

# KEY OSHA STANDARDS THAT APPLY TO SCHOOLS



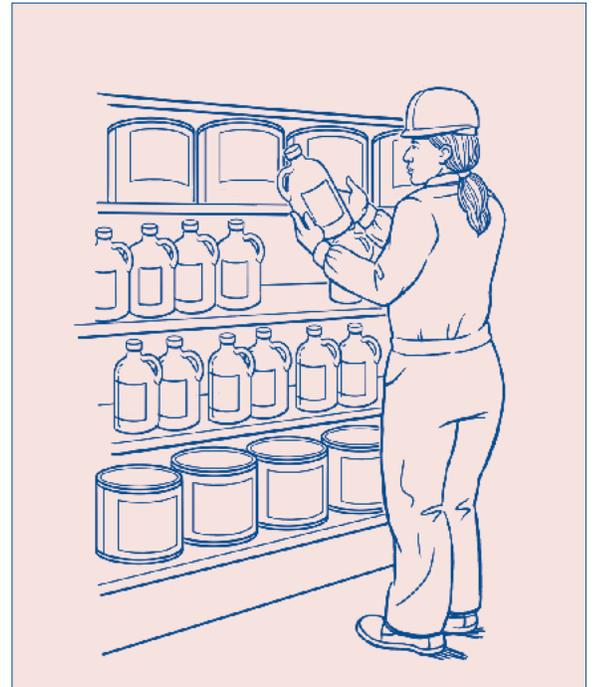
If you are in a state with a state OSHA plan (see SASH Factsheet M), there are some key OSHA standards that apply to schools. These federal OSHA Standards are described below. Remember, your state OSHA program may have more stringent requirements so be sure to check!

## A. HAZARD COMMUNICATION STANDARD (29 CFR 1910.1200)

This OSHA standard gives employees the right to information about the chemicals and other hazardous substances they may be exposed to at work.

The Hazard Communication Standard requires employers to do the following things:

- Make an inventory of all the chemicals used or stored at the workplace.
- Make sure chemical products on site are labeled.
- Obtain and make available to employees copies of Safety Data Sheets (SDSs) on the chemical products used or stored at the workplace. SDSs describe health effects, hazard information, appropriate protections and what to do in an emergency.
- Provide training to employees about these chemicals in a language and manner they can understand.



Employers are also required to describe in writing the elements of the workplace's hazard communication program and how the workplace will comply with this OSHA standard. This written program must be available at your main office and communicated to all affected workers.

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### B. RECORDING AND REPORTING OF OCCUPATIONAL INJURIES AND ILLNESSES OSHA FORM 300 (29 CFR 1904.29)

This OSHA regulation requires employers with more than ten employees to record most occupational injuries and illnesses on a form called the OSHA Form 300. An injury or illness is considered work-related if “an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing injury or illness.”

An employer must record any work-related injuries or illnesses that meet the following criteria:

- Requires medical treatment beyond first aid
- Results in days away from work
- Requires restricted duties or a transfer to another job
- Where the worker loses consciousness or dies.

Employers are not required to record injuries or illnesses that meet the following criteria:

- Occurs to a member of the public who is at the workplace
- Involves signs or symptoms that occur at the workplace but result solely from a non-work-related condition, event or exposure
- Happens when eating or drinking personal food or while doing personal tasks
- Results during voluntary participation in a wellness or fitness program
- Occurs in a motor vehicle while commuting
- The illness is a common cold or flu
- The illness is a mental illness not considered by a doctor to be work-related.



The Log 300 must state where the injury/illness occurred, the nature of the injury/illness, the name of the employee, and the number of workdays missed. Employers may not remove employee name from the Log unless an employee requests this because of privacy concerns. Examples of privacy concerns include HIV exposure, mental health issues, and/or an injury to a private body part or the reproductive system.

A Summary of the Log 300 (Form 300A) must be posted in the workplace for three months, from February 1 to April 30, each year. Workers have the right to get copies of both the Log 300 and the summary. These



must be available at the local worksite. The Log 300 can help employers and employees identify patterns of injury or illness in their workplace.

### **C. BLOODBORNE PATHOGENS STANDARD (29 CFR 1910.1030)**

Bloodborne pathogens are organisms that can cause disease. They are primarily viruses and are called “bloodborne” because they are carried in blood and other body fluids. The OSHA Bloodborne Pathogens standard requires employers to make available the Hepatitis B vaccine to all employees who have “occupational exposure” to bloodborne pathogens. Occupational exposure is defined as any “reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or potentially infectious materials that may result from the performance of an employee’s duties.” Examples of job classifications in which employees may experience occupational exposure include nurses and other medical personnel, public safety personnel, and janitorial staff. These employees are potentially occupationally exposed because they may provide first aid or, in the case of janitorial staff, may clean up spills or equipment that is contaminated.

Employees who are potentially occupationally exposed to bloodborne pathogens must be provided with training so they learn how to avoid getting exposed, be given personal protective equipment such as gloves or masks, and be offered a Hepatitis B vaccine. Those having contact with blood or other bodily fluids should wear disposable gloves, wash their hands with soap and water, and disinfect any equipment or work areas that are affected.

### **D. ACCESS TO EMPLOYEE EXPOSURE AND MEDICAL RECORDS STANDARD (29 CFR 1910.1020)**

The OSHA standard, 29 CFR 1910.1020, gives employees the right to see and copy certain records kept by their employer. These records include:

- Records of any workplace exposure monitoring that has been done (for example, personal air sampling results).
- Employees’ own medical records if the employer has them.

This standard does not require the employer to do any air sampling or medical tests (although other specific OSHA standards, such as the Lead in Construction standard, do). It does require employers to give workers access to these records if they exist.

Employers must keep exposure and medical records for 30 years after the worker leaves the job. The records of people who worked for the employer less than one year do not need to be kept after they leave.

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### E. THE RIGHT TO REFUSE HAZARDOUS WORK

Ideally, a workplace will have a safety system to make sure that workers are never called on to perform an unsafe act. But, if workers are ever asked to do job tasks that they believe might lead to death or serious injury, they can and should refuse to do that work. However, OSHA only protects them against punishment if certain conditions are met:

- Doing the work could expose them to a “real and apparent” hazard that could result in injury or death.
- They first ask their employer or supervisor to eliminate the hazard.
- There is not enough time to correct the problem through normal OSHA enforcement procedures.
- They inform the employer that they are willing to perform other work until the hazard is eliminated.

If all of these conditions are met and workers are punished for refusing to do work they believe is especially dangerous, they should call OSHA or 800-321-OSHA (6742) and ask to be connected with the closest area office.

### F. THE RIGHT NOT TO BE PUNISHED FOR EXERCISING THE RIGHT TO A SAFE WORKPLACE

Employers may not punish workers in any way - including firing, demoting, discriminating or any other form of retaliation - for exercising their right to a safe workplace. Examples of protected activities include complaining to OSHA, seeking a OSHA inspection, participating in a OSHA inspection, and participating or testifying in any proceeding related to a OSHA inspection.

If a worker is disciplined, transferred, fired, laid off, demoted, or in any other way retaliated against for speaking up about health and safety, he or she should call OSHA at 800-321-OSHA (6742). A person filing a complaint of discrimination or retaliation will be required to show that he or she engaged in a protected activity, the employer knew about that activity, the employer punished him or her, and the activity contributed to the adverse action.



Adapted from materials developed for The Worker Occupational Safety and Health Training and Education Program (WOSHTEP).