



WHITEPAPER



WORKPLACE SAFETY:

BE INFORMED – BE PROACTIVE – BE COMPLIANT



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The Occupational Safety and Health Administration (OSHA), as part of the United States Department of Labor, was created specifically to ensure the safety and health of workers. They establish and enforce standards, as well as provide training, education, and outreach for employers and employees to facilitate worker protection.

OSHA covers most private sector employers and workers in all fifty states, the District of Columbia, and other U.S. jurisdictions either directly through Federal OSHA or through an OSHA-approved state program. It's important to note that state-run safety and health programs must be at least as effective as the federal program, and in some cases are more stringent. Self-employed workers and workforces with specific hazards, such as the Department of Transportation, Mine Safety and Health Administration, or the Coast Guard, are not covered by the OSH Act but are regulated by other federal agencies.

NOTE: State-run safety and health programs must be at least as effective as the federal OSHA program but can be more stringent.

With so many regulations that govern workplace health and safety, employers need to stay abreast of requirements that apply to their employees and operations. By staying informed of regulatory changes and being proactive with implementing best practices, employers can ensure they're protecting their employees to the utmost of their ability.



OSHA-APPROVED STATE PLANS

Alaska	Maine	North Carolina
Arizona	Maryland	Oregon
Connecticut	Massachusetts	South Carolina
California	Michigan	Tennessee
Hawaii	Minnesota	Utah
Illinois	Nevada	Vermont
Indiana	New Jersey	Virginia
Iowa	New Mexico	Washington
Kentucky	New York	Wyoming

FEDERAL OSHA COVERAGE

All 50 U.S. states

District of Columbia

Puerto Rico

Virgin Islands

American Samoa

Guam

Northern Mariana Islands

Wake Island

Johnston Island



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AN INTENTIONAL FOCUS ON SAFETY AND HEALTH REGULATIONS

OSHA standards outline requirements employers must follow to protect their employees from hazards the agency deems are of significant risk or where they feel employers can take feasible measures to protect workers. Examples include requirements for:

- ▶ Fall protection,
- ▶ Excavation/trenching,
- ▶ Exposure to harmful substances,
- ▶ Confined space activities,
- ▶ Electrical work, and
- ▶ Machine guarding.

Employers also must comply with the General Duty Clause of the Occupational Safety and Health Act of 1970, or the “OSH Act.” This clause requires employers to protect workers from recognized hazards in the workplace.

A RECOGNIZED HAZARD is one in which the employer knew or should have known about the hazard in the situation, the hazard is obvious, the hazard could have been anticipated, or is a recognized hazard within the industry.

HAZARD IDENTIFICATION

A critical element of any safety program starts with hazard identification. An effective process for identifying, assessing, and remediating workplace hazards is to have employers and employees work together to:

- ▶ **GATHER, ORGANIZE, AND REVIEW INFORMATION** with workers to determine what types of hazards may be present and which workers may be exposed or potentially exposed.



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BROWSE BY TOPIC

- ▶ **COMMIT TIME TO REGULARLY INSPECT** the workplace for hazards that are introduced over time as facilities, processes, or equipment change.
- ▶ **MONITOR FACILITIES AND WORK PROCESSES REGULARLY** to identify health exposures such as chemical (solvents, dust, etc.), physical (noise, heat, etc.), biological (infectious diseases, pests, etc.), and ergonomic hazards.
- ▶ **CONDUCT INVESTIGATIONS** not just on incidents, but on near misses as well to gain insight on clear and present dangers that are likely to cause harm.
- ▶ **IDENTIFY HAZARDS ASSOCIATED WITH EMERGENCIES, SHUTDOWNS, AND NONROUTINE OR INFREQUENT OPERATIONS.**
- ▶ **EVALUATE HAZARDS, PRIORITIZE HIGHEST RISKS, AND IMPLEMENT CONTROLS** to protect workers.

OSHA INSPECTIONS

Inspections are a common way in which OSHA monitors worker safety. They can be scheduled, a follow-up to a previous inspection, or may have a site-specific focus such as previous incidents or citations. OSHA may visit a facility because of another agency referral or even the result of an employee, facility neighbor, or citizen complaint. Plain-view inspections, mostly for construction, are also common; OSHA enforcement officers see work activity in progress, have a concern, and decide to stop for an impromptu visit.

EXAMPLES OF SAFETY EMPHASIS PROGRAMS INCLUDE:

- ✓ Process Safety Management
- ✓ Hazardous Machinery
- ✓ Construction
- ✓ Work Zone Safety and Health
- ✓ Hexavalent Chromium
- ✓ Lead Exposure
- ✓ Heat Illness
- ✓ Combustible Dust
- ✓ High Noise in Manufacturing
- ✓ Cranes in Construction
- ✓ Warehouse Operations

OSHA focuses on the following scenarios:

- ▶ Imminent danger
- ▶ Catastrophes – fatalities or hospitalizations
- ▶ Worker complaints or referrals
- ▶ Programmed, targeted, and follow-up inspections

IMMINENT DANGER means any conditions or practices in a place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through the procedures set forth in 29 CFR 1908.6.

Perhaps the most proactive inspections OSHA conducts are those that stem from national, regional, or local emphasis programs. Currently, there are 13 active national emphasis programs, 140 regional programs, and many local emphasis programs within each state region.

OSHA CITATIONS

OSHA issues citations when workers are placed at risk of injury, illness, or possible death. Citations and proposed penalties are issued within six months of the violation's occurrence and may or may not include fines that start at \$14,502 per violation. Citations describe OSHA requirements allegedly violated, list any proposed penalties, and give a deadline for correcting the alleged hazards. They are key performance indicators that point to something that needs attention.



These most-cited standards result in far too many preventable worker deaths each year and should be primary focus areas:

1. Fall protection – general requirements
2. Hazard communication
3. Respiratory protection
4. Ladder use, especially in construction
5. Scaffolding
6. Control of hazardous energy (lockout/tagout)
7. Powered Industrial Trucks (PIVs/forklifts)
8. Fall protection – training requirements
9. Personal protective and lifesaving equipment – eye and face protection
10. Machinery and machine guarding

Employers benefit greatly from monitoring inspection findings and citations and using them to develop, implement, and enforce safety and health programs as a means of preventing citations at their own facilities. Information gleaned undoubtedly gives way to improved hazard assessments, investigation and auditing practices, processes and procedures, recordkeeping, and training.

Federal and state regulations are not only about worker safety, however. OSHA recognizes that workplace injuries and illness impose a significant burden not just on individual companies, but also to interstate commerce in terms of production, lost wages, and medical expenses. Understanding the bigger health and safety picture and staying abreast of news and current trends aids employers in more ways than one.



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DON'T MISS TOP STORIES

NOTE: OSHA estimates that employers pay almost \$1 billion per week for direct workers' compensation costs alone due to workplace injuries and illnesses.

UTILIZING TOOLS AND RESOURCES

Inspections, referrals, and impromptu site visits can make even the most prepared companies feel unsettled. However, multiple tools and resources are available to employers to help improve regulatory understanding and compliance.

Seeking out tools and resources then using them to address site-specific health and safety matters are engaging activities with many benefits. They optimize efforts by providing insight, and streamlining materials, data, and documentation.

Tools and resources include, but may not be limited to:

- ▶ Sample written health and safety programs
- ▶ Sample templates (inspection and audit forms, checklists, etc.)
- ▶ Hazard and risk assessment templates (job safety assessments, job hazard analysis, etc.)
- ▶ Software providing organization and tracking/reporting of documentation (training records and data, incident reporting, investigations, inspections, audits, policies and procedures, etc.)

Staying well-informed of and utilizing resources provides employers with the potential for important and unexpected breakthroughs in one or more areas of health and safety no matter the industry.



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SAFETY TRAINING, COMMUNICATION, AND CULTURE

OSHA strongly supports health and safety training programs as a way to substantially reduce the number and severity of workplace incidents. As such, more than 100 OSHA regulatory standards contain requirements for training.

Safety training should begin with a needs assessment, or safety training matrix, that identifies applicable training for specific job tasks and/or job roles. Training should be designed to provide workers with necessary skills and knowledge to perform their duties in a manner that is safe for them and their coworkers.

Workers need to:

- ▶ Understand work environments, processes, procedures, and expectations
- ▶ Recognize, avoid, and prevent unsafe or unhealthful working conditions
- ▶ Acknowledge effective means of preventing occupational injuries and illnesses
- ▶ Comprehend the reasons behind regulatory requirements and law
- ▶ Realize the benefits of a safe and healthy workplace

Employers should ensure training is practical, up-to-date, credible, and clear so employees understand how to comply with regulations and company policies.

More than 100 OSHA regulatory standards contain requirements for training.

COMMON ADULT LEARNING STYLES:



VISUAL/SPATIAL:

rely on images and graphics with fewer words.



AUDITORY:

learn best by hearing information presented.



LINGUISTIC:

lean toward language and reading to process information.



LOGICAL:

prefer to break material down into processes or steps to retain information.



KINESTHETIC:

process information best by performing, doing, or experiencing activities.

CONDUCTING EFFECTIVE TRAINING

When developing and presenting safety and health training, employers should consider the needs of their workers. Not everyone receives and absorbs information the same. Adults learn very quickly, but some individuals may prefer reading material, while others learn best by being shown a procedure or with hands-on activities. Employers should consider life experience that workers bring to the job and capitalize on those experiences to advance their training program. Workers tend to retain information when it is repeated and reinforced, so keeping health and safety in the forefront is also a key to safety training success.

Training materials help support shared information and work best when they are participatory and centered around the actual tasks and activities that workers perform. Consider participatory training methods such as:

- ▶ Ice breakers,
- ▶ Role playing,
- ▶ Small group exercises,
- ▶ Hazard identification visuals, and
- ▶ Hands-on activities.

Handouts, pocket guides, charts, and workplace props also enhance training and keep workers engaged.

Training should be reviewed regularly to ensure consistency with company policies, procedures, and regulatory requirements. An effective training program will include, in addition to the aforementioned needs assessment, learning objectives and course evaluations to help guide and improve safety and health effectiveness.

In addition to training, it's important to establish a regular and open line of communication with workers regarding workplace health and safety. Being transparent with information of root causes of incidents, details of near misses, or changes in the workplace or safety programs demonstrates to workers that the company is serious about their safety.



WANT EXPERT GUIDANCE FOR YOUR WORKPLACE SAFETY PROGRAM?

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ASK OUR EXPERTS

NOTE: OSHA fined a wood furniture manufacturer in Ohio \$60,000 for failing to train employees in safe work practices and to require them to wear proper safety equipment when working on electrical panels.

Workplace health and safety training, coupled with open communication, has many benefits:

- ▶ A reduction in injuries, illnesses, and fatalities
- ▶ A reduction in absenteeism and/or sick leave
- ▶ An increase in productivity and quality
- ▶ A reduction of workers' compensation, disability, and medical costs
- ▶ A reduction in insurance premiums
- ▶ Improved employee morale and participation with health and safety initiatives
- ▶ Fewer OSHA inspections or visits
- ▶ An improved company reputation

Lastly, and perhaps the most long-lasting benefit produced by successful training and straightforward communication, is a much-improved safety culture. Positivity and effectiveness breed more positivity and effectiveness. When workers feel safe and valued, they are more apt to actively participate in initiatives and training, thus keeping the upward health and safety spiral in motion. Safe workplaces exist due to the conscious decision of employers and employees to prioritize safety.

NOTE: OSHA defines culture as one in which there is safety synergy of a "combination of an organization's attitudes, behaviors, beliefs, values, ways of doing things, and other shared characteristics of a group of people."



THE “E” OF EH&S

Environmental is the “e” of EH&S, and for many companies responsibility for adherence to environmental regulations also falls to health and safety professionals. Environmental safety is also defined by regulatory policies and best practices to ensure that workplaces are free from environmental hazards to which workers may be exposed.

Environmental considerations encompass potentially hazardous materials or agents that place workers at risk for illness. Because facilities, equipment, and processes are not partial, hazards cross regulatory boundaries, which is why environmental safety is often neatly packaged as “EH&S.” However, this can be a challenge for health and safety professionals who lack in-depth knowledge of environmental regulations outside of environmental controls as they relate directly to safety.

As with health and safety, environmental safety starts with a hazard identification and assessment to better understand risks for routine, non-routine, and potential emergency scenarios. Once risks and hazards are identified, appropriate controls can be determined and implemented. Environmental safety centers around three types of environmental hazards:

- ▶ **BIOLOGICAL HAZARDS** from organisms (people, plants, animals, mold, sewage, viruses, etc.)
- ▶ **CHEMICAL HAZARDS** that can be toxic, flammable, corrosive, or combustible or cause acute physical harm
- ▶ **PHYSICAL HAZARDS** that pose health risks (temperatures, air quality, noise, radiation, etc.)

Environmental controls include engineering (substitution or elimination) and administrative controls (work practices or operating procedures) to minimize exposure to these hazards which may attack by way of inhalation, skin and eye contact, ingestion, or injection. Other controls include the use of personal protective equipment (PPE) and the use of provisional and instructional safety signs, color-coded pipe markers, and tags.



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Employer support and employee participation are as vital to environmental safety as they are to health and safety. Roles, responsibilities, policies, and procedures should be defined by executive management and supported by front-line management. This includes the allocation of appropriate financial and personnel resources to implement EH&S programs. Employees must be encouraged and recognized for reporting risks and hazards, monitoring workplace safety, and setting personal safety goals and objectives. Training must be available and effective with communications pushed out to all levels of the organization to ensure a consistent safety message and drive toward a common goal.

An environmental safety program is no different than health and safety in that it is only as good as it is written and implemented. It must be periodically evaluated for effectiveness and updated based on company and industry regulatory changes and best practices.

CONCLUSION

Federal and state regulations are laser-focused on ensuring safe and healthful working conditions for workers. Regulators establish and enforce standards that must be met by employers.

Employers are expected to:

- ▶ Follow all relevant safety and health standards,
- ▶ Identify and correct safety and health hazards,
- ▶ Inform employees of workplace hazards and controls,
- ▶ Notify OSHA of serious workplace injuries, illnesses, and fatalities,
- ▶ Maintain accurate records, and
- ▶ Respect workers who use their rights under the law.

Ultimately, the benefits of maintaining a strong health and safety program far outweigh the cost and effort. Health and safety should never be an after-thought resulting from a citation, but rather an ethical step to a productive future for every company.

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Cindy Pauley shines as an Editor and key player on the Environmental, Health & Safety (EHS) Publishing Team. With more than a decade of solid experience in safety program development across industries including oil and gas, chemical, manufacturing, construction, and agriculture, she crafts user-friendly content and offers crucial regulatory insights to J.J. Keller & Associates' valued customers and partners.

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Cindy's professional credentials include Certified Occupational Safety Specialist (COSS) and Certified Occupational Hearing Conservationist (COHC). She holds a distinguished academic record, possessing a Master of Arts (MA) and Bachelor of Applied Arts (BAA) from Central Michigan University.

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