

No contract laborers or mechanics are permitted to work in unsanitary or harmful conditions or conditions that may harm their health or safety.

The employer is responsible for introducing and maintaining safety programs that may be necessary to the work. For instance, if the project involves working around hazardous materials, a safety plan, usually called a Hazardous Materials Emergency Response Plan must be prepared to minimize hazards to human health and the resulting environment from any unplanned release of hazardous materials. This plan outlines the emergency procedures that shall be followed by personnel if hazardous materials are released.

### **ACCIDENT PREVENTION RESPONSIBILITIES**

If it becomes necessary for a plan to be created, it should generally include frequent and regular project site inspections, materials, and equipment available for cleanup. The names of Competent Persons who can identify existing and predictable hazards which are unsanitary, hazardous, or dangerous to employees. The employer must designate the Competent Person to be authorized to take prompt corrective measures to eliminate the hazards.

The employer will permit only those employees qualified, by training or experience, to operate equipment and machinery. Qualified, in this context, means a person who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated his ability to solve or resolve problems relating to the subject matter, the work, or the project.

### **SAFETY TRAINING AND EDUCATION**

The OSHA Secretary shall establish and supervise programs for the education and training of employers and employees in the recognition, avoidance and prevention of unsafe workplace conditions covered by the act. The employer should utilize the safety and health training programs the Secretary provides and must instruct each employee in recognizing and avoiding unsafe conditions and the regulations applicable to his work environment to control or eliminate any hazards or other exposure to illness or injury.

Employees required to handle or use poisons, caustics, and other harmful substances must be made aware of the potential hazards, personal hygiene, and personal protective measures required. The employees must also be instructed on the safe handling and use of potentially hazardous materials. On project sites where harmful plants or animals are present, employees who may be exposed must be made aware of the potential hazards, trained on how to avoid injury and first aid procedures to be used in the event of injury.

Employees required to handle or use flammable liquids, gases, or toxic materials shall be instructed in the safe handling and use of these materials and made aware of the specific

requirements contained in subparts D - Occupational Health and Environmental Controls, and F, Fire Protection and Prevention, and other applicable subparts.

A sufficient number of people must be trained to help in personnel's safe and orderly emergency evacuation before an Emergency Action Plan may be implemented.

### **CONFINED SPACE**

A confined or enclosed space means any space having a limited means of egress, which is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, process vessels, bins, boilers, ventilation or exhaust ducts, sewers, underground utility vaults, tunnels, pipelines, and open top spaces more than 4 feet in depth such as pits, tubs, vaults, and vessels.

All employees required to enter into confined or enclosed spaces shall be instructed as to the nature of the hazards involved, the necessary precautions to be taken, and in the use of protective and emergency equipment required. The employer shall comply with any specific regulations that apply to work in dangerous or potentially dangerous areas.

A competent person can identify existing and predictable hazards in the surroundings that are unsanitary, hazardous, or dangerous to employees. Competent Persons must have the authorization to take prompt corrective measures to eliminate them.

A Qualified Person is someone who, by possessing a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated his ability to solve or resolve problems relating to the subject matter, the work, or the project.

### **EMERGENCY ACTION PLANS**

The employer shall review the plan with each employee who will be covered by the plan in the following intervals.

- Initially, once the plan is developed.
- When the employee's responsibilities or designated actions under the plan change.
- And, when the plan is changed.

Before implementing the Emergency Action Plan, the employer shall designate and train enough people to assist in the safe and orderly emergency evacuation of employees.

Upon initial assignment, the employer must also review with each employee the parts of the plan which the employee must know to protect them in the event of an emergency.

The written plan shall be kept at the workplace and made available for employee review.

For those employers with ten or fewer employees, the program may be communicated orally to employees, and the employer need not maintain a written plan.

Well-developed emergency plans and proper employee training so employees know their roles and responsibilities within the plan will result in fewer and less severe injuries and less structural damage to the facility during emergencies. A poorly prepared plan likely will lead to a disorganized evacuation or emergency response, resulting in confusion, injury, and property damage.

### **EMPLOYER RESPONSIBILITIES**

As we alluded to previously, it's the employer's responsibility to provide a workplace free of recognized dangers and in compliance with OSHA requirements. This includes:

- Providing OSHA-mandated training
- Keeping track of any injuries or illnesses
- Allowing records to be accessed by OSHA.
- Explain to employees how to report an injury or illness to their boss.
- Require medical exams as needed by OSHA regulations and give workers access to their exposure and medical records.
- Employers must not discriminate against employees who exercise their rights under the Act
- The workplace must display the OSHA poster, citations, and notices of hazard rectification.
- Employers must supply and pay for the majority of personal protective equipment, called PPE; and
- Assess whether PPE should be utilized to protect workers.

### **WORKER RIGHTS AND RESPONSIBILITIES**

Worker Rights and Responsibilities have their own set of requirements. Workers have the right to:

- A safe and healthy workplace
- Know about hazardous conditions and hazardous chemicals
- Information about workplace injuries and illnesses
- Complain or request hazard correction from an employer
- OSHA-required training
- Examine exposure and medical records
- File a complaint with OSHA