



# OSHA FACT SHEET

## **If my workplace is unsafe, what can I do?**

If you believe working conditions are unsafe or unhealthful, we recommend that you bring the conditions to your Health and Safety committee, Unit Representatives and your employer's attention. At any time, a worker may file a complaint with OSHA to report a hazardous working condition and request an inspection. If the condition clearly presents a risk of death or serious physical harm and there is not enough time for OSHA to inspect, the worker may have a legal right to refuse to work.

## **Use your Union's Health and Safety Committee**

Your union's Health and Safety committee should review all employer health and safety documents to determine if they adequately cover the facility. These documents need to be reviewed each time something arises and creates additional policies. An example would be COVID 19.

## **The Union's role**

Under the law, it's the employers responsibility to provide a safe and healthy work environment. Your role as a Union is to make sure that the employer has taken the appropriate actions to protect the employees. The Union must have ample input in developing the appropriate policies and procedures.

## **Can Unions bargain over safety and health practices?**

**YES!** Under the National Labor Relations Act (NLRA) it is an unfair labor practice for employers to refuse to bargain over safety and health conditions.

## **How can I get an OSHA inspector to my workplace to evaluate unsafe practices?**

The Occupational Safety and Health Act of 1970 gives employees and their representatives the right to file a complaint and request an OSHA inspection of their workplace if they believe there is a serious hazard or their employer is not following OSHA standards. Workers do not have to know whether a specific OSHA standard has been violated in order to file a complaint.

## **Who can file a complaint and what are the steps?**

Workers or Union representatives may file a complaint online or by phone, mail, email or fax with the local OSHA office and request an inspection of a workplace if they believe there is a violation of a safety or health standard, or if there is any danger that threatens physical harm. A worker may also ask OSHA not to reveal his or her name. In addition, anyone who knows about a workplace safety or health hazard may report unsafe conditions to OSHA, and OSHA will investigate the concerns reported.

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## Workplace Violence

Although OSHA has no standard specific to the prevention of workplace violence, the Agency currently enforces Section 5(a)(1) (General Duty Clause) of the OSH Act against employers that expose their workers to this recognized hazard. **Section 5(a)(1) states that employers have a general duty to furnish to each of its employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to its employees (29 U.S.C. 654(a)(1)).** Section 5(a)(1) does not specifically prescribe how employers are to eliminate or reduce their employees' exposure to workplace violence, however OSHA has issued guidance and a workbook on Preventing Workplace Violence in the Workplace. More information can be found at the site below:

The National Institute for Occupational Safety and Health (NIOSH)  
<https://www.cdc.gov/niosh/index.htm>

## How to Contact OSHA

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to help ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit [www.osha.gov](http://www.osha.gov) or call OSHA at 1-800-321-OSHA (6742), TTY 1-877-889-5627.