



Module 5: Education and Training

Employee training is a key component of an effective safety and health program. Once hazards are analyzed and corrections are decided on, these programs must be written and implemented. All employees in the organization must be trained in order to understand what is covered in the employer's safety and health program, and to ensure they know what their assigned responsibilities are under this program.

Effective Training for Workers

Most OSHA standards include a training component. Employees must be given awareness training on the hazard, as well as specific training on how the employer addresses the hazard and on what is expected of the employees.

Employees should be provided with a safety orientation when they begin work that covers basic requirements of the organization's safety program, such as how to report an incident, location of first aid kits, and emergency evacuation procedures.

Training must be presented in a language and a manner that employees can understand. If the workforce does not speak English, and is given work direction in a language other than English, training must be presented in the language that the employee's speak.

Even when all employees speak the same language, the training needs to reflect the way workers use the language. For example, physicians and custodial staff both have exposure to bloodborne pathogens, and need to receive training to meet requirements of OSHA's Bloodborne Pathogens Exposure Control Plan standard. When the training is given to physicians, it could be presented in a scientific manner using medical and scientific terminology. When the training is given to custodians, it is not reasonable to presume that custodians are as familiar with advanced medical terminology, and the material should be covered using lay vocabulary.

Training for Managers and Supervisors

Safety is not just for front line workers. It is expected that managers and supervisors have responsibilities assigned within written safety program. In order to fulfill these responsibilities, managers and supervisors need to receive training on what these responsibilities are.

Managers and supervisors also have a role in re-enforcing training at the worksite. For example, if workers are exposed to chemical hazards on the job, they may be required to wear respirators, and would have to be trained in respiratory protection. A supervisor might not do the same type of work, and would therefore not be included in the respiratory protection program. However, the supervisor should still attend the training when it is provided to his/her employees. The presence or absence of the supervisor in training sends a message to employees about the value the supervisor places on the training and the concepts that are covered. It is desirable that supervisors and managers communicate that they personally value the safety of their employees. In addition, a supervisor who attends training can re-enforce the training in day-to-day work operations.



Employee Safety Orientation

Instructions: Each employee must be given a safety orientation before beginning work. This checklist documents that each required item was explained to the employee. The supervisor is to place a check in each box after the item has been explained. **Employees are not to sign this form unless all items have been explained and all questions have been answered satisfactorily.**

The employee _____ has been:

- ☐ Told about parts of the written safety program that describe the employer's safety efforts.
- ☐ Given a copy of the employee safety manual and general safety rules and has read it.
- ☐ Told who his/her elected safety committee representative is.
- ☐ Told when required safety meetings are scheduled.
- ☐ Told to report all injuries and shown how to do this.
- ☐ Told to report all hazards to her/his supervisor and shown how to do this.
- ☐ Shown where the first aid supplies are located and who to call for first aid.
- ☐ Shown where the exits are located and the route from the assigned workstation.
- ☐ Told what to do during any emergencies that could be expected to occur.
- ☐ Shown how to operate a fire extinguisher.
- ☐ Trained on chemical hazards according to the Chemical Hazard Communication Program training requirements and :
- ☐ Shown where to find the Material Safety Data Sheet (MSDS) file and program document.
- ☐ Taught how to read labels and use the MSDSs
- ☐ Told generally what kinds of chemicals we use and their hazards.
- ☐ Informed about the hazards and precautions related to chemicals he/she will be using.
- ☐ Trained on safe methods to perform the job/task the employee was assigned including any hazards associated with that job/task.

Initial job/task assignment: _____

- ☐ Given any personal protective equipment (PPE) required and trained on how to use and care for it. PPE required for this job: _____

- ☐ Provided any formal training required to do his/her job such as proper lifting, forklift operation etc. Initial formal training given: _____

The signatures below document that the above orientation was completed on the date below. Both parties accept responsibility for keeping our workplace safe and healthful.

Employee: _____ Date: _____

Supervisor: _____ Date: _____



October 24, 2005

Withheld

Dear Withheld:

Thank you for your September 25, 2003 letter to the Occupational Safety and Health Administration (OSHA) concerning training requirements under OSHA's Control of Hazardous Energy (Lockout/Tagout) standard, 29 CFR 1910.147, and OSHA's Hazard Communication standard (HCS), 29 CFR 1910.1200. This letter constitutes OSHA's interpretation only of the requirements discussed and may not be applicable to any question not delineated within your original correspondence. We apologize for the delay in our response.

Your paraphrased scenarios, questions, and our responses are provided below.

Scenario: Several years ago, we had a rather comprehensive training session on lockout/tagout. Since that time, a significant number of employees have been reassigned and presently work with different machines. The employees exposed to new machinery have never been trained on how to properly lock out that machinery. We receive a generalized training session once a year during our 1-hour, routine monthly meeting. However, this meeting is not specific to lockout/tagout and includes discussion on Behavior Based Safety, tracking our safety record against targeted safety numbers, and various other topics.

In addition, I have assisted in developing the lockout/tagout procedures for machinery in a new department. Copies of the procedures were distributed to the maintenance employees. However, there has never been any discussion of the procedures. The company has never insured that these employees had a total understanding of these procedures.

Question 1: Is it acceptable to merely distribute copies of lockout/tagout procedures and consider that to be lockout/tagout training? If not, what are the general criteria for lockout/tagout training?

Response: The scenario that you provided appears to address "authorized" employees because the employees in your scenario are locking out equipment and presumably engaging in servicing/maintenance activities. An "authorized" employee is a person who locks out or tags out machines or equipment in order to perform servicing or maintenance work.

Paragraph 1910.147(c)(7)(i)(A) of the Lockout/Tagout standard requires that "[e]ach authorized employee shall receive training in the recognition of all potentially hazardous energy sources, the type and magnitude of energy in the workplace, and the methods and means necessary for energy isolation and control." The mere distribution of lockout/tagout procedures will not meet the training requirements of the Lockout/Tagout standard for such employees. Instead, the employer must provide training that will allow each authorized employee to understand the purpose and function of the employer's energy control program and will allow each authorized employee to develop the skills and knowledge necessary to safely apply, use, and remove his/her lockout or tagout device (or its equivalent) and take other necessary steps so as to effectively isolate hazardous energy in every situation in which he/she performs servicing or maintenance activities.

In addition, it appears from your scenario that there have been changes at the worksite that may require additional or supplemental training in order to assure that authorized employees, who may have received adequate training at some point, are able to effectively and safely control hazardous energy in the environment(s) in which they are presently working. While the information contained in your letter does not permit us to determine conclusively whether the changes have occurred at the worksite that would necessitate additional or supplemental training, authorized employees must receive additional or supplemental training when they are exposed to new or additional sources of



hazardous energy that are associated with their new work assignments. Likewise, authorized employees must receive additional or supplemental training when using different methods to control the same hazardous energy sources that they have controlled in other contexts. Ultimately, authorized employees must possess the skills and knowledge necessary to understand all relevant provisions of the energy control procedure(s) in order to effectively isolate all sources of hazardous energy to which they (or others) otherwise may be exposed. If prior training is insufficient to allow an authorized employee to follow an energy control procedure and to protect him/herself when servicing or maintaining a machine or piece of equipment, the employer is obligated to provide additional or supplemental training adequate to permit such proficiency.

Scenario: During the first year of my employment, we had an 8-hour training session on hazard communication. Since then, we have received refreshers during our monthly safety meetings. In our September meeting, we received a copy of a new MSDS, and there wasn't any discussion pertaining to the MSDS. We have had at least 60 employees hired since our first hazardous communication training; they have received only refresher training.

Question 2: Is it acceptable merely to distribute copies of MSDSs and consider that to be training? If not, what are the criteria for training?

Response: OSHA's Hazard Communication standard (HCS) contains the required, minimum elements in an employee information and training program. See, 29 CFR 1910.1200(h). Employers must provide training on hazardous chemicals in an employee's work area when the employee receives his/her initial work assignment and whenever a new physical or health hazard is introduced into the employee's work area. The HCS training requirements are not satisfied by merely providing employees with copies of MSDSs.

Appendix A of the Compliance Directive for Hazard Communication, CPL 2-2.38D explicitly provides that "[t]he training provisions of the HCS are not satisfied solely by giving employees the [material safety] data sheets to read. An employer's training program is to be a forum for explaining to employees, not only the hazards of the chemicals in their work area, but also how to use the information generated in the hazard communication program. This can be accomplished in many ways (audio visual, classroom instruction, interactive video), and should include an opportunity for employees to ask questions to ensure that they understand the information presented to them."

The HCS directive, which is available on OSHA's website at www.osha.gov, also provides additional information concerning an employer's obligation to provide employee training under the HCS. Other useful information pertaining to the Hazard Communication standard can be found at: <http://www.osha.gov/dsg/hazcom/solutions.html>.

Thank you for your interest in occupational safety and health. OSHA requirements are set by statute, standards, and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA's website at www.osha.gov. If you have any further questions, please feel free to contact the Office of General Industry Enforcement at 202-693-1850.

Sincerely,

Richard E. Fairfax, Director
Directorate of Enforcement Programs



https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=25160



U.S. Department of Labor

Assistant Secretary for
Occupational Safety and Health
Washington, D.C. 20210

APR 28 2010

MEMORANDUM FOR:

REGIONAL ADMINISTRATORS

FROM:

DAVID MICHAELS, PhD, MPH
Assistant Secretary

SUBJECT:

OSHA Training Standards Policy Statement

The purposes of this memorandum are to reiterate OSHA's policy that employee training required by OSHA standards must be presented in a manner that employees can understand, and to provide enforcement guidance to the area and regional offices relative to the Agency's training standards. This position applies to all of the agency's agriculture, construction, general industry, and maritime training requirements.

Employer's Training Obligation

Many OSHA standards require that employees receive training so that work will be performed in a safe and healthful manner. Some of these standards require "training" or "instruction," others require "adequate" or "effective" training or instruction, and still others require training "in a manner" or "in language" that is understandable to employees. It is the Agency's position that, regardless of the precise regulatory language, the terms "train" and "instruct," as well as other synonyms, mean to present information in a manner that employees receiving it are capable of understanding. This follows from both the purpose of the standards -- providing employees with information that will allow work to be performed in a safe and healthful manner that complies with OSHA requirements -- and the basic definition that implies the information is presented in a manner the recipient is capable of understanding.

OSHA has a long and consistent history of interpreting its standards and other requirements to require employers to present information in a manner that their employees can understand. See, e.g., CPL 2-238(D)(1998) ("[i]f the employees receive job instructions in a language other than English, then training and information to be conveyed under the [hazard communication standard] will also need to be conducted in a foreign language"); letter from Russell B. Swanson to Chip MacDonald (1999) ("instruction that employers must provide under §1926.21 must be tailored to the employees' language and education...."). Courts and the Commission have agreed with OSHA that an employer may not take advantage of "an adequately communicated work rule" when it did not communicate that rule to a non-English speaking employee in a language that employee could understand. See, e.g., *Modern Continental Construction Company, Inc. v. OSHRC*, 305 F.3d 43, 52 (1st Cir. 2002); *Star Brite Construction Co.*, 19 (BNA) OSHC 1687, 1695 n.12 (N. 95-0343, 2001).

In practical terms, this means that an employer must instruct its employees using both a language and vocabulary that the employees can understand. For example, if an employee does not speak or comprehend English, instruction must be provided in a language the employee can understand. Similarly, if the employee's vocabulary is limited, the training must account for that limitation. By the same token, if employees are not literate, telling them to read training materials will not satisfy the employer's training obligation. As a general matter, employers are expected to realize that if they customarily need to communicate work instructions or other workplace information to employees at a certain vocabulary level or in language other than English, they will also need to provide safety and health training to employees in the same manner. Of course, employers may also provide instruction in learning the English language to non-English speaking employees. Over time this may lessen the need to provide OSH Act training in other languages.

Additionally, OSHA's training provisions contain a variety of specific requirements related to employee



comprehension. For example, §1910.147(c)(7)(i) (Lockout/Tagout) requires the employer to verify that the employees have "acquired" the knowledge and skills which they have been trained; §1910.134(k)(5)(ii) (Respiratory Protection) requires retraining when "inadequacies in the employee's knowledge or use of the respirator indicate that the employee has not retained the requisite understanding or skill;" §1910.1030(g)(2)(vii)(N) (Bloodborne Pathogens) requires "[a]n opportunity for interactive questions and answers with the person conducting the training session;" and many other standards have analogous requirements. Employers need to examine the standards applicable to their workplaces to be familiar with these specific requirements.

In order to assist employers in meeting their training obligations, OSHA has created a web-based assistance tool. The tool is intended to help employers with a Spanish-speaking workforce identify the Spanish-language outreach resources on OSHA's website. While the site includes links to Spanish-language resources, it is intended primarily for English-speaking and bilingual users. The site is located on OSHA's public website at the following address:

http://www.osha.gov/dcsp/compliance_assistance/quickstarts/hispanic/index_hispanic.html.

Enforcement Guidance for OSHA Compliance Officers

OSHA compliance officers are responsible for checking and verifying that employers have provided training to employees. In addition, CSHOs must check and verify that the training was provided in a format that the workers being trained could understand.

CSHOs should determine whether the training provided by the employer meets the requirements and intent of the specific standard, considering the language of the standard and all of the facts and circumstances of the particular workplace. For example, CSHOs should look to whether workplace instructions regarding job duties are given in a language other than English and determine whether the employer already is transmitting information with comprehensibility in mind. CSHOs should also look beyond any basic paper documentation; i.e., an employer may have training records but employees may not have been able to understand the elements included in the training.

If the compliance officer determines that a deficiency exists in the employer's training program, he/she must document evidence of any barriers or impediments to understanding, as well as any other facts that would demonstrate that employees were unable to understand the training and apply it to their specific workplace conditions. If a reasonable person would conclude that the employer had not conveyed the training to its employees in a manner they were capable of understanding, then the violation may be cited as serious if it is within the guidelines set out in the FOM.

<https://www.osha.gov/dep/standards-policy-statement-memo-04-28-10.html>



Recordkeeping

OSHA standards specify how long training records must be maintained under individual rules. Employers may also establish training record requirements, and safety managers must ensure that both internal and external recordkeeping requirements are met.

Records may be kept electronically or in paper form. Small employers may find a simple tracking system is sufficient. Larger employers who need to track multiple trainings for hundreds of employees or more may invest in a Learning Management System (LMS). There are many commercially available products and capabilities are variable. Some support on line, or e-learning, while others primarily are recordkeeping systems.

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Exercise: Review the JHA that you developed in Module 3, and the controls that you decided on in Module 4. Develop a short training session on the JHA for the employees who will be doing the task, and prepare to present this to the class.