

Introduction

Since 1995, the University of Washington Department of Environmental and Occupational Health Sciences has housed the OSHA-authorized Pacific Northwest OSHA Education Center. Our experienced instructors provide high quality, OSHA standards-based training for the private and public sectors in Washington, Oregon, Idaho, and Alaska. The OSHA Training Institute Education Center for Region 10 at the University of Washington is pleased to offer OSHA 7500 Introduction to Safety and Health Management.

The goal for this course is to increase participant's knowledge and provide them with the basic concepts of implementing a company or organizations safety and health management system.

The OSHA Training Institute (OTI) has developed Terminal Learning Objectives for this course which are:

- 1. Explain the benefits of implementing a safety and health management system
- 2. Identify the core elements of an effective safety and health program
- 3. Describe the key processes in each program element.

The intended audience for this class is the small employer, business owner, or manager (such as a line supervisor or site manager) designated with the responsibility for developing safety and health programs. The training is also suitable for safety managers, safety teams, or other participants who have interest in improving safety and health in the workplace.

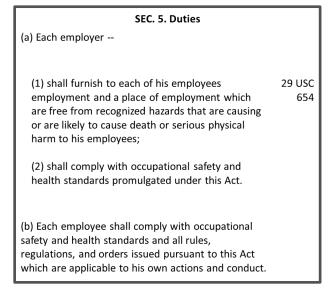
OSHA

The Occupational Safety and Health Act, or OSHA, was signed into law in 1970. The OSH Act created the Occupational Safety and Health Administration, or OSHA, and gave this administration the responsibility and authority to establish occupational health and safety requirements. The OSH Act also gave the administration authority to enforce these regulations. Initially, OSHA covered employees working within the private sector only. In 1980, Executive Order 12196 was enacted, which gave OSHA authority over Federal employees. This order was continued in 1987 by Executive Order 12160, and in 1995 29 CFR 1960 Basic Elements for Federal Employees, OSH Programs.

Related Regulations:

In many situations, a safety hazard may exist that is not covered by a specific standard or regulation. In these situations, OSHA can still issue citations under the General Duty Clause of the OSH Act (29 USC 654 Section 5).

OSHA issues clarifications and interpretations of regulations, as well as tools and guidance documents, and these can be found on the OSHA website, <u>www.osha.gov</u>.





Enforcement Authority:

The OSH Act gives the OSH Administration authority to enforce the regulations that they develop through inspections and issuance of citations and penalties for violations. Any employer within OSHA's jurisdictional authority is subject to inspection.

Voluntary Protection Programs (VPP)

Voluntary Protection Programs (VPP) recognize employers who have implemented effective safety and health management systems and maintain injury and illness rates below national averages for their respective industries. Employers may submit an application to OSHA and undergo a rigorous on-site evaluation in order to achieve VPP status. Employers in the VPP program work cooperatively with management, labor, labor representatives if employees are represented, and OSHA to proactively prevent employee injuries, illnesses, and fatalities. Organizations participating in VPP programs must be re-evaluated every 3 to 5 years, and are exempt from OSHA programmed inspections while they maintain VPP status.

VPP safety programs focus on hazard prevention and control, worksite analysis, training, management commitment, and worker involvement.

Safety and Health Achievement Recognition Program (SHARP)

OSHA offers free on-site consultation services as a service that is completely separate from compliance inspections. Employers can request consultation services to learn about potential hazards at their work place, improve programs, and qualify for a one year exemption from routine OSHA inspections. Citations and penalties are not issued as part of this consultation service, however, the employer is obligated to correct any serious job safety and health hazards identified as part of the consultation.

Small business employers who have utilized OSHA's on site consultation service and operate an exemplary injury and illness prevention program can achieve Safety and Health Achievement Recognition Program (SHARP) status.

Businesses with 250 or fewer onsite employees, and fewer than 500 corporate wide employees are eligible for SHARP. To participate, the business must:

- Request a comprehensive on-site consultation
- Involve employees in the consultation process
- Correct all hazards identified during the process
- Implement and maintain an injury and illness prevention program that, at a minimum, addresses OSHA's Safety and Health Management Guidelines
- Maintain injury and illness rates below national averages for the employer's respective industry
- Agree to notify the on-site consultation office prior to making any changes to working conditions or introducing new hazards into the workplace



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OSHA Inspections

The Occupational Safety and Health Administration is committed to strong, fair and effective enforcement of safety and health requirements in the workplace. OSHA inspectors, called compliance safety and health officers, are experienced, well-trained industrial hygienists and safety professionals whose goal is to assure compliance with OSHA requirements and help employers and workers reduce on-the-job hazards and prevent injuries, illnesses and deaths in the workplace.

Normally, OSHA conducts inspections without advance notice. Employers have the right to require compliance officers to obtain an inspection warrant before entering the worksite.

Inspection Priorities

OSHA cannot inspect all 7 million workplaces it covers each year. The agency seeks to focus its inspection resources on the most hazardous workplaces in the following order of priority:

1. Imminent danger situations—hazards that could cause death or serious physical harm receive top priority. Compliance officers will ask employers to correct these hazards immediately or remove endangered employees.

2. Severe injuries and illnesses—employers must report:

- · All work-related fatalities within 8 hours.
- All work-related inpatient hospitalizations, amputations, or losses of an eye within 24 hours.

3. Worker Complaints—allegations of hazards or violations also receive a high priority. Employees may request anonymity when they file complaints.

4. *Referrals* of hazards from other federal, state or local agencies, individuals, organizations or the media receive consideration for inspection.

5. Targeted inspections—inspections aimed at specific high-hazard industries or individual work-places that have experienced high rates of injuries and illnesses also receive priority.

6. Follow-up inspections—checks for abatement of violations cited during previous inspections are also conducted by the agency in certain circumstances.

Phone/Fax Investigations

OSHA carefully prioritizes all complaints it receives based on their severity. For lower-priority hazards, with permission of a complainant, OSHA may telephone the employer to describe safety and health concerns, following up with a fax providing details on alleged safety and health hazards. The employer must respond in writing within five working days, identifying any problems found and noting corrective actions taken or planned. If the response is adequate and the complainant is satisfied with the response, OSHA generally will not conduct an on-site inspection.

On-site Inspections

Preparation—Before conducting an inspection, OSHA compliance officers research the inspection history of a worksite using various data sources, review the operations and processes in use and the standards most likely to apply. They gather appropriate personal protective equipment and testing instruments to measure potential hazards.

Presentation of credentials—The on-site inspection begins with the presentation of the compliance officer's credentials, which include both a photograph and a serial number.

Opening Conference—The compliance officer will explain why OSHA selected the workplace for inspection and describe the scope of the inspection, walkaround procedures, employee representation and employee interviews. The employer then selects a representative to accompany the compliance officer during the

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inspection. An authorized representative of the employees, if any, also has the right to go along. In any case, the compliance officer will consult privately with a reasonable number of employees during the inspection.

Walkaround—Following the opening conference, the compliance officer and the representatives will walk through the portions of the workplace covered by the inspection, inspecting for hazards that could lead to employee injury or illness. The compliance officer will also review worksite injury and illness records and the posting of the official OSHA poster.

During the walkaround, compliance officers may point out some apparent violations that can be corrected immediately. While the law requires that these hazards must still be cited, prompt correction is a sign of good faith on the part of the employer. Compliance officers try to minimize work interruptions during the inspection and will keep confidential any trade secrets they observe.

Closing Conference—After the walkaround, the compliance officer holds a closing conference with the employer and the employee representatives to discuss the findings. The compliance officer discusses possible courses of action an employer may take following an inspection, which could include an informal conference with OSHA or contesting citations and proposed penalties. The compliance officer also discusses consultation services and employee rights.

Results

When an inspector finds violations of OSHA standards or serious hazards, OSHA may issue citations and fines. OSHA must issue a citation

and proposed penalty within six months of the violation's occurrence. Citations describe OSHA requirements allegedly violated, list any proposed penalties and give a deadline for correcting the alleged hazards. Violations are categorized as willful, serious, other-than-serious, *de minimis*, failure to abate, and repeated. Penalties may range up to \$7,000 for each serious violation and up to \$70,000 for each serious violation. In settling a penalty, OSHA has a policy of reducing penalties for small employers and those acting in good faith. For serious violations, OSHA may also reduce the proposed penalty based on the gravity of the alleged violation. No good faith adjustment will be made for alleged willful violations.

Appeals

When OSHA issues a citation to an employer, it also offers the employer an opportunity for an informal conference with the OSHA Area Director to discuss citations, penalties, abatement dates or any other information pertinent to the inspection. The agency and the employer may work out a settlement agreement to resolve the matter and to eliminate the hazard. OSHA's primary goal is correcting hazards and maintaining compliance rather than issuing citations or collecting penalties.

Alternatively, employers have 15 working days after receipt of citations and proposed penalties to formally contest the alleged violations and/or penalties by sending a written notice to the Area Director. OSHA forwards the contest to the Occupational Safety and Health Review Commission for independent review. Alternatively, citations, penalties and abatement dates that are not challenged by the employer or settled become a final order of the Occupational Safety and Health Review Commission.

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory-impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: (877) 889-5627.





www.osha.gov (800) 321-OSHA (6742)



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Voluntary Protection Programs

Created in 1982, OSHA's Voluntary Protection Programs recognize and partner with businesses and worksites that show excellence in occupational safety and health. Sites are committed to effective employee protection beyond the requirements of OSHA standards. VPP participants develop and implement systems to effectively identify, evaluate, prevent, and control occupational hazards to prevent employee injuries and illnesses. As a result, the average VPP worksite has a lost workday incidence rate at least 50 percent below the average of its industry. OSHA removes participants from programmed inspection lists.

Scope

All groups covered by OSHA, including federal agencies, are eligible to join the Voluntary Protection Programs. Each worksite that applies must show a commitment to effective safety and health management systems and work to be an industry leader in occupational safety and health.

General Requirements

An effective, ongoing safety and health program. OSHA believes an effective safety and health management system is the best way to prevent occupational illnesses and injuries. By meeting performance-based criteria, the VPP participant is expected to use a comprehensive system geared toward each worksite's needs. Management leadership and employee participation, in addition to company self-evaluations, are key elements of this process. Annual self-evaluations measure success and identify areas needing improvement.

Cooperation. VPP emphasizes trust and cooperation among OSHA, the employers, employees and employee representatives. Since 1982, this cooperation – and the excellent protection found at VPP sites – complements the agency's enforcement activity without replacing it, allowing the agency to focus its inspection resources on higher-risk establishments. Although VPP sites are exempt from programmed inspections, employers and employees retain their rights and responsibilities under the Occupational Safety and Health Act. **Good performance**. Voluntary Protection Programs participants are selected based on their written safety and health management system and ongoing performance. OSHA also conducts a thorough on-site evaluation to judge how well the site's protective system is working, including a review of site injury/illness rates. Continuous improvement is expected.

Star

The Star Program is designed for exemplary worksites with comprehensive, successful safety and health management systems. Companies in the Star Program have achieved injury and illness rates at or below the national average of their respective industries. These sites are self-sufficient in their ability to control workplace hazards. Star participants are reevaluated every three to five years, although incident rates are reviewed annually.

Merit

Merit is an effective stepping stone to Star. Merit sites have good safety and health management systems, but these systems need some improvement to be judged excellent. Merit sites demonstrate the potential and the commitment to meet goals tailored to each site and to achieve Star quality within three years. However, each Merit site is limited to one three-year term unless a second term is approved by the Assistant Secretary of Labor for Occupational Safety and Health. Onsite evaluations occur every 18 to 24 months.

Star Demonstration

The Star Demonstration program is designed for worksites with Star quality safety and health protection to test alternatives to current Star eligibility and performance requirements. Promising and successful projects are considered for changes to Star requirements. Star Demonstration program participants are evaluated every 12 to 18 months.

OSHA Responsibilities

Application review. Each applicant undergoes a review of its safety and health programs. The multi-stepped on-site review requires about four days, depending on the size of the facility and complexity of the operations. In addition to a review of records, logs and inspection history, the on-site review includes an initial meeting with management staff and employees, a walk-through of the facilities to determine hazards and precautions, formal and informal interviews, and a closing meeting to discuss findings and recommendations. Current employees of a VPP site can serve on an evaluation team by volunteering for an OSHA training course and becoming a Special Government Employee.

Evaluation. Star Demonstration sites are evaluated every 12 to 18 months, Merit sites every 18 to 24 months, and Star sites every three to five

years. Injury and illness rates are compared to national averages. Merit sites must show a commitment toward gaining Star status within three years.

Contact person. OSHA assigns a VPP site representative to each VPP workplace to provide ongoing guidance and assistance.

Inspections. Participation in VPP does not eliminate the rights or responsibilities of employers or employees under the Occupational Safety and Health Act. OSHA enforcement inspections will result from valid complaints, workplace accidents or fatalities, chemical leaks and spills and other significant events.

All states with approved occupational safety and health programs offer VPP programs. A list of states with approved programs is available at OSHA's website. For further information about a specific state program, contact the state program directly.

For more information on joining VPP, contact OSHA's Office of Partnerships and Recognition at (202) 693-2213 or the VPP Manager at your OSHA Regional Office.

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The OSHA Consultation Program

Using a free consultation service funded by the Occupational Safety and Health Administration (OSHA), employers can find out about potential hazards at their worksites, improve their occupational safety and health management systems, and even qualify for a one-year exemption from routine OSHA inspection.

The service is delivered by state governments using well-trained professional staff. Consultations take place on-site, though limited services away from the worksite are available. However, consultations cannot take place during an enforcement inspection, and may not take place until citations, if any, have been issued and become final orders.

Primarily targeted for smaller, high-hazard businesses, OSHA's safety and health consultation program is completely separate from the OSHA inspection effort. In addition, no citations are issued or penalties proposed.

Confidentiality will be strictly maintained during the consultation process. The consultant will only report hazard information to OSHA if the employer fails to correct an imminent danger or serious hazards.

The employer's only obligation will be to commit to correcting serious job safety and health hazards – a commitment which is expected to be made prior to the actual visit and carried out in a timely manner.

Getting Started

Since consultation is a voluntary activity, employers must request it. A telephone call or letter sets the consulting machinery in motion. The consultant will discuss specific needs with the employer and set up a visit based on the priority assigned to the request, the employer's work schedule, and the time needed for the consultant to prepare for the visit. OSHA encourages a complete review of a firm's safety and health situation; however, an employer may limit the visit to specific problems. Certain obligations must be met, including agreeing to correct all serious hazards found during the visit in an agreed-upon time frame.

The On-Site Consultants Will

- Meet with the employer and, at times, employees or employee representatives;
- Walk-through the worksite with the employer and employees;
- · Review company injury and illness rates;
- Help identify hazards in the workplace;
- Identify kinds of help available for further assistance;
- Give detailed findings in a closing conference;
- · Provide a written report summarizing findings;
- Assist the development or maintenance of an effective safety and health program;
- Provide training and education for the employer and employees;
- Recommend the site for a one-year exemption from OSHA programmed inspections, when SHARP criteria are met.

In rare instances, the consultant may find an "imminent danger" situation during the walkthrough. If so, the employer must take immediate action to protect all employees. Other situations – those which would be judged a serious violation under OSHA criteria – require the employer and the consultant to develop a plan and schedule to eliminate or control the hazard.

The On-Site Consultants Will Not

- Issue citations or propose penalties for violations of OSHA standards;
- Report possible violations to OSHA enforcement staff;
- Guarantee that your workplace will "pass" an OSHA inspection.

Hazard Correction and Follow-Through

The consultant will send to the company a detailed written report about 20 days after the closing conference that explains the findings and confirms agreed upon correction periods. A list of hazards is included in the report and must be posted electronically or in an easily observable area by employees for three days or until the listed hazards are corrected. Consultants may also contact the business from time to time to check progress, and employers may always contact them for assistance. Employers using the consultation service are deferred from OSHA's scheduled inspections while the consultation remains "in progress." This period encompasses the time between the onset of the consultation and the final correction dates, including any extensions.

Ultimately, OSHA does require hazard correction so that each consultation visit achieves its objective – effective employee protection. If there is a failure to eliminate or control identified serious hazards (or an imminent danger) according to the plan and within the limits agreed upon, the situation is referred from consultation to an OSHA enforcement office for appropriate action.

Benefits

Knowledge of workplace hazards and ways to eliminate them can only improve the company's operations – and the management of the firm. Employers receive professional advice and assistance on eliminating or preventing workplace hazards via the on-site hazard survey or the on-site training from the consultant. The consultant can help establish or strengthen an employee safety and health program, making safety and health activities routine considerations rather than crisisoriented responses. Improving workplace safety and health also brings fewer accidents, lower injury and illness rates, decreased workers' compensation costs, and limits product losses. Consultations will also help the entire company comply with OSHA standards.

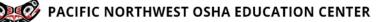
SHARP

Employers may participate in OSHA's Safety and Health Achievement Recognition Program (SHARP) or a similar state program. This program is designed to provide incentives and support to employers to develop, implement and continuously improve effective safety and health programs at their worksite(s). SHARP provides for recognition of employers who have demonstrated exemplary achievements in workplace safety and health by receiving a comprehensive safety and health consultation visit, correcting all workplace safety and health hazards, adopting and implementing effective safety and health management systems, and agreeing to request further consultative visits if major changes in working conditions or processes occur which may introduce new hazards. Employers who meet these specific SHARP requirements may be exempted from OSHA programmed inspections for a period not less than one year.

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For more complete information:



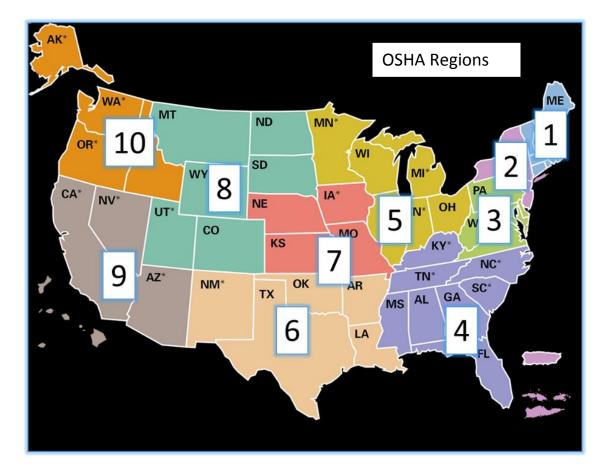


State Plans:

OSHA gives states the authority to develop and implement state occupational safety and health plans. States may develop their own regulations as long as they are "just as effective as" the federal standards. They also may promulgate and enforce regulations that either are not covered by the federal standards, or go beyond the federal standards. California, Oregon and Washington, for example, are recognized as states that have implemented progressive occupational safety and health regulations. Some states adopt the federal standards by reference, but utilize state program employees to conduct inspections and enforcement. Others do a combination of both.

Twenty-six states, Puerto Rico, and the Virgin Islands have OSHA-approved State Plans. Twenty-two State Plans (21 states and one U.S. territory) cover both private and state and local government workplaces. The remaining six State Plans (Connecticut, Illinois, Maine, New Jersey, New York and the Virgin Islands) cover state and local government workers only.





OSHA 7500 Introduction to Safety and Health Management Introduction Page 9

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Region 10:

OSHA Region 10 includes the states of Alaska, Idaho, Oregon and Washington.

<u>Alaska</u> is a State Plan state, and has incorporated the federal OSHA standards by reference. The Alaska Occupational Safety and Health Section (AKOSH) is the agency tasked with reducing occupational fatalities, injuries, and illnesses, and also administers the consultation program. Information on the Alaska state plan and AKOSH can be found at: <u>http://labor.state.ak.us/lss/oshhome.htm</u>

AKOSH administers the VPP program (http://www.labor.state.ak.us/lss/vpp.htm) and SHARP program (http://www.labor.alaska.gov/lss/OSH-SHARP.htm) for the state of Alaska.



<u>Idaho</u> is an OSHA state. Federal OSHA regulations apply and OSHA inspectors have jurisdiction throughout the state.

Employers in Idaho who wish to participate in VPP can apply and work with OSHA <u>https://www.osha.gov/dcsp/vpp/</u>. Idaho employers can request OSHA consultation through the Idaho Occupational Safety and Health Consultation Program, which is funded by OSHA and located on the Boise State campus (<u>https://oshcon.boisestate.edu/</u>). This program also administers the SHARP program in Idaho (<u>https://oshcon.boisestate.edu/safety-and-health-achievement-recognition-program-sharp/</u>).

<u>Oregon</u> is a State Plan state, and has promulgated a number of state specific occupational safety and health regulations. Oregon OSHA, or OR-OSHA has jurisdiction within the state for both compliance and consultation, although Federal OSHA has jurisdiction over Federal employees within Oregon. Information on Oregon OSHA can be found at: http://www.orosha.org/

Oregon OSHA administers the state Voluntary Protection Program (<u>http://osha.oregon.gov/consult/Pages/VPP.aspx</u>) and the SHARP program (<u>http://osha.oregon.gov/consult/Pages/SHARP.aspx</u>.)

<u>Washington</u> is a State Plan state, and has promulgated comprehensive occupational health and safety laws. Many rules have been re-written following the 1999 "clear rule writing" initiative implemented by the state. The Washington State Department of Safety and Health (DOSH) has jurisdiction within the state for compliance and consultation, although Federal OSHA has jurisdiction over Federal employees within Washington. Information on Washington Safety and Health can be found at: <u>http://www.lni.wa.gov/safety/.</u>

DOSH administers the Washington State VPP Program (http://www.lni.wa.gov/safety/GrantsPartnerships/Partnerships/VPP/) and the Safety Through Achieving Recognition Together (START) program (http://www.lni.wa.gov/safety/GrantsPartnerships/Partnerships/START/default.asp). Non construction

> OSHA 7500 Introduction to Safety and Health Management Introduction Page 10



employers with less than 50 employees at a specific worksite, and no more than 250 employees at all work sites within Washington are the focus of the START program.

In Washington, SHARP is the acronym for Safety and Health Assessment and Research for Prevention (SHARP) (<u>http://www.lni.wa.gov/Safety/Research/?F=M</u>), within the Department of Labor and Industries. Washington SHARP is an Occupational Safety and Health research program, focusing on scientific research and developing practical solutions for identifying and eliminating workplace hazards, similar to the National Institute of Occupational Safety and Health (NIOSH) at the federal level.

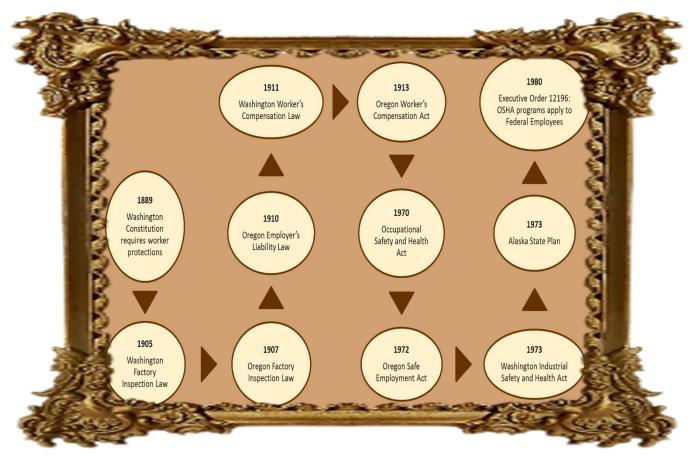
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Long History of Safety and Health in the Northwest

Oregon and Washington have strong workplace safety cultures, and have had state safety and health rules that pre-date OSHA. The Washington State Constitution, established in 1889, contains language requiring worker safety protections. In 1891, Washington created the Washington State Coal Mine inspection office, and in 1897, created the Bureau of Labor and hired one inspector.

After the turn of the century, Oregon created its Bureau of Labor Statistics and hired Inspectors of Factories and Workshops. Washington created its Factory Inspection Law in 1905, and Oregon created its own Factory Inspection Law in 1907. Oregon followed with the Employers Liability Law in 1910.

Washington State issued the State Worker's Compensation Insurance and Safety Act in 1911. This law established an insurance fund that covered the cost of workplace injuries, and was a "no fault" law, meaning the cost of injuries was covered irrespective of whether anyone was at fault. This law provided an incentive for employers to implement preventative measures to reduce and eliminate workplace accidents. Oregon issued its Worker's Compensation Act in 1913, as did the State of California. Washington created a State Safety Board in 1919, and issued its first safety standard in 1923. However, Oregon had started issuing safety laws two years earlier, in 1921. Oregon's General Safety Manual became law in 1937, the Oregon Accident Prevention Division was established in 1941, and the Oregon Occupational Disease Law was implemented in 1943. After the establishment of Federal OSHA, the Oregon Safe Employment Act and the Washington Industrial Safety and Health Act were established by 1973. Alaska also implemented its state plan in the same year.



OSHA 7500 Introduction to Safety and Health Management Introduction Page 12



OSHA's 1989 Safety and Health Program Management Guidelines



OSHA issued a set of voluntary safety and health program management guidelines in 1989. OSHA representatives had noted strong correlation between application of sound management practices in the operation of safety and health programs and a low incidence of occupational injuries and illness while enforcing provisions of the Occupational Safety and Health Act of 1970. OSHA began approving worksites for VPP status in 1982, and carefully evaluated and monitored these workplaces. VPP worksites had injury rates ranging from one fifth to one third of the national average, and also reported improved employee moral and productivity as a by-product of safety and health management activities.

The guidelines contained elements that were common to worksites that successfully protect the health and safety of employees, and included elements of employee participation, employee reports of hazards, ensuring understanding, and coordination with OSHA institutions.

Although OSHA has the authority to promulgate regulations, OSHA published this document as a guideline rather than a rule. OSHA reasoned that a period of experience with the published program guidelines would produce refinements in methods and practice, as well as provide evidence to indicate whether rulemaking would be required.

OSHA's 2016 Recommended Practices for Safety and Health Programs and Recommended Practices for Safety and Health Programs in Construction

OSHA updated and renamed their guidelines in 2016. OSHA noted that there were many changes in the economy, workplaces, and evolving safety and health issues in the 27 years that followed the publication of the initial guidelines. The service economy proliferated, workplaces became more mobile and less fixed, workers aged and became more diverse, and increased use of temporary or contract employment led to the rise of the "gig economy." The updated recommended practices reflect these changes along with what was learned from additional experience with effective and best in class safety and health management programs. They also align with national and international consesus standards, such as ANSI/AIHA Z10 Occupational Health and Safety Management Systems and OSHAS 18001 International Standard for Health and Safety Management Systems.

OSHA provides additional information on these guidelines at: <u>https://www.osha.gov/shpguidelines/</u> as well as tools and resources.

This OSHA 7500 course covers the core elements of OSHA's 2016 recommendations:

- Management Leadership
- Worker Participation
- Hazard Identification & Assessment
- Hazard Prevention & Control
- Education & Training
- Program Evaluation & Improvement
- Communication and Coordination for Host Employers, Contractors, and Staffing Agencies

OSHA 7500 Introduction to Safety and Health Management Introduction Page 27