

# KNOW YOUR OSHA RIGHTS!

Are you worried about your health and safety at work?

Did you know there are laws that protect you from workplace dangers?

Read this fact sheet to learn more!



## What is OSHA?

The Occupational Safety and Health Administration (OSHA) is a federal (national) government agency. It is part of the United States Department of Labor. OSHA makes and enforces health and safety rules that employers must follow. These are called "standards" and cover many workplace hazards, from chemicals to electricity to noise.

OSHA takes complaints from workers and unions, and they can inspect the workplace. They can order the employer to correct unsafe conditions and sometimes give fines.

Federal OSHA covers most workers who work for private companies. It also covers people who work for federal (national) government agencies. It does not cover state and local government employees.

About 25 states have their own state OSHA programs which **do** cover state and local government workers. These programs are the same as the federal OSHA program.

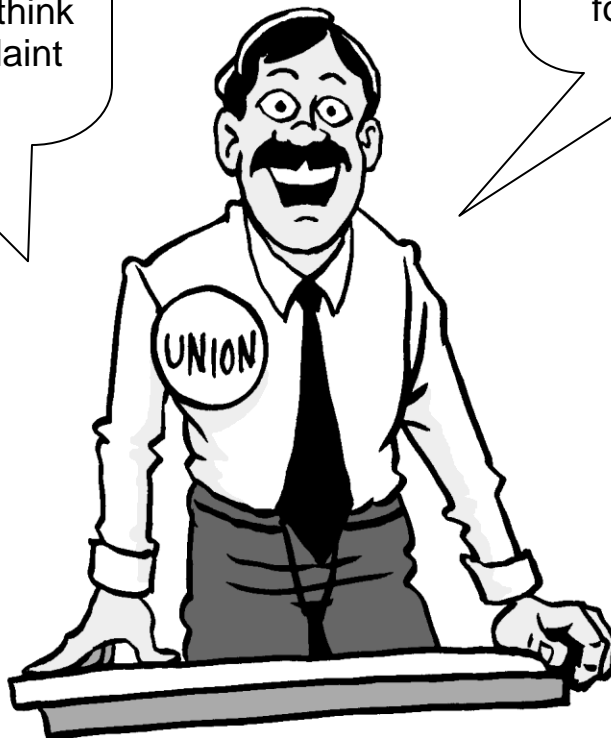
**To learn if you are covered by OSHA (federal or state), call OSHA at (800) 321-6742.**

## What health and safety information does OSHA say my employer has to give me?

- **Hazard Communication Standard** or **HAZCOM** (Standard 1910.1200) says employers must give you information and training about the hazardous chemicals at your workplace.
- **Recordkeeping Rule** (Standard 1904) requires most employers to keep a record of injuries or illnesses at the workplace. These are reported on a form called the **OSHA 300 Log**. The employer must give you a copy of this.
- **Access to Employee Exposure and Medical Records Standard** (Standard 1910.1020) gives you the right to see the results of any testing that has been done at your workplace. It also gives you the right to get a copy of your own medical records from the employer.

If your employer does not give you the information by the time the law says they have to, then you should think about filing a complaint with OSHA.

Make sure you keep track of **what** you asked for and **when** you asked for it in writing.



## What is the best thing to do if I face a serious health or safety hazard on the job?

- First, talk with co-workers who are going through the same thing, so that you can act as a group.
- Then, talk to your employer.
- If your employer does not do anything about the problem, **call OSHA at (800) 321-6742**. Tell them where you are working, the kind of danger you have experienced, and your name and telephone number. OSHA will keep your name a secret if you ask them to.
- If you have a union, your union can file a complaint with OSHA.
- If you do not have a union, you or a group of workers can file a complaint with OSHA.

It is very important for you to write down all of the communication between you and your employer about health and safety issues.

Then, if you do call OSHA, you can prove that your employer knew about the problem.



## What are my rights during an OSHA inspection?



When OSHA comes to inspect a workplace, you have the right to:

- Have a worker representative go with the OSHA inspector to point out possible hazards that the inspector might not notice.
- Ask and answer questions during the inspection.
- Ask for a private meeting with the inspector. (The OSHA inspector is supposed to talk privately with several workers during the inspection.)

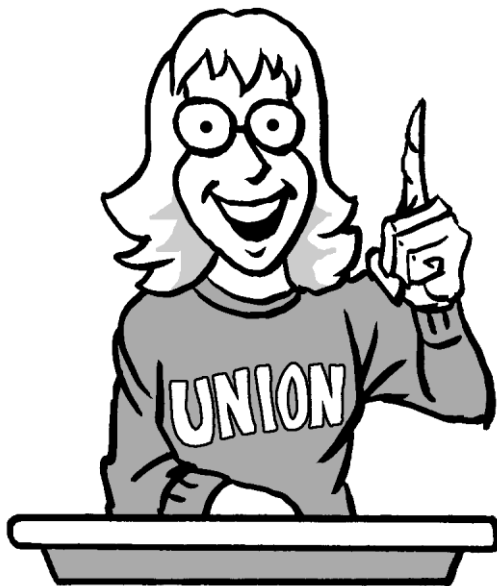
After the OSHA inspection, you have the right to:



- Be told about all notices (citations) that OSHA gives to your employer.
- Challenge the amount of time your employer is given to correct the problem.

## Can I refuse to do work that puts me in serious danger?

OSHA law says that you can refuse to do work that you believe might kill you or seriously injure you. In order to be protected by this law you need to make sure that the following conditions are true:



- You have strong reason to believe that you are in imminent (immediate) danger of injury or death,
- You first ask your employer or supervisor to get rid of the danger,
- You have no other reasonable way to act other than refusing to do the work, and
- The danger is so great that you cannot risk waiting for an OSHA inspection.

**If all of these conditions are met, and you still are punished by your employer for refusing to do the work, then you can file a complaint with OSHA.**

## Can I be discriminated against if I use my health and safety rights?

You have a right to demand a safe workplace, without being punished for it. One part of the OSHA law, Section 11(c), says that your employer **cannot punish you in any way** for:

- Reporting an injury or illness,
- Complaining to your employer, your union, OSHA or any other agency about health and safety problems at work,
- Filing a health and safety grievance (formal complaint),
- Participating in safety and health committees, or
- Participating in OSHA inspections and other OSHA-related activities.

If you think that your employer has discriminated against you in any way because of anything that you have said or done about a health and safety issue, then you should file a complaint with OSHA within 30 days.

If you are part of a union, then your union representative can help you file the complaint.



## Is my workplace safe if it follows the OSHA law?

- Even though OSHA helps to protect the health and safety of workers in their jobs, the law does not help with all health and safety problems.
- So even if the employer does everything OSHA says they must do, workers can still get sick and injured.



## Who can you call for help if you have questions about health and safety at work?

- Call your union.
- Call your local COSH Group (Committee on Occupational Safety and Health): send an email to the National Council for Occupational Safety and Health at [coshnatl@gmail.com](mailto:coshnatl@gmail.com) and tell them where you live and ask them for the COSH group nearest to you.
- Call OSHA (Occupational Safety and Health Administration) at 800-321-6742.

**These are the KEY points:**

OSHA makes and enforces health and safety rules that employers must follow.

If your employer does not fix a health or safety problem at work, you have the right to file an OSHA complaint.

You have a right to demand a safe workplace, without being punished for it.





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