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## Introduction to Safety – Unit One: OSHA Standards and Inspections

### Lab 2: Submitting an OSHA Complaint

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#### Introduction

When you believe working conditions are unsafe or unhealthful, you should call your employer's attention to the problem. If your employer does not correct the hazard or disagrees with you about the extent of the hazard, you also may file a complaint with OSHA.

#### Refusing to Work Because Conditions are Dangerous

Refusing to do a job because of potentially unsafe workplace conditions is not ordinarily an employee right under the OSH Act. (Your union contract or state law may, however, give you this right, but OSHA cannot enforce it.) Refusing to work may result in disciplinary action by the employer. However, employees do have the right to refuse to do a job if they believe in good faith that they are exposed to an imminent danger. "Good faith" means that even if an imminent danger is not found to exist, the worker had reasonable grounds to believe that it did exist. But, as a general rule, you do not have the right to walk off the job because of unsafe conditions. If you do and your employer fires or disciplines you, OSHA may not be able to protect you. So, stay on the job until the problem can be resolved.

Your right to refuse to do a task is protected if **all** of the following conditions are met:

Where possible, you have asked the employer to eliminate the danger, and the employer failed to do so; **and**

You refused to work in "good faith." This means that you must genuinely believe that an imminent danger exists. Your refusal cannot be a disguised attempt to harass your employer or disrupt business; **and**

A reasonable person would agree that there is a real danger of death or serious injury; **and**

There isn't enough time, due to the urgency of the hazard, to get it corrected through regular enforcement channels, such as requesting an OSHA inspection.

When all of these conditions are met, you take the following steps:

Ask your employer to correct the hazard;

Ask your employer for other work;

Tell your employer that you won't perform the work unless and until the hazard is corrected; **and**

Remain at the worksite until ordered to leave by your employer.

If your employer discriminates against you for refusing to perform the dangerous work, **contact**

#### OSHA

<http://www.osha.gov/as/opa/worker/refuse.html>





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#### **Objective**

Demonstrate how to fill out an OSHA form when submitting an unresolved complaint about a hazardous condition in the workplace.

#### **Lab Assignment**

After attending a lecture or completing the reading assignment on submitting a complaint to OSHA about a job hazard not being corrected, the following activities should be performed:

- Identify a hazard at your workplace that could put you or a co-worker in harm's way. If you are not employed, find a friend or relative who works in a manufacturing facility and ask them to identify and explain a hazardous situation for him or her, or a co-worker.
- Conduct an Internet search or go to the OSHA website and find instructions and the form to use for filing a complaint.
- Fill out the OSHA form using the example of the hazard you identified.
- Based on the instructions on how to fill out the form, indicate where it needs to be submitted, including the specific address as it pertains to your geographical location.
- Submit the form to your instructor inside an unsealed envelop with the appropriate OSHA address.





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#### Grading Rubric

Below is an example of a rubric to implement when evaluating the performance of individual students for each of the laboratory exercises.

	Excellent 5 pts	Good 4 pts	Fair 3 pts	Poor 2 pts	Unacceptable 1 pts	Grade Received (N/A)
<b>Ability to Follow Directions</b>	Excellent  Followed directions to the letter.	Good  Followed directions.	Fair  Moderately followed directions.	Poor  Did not follow directions.	Unacceptable  Did not appear concerned with directions.	Grade Received
<b>Demonstrated Knowledge of Tools</b>	Excellent  Student knows and is able to identify and explain necessary tools for completion of the project.	Good  Student is able to identify and explain necessary tools for completion of the project with some assistance.	Fair  Student is unable to identify or use tools without major prompting.	Poor  Student is not able to both identify and use tools.	Unacceptable  Student's use of tools posed a danger to self and others.	Grade Received
<b>Level of Needed Assistance</b>	Excellent  Student was able to complete the task without assistance.	Good  Student was able to complete the task with little assistance.	Fair  Student was able to complete the task with moderate assistance.	Poor  Student was unable to complete task without major assistance.	Unacceptable  Student was unable to complete task with assistance.	Grade Received





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	Excellent 5 pts	Good 4 pts	Fair 3 pts	Poor 2 pts	Unacceptable 1 pts	Grade Received (N/A)
<b>Student Preparedness</b>	Excellent  Student had/gathered all materials and was completely ready to go to work.	Good  Student had/gathered most materials and went to work.	Fair  Student had/gathered most materials, however, they needed excess time to do so.	Poor  Student did not have/gather some of the needed materials to perform work.	Unacceptable  Student did not have/gather the needed materials and was unable to perform work.	Grade Received
<b>Time Management</b>	Excellent  Routinely used time well throughout the project to get the job done on time.	Good  Used time fairly well throughout the project.	Fair  Procrastinated somewhat but did get the job done on time.	Poor  Was unable to adequately meet timeline due to inability.	Unacceptable  Did not meet timeline due to procrastination or wasting time.	Grade Received





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