A Look at Occupational Safety & Health in 2018

USDOL/OSHA

Ronald Williams – Compliance Assistance Specialist

New Administration

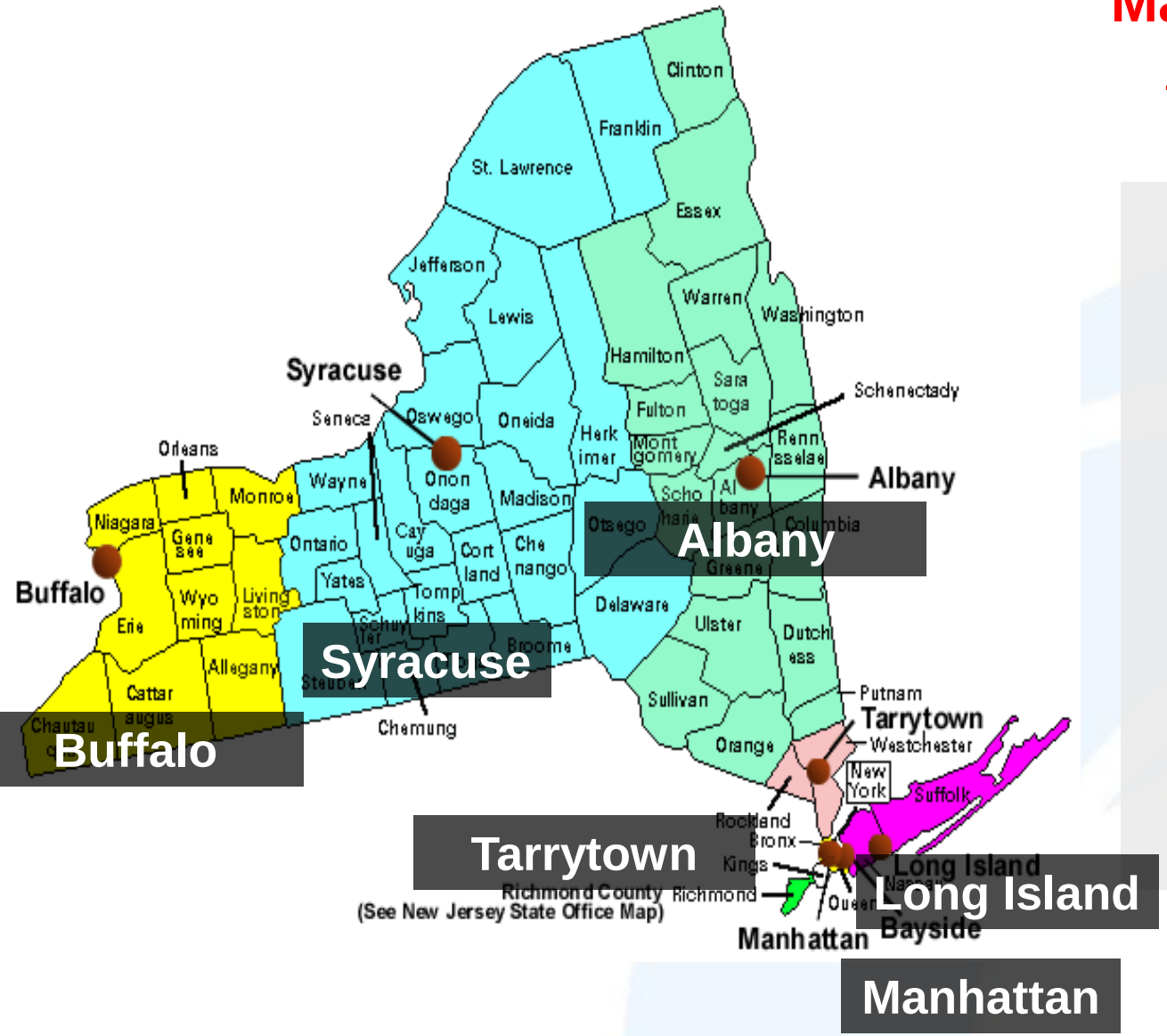
Alexander Acosta
Secretary of Labor

?

(Scott Mugno, FedEx???)

Assistant Secretary
of Labor for OSHA

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

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OSHA's Continuing Mission

- A total of 5,190 Americans workers died from occupational injuries in 2016.
- Perhaps as many as 50,000 workers die from illnesses in which workplace exposures were a contributing factor.
- Millions of workers suffer a serious nonfatal injury or illness annually.

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Employer Responsibility

- **OSH Law**: Workplace safety and health is the responsibility of **employers**
- **Cornerstone**: **Prevention**
- **Set the tone**: Make safety and health a workplace **priority**
- **Right incentives**: Reward workers for showing initiative, **raising safety concerns**, and participating in prevention efforts

osha.gov/employers

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Chart 1. Number of fatal work injuries by employee status, 2003–16

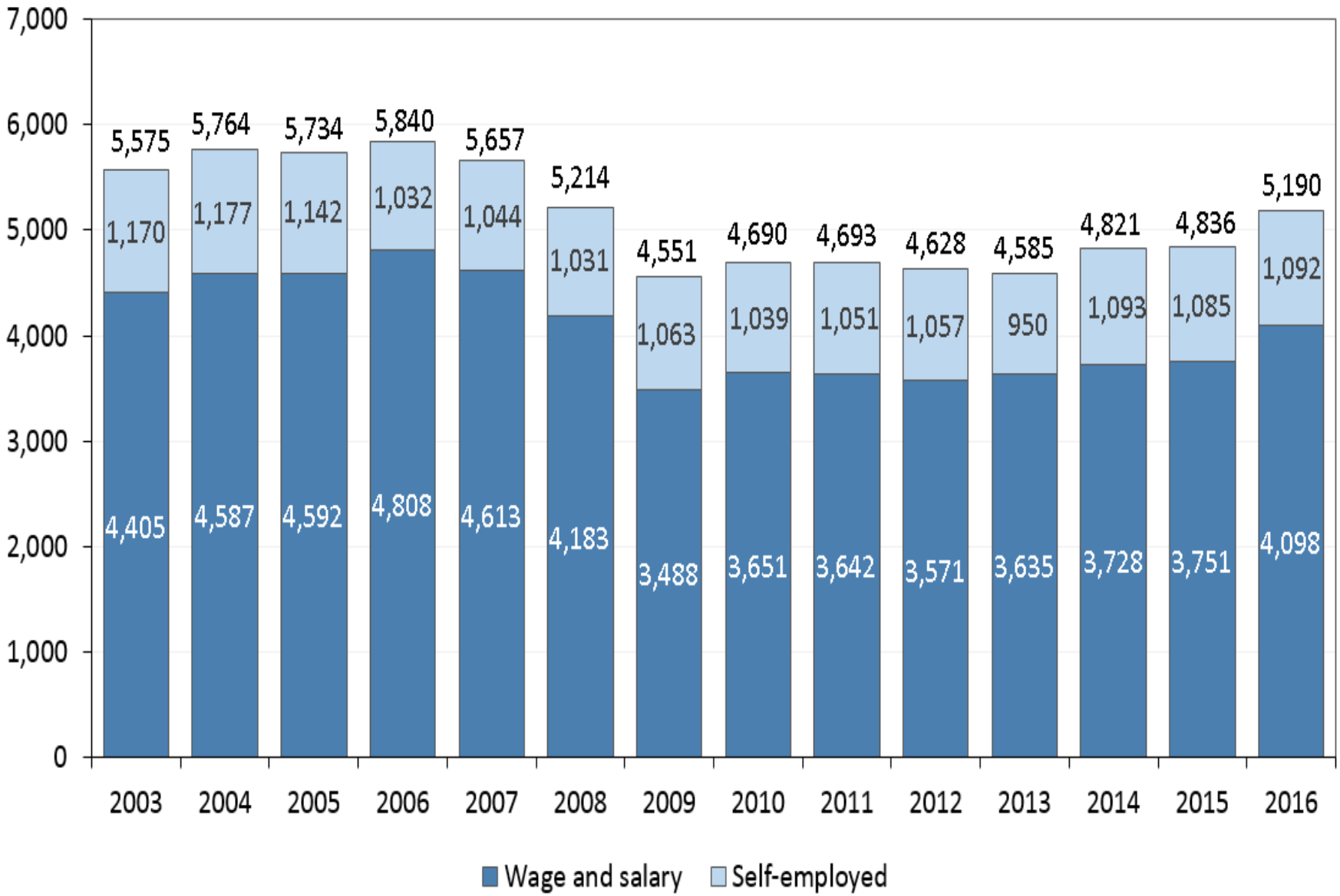


Chart 2. Fatal occupational injuries by major event, 2015-16

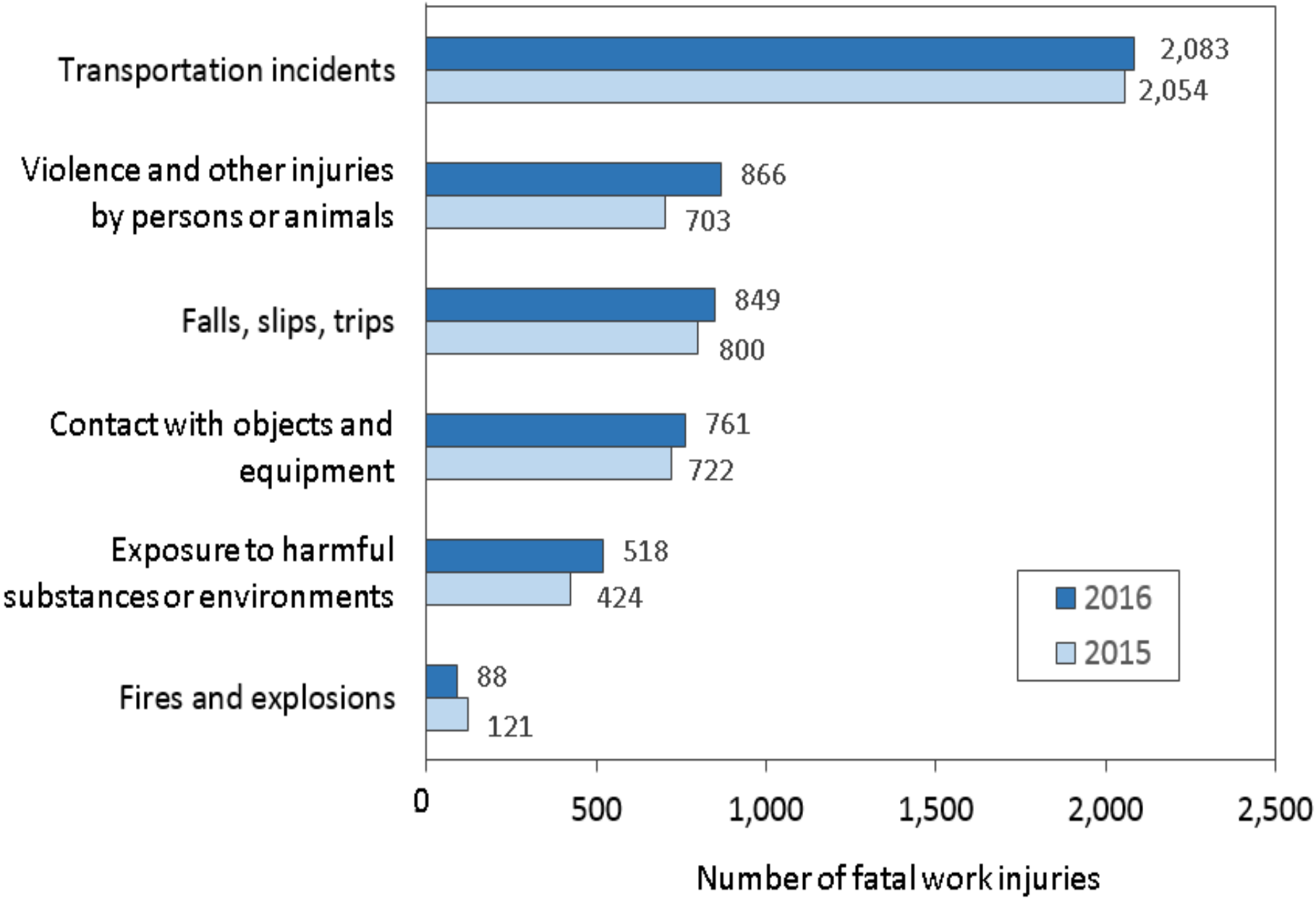
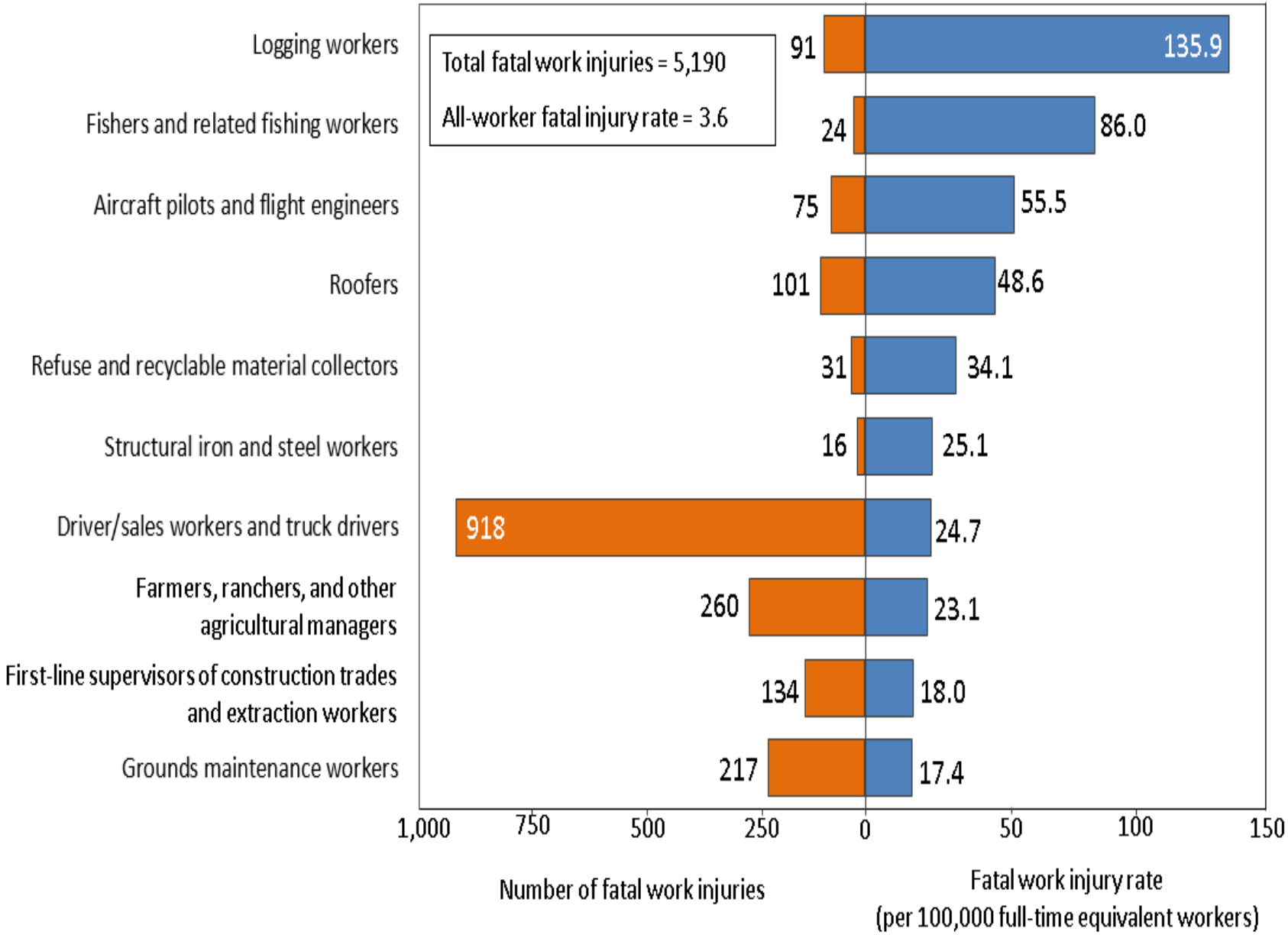


Chart 3. Civilian occupations with high fatal work injury rates, 2016



Fatal Incidents

https://www.osha.gov/dep/fatcat/dep_fatcat.html

Worker Fatalities Reported t...

UNITED STATES
DEPARTMENT OF LABOR

Find it in OSHA

A TO Z INDEX

Occupational Safety and Health Administration

English | Spanish

ABOUT OSHA | WORKERS | EMPLOYERS | REGULATIONS | ENFORCEMENT | TOPICS | NEWS & PUBLICATIONS | DATA | TRAINING

Fatality Inspection Data

Work-related fatalities for cases cited by Federal OSHA

Photo credit: U.S. Department of Labor

This page provides data on work-related fatalities for cases in which the employer was issued a citation by Federal OSHA where at least one violation was related to the fatality. These incident summaries include only cases in which citations and penalties were issued for fatalities that occurred on or after January 1, 2017. OSHA investigates all work-related fatalities in all covered workplaces. OSHA has up to six months to complete an investigation and determine whether citations will be issued. Employers must report worker fatalities to OSHA within eight hours.

Related pages

- Data & Statistics
- Workers' Memorial Day
- Fatal Facts

CY 2017

FAT/CAT Report (FY 2017)

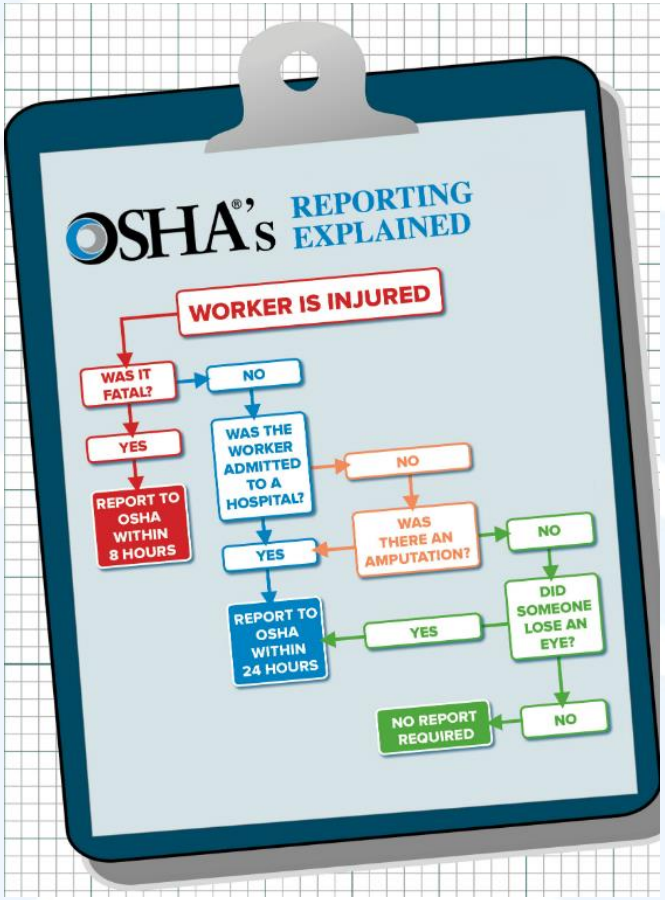
- 05/13/17, Estenson Logistics, Newport, NY, an employee was struck by a bundle of fence piping being unloaded off a tractor trailer with a fork lift.
- 06/06/17, Diman & Bacorn, Inc., Elmira, NY, an employee was crushed while working under a semi truck.
- 06/13/17, Weitsman Recycling LLC., Owego, NY, an employee was struck by a front end loader moving an SUV.
- 09/27/17, Riccelli Enterprises, Inc., Owego, NY, an employee was struck by a raised tractor dump trailer that tipped over.

FAT/CAT Report (FY 2018)

- 10/25/17, Pro Fleet Transport Corp., an employee fell while unloading light posts off a flat bed truck.
- 11/19/17, Marks Dairy Farms, Lowville, NY, an employee was crushed inside an manure separator.

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**.



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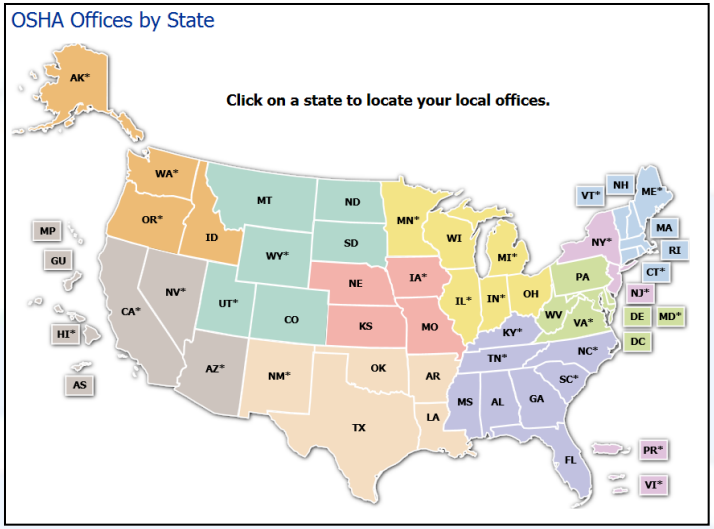
How can employers report to OSHA?

- 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
  - 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



How Does OSHA Decide Who to Inspect?

OSHA cannot inspect all workplaces it covers each year. The agency seeks to focus its inspection resources on the most hazardous workplaces.

Active National & Special Emphasis Programs

- Combustible dust
- Federal agencies
- Hazardous machinery
- Hexavalent chromium
- Lead
- Silica
- Primary metal industries
- Process safety management
- Shipbreaking
- Trenching & Excavation

FY2018 Syracuse Local Emphasis Programs

- Fall Hazards in Construction
- Heavy Highway and Bridge Construction and Maintenance
- Warehousing and Refuse Handlers and Haulers
- Construction Worksites – Local Targeting
- Health High Hazard Top 50
- Dairy Farm Operations
- Gut Rehabilitation and Demolition
- Federal Agencies

Enforcement Stats (FY 2017 – SYAO)

- 419 inspections conducted
  - 317 safety (76%)
  - 102 health (24%)
  - 219 programmed
  - 200 unprogrammed
    - 4 fatal incidents
  - 163 construction (39%)
  - 256 general industry (61%)

- 865 citations issued
  - Over 81% willful, repeat and serious
- $4.1M in penalties issued
- Avg. per willful violation = $46,651
- Avg. per repeat violation = $10,925
- Avg. per serious violation = $3,541

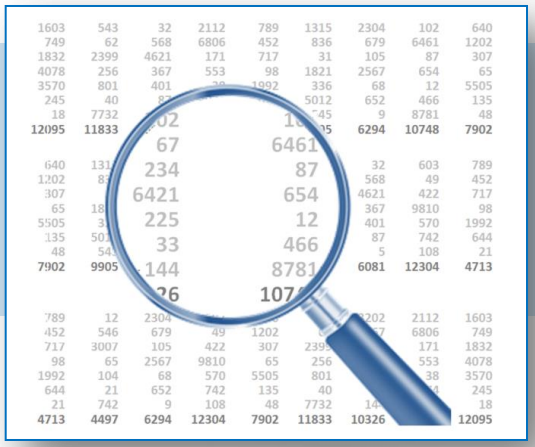
Significant Cases issued in FY 17

- Carthage Specialty Paperboard, Inc., Carthage, NY - $363,783 – numerous serious violations
- Pin Quist Tool & Die Company, Inc., Rome, NY - $162,141 – two willful and numerous serious violations

Significant Cases issued in FY 18

- Crosman Corporation, Bloomfield, NY - $243,775 – numerous serious and repeat violations
- Marshall Ingredients, LLC, Wolcott, NY - $300,062 – two willful and numerous serious violations

Electronic Reporting: When Must Employers Act?



If you have 250 or more employees:

- **By December 31, 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 December 31, 2017** - submit 300A info
- **By July 1, 2018** - submit 300A info
- **Beginning in 2019** – submit info every year by March 2

Anti-retaliation provisions went into effect December 1, 2016

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New Penalty Levels*

Adjusted Jan 15, 2018

Type of Violation	New Maximum**
Serious and Other-Than-Serious Posting Requirements	**$12,934 per violation**
Willful or Repeated	**$129,336 per violation**
Failure to Abate	**$12,934 per day** beyond the abatement date

***Maximum penalties will be readjusted annually for inflation.**

****Penalties increased 2% as required by the Federal Civil Penalties Inflation Adjustment Act of 2015**

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OSHA Annual Summary, 300A

Basic requirement. At the end of each calendar year, you must:

- Review the OSHA 300 Log to verify that the entries are complete and accurate, and correct any deficiencies identified;
- Create an annual summary of injuries and illnesses recorded on the OSHA 300 Log;
- Certify the summary; and
- Post the annual summary for each establishments in a conspicuous place from **February 1, 2018 to April 30, 2018**

https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=12776

1904.32

Winter Weather Preparedness

- Cold Stress (Frostbite, Hypothermia)
- Preventing Slips on Snow and Ice
- Shoveling Snow
- Clearing Snow from Heights
- Using Powered Equipment
- Winter Driving
- Downed Trees and Power Lines
- Stranded in a Vehicle

https://www.osha.gov/dts/weather/winter_weather/index.html

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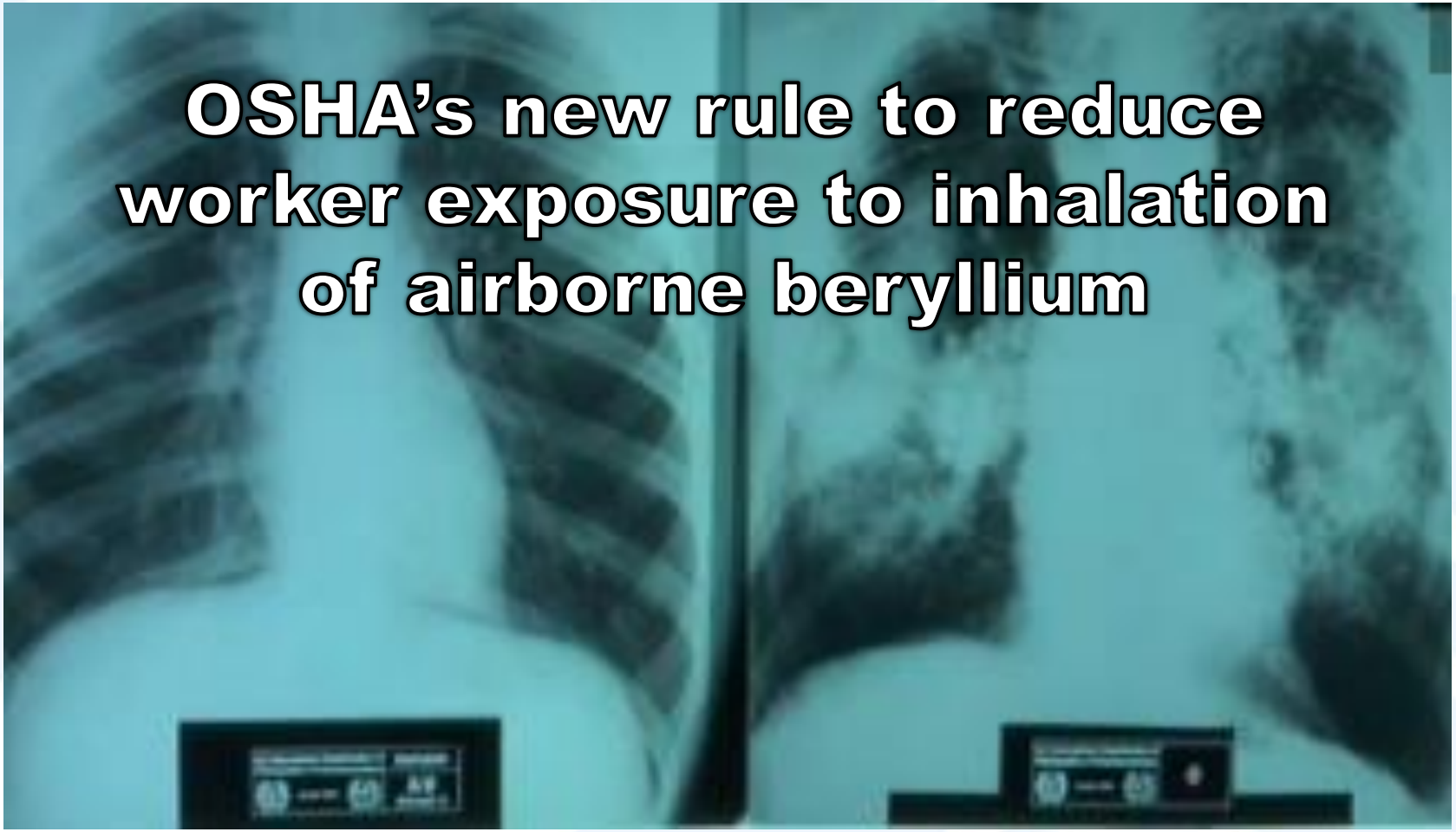

www.osha.gov/beryllium

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Benefits of the Rule

- Rule will affect approximately 62,000 workers
  - Primarily used in the aerospace, electronics, energy, telecommunication, medical and defense industries
- In general industry, exposure to beryllium can occur in the following industries and activities:
  - Beryllium production; beryllium oxide ceramics and composites; nonferrous foundries; secondary smelting, refining, and alloying; precision turned products; copper rolling, drawing, and extruding; fabrication of beryllium alloy products; welding; and dental laboratories
- Estimated to prevent 94 beryllium related diseases and 46 new cases of chronic beryllium disease each year

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How This Rule Protects Workers

REDUCES **PEL** to **0.2 µg/m³** (8-hour TWA)

Establishes a short-term exposure limit (**STEL**) of **2.0 µg/m³** over 15-minute sampling period.

Requires employers to protect workers by:

- IMPLEMENTING ENGINEERNG CONTROLS
- LIMITING WORKER ACCESS TO HIGH-EXPOSURE AREA
- DEVELOPING WRITTEN EXPOSURE CONTROL PLAN
- TRAINING WORKERS

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Beryllium

Dates:

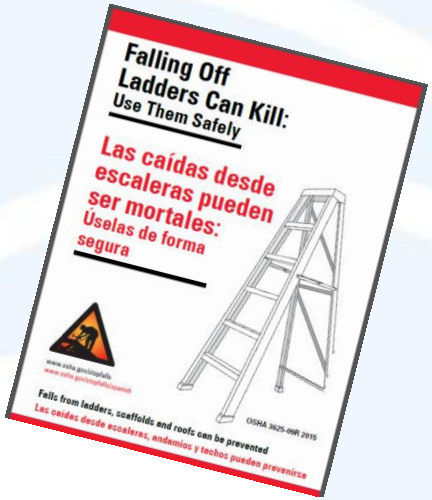
- March 12, 2018: Comply with most elements
- March 11, 2019: Provide required change rooms and showers
- March 10, 2020 - to implement engineering controls

https://www.osha.gov/berylliumrule/index.html

National Ladder Safety Month

March 2018:

- Training
- Usage
- Inspect and properly dispose of old, damaged or obsolete ladders



http://www.americanladderinstitute.org/page/laddersafetymonth

Falls from portable extension ladders

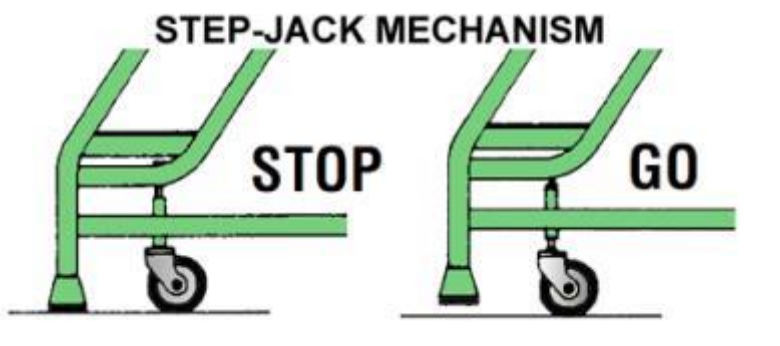
Ladderway floor hole or platform hole

1910.28(b)(3)(iv) - Each employee is protected from falling into a ladderway floor hole or platform hole by a guardrail system and toe-boards erected on all sides, except at the entrance to the hole, where a self-closing gate or an offset must be used

Note: This paragraph applies to fixed ladders that extend to another working surface, even if the ladder attaches to the edge of the working surface or the platform, since the opening at the ladder access point is also a floor opening.

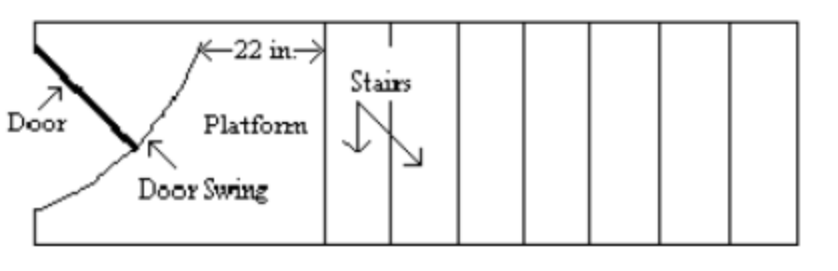
https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=27215

1910.23(e)(1)(vii) Mobile Ladder Stands



1910.25(b)(5) Stairway platform

- When a door or gate opens directly on a stairway, a platform is provided, and the swing gate does not reduce the platform's effective usable depth to:
- Less than 20 inches for existing platforms
- Less than 22 inches for new platforms



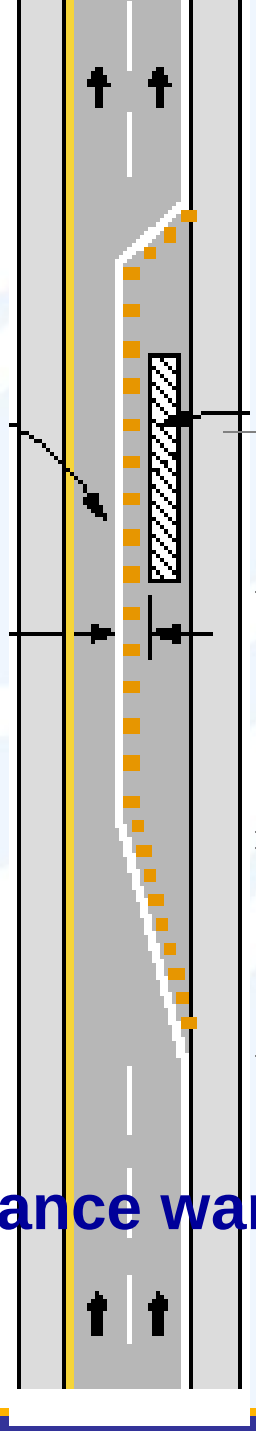
NATIONAL WORK ZONE AWARENESS WEEK

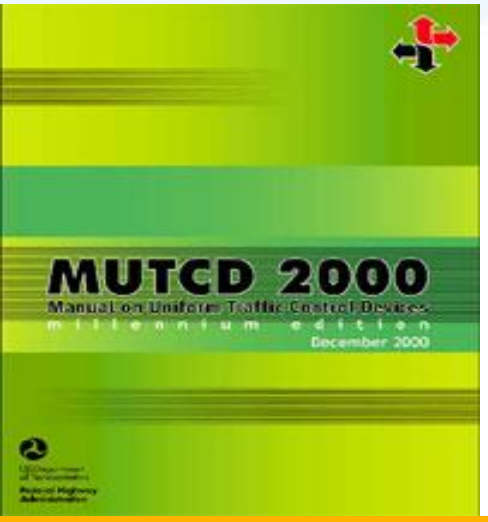
April 9 to 13, 2018:

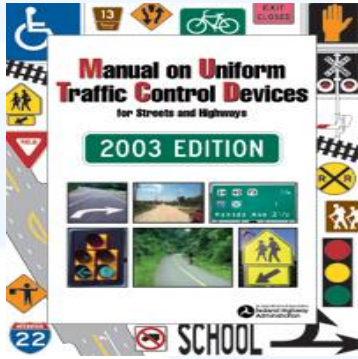
National Work Zone Awareness Week (NWZAW) is an annual spring campaign held at the start of construction season to encourage safe driving through highway work zones. The key message is for drivers to use extra caution in work zones. Also, learn about Go Orange Day.

http://www.atssa.com/events/nationalworkzoneawarenessweek.aspx

Manual on Uniform Traffic Control Devices (MUTCD)







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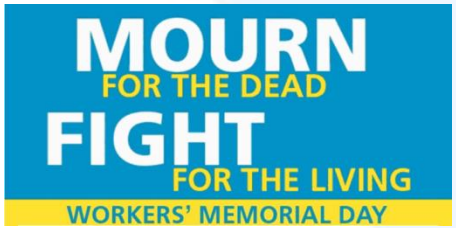
Workers' Memorial Day

April 28, 2018:

- Workers' Memorial Day, International Workers' Memorial Day or International Commemoration Day (ICD) for Dead and Injured or Day of Mourning is an annual day of remembrance and action for workers killed, disabled, injured or made ill.
- An opportunity to highlight the preventable nature of most workplace incidents and ill health
- Promote the need fight for improvements in workplace safety.
- Mourn for the dead – Fight for the living.

Also OSHA's Birthday!



NATIONAL SMALL BUSINESS WEEK

April 29 - May 5, 2018 | Save the date!

April 29 to May 5 2018:

- Proclaimed National Small Business week by the President.
- Recognizes the critical contributions of America's entrepreneurs and small business owners.
- More than half of Americans either own or work for a small business, and they create about two out of every three new jobs in the U.S. each year.
- The SBA highlights the impact of outstanding entrepreneurs, small business owners, and others from all 50 states and U.S. territories.
- Create 21st century jobs, drive innovation, and increase America's global competitiveness.

National Safety Stand-Down

To Prevent Falls in Construction

MAY 7-11, 2018

- A Safety Stand-Down is a voluntary event for employers to talk directly to employees about safety. Any workplace can hold a stand-down by taking a break to focus on "Fall Hazards" and reinforcing the importance of "Fall Prevention". It's an opportunity for employers to have a conversation with employees about hazards, protective methods, and the company's safety policies and goals. It can also be an opportunity for employees to talk to management about fall hazards they see.
- Certificate of Participation,Share

https://www.osha.gov/StopFallsStandDown/index.html

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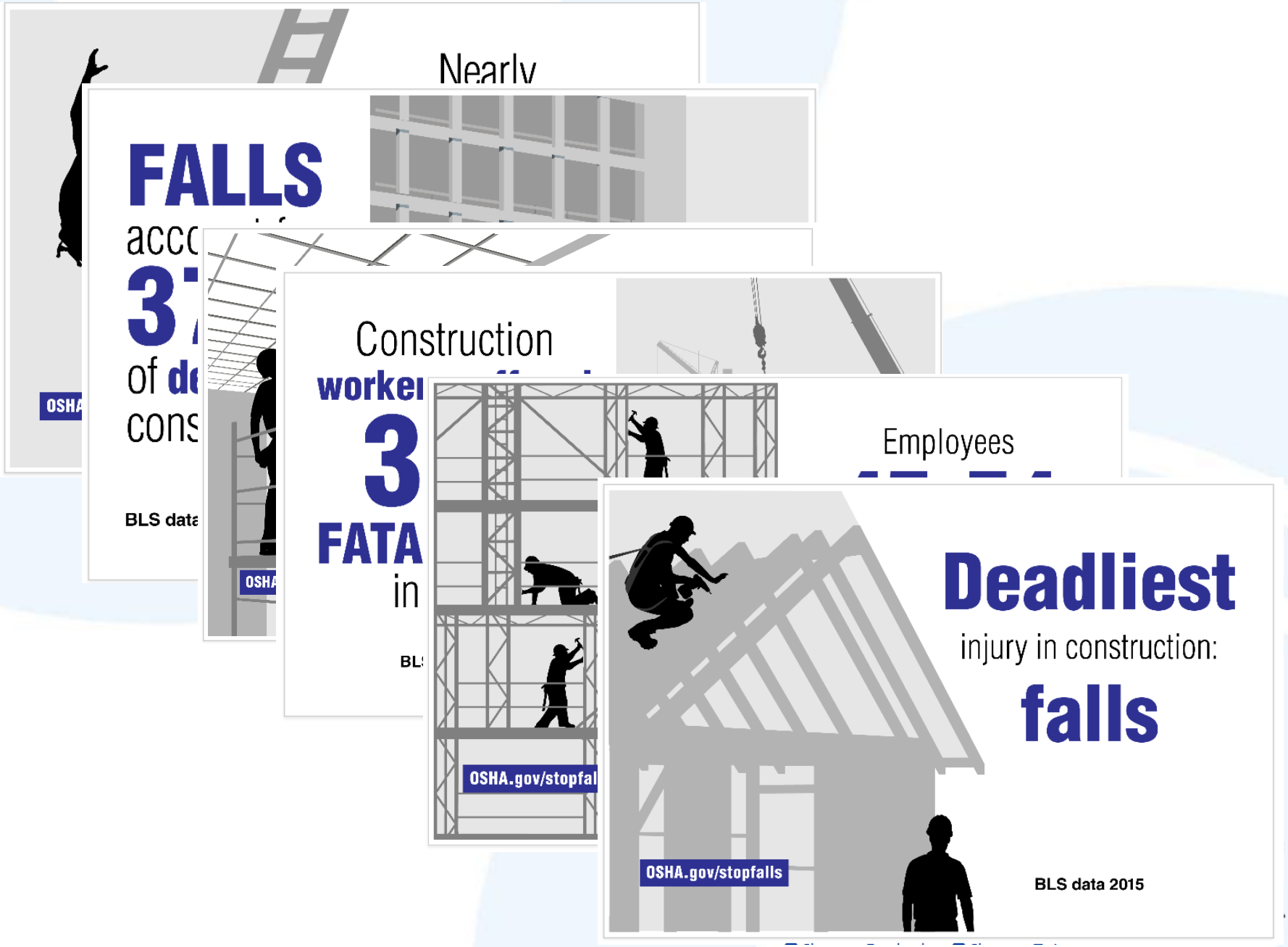
Nearly
FALLS
OSHA
BLS data
Construction
3
FATA
in
OSHA.gov/stopfal
Employees
Deadliest
injury in construction:
falls
OSHA.gov/stopfalls
BLS data 2015

Construction, Safety Week 2018

May 7-11, 2018:

The Mission of Safety Week is to collectively raise the awareness of the construction industry's continuing commitment to eliminating worker injury, and to clearly communicate its dedication to a shared culture of care and concern and the belief that every week must be Safety Week.

http://www.constructionsafetyweek.com/events/plan-your-safety-week-activities/

Heat Illness Prevention Campaign

Campaign Kickoff: May 25, 2018

To prevent heat related illness and fatalities:

- Acclimate to the heat; most heat related fatalities occur on the first 3 days of exposure.
- Drink water every 15 minutes, even if you are not thirsty.
- Rest in the shade to cool down.
- Wear a hat and light-colored clothing.
- Learn the signs of heat illness and what to do in an emergency.
- Keep an eye on fellow workers.

http://www.osha.gov/heat

WATER. REST. SHADE.

OSHA's Campaign to Keep Workers Safe in the Heat

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June is National Safety Month

National Safety Month focuses on reducing leading causes of injury and death at work, on the road and in our homes and communities.

- Week 1: Stand Up to Falls
- Week 2: Recharge to Be In Charge (Focusing on Fatigue)
- Week 3: Prepare for Active Shooters
- Week 4: Don't Just Sit There (Focusing on Ergonomics)
- Road Safety for Workers

http://www.nsc.org/act/events/Pages/national-safety-month.aspx?var=hpnsm

National Forklift Safety Day

June 12, 2018:

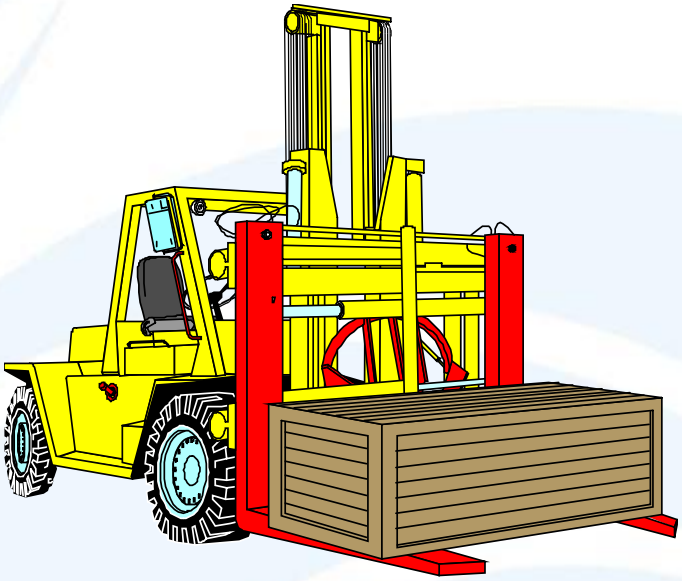
Areas of concern:

- Training and Evaluation
- Maintenance
- Operation
- Handling Hazardous Material

http://www.indtrk.org/national-forklift-safety-day/forklift-safety-day-2017

1910.178(a)(4) & 1926.(c)(1)(ii) Modifications

- Modifications and additions which affect capacity and safe operation shall not be performed by the customer or user without manufacturer's prior written approval. Capacity, operation, and maintenance instruction plates, tags, or decals shall be changed accordingly.



Must get manufacturer's approval for modification

Trench Safety Stand Down

June 18-23, 2018:

Focus on:

- Education, what are trenching & excavation hazards
- Reinforce the importance of using trench protective systems
- And protecting workers from trenching hazards.

Receive Recognition for Participating in the event.

http://www.nuca.com/tssd

Avoid trenches over 5ft deep without stepping/benching, or building trench walls out of wood or steel

Silica

CONTROL SILICA DUST

Breathe Easier

June 23, 2018: Silica General Industry and Maritime Standards Compliance Date.

- Complete an inventory of silica operations
- Perform an assessment of each
- Establish controls (engineering and work procedures)
- Provide PPE
- Housekeeping
- Create a written exposure control plan
- Communicate/Train the workers, include the work plan
- Medical surveillance
- Recordkeeping
- Review

https://www.osha.gov/dsg/topics/silicacrystalline/

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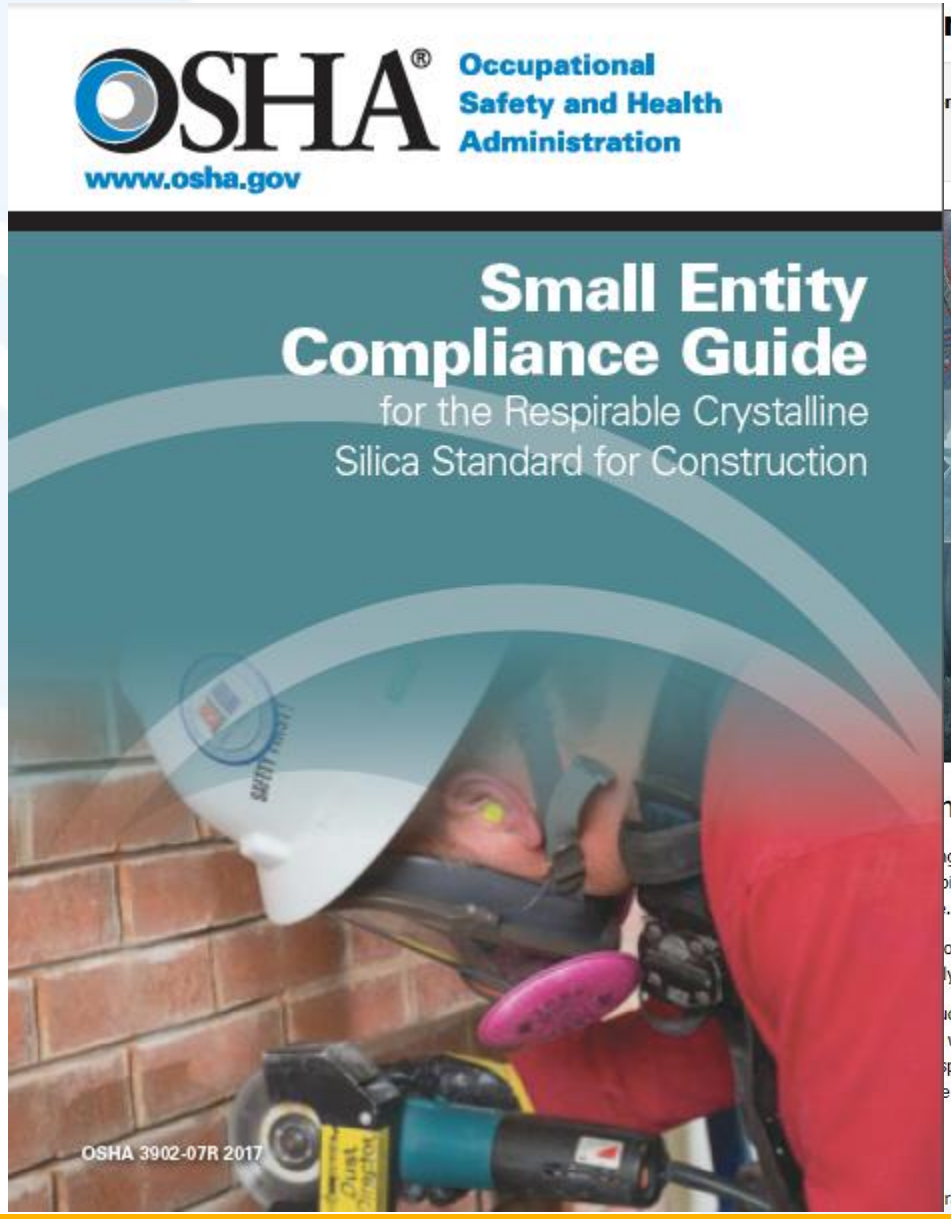
Resources

https://www.osha.gov/silica/index.html



Electronically Submitting Injury, Illness Data

July 1, 2018:

Covered employers must electronically submit their 2017 OSHA Form 300A to OSHA. Based on establishment size 20 or more, 250 or more and NAICS codes.

1904.41 Electronically submitting injury, illness data

- 2017 data: Submit by: July 1, 2018
- 2018 data and forward: Submit by: March 2, 2019…

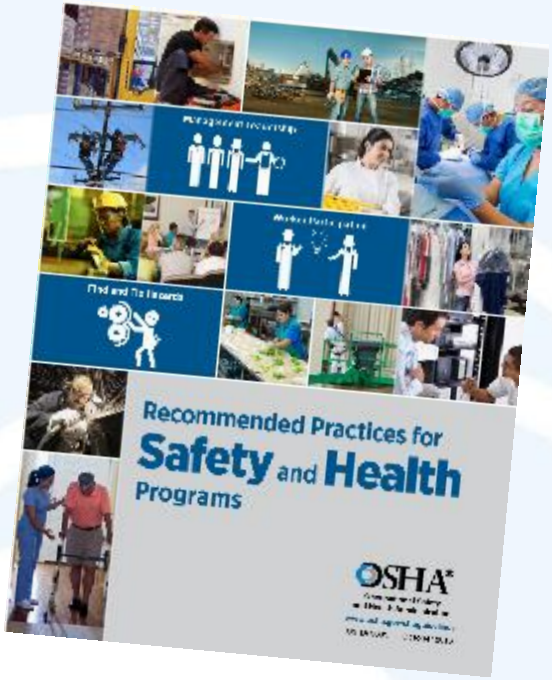
https://www.osha.gov/recordkeeping/finalrule/index.html

Safe + Sound Week

August 13-19, 2018

A nationwide event to raise awareness and understanding of the value of safety and health programs that include:

- Management leadership
- Worker participation
- Hazard identification and assessment
- Hazard prevention and control
- Education and training
- Program evaluation and improvement
- Coordination and Communication on Multi-Employer Worksites

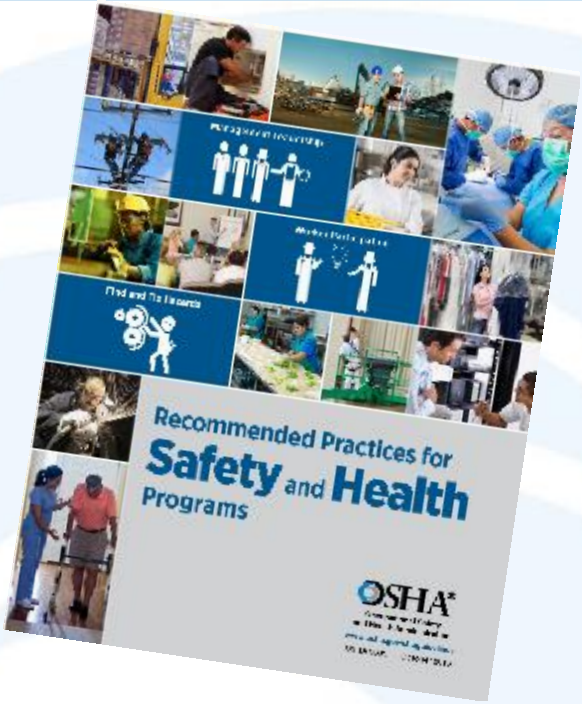


https://www.osha.gov/safeandsoundweek/

Safety & Health Program Management Guidelines

OCTOBER 2016: Final Published Guidelines

- Based on best thinking and experiences of **successful employers**
- Will help **small and medium-sized employers** find and fix hazards before workers are harmed
- Shows how **multiple employers** on same worksite **can coordinate efforts** to ensure all workers are given equal protection



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Occupational Safety
and Health Administration
www.osha.gov
October 2016

Recommended Practices for

Safety & Health Programs in Construction

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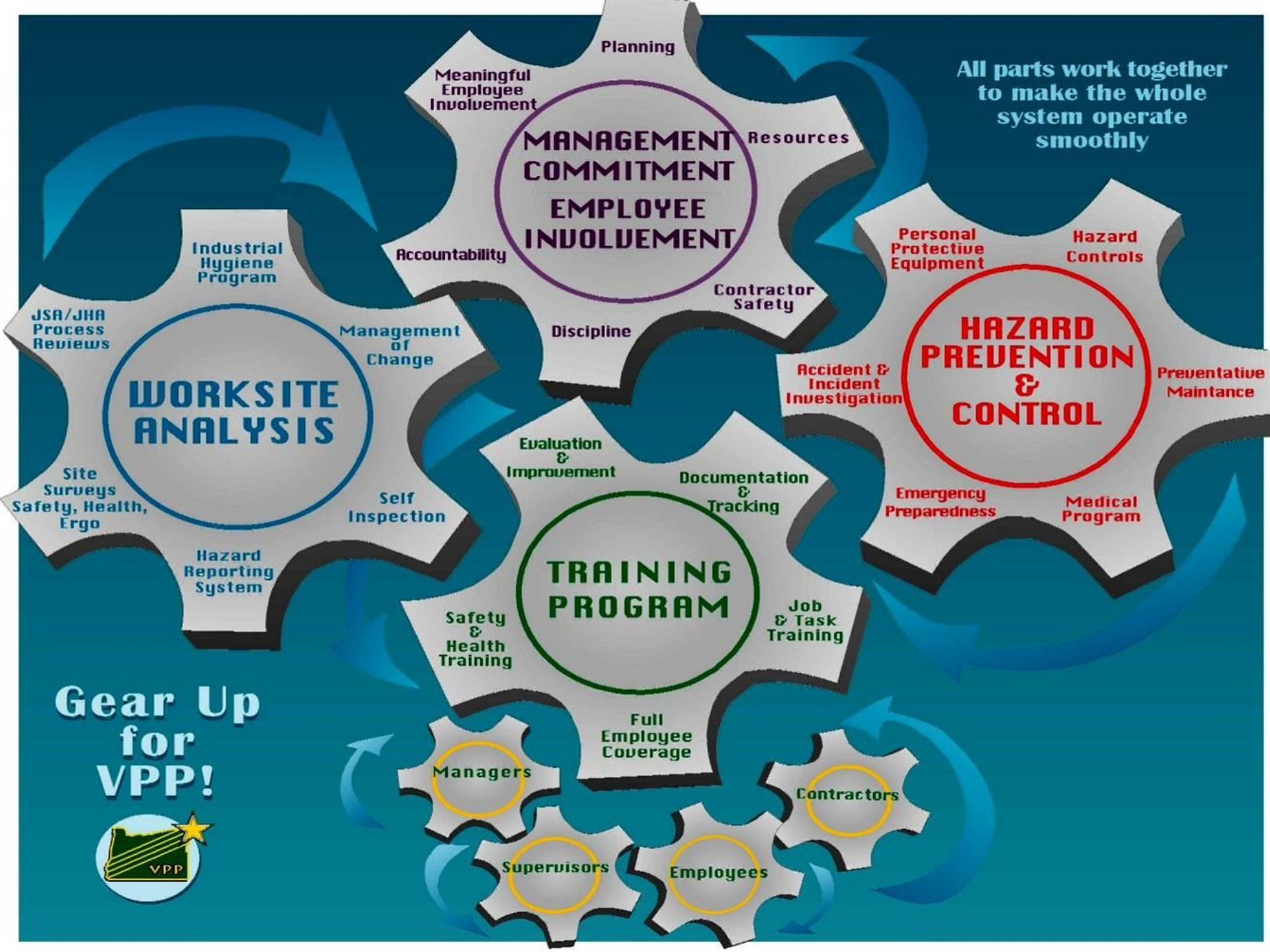
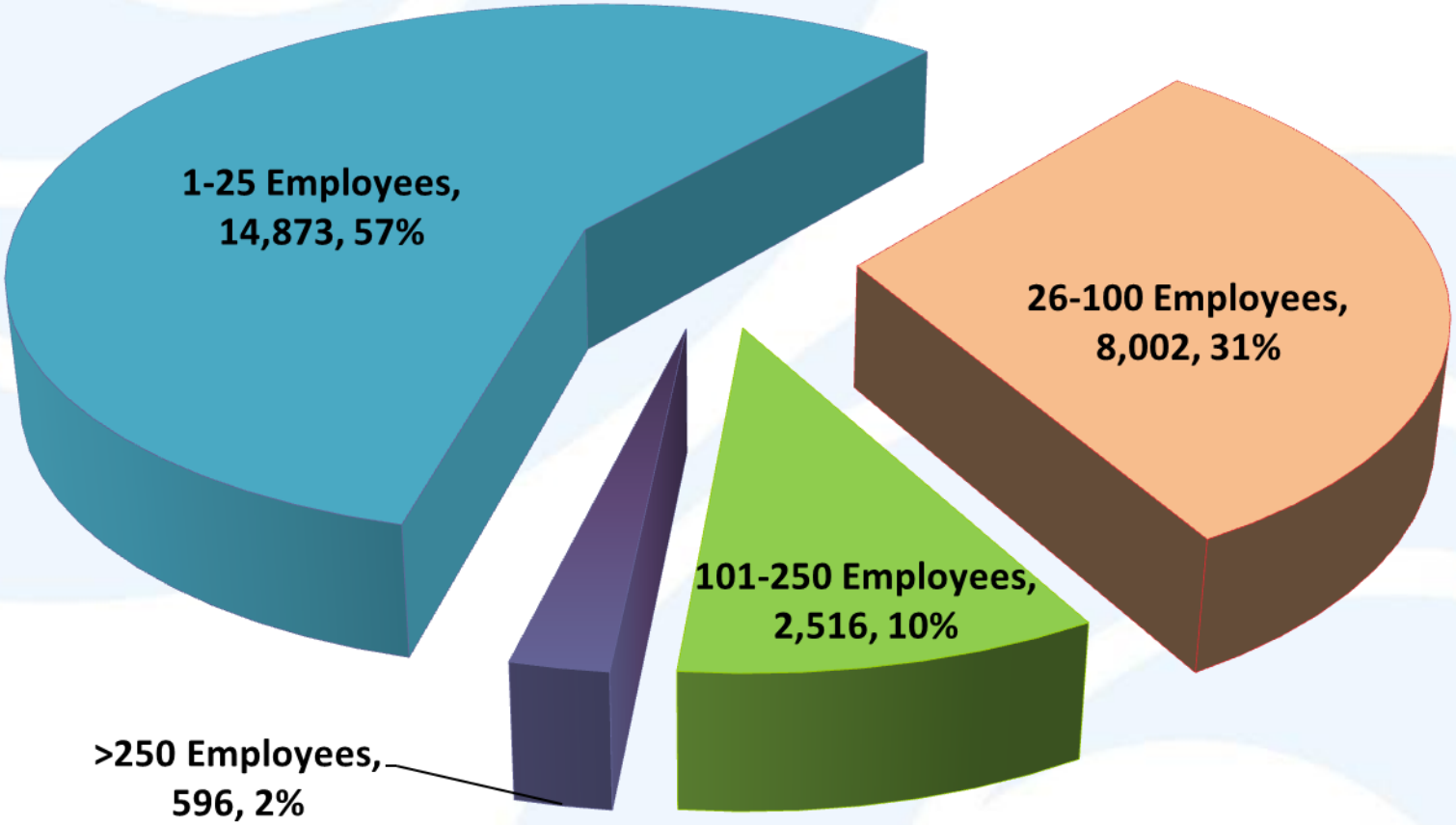

All parts work together to make the whole system operate smoothly
MANAGEMENT COMMITMENT
EMPLOYEE INVOLVEMENT
Planning
Resources
Contractor Safety
Discipline
Accountability
Meaningful Employee Involvement
WORKSITE ANALYSIS
Industrial Hygiene Program
Management of Change
Self Inspection
Hazard Reporting System
Site Surveys Safety, Health, Ergo
JSA/JHA Process Reviews
HAZARD PREVENTION & CONTROL
Hazard Controls
Preventative Maintance
Medical Program
Emergency Preparedness
Accident & Incident Investigation
Personal Protective Equipment
TRAINING PROGRAM
Job & Task Training
Full Employee Coverage
Safety & Health Training
Documentation & Tracking
Evaluation & Improvement
Managers
Supervisors
Employees
Contractors
Gear Up for VPP!
VPP

OSHA Consultation Service
New York: NYS Department of Labor/OSHA

- Aimed to help employers who want help in recognizing and correcting safety and health hazards and in improving their safety and health programs.
- **Free**, largely funded by OSHA
- Requirement: A commitment to correcting serious safety and health hazards
- Confidential, tailored to small business

Size of Employers Receiving Consultation Services FY 2017

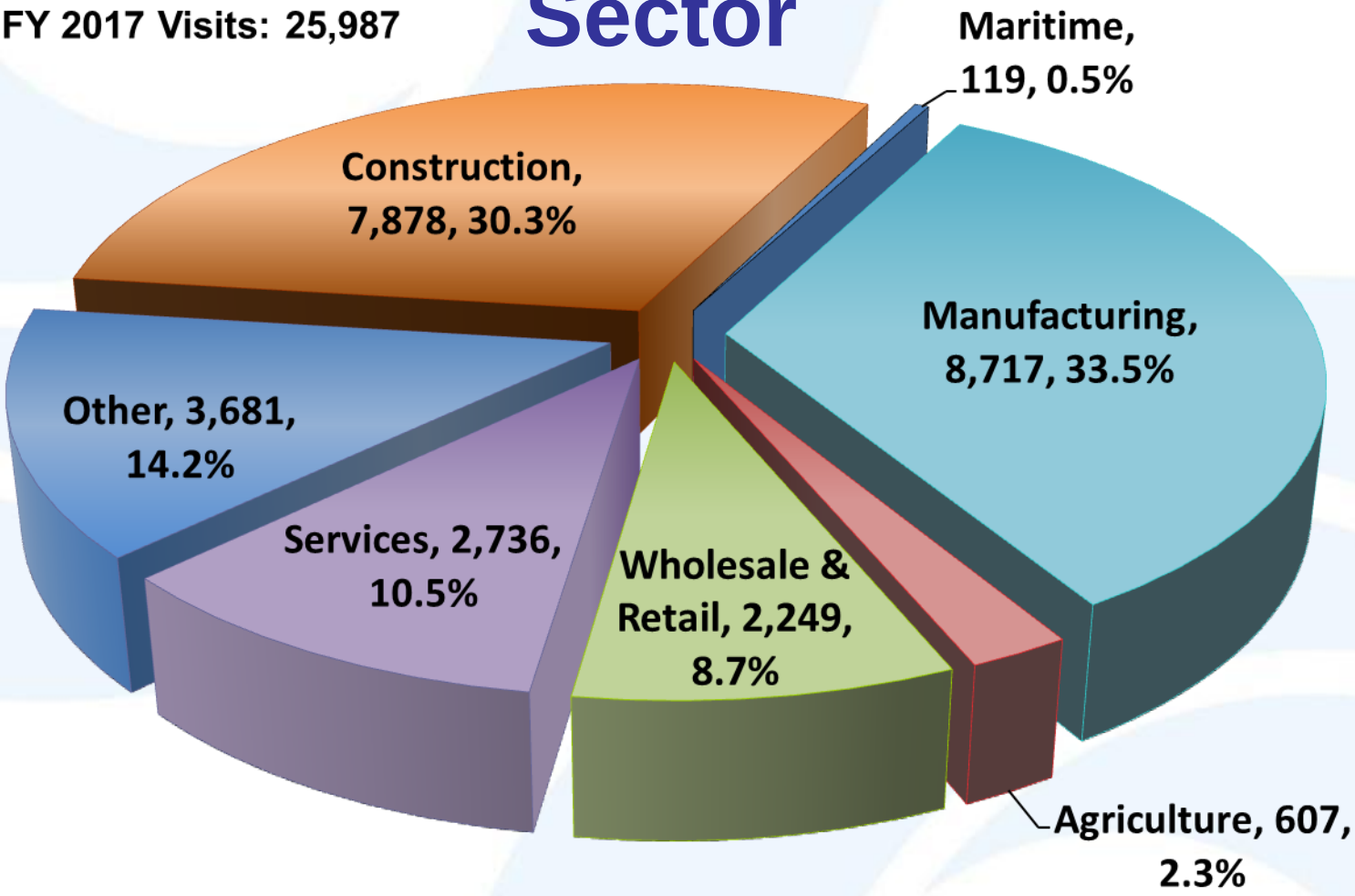
Total Visits in FY 2017: 25,987



- Sources: On-Site Consultation OIS Report for FY 2017 generated on November 13, 2017.
- Parameters: Private Sector, Closing Conference Date: October 1, 2016 – September 30, 2017.
- Totals include 21(d) and 23(g) On-Site Consultation Project data.

On-Site Consultation Visits by Industry Sector

Total FY 2017 Visits: 25,987



- Sources: On-Site Consultation OIS Report for FY 2017 generated on November 13, 2017.
- Parameters: Private Sector, Closing Conference Date: October 1, 2016 – September 30, 2017.
- Totals include 21(d) and 23(g) On-Site Consultation Project data.

OSHA Consultation Programs

New York: NYS Department of Labor/OSHA

- Syracuse, (315-479-3350), Keith Gillette, Gillette.Keith@labor.ny.gov
- Buffalo & Rochester, (716-847-7166), Greg Mazikowski, gregory.mazikowski@labor.ny.gov
- Albany & Utica, (518-457-2810), Bob Francis, Francis.Bob@labor.ny.gov
- www.labor.state.ny.us/workerprotection/safetyhealth/DOSH_ONSITE_Consultation.shtm

OSHA® We Can Help

www.osha.gov

Top Ten Violations

Most frequently cited OSHA standards during FY 2017 inspections

1. Fall Protection, 1926.501, 6072 Violations
2. Hazard Communication, 1910.1200, 4,176
3. Scaffolding , 1926.451, 3,288
4. Respiratory Protection, 1910.134, 3,097
5. Lockout/Tagout, 1910.147, 2,877
6. Ladders, 1926.1053, 2,241
7. Powered Industrial Trucks, 1910.178, 2,162
8. Machine Guarding, 1910.212, 1,933
9. Fall Protection Training, 1926.503, 1,523
10. Electrical Wiring Methods, 1910.305, 1,405

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Top Ten Violations in Construction FY 2017

1. Fall Protection – General Requirements (1926.501)
2. Scaffolding (1926.451)
3. Ladders (1926.1053)
4. Fall Protection – Training (1926.503)
5. Eye and Face Protection (1926.102)
6. Hazard Communication (1910.1200)
7. Head Protection (1926.100)
8. Aerial Lifts (1926.453)
9. General Safety and Health Provisions (1926.20)
10. Fall Protection – Systems Criteria and Practices (1926.502)

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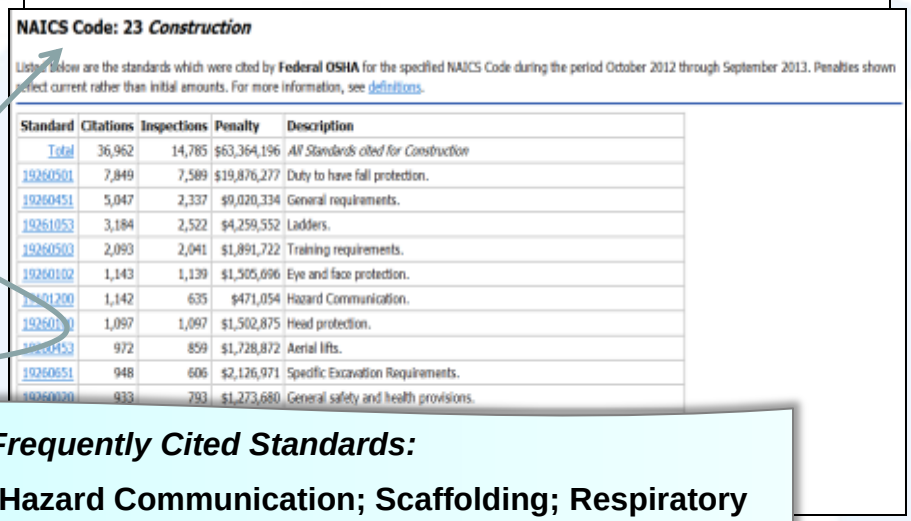
Most Frequently Cited OSHA Standards

OSHA's website provides information regarding the most frequently cited standards

Click: Frequently Cited OSHA Standards to view current data

- "Select number of employees in establishment," select **ALL** or one of the options listed
- "Federal or State Jurisdiction," select **Federal** or, from the dropdown menu, a specific state
- "NAICS," enter ALL for all Industry groups, or enter a valid 2 to 6 digit code for a specific Industry from the NAICS Manual
- Shown are search results for: All sizes of establishments, in Federal jurisdiction, with a Construction NAICS code of "23"



NAICS Code: 23 *Construction*

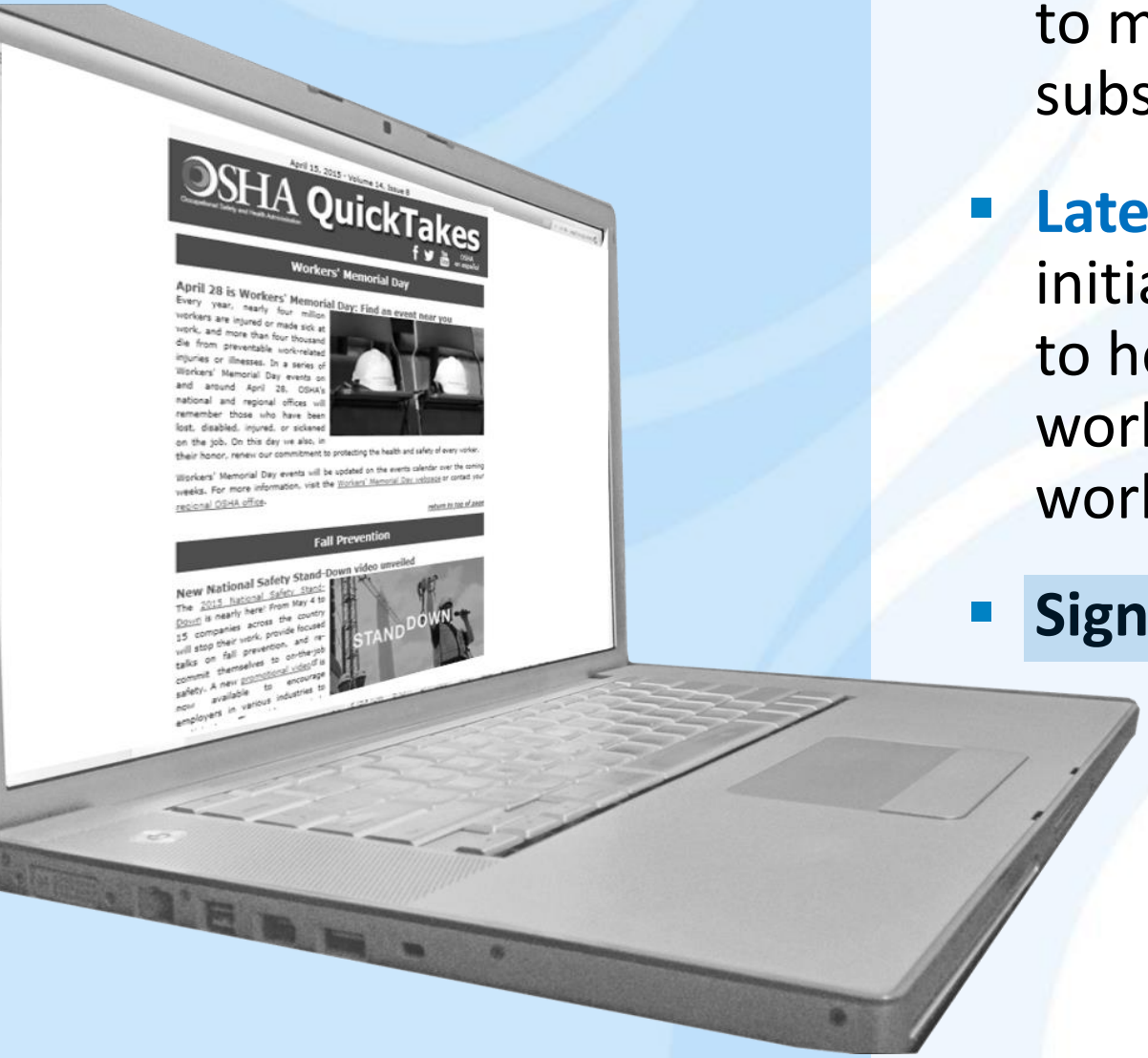
Listed below are the standards which were cited by **Federal OSHA** for the specified NAICS Code during the period October 2012 through September 2013. Penalties shown reflect current rather than initial amounts. For more information, see definitions.

Standard	Citations	Inspections	Penalty	Description
Total	36,962	14,785	$63,364,196	*All Standards cited for Construction*
19260501	7,849	7,589	$19,876,277	Duty to have fall protection.
19260451	5,047	2,337	$9,020,334	General requirements.
19261053	3,184	2,522	$4,259,552	Ladders.
19260503	2,093	2,041	$1,891,722	Training requirements.
19260102	1,143	1,139	$1,505,696	Eye and face protection.
19501200	1,142	635	$471,054	Hazard Communication.
19260100	1,097	1,097	$1,502,875	Head protection.
19260453	972	859	$1,728,872	Aerial lifts.
19260651	948	606	$2,126,971	Specific Excavation Requirements.
19260020	933	793	$1,273,680	General safety and health provisions.

Common Most Frequently Cited Standards:

Fall Protection; Hazard Communication; Scaffolding; Respiratory Protection; Electrical; Powered Industrial Trucks; Ladders

OSHA *QuickTakes*



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OSHA

Highlights

Workers receive hands-on training in the recognition, avoidance, and prevention of construction safety hazards on the jobsite.

OSHA Training
Courses, Materials, and Resources

OSHA offers a wide selection of training courses and educational programs to help broaden worker and employer knowledge on the recognition, avoidance, and prevention of safety and health hazards in their workplaces. OSHA also offers training and educational materials that help businesses train their workers and comply with the Occupational Safety and Health Act.

This page references training courses, educational programs, and training materials and resources that are administered by the OSHA Directorate of Training and Education.

In Focus

- OSHA announces new Outreach Training Program Requirements [PDF*]
- US Department of Labor's OSHA announces selection of OSHA Training Institute Education Centers
- New searchable schedule for OTI Education Center courses

Quick Links

- Introduction to OSHA Materials
- OSHA Training Requirements
- How to Find Outreach Training
- How to Obtain Replacement Outreach Training Program Cards
- HAZWOPER FAQs

Worker Training

Through the Outreach Training Program and the OTI Education Center Program, OSHA offers a broad selection of occupational safety and health classes designed for workers and employers.

- 10-Hour & 30-Hour Worker Classes
- Multi-day Training Classes by Topic
- Short Courses and Seminars

Grants

Under the Susan Harwood Training Grant Program, OSHA awards grants to nonprofit organizations to develop training and educational programs and/or deliver training and education to workers and employers.

- Susan Harwood Training Grants
- Applying for a Grant
- Grant Requirements
- Award Announcements

OSHA Training Institute

OTI is an internal training unit which provides occupational health and safety compliance training for federal and state compliance officers and other federal agency personnel. A limited number of private sector workers and employers may register for OTI courses on a tuition basis as space is available.

- OSHA Training Institute (OTI)
- How to Register for OTI Courses

Training Materials and Resources Gateway

Access training materials designed to help workers and employers recognize safety and health hazards in the workplace.

- Safety and Health Training Resources
- OSHA Compliance Guidance on Training
- Training FAQs

Program Information

- Susan Harwood Training Grants
- OSHA Outreach Training Program
- OSHA Training Institute (OTI)
- OTI Education Centers
- Resource Center Loan Program
- Directorate of Training and Education (DTE)

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Atlantic OSHA Training Center (Consortium)
SUNY Buffalo Toxicology Research Center
Buffalo, NY
(716) 829-2125
www.smbs.buffalo.edu/CENTERS/trc/

RIT OSHA Education Center
Rochester Institute of Technology
Rochester, NY
(866) 385-7470 ext. 2919
www.rit.edu/osha

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Occupational Safety & Health Administration

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Filing a Complaint

How to File a Complaint with OSHA

- Filing a Complaint
- Recordkeeping Rule Updates
- Protecting Temporary Workers
- OSHA QuickTakes Newsletter

IN FOCUS

Protecting Temporary Workers

4,405 workers died on the job in 2013

8/21/14 NM: Worker electrocuted when aerial lift contacted power line.

Fatality Reports

"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

NEWSLETTER

OSHA QuickTakes

NEWS

HOW TO...

- 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
- Learn about partnerships and cooperative programs

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williams.ronald@dol.gov