

Workers' Rights under the Occupational Safety & Health Act

The Occupational Safety & Health Act gives workers certain rights related to health and safety at work. These rights include:

Right to a Safe and Healthy Workplace

You have the right to work in a workplace that does not make you hurt or sick. The Occupational Safety & Health Administration (OSHA) requires employers to provide a workplace that is free of recognized hazards.

Right to Information

The union has a right to ask for and get information from your employer about:

- Chemicals used at work;
- Injuries and illness that happened at work (including the OSHA 300 log);
- Medical records; and
- Tests your employer has done to measure chemical, noise and radiation levels.

Right to Know about Chemical Hazards

Your employer is required to make sure you have full information about the chemical names, hazards and protective measures in your work area before you are exposed to any of them. This includes:

- Having available Material Safety Data Sheets (MSDS) on all chemicals you work with or are exposed to;
- Ensuring the proper labels are on all hazardous chemicals; and
- Training you about the health effects of the chemicals you work with and ways to prevent exposure.

Right Not to be Discriminated Against for Health and Safety Activity

You have a right to demand a safe workplace without fear of punishment. You should not be transferred, denied a pay raise, or have your hours reduced as a result of health and safety action such as reporting a hazard, injury, or illness.

Right to Health and Safety Training

Your employer is required to provide training on certain safety and health hazards at your workplace. There are a number of required topics including respirators, personal protective equipment and lockout/tagout procedures.

Right to File an OSHA Complaint

You have a right to file a complaint with OSHA if you think your workplace is unsafe. You can file a complaint online, by fax, by mail or over the phone. Written complaints that are signed by a worker or representative and submitted to the closest OSHA Area office are more likely to result in onsite OSHA inspections.

Right to OSHA Inspections

You have a right to an OSHA inspection of your workplace. Inspections can be most effective when the local union participates in the inspection process. Local unions have the right to participate in all phases of the inspection process including:

- Opening conference, walk-around, closing conference;
- Informal conference;
- Party status;
- Right to copies of all industrial hygiene surveys and the sampling protocol;
- Air surveys;
- Noise surveys; and
- Water and/or soil samples.

Contact your local union leadership, staff representative, or the USW Health Safety and Environment department if you have questions about your rights under OSHA or if you believe that your rights have been violated.