

## FAQ's about OSHA and SH 4 Hour Fall Protection Training

### FAQ's about OSHA:

- **What is OSHA?**

OSHA is the Occupational Safety & Health Administration. It's a Federal government agency that is part of the US Department of Labor that regulates safety and health in workplaces. OSHA's job is to make sure that companies provide a safe and healthy workplace for all workers. and won't fine workers if hazards are found in their workplace.

- **Does OSHA care about safety for workers who may not have a work permit in this country?**

Yes, the job of OSHA is to make sure that ALL workers are safe in the workplace, and they never ask about immigration status. The laws that guarantee workers the right to a safe and healthy workplace apply to everyone who works, regardless of immigration status. OSHA does not ask for immigration papers from anyone.

- **If your boss pays you with cash or you work for a company where you are the only employee, or just one of two or three employees, or if you are part time --- are you still protected by OSHA rules?**

Yes, OSHA covers you even if you are the only employee even if you only work part time, and even if you get paid in cash.

- **Does OSHA fine workers for safety violations?**

No, OSHA never fines workers. Safety violations are the employer's responsibility, and the employer is the one has to pay the fines. It is not legal for employers to ask workers to pay their fine, or to deduct the amount of the fines from your pay.

- **Does OSHA close businesses that receive fines for safety violations, causing workers to lose their jobs?**

No, the goal of OSHA is to make sure that all workers are working in a safe environment, and when they find violations at a worksite they are willing to work with the employer to fix those problems, including reducing the size of the penalties, and

creating a payment plan to insure that the business can stay open, and that workers will not lose their Jobs.

- **Does OSHA also help employers correct safety problems before a complaint is made?**

Yes, OSHA has a free Consultation Service whose costs they pay for. The service will come to a workplace and help your employer find hazards and figure out how to fix them. They also supply translators, if needed. The service is free for small employers who are trying to do the right thing for their workers, but don't know all the rules.

- **If you call OSHA to report an unsafe working condition, do you have to give your name and address?**

No, you do not need to give your name and contact information when you call OSHA to report a violation of workplace safety rules.

- **If you can't speak English, can you still call OSHA to report a violation?**

When you call OSHA, ask for a translator on the telephone. You can just say, "Portugues," or "Español." You can also call the Brazilian Immigrant Center for help with that.

#### **.What kinds of problems can you report to OSHA?**

You can report any dangerous condition at work. Things like blocked exits, exposure to chemicals or blood without protections, no protection from falls when working up high, moving machine parts that are not guarded from contact--there are too many to list. Most of the reports are also about not having the proper training in a language you understand to know what to do to keep safe. If you are not sure, you can always call to ask us about what you are doing at work to find out what protections to look for.

- **Can your boss retaliate against you, or fire you, for reporting a violation to OSHA?**

OSHA will never tell your boss who called about a violation, so you don't have to admit it if he asks. It could have been anyone including another worker or someone who was there from the company or who knew about working conditions there. In any case, it is against the law for your boss to do anything to you for calling OSHA. If your boss retaliates against you for calling, call OSHA within 30 days and they will help you.

- **How do you make a complaint?**

First, you can call 1-800-321-OSHA (6742), and you don't have to tell your name or where you are calling from.

You can make a formal complaint or an informal anonymous one.

If you give OSHA your name and address, OSHA will send you copies of the letters they send to your boss, but OSHA won't give him this information.

If you are an employee of the company and you want OSHA to come out right away to do an inspection, you will need to sign a complaint or else have a legal representative or a worker center like the Brazilian Immigrant Center sign one for you. If you don't give your name, OSHA will not normally go to the worksite, but calls the boss to discuss the hazards and ask him to fix them within 5 days or prove it does not exist. If the boss is working on fixing things, OSHA can give them more time if they ask. If they do not respond and fix it, then OSHA will go visit them.

- **Can the Brazilian Immigrant Center help you file a complaint?**

Yes, the Brazilian Immigrant Center can file an OSHA complaint on your behalf without using your name, and can also help you with a complaint if you wish to do it on your own.

- **Is it workers' responsibility to buy safety equipment for use at work, like harnesses?**

No, this is the responsibility of the employer, and it is illegal for the employer to deduct this out of your paycheck.

- **Does OSHA have a cooperative agreement to work with ICE, or report anyone to ICE?**

No, OSHA does not make any reports to ICE, and has an agreement not to ever report to that agency any information about workers or employers.

- **Is OSHA flexible in working with employers to help them fix problems?**

Once OSHA visits the worksite, if they find a violation, they must issue a citation. Employers have a right to take 15 workdays from when you get a citation in the

mail to have adjustments made. Every worker has a right to a safe workplace, but OSHA understands that changes take time and will work with employers so they can have time to get the changes made. It is also part of OSHA's job to help educate employers so they can fix the problems. As for the fines, we can help you find a payment schedule that works for you. OSHA helps employers make their company safe for employees.

### **FAQ's about Fall Protection:**

- **Do roofers on residential properties have accidents and get hurt?**

Yes, roof edge falls account for half of all roofing-related fall deaths, and are the leading cause of death on the job for Brazilian workers.

- **Does a worker have to fall a long distance to be killed?**

No -- half of construction falls resulting in death are from a height of 21 feet or less.

- **Is it true that older, more experienced workers don't fall?**

No, many older, experienced workers fall to their deaths, because of unsafe conditions on the job.

- **If we do not have an extension ladder, is it ok to tie together two shorter ladders to make a longer one?**

This is dangerous, and it is not permitted to do this under OSHA rules. OSHA can fine your employer for this safety violation.

- **Will your employer be angry with you if you follow the OSHA safety rules?**

No your employer should appreciate it that you observe safe work practices, because if anything goes wrong, or there is an inspection, it is the employer who is responsible and has to pay the fine.

- **What if I get hurt at the workplace, and my boss says I shouldn't say at the hospital that I was injured at work? What should I do?**

Any time there is an accident at work, you should always seek a doctor's treatment, even if it is not a life-threatening injury. You should tell the hospital, clinic or doctor that you were injured on the job. You should not have to pay the costs of medical treatment yourself. Your employer is obliged to have Workmen's Compensation Insurance for this purpose.