



Occupational Safety & Health Administration

OSHA Requirements

**An electronic handbook
compiled and edited by
Asian Contractor Association
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What is VPP?

The The Voluntary Protection Programs (VPP) promote effective worksite-based safety and health. In the VPP, management, labor, and OSHA establish cooperative relationships at workplaces that have implemented a comprehensive safety and health management system. Approval into VPP is OSHA's official recognition of the outstanding efforts of employers and employees who have achieved exemplary occupational safety and health.

What Is the Authority for VPP?

The legislative underpinning for VPP is Section (2)(b)(1) of the Occupational Safety and Health Act of 1970, which declares the Congress's intent "to assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources - (1) by encouraging employers and employees in their efforts to reduce the number of occupational safety and health hazards at their places of employment, and to stimulate employers and employees to institute new and to perfect existing programs for providing safe and healthful working conditions."

How Does VPP Work?

In practice, VPP sets performance-based criteria for a managed safety and health system, invites sites to apply, and then assesses applicants against these criteria. OSHA's verification includes an application review and a rigorous onsite evaluation by a team of OSHA safety and health experts.

OSHA approves qualified sites to one of three programs:

Star: Recognition for employers and employees who demonstrate exemplary achievement in the prevention and control of occupational safety and health hazards the development, implementation and continuous improvement of their safety and health management system.

Merit: Recognition for employers and employees who have developed and implemented good safety and health management systems but who must take additional steps to reach Star quality

Demonstration: Recognition for employers and employees who operate effective safety and health management systems that differ from current VPP requirements. This program enables OSHA to test the efficacy of different approaches.

When Did VPP Begin?

1979 - California began experimental program
 1982 - OSHA formally announced the VPP and approved the first site.
 1998 - Federal worksites became eligible for VPP.

How Has VPP Improved Worker Safety & Health?

Statistical evidence for VPP's success is impressive. The average VPP worksite has a Days Away Restricted or Transferred (DART) case rate of 52% below the average for its industry⁽¹⁾. These sites typically do not start out with such low rates. Reductions in injuries and illnesses begin when the site commits to the VPP approach to safety and health management and the challenging VPP application process.

How Does VPP Benefit Employers?

Fewer injuries and illnesses mean greater profits as workers' compensation premiums and other costs plummet. Entire industries benefit as VPP sites evolve into models of excellence and influence practices industry-wide.

How Does VPP Benefit OSHA?

OSHA gains a corps of ambassadors enthusiastically spreading the message of safety and health system management. These partners also provide OSHA with valuable input and augment its limited resources.

Another benefit to OSHA is a safety and health advocacy group that came into existence as a result of the VPP, the Voluntary Protection Program Participants' Association (VPPPA). The VPPPA is a nonprofit organization founded in 1985. As part of its efforts to share the benefits of cooperative programs, the VPPPA works closely with OSHA and State Plan States in the development and implementation of cooperative programs. The VPPPA also provides expertise to these groups in the form of comments and stakeholder feedback on agency rulemaking and policies. Additionally, the Association provides comments and testimony to members of Congress regarding legislative bills on health and safety issues. Bid Opening Webinars

What Are Some Unique VPP Innovations?

Special Government Employees: Particularly noteworthy is the OSHA Special Government Employees Program (SGE) created in 1994. The SGE Program offers private and public sector safety and health professionals and other qualified participants the opportunity to exchange ideas, gain new perspectives, and grow professionally while serving as full-fledged team members on OSHA's VPP onsite evaluations.

If you are employed at a VPP site, see how you can help OSHA and VPP (<https://www.osha.gov/dcsp/vpp/sge.html>) while gaining valuable experience!

OSHA

The Occupational Safety and Health Act of 1970 (OSHAct) was passed to prevent workers from being killed or seriously harmed at work. The law requires that employers provide their employees with working conditions that are free of known dangers. The Act created the Occupational Safety and Health Administration (OSHA), which sets and enforces protective workplace safety and health standards. OSHA also provides information, training and assistance to workers and employers.

To help assure a safe and healthful workplace, OSHA also provides workers with the right to:

- Receive information and training about hazards, methods to prevent harm, and the OSHA standards that apply to their workplace. The training must be in a language you can understand;
- Observe testing that is done to find hazards in the workplace and get test results;
- Review **records of work-related injuries and illnesses**;
- Get copies of their **medical records**;
- Request OSHA to inspect their workplace; and
- Use their rights under the law free from retaliation and discrimination.

Who OSHA Covers

Private Sector Workers

Most employees in the nation come under OSHA's jurisdiction. OSHA covers private sector employers and employees in all 50 states, the District of Columbia, and other US jurisdictions either directly through Federal OSHA or through an OSHA-approved state program. State run health and safety programs must be at least as effective as the Federal OSHA program.

State and Local Government Workers

Employees who work for state and local governments are not covered by federal OSHA, but have OSH Act protections if they work in those states that have an OSHA-approved state program. Four additional states and one US territory have OSHA approved plans that cover public sector employees only. This includes: Connecticut, Illinois, New Jersey, New York, and the Virgin Islands. Private sector workers in these four states and the Virgin Islands are covered by federal OSHA.

Federal Government Workers

Federal agencies must have a safety and health program that meet the same standards as private employers. Although OSHA does not fine federal agencies, it does monitor federal agencies and responds to workers' complaints. The United States Postal Service (USPS) is covered by OSHA.

Who is not covered by the OSHA:

- Self employed;
- Immediate family members of farm employers that do not employ outside employees; and
- Workers who are protected by another Federal agency (for example the Mine Safety and Health Administration, FAA, Coast Guard).

OSHA Standards: Protection on the Job

OSHA standards are rules that describe the methods that employers must use to protect their employees from hazards. There are OSHA standards for Construction work, Maritime operations, and [General Industry](#), which is the set that applies to most worksites. These standards limit the amount of hazardous chemicals workers can be exposed to, require the use of certain safe practices and equipment, and require employers to monitor hazards and keep records of workplace injuries and illnesses.

Employers must also comply with the [General Duty Clause](#) of the OSHA Act, which requires employers to keep their workplace free of serious recognized hazards. This clause is generally cited when no OSHA standard applies to the hazard.

Employer Responsibilities

Employers have the responsibility to provide a safe workplace. Employers MUST provide their employees with a workplace that does not have serious hazards and follow all OSHA safety and health standards. Employers must find and correct safety and health problems. OSHA further requires that employers have to try to eliminate or reduce hazards first by making changes in working conditions rather than just relying on masks, gloves, ear plugs or other types of personal protective equipment (ppe). Switching to safer chemicals, enclosing processes to trap harmful fumes, or using ventilation systems to clean the air are examples of effective ways to get rid of or minimize risks. Employers MUST also:

- Inform employees about hazards through training, labels, alarms, color-coded systems, chemical information sheets and other methods.
- Keep accurate records of work-related injuries and illnesses.

- Perform tests in the workplace, such as air sampling required by some OSHA standards.
- Provide hearing exams or other medical tests required by OSHA standards.
- Post OSHA citations, injury and illness data, and the OSHA poster in the workplace where workers will see them.
- Notify OSHA within 8 hours of a workplace incident in which there is a death or three or more workers go to a hospital.
- Not discriminate or retaliate against an employee for using their rights under the law.

Step 1: OSHA Requirements Related to Leading Hazards at Construction Sites

The following resources will introduce you to OSHA requirements that address some of the leading hazards at construction sites.

- **Falls** consistently account for the greatest number of fatalities in the construction industry. If you have employees who work six or more feet above a lower level, you must provide fall protection.
- **Stairways and Ladders.** Working on and around stairways and ladders can be hazardous. Stairways and ladders are major sources of injuries and fatalities among construction workers.
- **Scaffolding.** Do you use scaffolding on your jobsite?
- **Electrical.** Almost all construction employers must consider the hazards associated with electricity (i.e., electric shock, electrocution, fires and explosions).
- **Trenching and Excavation** are among the most hazardous construction operations.
- **Motor Vehicle Safety/Highway Work Zones.** Do you operate motor vehicles on your jobsite or do your employees work in and around highway work zones?

Step 2: Other OSHA Requirements That May Apply to Your Jobsite

In addition to the OSHA requirements covered in Step 1, a number of other OSHA standards may apply to your jobsite. The following items can help you identify other key OSHA standards that may apply and point you to information to help you comply with those standards.

- **Hazard Communication Standard.** This standard is designed to ensure that employers and employees know about hazardous chemicals in the workplace and how to protect themselves. Employers with employees who may be exposed to hazardous chemicals in the workplace must prepare and implement a written

Hazard Communication Program and comply with other requirements of the standard, including providing Safety Data Sheets, training, and labeling.

- **Hand and Power Tools.** Hand and power tools are common at nearly every construction jobsite.
- **Silica standard.** OSHA issued this standard to curb lung cancer, silicosis, and other health effects by limiting workers' exposure to respirable crystalline silica.
- Do you use **concrete or masonry products** on your jobsite?
- Do you use **cranes, derricks, hoists, elevators, or conveyors** on your jobsite?
- Do you conduct **welding, cutting, or brazing** at your jobsite?
- **Confined spaces.** Construction workers often perform tasks in confined spaces - work areas that (1) are large enough for an employee to enter, (2) have limited means of entry or exit, and (3) are not designed for continuous occupancy. These spaces, such as manholes, crawl spaces, and tanks, can present physical and atmospheric hazards that can be prevented if addressed before entering the space to perform work.
- Are you engaged in **residential construction**?
- Are you engaged in **steel erection**?
- **Fire Safety and Emergency Action Planning.** Construction employers are responsible for the development and maintenance of an effective fire protection and prevention program at the jobsite throughout all phases of the construction, repair, alteration, or demolition work. ([29 CFR 1926.24](#)). OSHA recommends that all employers have an emergency action plan. A plan is mandatory when required by an OSHA standard. ([29 CFR 1926.35](#)). An emergency action plan describes the actions employees should take to ensure their safety in a fire or other emergency situation.

Step 3: Survey Your Workplace for Additional Hazards

Survey your workplace for additional hazards by:

- Using construction safety checklists. [OSHA Pocket Guide: Construction \(PDF\)](#). OSHA Publication 3252 (2005).
- Reviewing OSHA's [Safety and Health Information Bulletins](#) (see the Construction Operations section).
- Using [OSHA's Hazard identification Training Tool](#). This is a game-based training tool for small business owners and workers interested in learning the core concepts of hazard identification. After using this tool, users will better understand the process to identify hazards in their own workplace.

Find information on workplace safety and health hazards, such as:

- Asbestos
- [Asphalt Fumes](#). OSHA Safety and Health Topic.
- Carbon Monoxide
- [Chemical Hazards and Toxic Substances](#). OSHA Safety and Health Topics Page
- [Distracted Driving](#). OSHA Web Page
- Heat
- [Laser Hazards - Construction](#). OSHA Safety and Health Topics Page
- [Lead](#). OSHA Safety and Health Topics Page
- [Occupational Noise Exposure - Construction](#). OSHA Safety and Health Topics Page
- [Silica, Crystalline](#). OSHA Safety and Health Topics Page
- [Toxic Metals](#). OSHA Safety and Health Topics Page

Step 4: Develop a Jobsite Safety and Health Program

OSHA's construction standards require construction employers to have accident prevention programs that provide for frequent and regular inspection of the jobsites, materials, and equipment by competent persons designated by the employers. See [29 CFR 1926.20\(b\)](#).

NOTE: OSHA's Construction Focused Inspection Policy recognizes the efforts of responsible contractors who have implemented effective safety and health programs, and encourages other contractors to adopt similar programs. Contractors who have implemented effective programs are eligible for focused inspections, should they be visited by an OSHA inspector. Focused inspections, which are narrower in scope than comprehensive inspections, target the leading construction hazards. See [Outreach Training Program for the Construction Industry](#).

For help in developing a program:

- Use an online tool. [OSHA Construction eTool: Safety & Health Program Component](#)
- Find more help to create your own program. [OSHA eTool: Safety and Health Management Systems](#)
- Request a free on-site consultation. [OSHA On-site Consultation Program](#)
- OSHA is developing [Safety and Health Program Management Guidelines](#) that will replace the 1989 guidelines.

Step 5: Train Your Employees

Learn about OSHA's training requirements:

- Read the general safety training and education requirement in OSHA's construction standards. See [29 CFR 1926.21](#).
- Review the specific training requirements in OSHA's construction standards. [Training Requirements in OSHA Standards](#) (PDF) OSHA Publication 2254, (2015).

Find OSHA's resources for training construction workers:

- Download [OSHA 10-Hour Construction Industry Outreach-Trainer Presentations](#).
- Visit [OSHA's Training and Reference Materials Library](#) page.
- Watch [OSHA videos](#) on reducing construction hazards.
- Review OSHA's [construction-related Spanish-language material](#).
- Review [training materials](#) developed by grantees under OSHA's Susan Harwood Training Grant Program.

Find training classes:

- Learn about OSHA's [Outreach Training Program](#).
- Find [10- or 30-Hour Outreach Classes](#).
- Learn about courses available from [OSHA Training Institute Education Centers](#) around the country.

Step 6: Recordkeeping, Reporting and Posting

1. **Recordkeeping.** OSHA generally requires construction employers to keep records of workplace injuries and illnesses ([29 CFR 1904](#)).
 - First determine if you are exempt from the routine recordkeeping requirements. If you had 10 or fewer employees during all of the last calendar year ([29 CFR 1904.1](#)), you are exempt from the recordkeeping requirements (unless asked to do so in writing by OSHA or the Bureau of Labor Statistics). Even if you qualify for this exemption, you must still comply with the reporting requirements noted below.
 - If you do not qualify for this exemption, you must comply with OSHA's recordkeeping requirements.
 - [Download OSHA's recordkeeping forms](#) or order them from the [OSHA Publications Office](#).
 - Read the regulations. [29 CFR 1904](#)
 - Learn more. [OSHA Web Page: Recordkeeping](#)
2. **Reporting Fatalities and Severe Injuries.** All employers, regardless of size or industry, must report to OSHA all work-related fatalities within 8 hours. All employers must also report to OSHA all

work-related inpatient hospitalizations, all amputations, and all loses of an eye within 24 hours.

3. **Electronic Submission of Injury and Illness Data.** A new OSHA rule requires certain employers to electronically submit injury and illness data that they are already required to record on their onsite OSHA Injury and Illness forms.
 - Establishments with 250 or more employees in industries covered by the recordkeeping regulation must submit information from their 2016 Form 300A by July 1, 2017. These same employers will be required to submit information from all 2017 forms (300A, 300, and 301) by July 1, 2018. Beginning in 2019 and every year thereafter, the information must be submitted by March 2.
 - Establishments with 20-249 employees in certain high-risk industries (PDF) must submit information from their 2016 Form 300A by July 1, 2017, and their 2017 Form 300A by July 1, 2018. Beginning in 2019 and every year thereafter, the information must be submitted by March 2.
 - Learn more. OSHA Final Rule to Improve Tracking of Workplace Injuries and Illnesses
4. **OSHA Poster.** All employers must post the OSHA Poster (or state plan equivalent) in a prominent location in the workplace. Where employers are engaged in activities that are physically dispersed, such as construction, the OSHA Poster must be posted at the location to which employees report each day (see 29 CFR 1903.2). Download or order the OSHA Poster in English or Spanish, and other languages.
5. **Access to Employee Exposure and Medical Records.** An OSHA standard (29 CFR 1910.1020) requires employers to provide employees, their designated representatives, and OSHA with access to employee exposure and medical records. Employers generally must maintain employee exposure records for 30 years and medical records for the duration of the employee's employment plus 30 years.
 - Review an OSHA booklet. [Access to Medical and Exposure Records](#) (PDF). OSHA Publication 3110 (2002).

Step 7: Find Additional Compliance Assistance Information

1. Where can I find additional information targeted to the construction industry?
 - Visit OSHA's Construction Industry page.
2. Where can I find a collection of OSHA resources designed for smaller employers?
 - Visit OSHA's Small Business page and learn about OSHA's On-site Consultation Program.
3. Do you have Spanish-speaking employees?

- Learn about OSHA's Spanish-language resources and visit OSHA's Spanish-language web site.
 - Review OSHA's construction-related Spanish-language material.
4. Do you employ temporary workers?
 - Visit OSHA's Protecting Temporary Workers page.
 5. Do you employ women?
 - Visit OSHA's Women in Construction page.
 6. Do you employ teen or young workers?
 - Visit OSHA's Young Workers page.
 7. Are you concerned that your employees could suffer musculoskeletal disorders at the workplace?
 - Visit OSHA's Ergonomics Safety and Health Topics page. While this page is not specific to the construction industry, it includes some information targeted to construction, such as an eTool (Ergonomic Solutions for Electrical Contractors) and an Ergonomics Success Story about a construction company.
 8. Has OSHA developed any compliance assistance information targeted for my specific construction industry?
 - Learn about OSHA's industry-specific resources for construction.
 9. How can I find OSHA's guidance on preparing workplaces for pandemic influenza?
 - Visit OSHA's Pandemic Influenza Safety and Health Topics Page.
 10. How do I find out about OSHA's voluntary programs and other ways to work cooperatively with OSHA?
 - Learn about OSHA's Cooperative Programs.
 - Review OSHA's construction-related Alliances.
 - Review OSHA's construction-related Strategic Partnerships.
 - Find out about ways to participate in OSHA's Voluntary Protection Programs (VPP), including Mobile Workforce and the Star Demonstration Program for Resident Contractors at Non-Voluntary Protection Program Worksites.
 11. What if I still have questions?
 - Search the OSHA web site. Check the site index and the search page.
 - Call the OSHA 800 Number. (800) 321-OSHA (6742).
 - Submit a question by e-mail.
 - Contact your local OSHA office or state plan office.
 - Request a free on-site consultation. Select your state from the Directory of Consultation Projects.

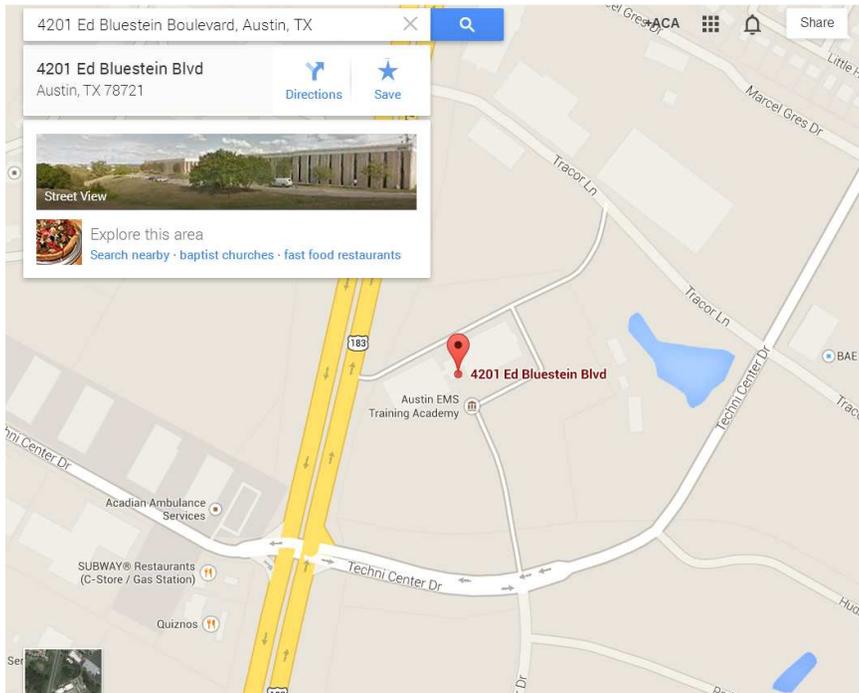
About Asian Contractor Association (ACA)

Founded in 2001, ACA has been a service provider for the City of Austin to help increase Asian participation of the city's MBE program. Our services include:

- Individual consultation
- Bid and project opportunities notifications
- Networking with prime contractors
- Referral services
- Plan room services
- Plan reading and estimating
- City procurement process
- MBE/WBE program advocacy
- ... much more

Maps and Directions --- ACA and SMBR

Heading south on Highway 183 – continue on S. Hwy 183. You will pass MLK, and 51st St. Make a left on Techni Center Dr. and another left at the light. Keep going straight to enter the parking lot located at the back of the office building. Go down a flight of stairs to enter the lobby to sign in. SMBR and ACA are on the second floor. ACA is located inside SMBR in room #2105.



ACA Member Services

1. Business and Technical Consultation
2. Minority Business Enterprise Certification Application, Renewal and Profile Change Process
3. Asian Subcontractor/Sub-consultant Referral Services
4. Upcoming Bid/Event Notifications
5. How to Use COA Vendor Connection
6. Plans Room Services
7. Plan Reading, Cost Estimating Consultation (RSMeans)
8. Proposal Writing and Bid Submission
9. Assist Vendors in Navigating City Procurement Processes
10. Contract Compliance and Contract Review
11. M/WBE Program Ordinance and Compliance Plan Orientation
12. Translations
13. Liaison Services Between Vendors and City Departments
14. Research Assistance of Current and Past City Solicitations and Winning Proposals
15. Collective Representation to Improve Asian Vendor Utilization

Asian Contractor Association

A non-profit organization serving Asian businesses
in the Greater Austin Metro Area since 2001

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