

Employee Rights under the OSH Act

WORKER PROTECTION IS THE LAW

In 1970, Congress passed the [Occupational Safety and Health Act \(OSH Act\)](#) to prevent harm to employees while at work. The Act requires employers to provide their employees with working conditions that are free of known safety and health (S&H) hazards.

In addition, the OSH Act created the Occupational Safety and Health Administration (OSHA) to establish and enforce workplace S&H standards. It ensures employee S&H rights and responsibilities. Additionally, employers are assigned specific responsibilities regarding workplace S&H.

OSHA looks for these fundamental employee rights to be included in every federally-based safety management system (SMS). It is essential to communicate this information to employees and encourage them to exercise their rights, when necessary.

EMPLOYEE RIGHTS UNDER THE OSH ACT

The OSH Act provides employees the right to a safe and healthful workplace. It also allows employees to protect themselves against S&H hazards. The following table lists other examples of employee rights under the OSH Act.

File a confidential complaint with OSHA for: unsafe or unhealthy working conditions, violations of employee rights under the OSH Act, or retaliation from whistleblower activity		
Report S&H concerns or work-related injuries or illnesses to the employer without retaliation	Information pertaining to hazardous chemicals	See OSHA citations issued to the employer
Refuse to work in a dangerous situation	Obtain most personal protective equipment free of charge	Obtain copies of their workplace medical records
Receive information and training about known S&H hazards, their control methods, and applicable OSHA standards	Review copies of work-related injury and illness records	Participate in an OSHA inspection
Receive training and S&H information in an understandable language and vocabulary	Receive copies of testing and monitoring results done to find or measure S&H hazards	Speak in private with OSHA inspectors

OSHA FEDERAL AGENCY POSTER

As a DoD workplace, you must prominently display the [OSHA Federal Agency Poster](#). This poster communicates both employee rights under the OSH Act, as well as employer and employee responsibilities. See page 2 of this handout for a full version of the Federal Agency Poster.

Visit [OSHA 3021: Worker rights](#) for more information on employee rights under the OSH Act.

For additional information on the SMCX's services, please visit the SMCX-hosted website at: <https://smcxc.org/>.

Occupational Safety and Health Protection For Employees of the *(Insert Your Agency Here)*

The Occupational Safety and Health Act of 1970, Executive Order 12196 and 29 CFR 1960 require the heads of Federal agencies to furnish to employees places and conditions of employment that are free from job safety and health hazards.

Responsibilities of Your agency

1. General Requirements

The head of your agency will furnish Your agency employees places and conditions of employment that are free from on-the-job safety and health hazards.

2. OSHA Regulations

Your agency will comply with applicable regulations of the Occupational Safety and Health Administration.

3. Reporting Hazards

Your agency will respond to employee reports of hazards in the workplace.

4. Workplace Inspections

Your agency will insure that each workplace is inspected annually for hazardous conditions. Your agency will post Notices of Unsafe or Unhealthful Working Conditions found during the inspections for a minimum of three working days, or until the hazard is corrected, whichever is later.

5. Correction of Unsafe Conditions

Your agency will take prompt action to assure that hazardous conditions are eliminated. Imminent danger conditions will be corrected immediately.

6. Safety and Protective Equipment

Your agency will acquire, maintain and require use of appropriate protective and safety equipment.

7. Safety and Health Training

Your agency will provide occupational safety and health training for employees.

8. Reporting Accidents, Injuries and Occupational Illnesses

Supervisors must submit a supervisor's report of accidental injury/illness for all work-related accidents, injuries or occupational illnesses experienced by employees under their supervision.

9. Safety and Health Committees

Your agency will support any safety and health committees that are formed from management and employee representatives.

Employee Responsibilities

1. Compliance with Standards

Employees shall comply with all OSHA and approved Your agency occupational safety and health standards, policies and directives.

2. Safety and Protective Equipment

Employees shall use appropriate protective and safety equipment provided by Your agency.

Rights of Employees and Their Representatives

1. Participation in Safety and Health Program

Employees and their representatives shall have the right to participate in the Your agency Safety and Health Program. Employees shall be authorized official time for these activities.

2. Access to Records and Documents

Employees and their representatives shall have access to copies of applicable OSHA and other recognized standards and regulations; Your agency safety and health policies and directives; accident, injury and illness statistics of the Your agency.

3. Reporting Hazards

Employees and their representatives shall have the right to report unsafe or unhealthful working conditions to appropriate officials and to request an inspection of the workplace. The name of the employee making the report will be kept confidential if requested.

4. Freedom from Fear of Reprisal

Employees and their representatives are protected from restraint, interference, coercion, discrimination, or reprisal for exercising any of their rights under the Your agency Safety and Health Program.

Responsible Officials

The Designated Agency Safety and Health Official (DASHO) for Your agency is Name, Title.

The Safety and Health Designee for this workplace is:

and may be contacted at

(Telephone and location)

Further Information

This notice highlights the Your agency employee job safety and health program. More information about the Your agency program or its standards and procedures may be obtained from the workplace Safety and Health Designee.

Washington D.C.
2000

Agency Logo

Agency Head Signature