)," and subsequent VPP policy memoranda, clarifies actions for the Occupational Safety and Health Administration's (OSHA) Regions in implementing the Agency's continuing efforts to improve the administration of the VPP. The following instructions clarify policy and procedures for the review and evaluation of safety and health incentive programs at VPP applicant and participant worksites. These instructions are effective immediately.

OSHA Instruction CSP 03-01-003, VPP Policies and Procedures Manual, which became effective on April 18, 2008, addresses incentive programs within the context of an employer's proper and accurate recording of injuries and illnesses. Chapter VI Onsite Evaluations, Section III.B.1. Subsections b. and g. stress that incentive programs should promote safety awareness and worker participation in safety-related activities, and must not be the cause of under-reporting of injuries and illnesses. This memo clarifies implementation of this policy to ensure its consistent administration among the Regions.

## **Incentives That Promote Injury and Illness Reporting and Worker Involvement**

A positive incentive program encourages or rewards workers for reporting injuries, illnesses, near-misses, or hazards; and/or recognizes, rewards, and thereby encourages worker involvement in the safety and health management system. Such an incentive program can be a good thing and an acceptable part of a VPP-quality safety and health management system. Examples of such positive incentives include providing tee shirts to workers serving on safety and health committees; offering modest rewards for suggesting ways to strengthen safety and health; or throwing a recognition party at the successful completion of company-wide safety and health training.

## **Disincentives That Discourage Injury and Illness Reporting and Worker Involvement**

An incentive program that focuses on injury and illness numbers often has the effect of discouraging workers from reporting an injury or illness. When an incentive program discourages worker reporting or, in particularly extreme cases, disciplines workers for reporting injuries or hazards, problems remain concealed, investigations do not take place, nothing is learned or corrected, and workers remain exposed to harm. Disincentives to reporting may range from awarding paid time off to a unit that has the greatest reduction in incidence rates to rewarding workers with a celebration for achieving an injury/rate reduction goal or maintaining an injury-and illness-free worksite for a period of time. A site whose incentive program has the potential to discourage worker reporting fails to meet the VPP's safety and health management system requirements.

## **Policy Implementation**

*New Applications.* When faced with a VPP applicant's incentive program containing provisions that could discourage injury and illness reporting, the Regional VPP Manager during the initial application review or the VPP Evaluation Team during the onsite evaluation will advise the applicant of this incentive policy. The applicant may choose to make an immediate change to its incentive program that will bring the program in line with VPP policy. If the applicant needs more than a short/nominal period of time to eliminate the disincentive and/or to revise its program, it would be appropriate to designate this needed improvement as a Merit goal, assuming the applicant qualifies for Merit participation. If the applicant does not agree to make the needed change, the Region will recommend that the applicant withdraw its VPP application.

*Reapprovals.* If the Regional VPP Manager identifies a problem in the participant's incentive program during review of a Star participant's annual self-evaluation, or if a VPP Evaluation Team uncovers disincentives to injury and illness reporting during its document review and employee interviews, the participant will be given the opportunity to modify its incentive program with a 90-day item. Following the 90-day period during which the participant must eliminate the disincentive and/or revise its program, the Regional Administrator may choose to place the participant on Star One-Year Conditional status and require the participant to demonstrate one year of effective implementation of the program change. A participant's refusal to make the recommended improvement to its incentive program is grounds for VPP termination. The established termination procedures will apply, including the Regional Administrator's written notice of intent to terminate and the participant's right to appeal in writing to the Assistant Secretary.

# Policy Guidance on Evaluating Incentive Programs

## APPENDIX A

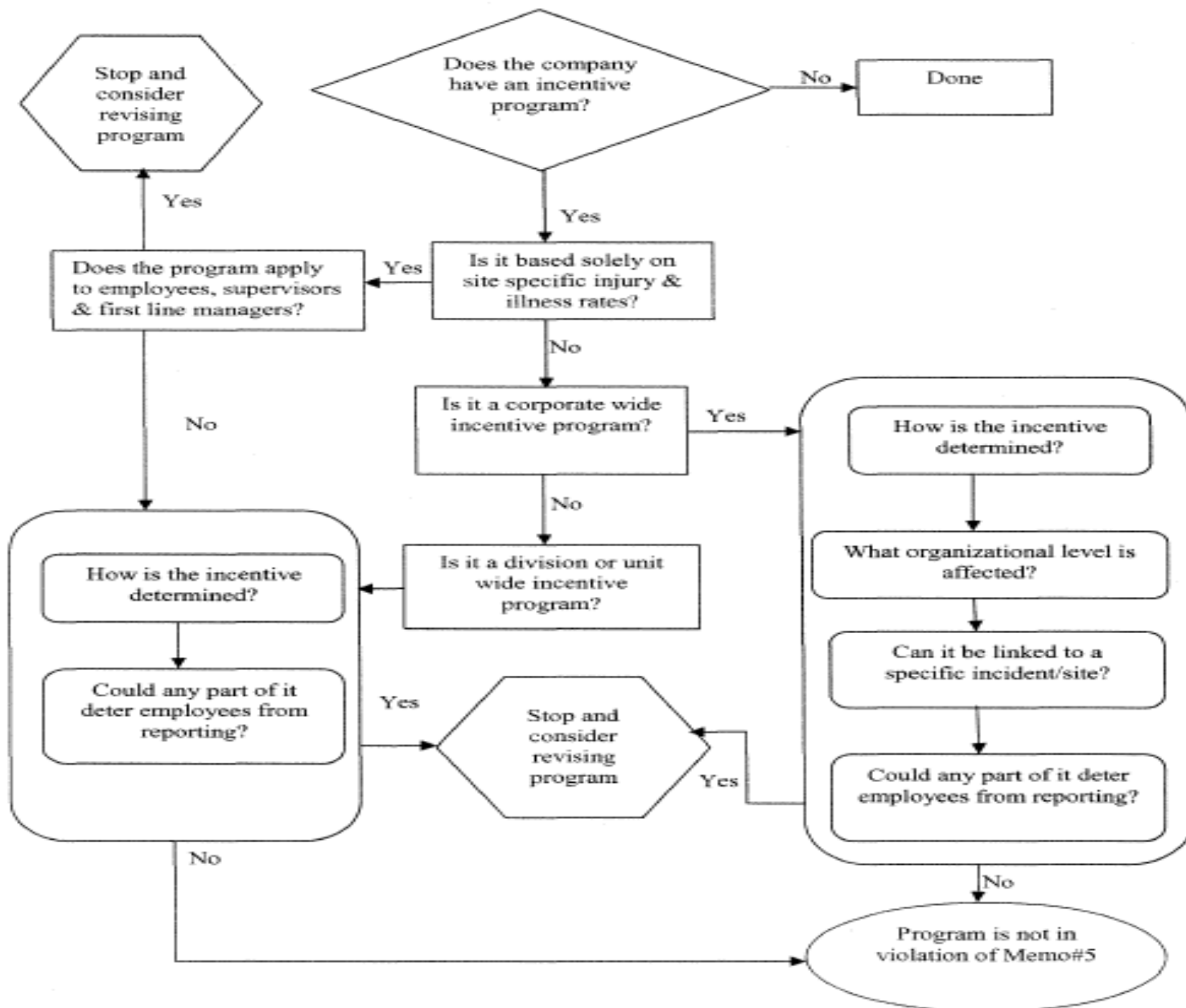
### Policy Guidance on Evaluating Incentive Programs

Staff evaluating incentive programs, and in particular, corporate bonus programs should use the guidance outlined below in making final decisions regarding whether a program meets the intent of this Memorandum. OSHA does not want to exclude participants from VPP simply because an incentive program does not meet the intent of this memorandum. OSHA staff is encouraged to work with companies to modify their incentive programs and to craft a program that will work for the company and is aligned with the policy outlined in this Memorandum. OSHA will look closely at the organizational structure, incentive program structure, and the use of injury and illness rates in a calculated metric (e.g., overall EH&S metric) in determining compliance with this memo.

Incentive Program Structure	Organizational Level Rewarded	Action to be taken
Based solely on local worksite injury and illness rate outcomes (i.e. increase, decrease, etc)	Employee, Supervisor, Lower-Level Management	Requires program revision
	General Manager, Plant Manager	Evaluate on a case-by-case basis. Review injury and illness data and reporting practices for evidence of underreporting
	President, Vice Presidents	Review program but normally outside of the intent of Memo#5 and is acceptable
Based on a performance model that includes multiple worksites' injury and illness rates as one factor in the overall model	Employee, Supervisor, Site Management	Evaluate on a case-by-case basis. Review injury and illness data and reporting practices for evidence of underreporting
	Division/Sector Management, President, Vice Presidents	Review program but normally outside of the intent of Memo#5 and is acceptable
Based on Division/Unit overall performance that includes injury & illness rates across multiple locations as one factor in the overall model	All employees	Evaluate on a case-by-case basis. Review injury and illness data and reporting practices for evidence of underreporting
Based on a Corporate wide performance model that includes injury & illness rates as a one factor in the overall model	All employees	Review program but normally outside of the intent of Memo#5 and is acceptable



### Decision Flowchart





# No More Discouraging Injury Reporting!

- Retaliation for simply reporting an injury or illness is a **violation** of the rule.

 **Job Safety and Health**  
**IT'S THE LAW!**

**All workers have the right to:**

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

**Contact OSHA. We can help.**

**Employers must:**

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

FREE ASSISTANCE to identify and correct hazards is available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

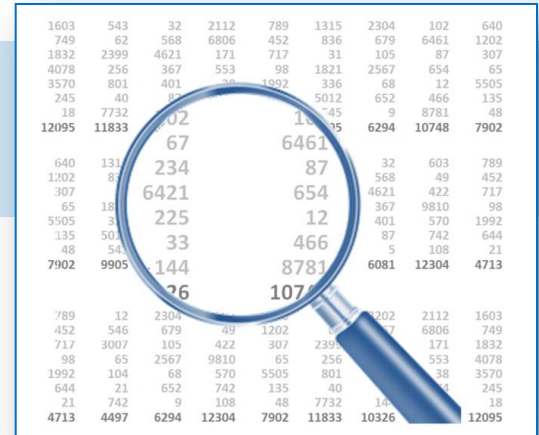


**OSHA**<sup>®</sup>

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • [www.osha.gov](http://www.osha.gov)



# When Must Employers Act?

A magnifying glass with a blue handle and silver frame is positioned over a grid of numbers. The magnifying glass is centered over the number '6461'. The grid contains various numbers, some of which are also visible through the magnifying glass's lens, such as '6421', '654', '12', '466', '8781', and '107'. The numbers are arranged in a roughly rectangular pattern, with some numbers appearing in larger fonts than others.

1603	543	32	2112	789	1315	2304	102	640
749	62	568	6806	452	836	679	6461	1202
1832	2399	4621	171	717	31	105	87	307
4078	256	367	553	98	1821	2567	654	65
3570	801	401	401	1992	336	68	12	5505
245	40	87	102	5012	652	466	135	
18	7732	102	102	545	9	8781	48	
12095	11833	67	6461	6294	10748	7902		
640	131	234	87	32	603	789		
1202	87	6421	654	568	49	452		
307	65	225	12	4621	422	717		
5905	3	33	466	367	9810	98		
135	50	144	8781	401	570	1992		
48	54	26	107	87	742	644		
7902	9905	107	6081	5	108	21		
789	12	2304	202	2112	1603			
452	546	679	49	1202	6806	749		
717	3007	105	422	307	2399	171	1832	
98	65	2567	9810	65	256	553	4078	
1992	104	68	570	5505	801	38	3570	
644	21	652	742	135	40	245		
21	742	9	108	48	7732	14	18	
4713	4497	6294	12304	7902	11833	10326	12095	

## If you have 250 or more employees:

- **By July 1, 2017** - submit 300A info
- **By July 1, 2018** - submit 300A, 300, and 301 info
- **Beginning in 2019** - submit info every year by March 2

## If you have 20-249 employees (certain high-risk industries):

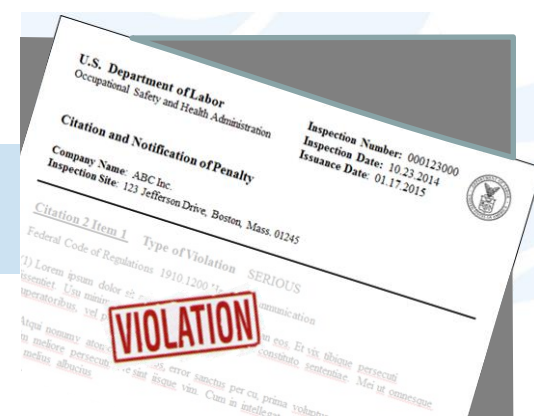
- **By July 1, 2017** - submit 300A info
- **By July 1, 2018** - submit 300A info
- **Beginning in 2019** – submit info every year by March 2

**Anti-retaliation provisions go into effect November 1, 2016**



# OSHA Penalties Went Up

- OSHA adjusted its civil monetary penalties to account for **inflation**
- First time OSHA's penalties were adjusted since **1990**
- New levels went into place **August 1**
- Increased penalties will help encourage employers to abate hazards before workers get hurt, and before OSHA inspects.



# Penalty Adjustments

<b>Level</b>	<b>Previous Maximum Penalty</b>	<b>Current Maximum Penalty</b>
<b>Serious</b>	\$7,000 per violation	<b>\$12,471 per violation</b>
<b>Other-Than-Serious</b>	\$7,000 per violation	<b>\$12,471 per violation</b>
<b>Willful or Repeated</b>	\$70,000 per violation	<b>\$124,709 per violation</b>
<b>Posting Requirements</b>	\$7,000 per violation	<b>\$12,471 per violation</b>
<b>Failure to Abate</b>	\$7,000 per day unabated beyond the abatement date [generally limited to 30 days maximum]	<b>\$12,471 per day unabated beyond the abatement date [generally limited to 30 days maximum]</b>

# Visit our improved homepage: [OSHA.gov](http://OSHA.gov)

The screenshot displays the OSHA.gov homepage with a red header. The header includes the United States Department of Labor logo, social media icons for Facebook, Twitter, YouTube, RSS, and Email, a search bar, and a navigation menu with links for 'A to Z Index', 'Contact Us', 'FAQs', and 'About OSHA'. Below the header, the text 'Occupational Safety & Health Administration' is centered. A secondary navigation menu lists: 'Worker Rights', 'Anti-Retaliation', 'Regulations', 'Small Business', 'Data & Statistics', 'Enforcement', 'Training', 'Publications', 'Hazards', and 'En Español'. The main content area features a large image of a worker in a high-visibility vest. To the left of this image is a section titled 'Filing a Complaint' with the subtext 'How to File a Complaint with OSHA'. To the right is a vertical list of links: 'Filing a Complaint', 'Recordkeeping Rule Updates', 'Protecting Temporary Workers', and 'OSHA QuickTakes Newsletter'. Below this is the 'IN FOCUS' section with a photo of two workers and the headline '4,405 workers died on the job in 2013'. The text below the photo reads: '8/21/14 NM: Worker electrocuted when aerial lift contacted power line.' Below this is a 'Fatality Reports' section with a quote: 'No one should have to sacrifice their life for their livelihood, because a nation built on the dignity of work must provide safe working conditions for its people.' — Secretary of Labor Thomas E. Perez. To the right is a 'HOW TO...' section with a list of links: 'File a complaint', 'Get a FREE OSHA poster', 'Report a fatality, in-patient hospitalization, amputation or loss of an eye', 'Get information on recordkeeping', 'Get help for small businesses', 'Get the latest industry/hazards alerts', 'Find out if OSHA has inspected a workplace', 'Find information on construction hazards', 'Get help for clinicians', and 'Learn about partnerships and cooperative programs'. At the bottom left is a 'NEWSLETTER' section with a blue button labeled 'OSHA QuickTakes'. The bottom right corner of the screenshot shows the OSHA logo.





# Multi-language Worker Outreach

**Seguridad con las pistolas de clavos**  
 Guía para los contratistas del sector de la construcción

**Protektahan ang Sarili: Mga Kemikal na Panlinis at Iyong Kalusugan**

Ang paggamit ng mga kemikal na panlinis ay maaring magdulot ng:

- Pag-ubô
- Paghuhimn
- Magsaila, Makatiting mga Mata
- Pamumuntlig ng Balat
- Magsunog ng Balat at Mata
- Pagkahapo
- Pananakit ng Lalamunan
- Mga Pananakit na Ulo o Pakikhalo
- Mga Balinguynguy
- Hika

**PROTEJA SU SALUD**  
 Reporte sus Lesiones y Enfermedades

- Todos los trabajadores tienen derecho a un lugar de trabajo seguro.
- Si un empleador tiene que decirle como reportar las señales y síntomas de lesiones y enfermedades, Usted debe poder reportar estas lesiones y enfermedades lo más pronto posible.
- Si Usted no sabe discriminado, castigado, despedido, bajado de puesto, transferido, o si ha sufrido cualquier represalia por reportar las señales o síntomas de una lesión o enfermedad, puede presentar una queja con OSHA a 1-800-321-6742. Estas quejas deben ser presentadas inmediatamente (en menos de 30 días).
- Usted tiene el derecho de pedir una inspección de OSHA si cree que hay condiciones peligrosas o inusuales en su lugar de trabajo. Su pedido será confidencial. Algun representante suyo—como un abogado o un miembro del síndico—puede comunicarse con OSHA a su nombre. Si Usted tiene preguntas, o necesita más información, puede llamar a OSHA a 1-800-321-6742. La llamada es confidencial. Estamos aquí para ayudarle.
- Para más información:

**Bezpieczeństwo i higiena pracy**  
**TAKIE JEST PRAWO!**

**Kailangan Mong Malaman**  
 haluin ang mga produktong panlinis na naglalaglag ng mapakawalan at maaring magdulot ng maikling pangatrabahuhan ay kailangang maipangalaga.

**Sống khỏe mạnh và an toàn khi làm nghề Nail**  
 Hướng dẫn cho nhân viên tiệm Nail

**OSHA DATOS RÁPIDOS**  
**Protegiendo a los trabajadores agrícolas de los peligros de tractores y cosechadoras**

Los accidentes de tractores son la causa principal de la muerte y lesión en las granjas. Los trabajadores agrícolas están en alto riesgo de vuelcos e incidentes de carretas.

Los empleadores y supervisores deben tomar pasos para asegurar un ambiente de trabajo seguro, proporcionando lo siguiente:

- Equipo bien mantenido y seguro
- Supervisión y adiestramiento adecuado
- Un plan de acción para emergencias (por ejemplo: cada vehículo debe tener un botiquín de primeros auxilios y un extintor de incendios)

**Para prevenir lesiones, adiestre a los trabajadores a:**

- Inspeccionar los vehículos agrícolas para guardias de seguridad, cinturones de seguridad y estructura de protección contra vuelcos (ROPS en inglés) antes de manejar.
- Asegurar que el emblema de vehículo de movimiento lento (Slow Moving Vehicle—SMV en inglés) está limpio, visible y no descolorada.
- Evitar viajar en la noche, durante mal tiempo o cuando la visibilidad está baja.
- Seguir las rutas de tráfico y los límites de velocidad, y evitar las carretas durante los tiempos de viaje ocupados.
- Usar la plataforma del tractor para entrar y salir.
- Ser consciente de líneas eléctricas aéreas: las personas, y terreno irregular, siempre solo cuando hay asientos adecuados con la seguridad.

Precauciones adicionales cuando manejando en pronunciadas y cuesta abajo: bajar el tractor antes de bajar.

Prácticas de trabajo seguras: los vehículos de agricultura, los vehículos de agricultura, los reflectores, o considere un teléfono de emergencia cercano a los trabajadores.

Para más información:

**OSHA**  
 www.osha.gov (800) 321-6742

**Những điều cần biết về OSHA**  
 Cơ Quan Bảo Vệ Sức Khỏe và An Toàn Lao Động  
 Bộ Lao Động Hoa Kỳ  
 www.osha.gov

OSHA 3026-06 2012 Vietnamese

**Pracodawcy zobowiązani są do:**

- Zapewnienia pracownikom miejsca pracy, które wolne jest od rozpoznanych zagrożeń. Nielegalnie są dotarłania odpowiedzialności skierowane przeciwko pracownikowi, który korzysta ze swoich praw, wliczając w to dzielenie się swoimi obawami dotyczącymi bezpieczeństwa lub zdrowia ze swoim pracodawcą lub przedstawicielem OSHA lub zgłoszenie urazu lub choroby spowodowanych pracą.
- Dostosowania się do wszystkich obowiązujących standardów OSHA.
- Zgłoszenia w OSHA wszystkich śmiertelnych wypadków związanych z pracą w ciągu 8 godzin oraz hospitalizacji, amputacji i utraty oka w ciągu 24 godzin od ich wystąpienia.
- Zapewnienia wszystkim pracownikom wymaganych szkoleń w języku i z użyciem słownictwa dla nich zrozumiałych.
- Wywieszenia tego plakatu w widocznym miejscu.
- Wywieszenia oficjalnych ostrzeżeń OSHA w miejscu domniemanego wykroczenia lub w jego pobliżu.

**DARMOWA POMOC** w rozpoznaniu i korekcie istniejących zagrożeń (bez wystawiania ostrzeżeń lub kar) jest dostępna dla małych i średnich pracodawców poprzez programy konsultacyjne OSHA w każdym stanie.

**OSHA**  
 Cơ Quan Bảo Vệ Sức Khỏe và An Toàn Lao Động  
 Bộ Lao Động Hoa Kỳ

**OSHA**  
 Administración de Seguridad y Salud Ocupacional  
 1-800-321-OSHA (6742)  
 www.osha.gov/espanol

**si trabajas a través de una agencia de empleo...**

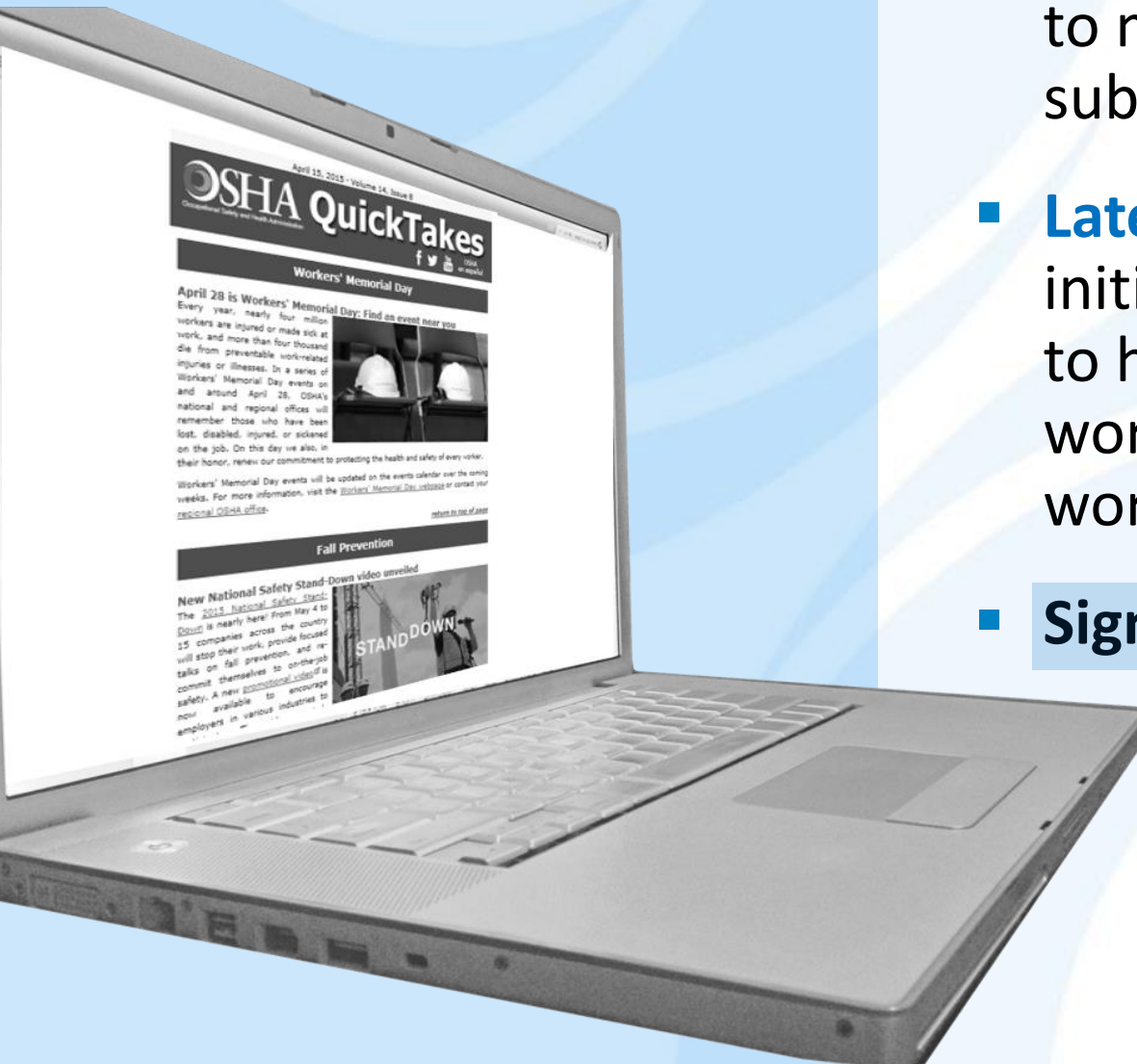
OSHA

**네일 살롱 작업자의 권리**

OSHA



# 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
- Sign up at [www.osha.gov](http://www.osha.gov)







# OSHA's on Twitter @OSHA\_DOL

**OSHA**  
@OSHA\_DOL  
Helping employers protect worker safety and health since 1971. The Occupational Safety and Health Administration is an agency of @USDOL.

TWEETS 2 FOLLOWING 69 FOLLOWERS 303

Tweets Tweets & replies Media

OSHA\_DOL @OSHA\_DOL · 19h  
**ALL workers in the U.S. have the right to a safe and healthy workplace!**  
**#LaborRightsWeek**

New to Twitter?  
Sign up now to get your own personalized timeline!  
[Sign up](#)

Learn about:

- Coming events
- Resources
- Regulations



# OSHA Consultation Programs

## ➤ Consultation Programs

### ➤ New York: NYS Department of Labor/OSHA

➤ Syracuse, (315-479-3350), Keith Gillette,  
[Gillette.Keith@dol.gov](mailto:Gillette.Keith@dol.gov)

➤ Buffalo, (716-847-7166), Greg Conrad,  
[Conrad.Greg@dol.gov](mailto:Conrad.Greg@dol.gov)

➤ Albany, (518-457-2810), Bob Francis,  
[Francis.Bob@dol.gov](mailto:Francis.Bob@dol.gov)

➤ [www.labor.state.ny.us/workerprotection/safetyhealth/DOSH\\_ONSITE\\_Consultation.shtm](http://www.labor.state.ny.us/workerprotection/safetyhealth/DOSH_ONSITE_Consultation.shtm)



**Working Together, We Can Help**

**[www.osha.gov](http://www.osha.gov)**

**800-321-OSHA (6742)**

