OSHA Today

BAMA

2015
OSHA’s Mission

• To Assure So Far as Possible Every Working Man and Woman in the Nation Safe and Healthful Working Conditions...
The 2013 preliminary total of 4,405 fatal work injuries is 5 percent below the final count of 4,628 fatal work injuries reported for 2012.

*Data for 2013 are preliminary. Data for prior years are revised and final.
Note: Data from 2001 exclude fatal work injuries resulting from the September 11 terrorist attacks.
Seventeen states and the District of Columbia had preliminary counts showing more fatal injuries in 2013 than in 2012. Thirty states had fewer fatal workplace injuries in 2013 compared to 2012. Three states saw no change between the two years.

*Data for 2013 are preliminary.
Number and rate of fatal occupational injuries, by industry sector, 2013*

Construction: 796 injuries, 9.4 per 100,000 full-time equivalent workers
Transportation and warehousing: 687 injuries, 13.1 per 100,000
Agriculture, forestry, fishing, and hunting: 479 injuries, 22.2 per 100,000
Government: 476 injuries, 7.0 per 100,000
Professional and business services: 408 injuries, 2.6 per 100,000
Manufacturing: 304 injuries, 2.0 per 100,000
Retail trade: 253 injuries, 5.1 per 100,000
Leisure and hospitality: 202 injuries, 2.6 per 100,000
Wholesale trade: 190 injuries, 12.3 per 100,000
Other services (excl. public admin.): 154 injuries, 6.1 per 100,000
Mining, quarrying, and oil and gas extraction: 131 injuries, 2.6 per 100,000
Educational and health services: 106 injuries, 0.7 per 100,000
Financial activities: 84 injuries, 0.9 per 100,000
Information: 39 injuries, 1.4 per 100,000
Utilities: 23 injuries, 2.4 per 100,000

Total fatal work injuries = 4,405
All-worker fatal injury rate = 3.7

Construction had the highest preliminary count of fatal injuries in 2013, but the agriculture, forestry, fishing and hunting sector had the highest fatal work injury rate.

*Data for 2013 are preliminary.
Note: Fatal injury rates exclude workers under the age of 16 years, volunteers, and resident military. The number of fatal work injuries represents total published fatal injuries before the exclusions. For additional information on the fatal work injury rate methodology, please see http://www.bls.gov/iif/oshwc/nifl/hic10.htm.
The preliminary data for 2013 showed fatal work injury rates were high for logging workers and fishers and related fishing workers. Driver/sales workers and truck drivers incurred the greatest number of fatal injuries.

*Data for 2013 are preliminary.
Note: Fatal injury rates exclude workers under the age of 16 years, volunteers, and resident military. The number of fatal work injuries represents total published fatal injuries before the exclusions. For additional information on the fatal work injury rate methodology, please see http://www.bls.gov/iif/oshnicc10.htm.
Fatal occupational injuries, by major event, 2013*

<table>
<thead>
<tr>
<th>Event</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Transportation incidents</td>
<td>40%</td>
</tr>
<tr>
<td>Roadway incidents</td>
<td>22%</td>
</tr>
<tr>
<td>Violence and other injuries by persons or animals</td>
<td>17%</td>
</tr>
<tr>
<td>Contact with objects and equipment</td>
<td>16%</td>
</tr>
<tr>
<td>Falls, slips, trips</td>
<td>16%</td>
</tr>
<tr>
<td>Falls to lower level</td>
<td>13%</td>
</tr>
<tr>
<td>Other</td>
<td>7%</td>
</tr>
<tr>
<td>Fires and explosions</td>
<td>3%</td>
</tr>
<tr>
<td>Exposure to harmful substances or environments</td>
<td>7%</td>
</tr>
</tbody>
</table>

More fatal work injuries resulted from transportation incidents than from any other event in the 2013 preliminary counts. Roadway incidents alone accounted for nearly one out of every four fatal work injuries.

*Data for 2013 are preliminary.
Note: Transportation counts presented in this release are expected to rise when updated 2013 data are released in spring 2015 because key source documentation detailing specific transportation-related incidents has not yet been received. Percentages may not add to 100 due to rounding.
Seventeen percent of all fatal work injuries in 2013 involved contractors. Thirty-five percent of those who died while employed in the construction industry were actually contracted to another industry, such as government or financial activities, when the fatal injury occurred.

*Data for 2013 are preliminary.

Note: In 2011, the C-01 program began collecting contractor data to capture decedents who were working as contractors at the time of the fatal incident. Contractor-adjusted industry is the industry of the entity that had overall responsibility for the operations at the site where the worker was fatally injured. All industries shown are private with the exception of government, which includes fatal injuries to workers contracted by governmental organizations regardless of industry. See http://www.bls.gov/iif/oshcfsw.htm for more information. Percentages may not add to 100 due to rounding.

12/4/13 New Jersey: Temporary worker died in fall after being caught in a sorter.

- “Host employers need to treat temporary workers as they treat existing employees. Temporary staffing agencies and host employers share control over the employee, and are therefore jointly responsible for temp employee's safety and health. It is essential that both employers comply with all relevant OSHA requirements.”—David Michaels, PhD, MPH, Assistant Secretary of Labor for Occupational Safety and
Employer Responsibilities to Protect Temporary Workers

• OSHA recommends that the temporary staffing agency and the host employer set out their respective responsibilities for compliance with applicable OSHA standards in their contract. Including such terms in a contract will ensure that each employer complies with all relevant regulatory requirements, thereby avoiding confusion as to the employer's obligations.
Enforcement

• Administrative Enhancements to OSHA’s Penalty Policies
• Severe Violator Enforcement Program (SVEP)
  – effective date: June 18, 2010
Severe Violator Enforcement Program (SVEP)

• Concentrate inspection resources on employers who have demonstrated recalcitrance or indifference to their OSH Act obligations by committing willful, repeated, or failure-to-abate violations
Procedures of SVEP

- Enhanced Follow-up Inspections
- Nationwide Inspections of Related Workplaces/Worksites
- Increased Company Awareness of OSHA Enforcement
- Enhanced Settlement Provisions
- Federal Court Enforcement under Section 11(b) of the OSH Act
Referrals or Significant Aid to Prosecutors Addressing OSHA-Related Matters

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
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<td>Criminal Referrals</td>
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<td>10</td>
<td>13</td>
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</tbody>
</table>

OSHA continues to make referrals or provide significant aid to prosecutors addressing OSHA-related matters. These actions include referrals under Title 29 of the United States Code, Section 666(e), for employee deaths caused by willful conduct violating an OSHA standard, obstruction of justice, aiding state and local investigations, and prosecutions on safety and health related matters. Fraud related matters, such as training card fraud, are also included. A criminal referral is made by the DOL Office of the Solicitor to the Department of Justice.
Inspection Priorities

• Imminent Danger
• Fatal Accidents/Other Reportable Injuries
• Employee Complaints
• Programmed High Hazard Inspections
• Follow-up Inspections
## Most Frequently Cited Standards

### Manufacturing

<table>
<thead>
<tr>
<th>Standard</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockout/Tagout</td>
<td>1910.147</td>
</tr>
<tr>
<td>Hazard Communication</td>
<td>1910.1200</td>
</tr>
<tr>
<td>Machine Guarding – General Requirements</td>
<td>1910.212</td>
</tr>
<tr>
<td>Respiratory Protection</td>
<td>1910.134</td>
</tr>
<tr>
<td>Powered Industrial Trucks</td>
<td>1910.178</td>
</tr>
<tr>
<td>Electrical – Wiring Methods</td>
<td>1910.305</td>
</tr>
<tr>
<td>Electrical – General Requirement</td>
<td>1910.303</td>
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<tr>
<td>Machine Guarding – Power Transmission Apparatus</td>
<td>1910.219</td>
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<tr>
<td>Process Safety Management</td>
<td>1910.119</td>
</tr>
<tr>
<td>Personal Protective Equipment – General</td>
<td>1910.132</td>
</tr>
</tbody>
</table>
What’s New
Standards Rulemaking
Standards in Pre-Rule Stage

- Infectious Diseases
- Review / Lookback of OSHA Chemical Standards
- Shipyard Fall Protection--Scaffolds, Ladders and Other Working Surfaces
- Communication Towers
Standards in Pre-Rule Stage

- Emergency Response and Preparedness
- Process Safety Management and Prevention of Major Chemical Accidents
Process Safety Management and Prevention of Major Chemical Accidents

- Publication Date: 12/09/2013
- Clarify exemption for atmospheric storage tanks;
- Oil- and gas-well drilling and servicing;
- Oil- and gas-production facilities;
- Expand PSM coverage and requirements for reactivity hazards;
- Update the list of highly hazardous chemicals in Appendix A
Process Safety Management and Prevention of Major Chemical Accidents

- Revise to require additional management-system elements;
- Amend to require evaluation of updates to applicable Recognized and Generally Accepted Good Engineering Practices (RAGAGEP);
- Expand the scope of Paragraph (j) of the PSM standard to cover the mechanical integrity of any safety-critical equipment;
Process Safety Management and Prevention of Major Chemical Accidents

- Clarify Paragraph (l) of the PSM Standard with an explicit requirement that employers Manage Organizational Changes;
- Revises Paragraph (n) of the PSM Standard to require coordination of emergency planning with local emergency-response authorities;
- Revises Paragraph (o) of the PSM Standard to require third-party compliance audits;
Process Safety Management and Prevention of Major Chemical Accidents

- Expand the Requirements of Sec. 1910.109 to cover dismantling and disposal of explosives, blasting agents, and pyrotechnics;
- Update Sec. 1910.106 and 1910.107 based on the latest applicable consensus standards;
- Update the regulations addressing the storage, handling, and management of ammonium nitrate;
Process Safety Management and Prevention of Major Chemical Accidents

- Change enforcement policy of the PSM exemption for retail facilities;
- Change enforcement policy for highly hazardous chemicals listed in appendix A of the PSM standard without specific concentrations.
Standards in Proposed Rule Stage

- Amendments to the Cranes and Derricks in Construction Standard
- Crane Operator Qualification in Construction
- Occupational Exposure to Beryllium
- Occupational Exposure to Crystalline Silica
- Quantitative Fit Testing Protocol: Respiratory Protection
Standards in Proposed Rule Stage

- Clarification of Employer's Obligation to Make and Maintain Accurate Records of Work-Related Injuries and Illnesses
- Updating OSHA Standards Based on National Consensus Standards Eye and Face Protection
Proposed Silica Standard

• OSHA is proposing two separate regulatory texts
  – one for general industry and maritime
  – one for construction

• https://www.osha.gov/silica/index.html
Proposed Silica Standard

- 50 ug/m³ respirable crystalline silica
- Preferred methods for controlling exposure
  - Respiratory protection,
  - Medical surveillance,
  - Hazard communication, and
  - Recordkeeping.
Proposed Silica Standard

• PEL represents 50-80% reduction of current PEL (to 50 ug/m³ from 250 ug/m³).
• Since 2006, ACGIH TLV has been 25 μg/m³
• Initial Assessment
  – IH monitoring or objective data <12 months
• Periodic Assessment
  – AL< Exposure <PEL, then every 6 mos.
  – Exposure >PEL, then every 3 mos.
<table>
<thead>
<tr>
<th>Operation</th>
<th>Engineering and Work Practice Control Methods</th>
<th>Required Air-Purifying Respirator (Minimum Assigned Protection Factor)</th>
</tr>
</thead>
</table>
| Using Stationary Masonry Saws | Use saw equipped with integrated water delivery system.  

**NOTE:** Additional specifications:  
• Change water frequently to avoid silt build-up in water.  
• Prevent wet slurry from accumulating and drying.  
• Operate equipment such that no visible dust is emitted from the process.  
• When working indoors, provide sufficient ventilation to prevent build-up of visible airborne dust.  
• Ensure saw blade is not excessively worn. | None | Half-Mask (10) |
| Using Hand-Operated Grinders  | Use water-fed grinder that continuously feeds water to the cutting surface.  

**OR**  
Use grinder equipped with commercially available shroud and dust collection system, operated and maintained to minimize dust emissions. Collector must be equipped with a (cfm) or greater airflow per inch of blade diameter.  

**NOTE:** Additional specifications (wherever applicable):  
• Prevent wet slurry from accumulating and drying.  
• Operate equipment such that no visible dust is emitted from the process.  
• When working indoors, provide sufficient ventilation to prevent build-up of visible airborne dust. | None | Half-Mask (10) | Half-Mask (10) |

**Table 1 limits respirator use for tasks performed <4 hours/day**
Medical Surveillance

• Covers workers exposed above PEL for 30 or more days per year
• Initial exam followed by periodic exam every 3 years
• Exam includes medical and work history, physical exam, chest X-ray, and pulmonary function test (TB test on initial exam only)
Standards in Final Rule Stage

- Improve Tracking of Workplace Injuries and Illnesses
- Confined Spaces in Construction
- Walking Working Surfaces and Personal Fall Protection Systems (Slips, Trips, and Fall Prevention)
- Procedures for the Handling of Retaliation Complaints
Whistleblower Laws Enforced by OSHA

- Asbestos Hazard Emergency Response Act (90 days)
- Clean Air Act (30 days)
- Comprehensive Environmental Response, Compensation and Liability Act (30 days)
- Consumer Financial Protection Act of 2010 (180 days)
- Consumer Product Safety Improvement Act (180 days)
- Energy Reorganization Act (180 days)
- Federal Railroad Safety Act (180 days)
- Federal Water Pollution Control Act (30 days)
- International Safe Container Act (60 days)
- Moving Ahead for Progress in the 21st Century Act (motor vehicle safety) (180 days)
- National Transit Systems Security Act (180 days)
Whistleblower Laws Enforced by OSHA

- Occupational Safety and Health Act (30 days)
- Pipeline Safety Improvement Act (180 days)
- Safe Drinking Water Act (30 days)
- Sarbanes-Oxley Act (180 days)
- Seaman’s Protection Act (180 days)
- Section 402 of the FDA Food Safety Modernization Act (180 days)
- Section 1558 of the Affordable Care Act (180 days)
- Solid Waste Disposal Act (30 days)
- Surface Transportation Assistance Act (180 days)
- Toxic Substances Control Act (30 days)
- Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (90 days)
Walking & Working Surfaces; Personal Fall Protection Equipment (Subparts D&I)

- Published on May 24, 2010
- Expected to be released as a final rule sometime later this year.
Specific Issues

• Fall protection on rolling stock and motor vehicles
• Fall protection on stacked material
• Qualified climber
• Building anchorage for rope descent systems
• Technological advances in fall protection and fall arrest
Subpart D

### Existing rule
- 1910.21 Definitions.
- 1910.22 General requirements.
- 1910.23 Guarding floor and wall openings and holes.
- 1910.24 Fixed industrial stairs.
- 1910.25 Portable wood ladders.
- 1910.26 Portable metal ladders.
- 1910.27 Fixed ladders.
- 1910.28 Safety requirements for scaffolding.
- 1910.29 Manually propelled mobile ladder stands and scaffolds. (towers).
- 1910.30 Other working surfaces. requirements.

### Proposed rule
- 1910.21 Scope, application, and definitions.
- 1910.22 General requirements.
- 1910.23 Ladders.
- 1910.24 Step bolts and manhole steps.
- 1910.25 Stairways.
- 1910.26 Dockboards (bridge plates).
- 1910.27 Scaffolds (including rope descent systems).
- 1910.28 Duty to have fall protection.
- 1910.29 Fall protection systems criteria and practices
- 1910.30 Training .
Subpart I - PPE

• Addition of:
• 1910.140 – Fall Protection System
• Appendix C - Personal Fall Protection Systems - non-mandatory
• Appendix D – Test Method and Procedures for Personal Fall Protection Systems – non-mandatory
1910.28 Duty to Have Fall Protection

• The section does not apply to powered platforms covered 1910.66(j), aerial lifts covered by 1910.67(c)(2)(v), the portion of telecommunications work covered by 1910.268(n)(7) and (n)(8), or the portion of electric power generation, transmission, and distribution work covered by 1910.269(g)(2)(v).
Completed Actions

• Cranes and Derricks in Construction: Operator Certification
• Occupational Injury and Illness Recording and Reporting Requirements-NAICS Update and Reporting Revisions
Cranes and Derricks in Construction: Operator Certification

- Extending November 10, 2014 deadline for employers to ensure that crane operators are certified by three years, until November 10, 2017.

- Also extending its employer duty to ensure that crane operators are competent to operate a crane safely for the same three-year period.
Revised Recordkeeping


– January 1. 2015
– Report fatalities – 8 hrs
– Report in-patient hospitalization – 24 hrs
– Report amputation – 24 hrs
– Report enucleation – 24 hrs
– Notify by telephone or in person to local OSHA Area Office, 1-800-321-OSHA (1-800-321-6742) or electronic submission using the reporting application located on OSHA’s public website
– New covered and exempt NAICS codes
<table>
<thead>
<tr>
<th>NAICS Code</th>
<th>Industry Description</th>
<th>NAICS Code</th>
<th>Industry Description</th>
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<tbody>
<tr>
<td>4412</td>
<td>Other Motor Vehicle Dealers</td>
<td>5411</td>
<td>Legal Services</td>
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<tr>
<td>4411</td>
<td>Electronic and Appliance Stores</td>
<td>5417</td>
<td>Accounting, Tax Preparation, Bookkeeping, and Payroll Services</td>
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<td>4461</td>
<td>Health and Personal Care Stores</td>
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<td>Architectural, Engineering, and Related Services</td>
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<td>Gasoline Stations</td>
<td>5414</td>
<td>Specialized Design Services</td>
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<td>4481</td>
<td>Clothing Stores</td>
<td>5415</td>
<td>Computer Systems Design and Related Services</td>
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<td>4482</td>
<td>Shoe Stores</td>
<td>5410</td>
<td>Management, Scientific, and Technical Consulting Services</td>
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<td>Jewelry, Luggage, and Leather Goods Stores</td>
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<td>Scientific Research and Development Services</td>
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<td>Sporting Goods, Hobby, and Musical Instrument Stores</td>
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<td>Advertising and Related Services</td>
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<tr>
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<td>Book, Periodical, and Music Stores</td>
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<td>Management of Companies and Enterprises</td>
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<td>Florists</td>
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<td>Office Administrative Services</td>
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<td>Office Supplies, Stationery, and Gift Stores</td>
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<td>Travel Arrangement and Reservation Services</td>
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<td>Investigation and Security Services</td>
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<td>4862</td>
<td>Pipeline Transportation of Natural Gas</td>
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<td>Elementary and Secondary Schools</td>
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<td>4869</td>
<td>Other Pipeline Transportation</td>
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<td>4879</td>
<td>Scenic and Sightseeing Transportation, Other</td>
<td>6113</td>
<td>Colleges, Universities, and Professional Schools</td>
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<td>4885</td>
<td>Freight Transportation Arrangement</td>
<td>6114</td>
<td>Business Schools and Computer and Management Training</td>
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<td>Newspaper, Periodical, Book, and Directory Publishers</td>
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<td>Technical and Trade Schools</td>
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<td>3121</td>
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<td>3118</td>
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<td>6242</td>
<td>Community food and housing, and emergency and other relief services</td>
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<td>7111</td>
<td>Performing arts companies</td>
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<td>7113</td>
<td>Promoters of performing arts, sports, and similar events</td>
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<td>7121</td>
<td>Museums, historical sites, and similar institutions</td>
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<tr>
<td>7139</td>
<td>Other amusement and recreation industries</td>
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<td>7223</td>
<td>Special food services</td>
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<td>8129</td>
<td>Other personal services</td>
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Long-term Action

- Injury and Illness Prevention Program
- Combustible Dust
- Update to the Hazard Communication Standard
- Occupational Injury and Illness Recording and Reporting Requirements--Musculoskeletal Disorders (MSD) Column
- Preventing Backover Injuries and Fatalities 1218-AC51 Long-term Action
HAZARD COMMUNICATION

The standard that gave workers the right to know, now gives them the right to understand.

Safety & Health Topics Page: Hazard Communication

Labeling  Safety Data Sheets  Pictograms  Effective Dates

"Exposure to hazardous chemicals is one of the most serious threats facing American workers today," said U.S. Secretary of Labor Hilda Solis. "Revising OSHA's Hazard Communication standard will improve the quality and consistency of hazard information, making it safer for workers to do their jobs and easier for employers to stay competitive."

The Hazard Communication Standard (HCS) is now aligned with the Globally Harmonized System of Classification and Labeling of Chemicals (GHS). This update to the Hazard Communication Standard (HCS) will provide a common and coherent approach to classifying chemicals and communicating hazard information on labels and safety data sheets. Once implemented, the revised standard will improve the quality and consistency of hazard information in the workplace, making it safer for workers by providing easily understandable information on appropriate handling and safe use of hazardous chemicals. This update will also help reduce trade barriers and result in productivity improvements for American businesses that regularly handle, store, and use hazardous chemicals while providing cost savings for American businesses that periodically update safety data sheets and labels for chemicals covered under the hazard communication standard.

Hazard Communication Standard

In order to ensure chemical safety in the workplace, information about the identities and hazards of the chemicals must be available and understandable to workers. OSHA's Hazard Communication standard (HCS) requires the development and dissemination of such information:

- Chemical manufacturers and importers are required to evaluate the hazards of the chemicals they produce or import, and prepare labels and safety data sheets to convey the hazard information to their downstream customers;
- All employers with hazardous chemicals in their workplaces must have labels and safety data sheets for their exposed workers, and train them to handle the chemicals appropriately.
Thank You for Your Time