



Quarterly

Your Keys to *Compliance*



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OSHA Standards for General Industry

The Occupational Safety and Health Act (OSHA) established numerous safety standards that apply to many employers. Following are a selection of standards that apply to most general industry employers.

1. 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.

2. Emergency Action Plan Standard.

OSHA recommends that all employers have an Emergency Action Plan. A plan is mandatory when required by an OSHA standard. An Emergency Action Plan describes the actions employees should take to ensure their safety in a fire or other emergency situation.

3. Fire Safety.

OSHA recommends that all employers have a Fire Prevention Plan. A plan is mandatory when required by an OSHA standard.

4. Exit Routes.

All employers must comply with OSHA's requirements for exit routes in the workplace.

5. Walking/Working Surfaces.

Floors, aisles, platforms, ladders, stairways, and other walking/working surfaces are present, to some extent, in all general industry workplaces. Slips, trips, and falls from these surfaces constitute the majority of general industry accidents. The

OSHA standards for walking and working surfaces apply to all permanent places of employment, except where only domestic, mining, or agricultural work is performed.

6. Medical and First Aid.

OSHA requires employers to provide medical and first aid personnel and supplies commensurate with the hazards of the workplace. The details of a workplace medical and first aid program are dependent on the circumstances of each workplace and employer.

In addition to the OSHA requirements covered above, a number of other OSHA standards may apply to your workplace. Following are OSHA standards that may apply.



1. If you have employees who operate machinery (e.g., saws, slicers, shears, slitters, power presses, etc.), you may be subject to OSHA's Machine Guarding requirements.

2. If your employees service or maintain machines or equipment that could start up unexpectedly or release hazardous energy, you may be subject to OSHA's Lockout/Tagout requirements.

3. Electrical hazards, such as wiring deficiencies, are one of the hazards most frequently cited by OSHA. OSHA's electrical standards include design requirements for electrical systems and safety-related work practices.

4. Employers must perform an assessment of each operation in their workplace to determine if their employees are required to wear personal protective equipment (PPE). Note that engineering controls and work practices are the preferred methods for protecting employees — OSHA generally

Facts about Pregnancy Discrimination

The Pregnancy Discrimination Act is an amendment to Title VII of the Civil Rights Act of 1964. Discrimination on the basis of pregnancy, childbirth or related medical conditions constitutes unlawful sex discrimination under Title VII. Women affected by pregnancy or related conditions must be treated in the same manner as other applicants or employees with similar abilities or limitations.

An employer cannot refuse to hire a woman because of her pregnancy related condition as long as she is able to perform the major functions of her job. An employer cannot refuse to hire her because of its prejudices against pregnant workers or the prejudices of co-workers, clients or customers.

An employer may not single out pregnancy related conditions for special procedures to determine an employee's ability to work. However, an employer may use any procedure used to screen other employees' ability to work. For example, if an employer requires its employees to submit a doctor's statement concerning their inability to work before granting leave or paying sick benefits, the employer may require employees affected by pregnancy related conditions to submit such statements.

If an employee is temporarily unable to perform her job due to pregnancy, the employer must treat her the same as any other temporarily disabled employee; for example, by providing modified tasks, alternative assignments, disability leave or leave without pay.

Pregnant employees must be permitted to work as long as they are able to perform their jobs. If an employee has been absent from work as a result of a pregnancy related condition and recovers, her employer

OSHA Continued...

considers PPE to be the least desirable means of controlling employee exposure.

5. If necessary to protect the health of your employees, you must provide appropriate respirators. You must establish a Respiratory Protection program that meets the requirements of OSHA's Respiratory Protection standard.

6. Employers whose employees are exposed to excessive noise (e.g., conditions that make normal conversation difficult) may be required to implement a Hearing Conservation program.

7. If employees may be exposed to blood or bodily fluids as part of their assigned duties, you may be subject to OSHA's Bloodborne Pathogens standard.

8. If your employees operate Powered Industrial Trucks (i.e., forklifts), you may be subject to OSHA's Powered Industrial Trucks standard.

This list is not comprehensive – additional OSHA standards may apply to your workplace. Be sure to review OSHA's general industry standards for other requirements. In addition, section 5(a)(1) of the Occupational Safety and Health Act, known as the General Duty Clause, requires employers to provide their employees with a workplace that is free of recognized hazards likely to cause death or serious physical harm.

For more information on these or other Compliance Issues, contact your Lyons Companies Compliance Check Specialist at 800-456-5508.

Pregnancy Discrimination Continued...

may not require her to remain on leave until the baby's birth. An employer may not have a rule which prohibits an employee from returning to work for a predetermined length of time after childbirth.

Employers must hold open a job for a pregnancy related absence the same length of time jobs are held open for employees on sick or disability leave.

Any health insurance provided by an employer must cover expenses for pregnancy related conditions on the same basis as costs for other medical conditions. Health insurance for expenses arising from abortion is not required, except where the life of the mother is endangered.

Pregnancy related expenses should be reimbursed exactly as those incurred for other medical conditions, whether payment is on a fixed basis or a percentage of reasonable and customary charge basis.

The amounts payable by the insurance provider can be limited only to the same

extent as costs for other conditions. No additional, increased or larger deductible can be imposed.

Employers must provide the same level of health benefits for spouses of male employees as they do for spouses of female employees.

Pregnancy related benefits cannot be limited to married employees. In an all-female workforce or job classification, benefits must be provided for pregnancy related conditions if benefits are provided for other medical conditions.

If an employer provides any benefits to workers on leave, the employer must provide the same benefits for those on leave for pregnancy related conditions.

Employees with pregnancy related disabilities must be treated the same as other temporarily disabled employees for accrual and crediting of seniority, vacation calculation, pay increases and temporary disability benefits.

