



MARICOPA
COMMUNITY
COLLEGES®

OSHA Compliance Issues

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What Are We Going to Discuss?



- History of OSHA
- What is OSHA's purpose?
- What are the responsibilities of the employer?
- Recordkeeping and Signs
- Inspections
- Violations, Penalties & Contest of Citations
- Consultation Services
- What standards apply to MCCCCD?
- Resources

History of OSHA



1935-1960: 400,000 American workers killed by work-related accidents; 50 million suffered disabling injuries on the job.

1960s: Disabling injuries increased 20% during the decade; 14,000 workers dying each year.

Occupational Safety & Health Act: Signed by President Richard Nixon on December 29, 1970.

Arizona Department of Safety & Health (ADOSH): Created in 1972 per ARS23-410.

History of OSHA



Act Established 3 Permanent Agencies

- **Occupational Safety & Health Administration (OSHA)**: Sets and enforces workplace and health standards.
- **National Institute for Occupational Safety & Health (NIOSH)**: Conducts research on occupational safety and health.
- **Occupational Safety & Health Review (OSHRC)**: Adjudicates enforcement actions challenged by employers.

What is OSHA's Purpose?



OSHA's Authority

- Issue safety and health standards.
- Conduct inspections and investigations, issue citations and impose penalties.
- Require employers to keep records pertinent to safety and health.
- Petition courts to restrain imminent danger situations.
- Approve or reject state programs.

Responsibilities of the Employer



- Provide a safe place of employment (the “general duty clause”)
- Comply with OSHA standards.
- Keep records.
- Key to safety is the line supervisor, but motivation from top management is essential.

Recordkeeping & Signs



- Records must be kept if you have >11 employees.
- Must be established at each “single physical location where business is conducted or where services are performed”. If kept centrally, they must be readily available.

Recordkeeping & Signs



Records must be kept on all occupational injuries that result in:

- Death
- Loss of consciousness
- Restriction of work or motion
- Transfer to another job
- Medical treatment other than first aid

Recordkeeping & Signs



Required Documentation

- Accident prevention program
- Training
- Inspections
- Posting signs
- Personal protective equipment
- Supervisor safety activities
- Safety committees

Recordkeeping & Signs



Signs

- Required OSHA safety posters.
- Annual summary of occupational injuries & illnesses (OSHA 300).
- Copies of OSHA citations for violations must be posted near where the violation exists. Must be posted a minimum of 3 days or until the violation is corrected, whichever is longer.

Inspections



- OSHA officers may inspect without advance notice.
- Employee representation is not required, but is advisable. Accompany officer & take notes.
- Employer has right to see officer's credentials.
- OSHA officer must hold an opening conference & explain purpose of visit.
- Employers are entitled to closing conference.

Violations, Penalties & Contest of Citation

- **Imminent Danger:** Eliminate hazard immediately; remove employees from area or officer will apply to court for legal action.
- **Serious:** Serious physical harm where employer should have known of the hazard. Penalties are assessed.
- **Other-Than-Serious:** Didn't know of & would cause less serious harm. May/may not carry penalties.
- **Willful and repeated Violations:** Aware that a hazardous condition existed & did nothing about it.
- **De minimus (minor):** Don't affect safety or health.

Violations, Penalties & Contest of Citation



- Penalties can be reduced if good faith effort and cooperation are shown.
- Citations must be posted where the alleged violation took place.
- A “Notice of Contest” must be filed within 15 working days after you receive the citation posting requirements or else you are barred from contesting.
- Informal conference must be filed within same 15 days.
- Can present case before an ALJ, if you do not agree with the outcome of the informal conference.

Consultation Services



- ADOSH provides free consultative assistance regarding compliance (Request for Consultation)
- Free training programs (Request for Training form)
- Film library is available
- Voluntary Protection Program (VPP): Designed to encourage employers/employees to reduce hazards & to institute new and perfect existing safety programs.

What Standards Apply to MCCCCD?

(Not all inclusive)

29 CFR 1910

- ✓ .38 Emergency Plans & Fire Prevention
- ✓ .25-28 Ladder & Scaffold Safety
- ✓ .165 Employee Alarm Systems
- ✓ .119 Process Safety Management
- ✓ .331 Electrical
- ✓ .1001 Asbestos
- ✓ .1030 Bloodborne Pathogens
- ✓ .146 Confined Space Entry
- ✓ .147 Control of Hazardous Energy
(Lockout/Tagout)

What Standards Apply to MCCCCD?

(Not all inclusive)

CFR 1910

- ✓ .1200 Hazard Communications
- ✓ .120 Hazardous Materials
- ✓ .1025 Lead
- ✓ .1450 Occupational Exposures in Laboratories
- ✓ .95 Occupational Noise Exposure
- ✓ .132 Personal Protective Equipment
- ✓ .157 Portable Fire Extinguishers

Resources



ADOSH

www.ica.state.az.us/ADOSH/oshatop.htm

OSHA

www.osha.gov

Commerce Clearing House

1-800-TELL-CCH

National Safety Council (AZ Chapter):

www.acnsc.org