Preparing for an OSHA Ergonomics Investigation

Gary Orr, PE, CPE
Ergonomist, Office of Health Enforcement, DOL-OSHA
Overview

• A brief history of ergonomics at OSHA
• Recordkeeping
• Ergonomics program elements
• General Duty Clause, section 5(a)(1)
• OSHA Ergonomics Investigation
Ergo at OSHA

- Plan, Prevent and Protect
- First citation Kodak - 1978
  - Meatpacking
  - Manufacturing
  - Nursing homes
  - Warehousing
  - Grocery retail
  - Parcel/baggage handling
  - Beverage delivery
- Regulation
- Guidance
- Outreach
Ergo at OSHA

• **E-tools** – www.osha.gov
  – Nursing Homes
  – Baggage Handling
  – Beverage Delivery
  – Computer Workstations
  – Grocery Warehousing
  – Sewing
  – Hospital
  – Poultry Processing

• Compliance assistance

• Safety Pays
Recordkeeping

• Past three full years and current year
  – OSHA 300
  – OSHA 301

• Musculoskeletal Disorders
  – Muscles, nerves, tendons, joints, cartilage, spinal discs,
  – Exclude:
    • Slips, trips, falls
    • Motor vehicle accidents or similar accidents
Recordkeeping

• Identify injuries:
  – OSHA 300 log and 301
    • Musculoskeletal disorder related cases with Days Away, Restricted or Transferred

• Group:
  – Facility
  – Department
  – Job title

• Rates:
  – All cases Days away, restricted, transferred
  – All MSD cases
  – MSD cases by department or job title
Ergonomics Program

Elements

• Management commitment;
• Employee involvement;
• Hazard identification and control;
• Training;
• MSD Management; and
• Program evaluation

- Written program
- Strategy for implementation and evaluation
- Documentation of results
General Duty Clause

5(a)(1) - shall furnish to each of his 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 his employees.

• The employer failed to keep the workplace free of a hazard to which employees of that employer were exposed;
• The hazard was recognized;
• The hazard was causing or was likely to cause death or serious physical harm; and
• There was a feasible and useful method to correct the hazard.
Knowledge of the Hazard

- Government Organizations (CDC, NIOSH, USDA, FAA)
- Industry Recognition
  - Magazine articles
  - Documents addressing hazard
- Employer Recognition
  - Medical Records
  - Hazard evaluations
OSHA Investigation

• Why is OSHA doing an investigation?
  – A complaint from an employee or representative about a safety or health hazard
  – Emphasis program

• Complaint may be resolved with phone call or an investigation

• Investigation is limited to area of the complaint

• OSHA 300 log and employee interviews
OSHA Investigation

- Opening conference
- Review of the OSHA log and interviews employees who work in area of the hazard
- Review of the safety and health program
- If the compliance officer (CSHO) believes there is a violation, an investigation will begin
- Closing conference
  - Discussion of the findings
  - If violations, ergonomics hazard alert or citation
• What can you do to prepare?
  – Attention to recordkeeping
  – Identify hazards and controls
    • Refer to OSHA guidance and outreach material
  – Develop a plan
  – Document your efforts and results
  – www.osha.gov
  – www.osha.gov/consultation
  – 1-800-321-OSHA (6742); TTY 1-877-889-5627
Panel Discussion

• Meet the OSHA Regional Ergonomics Coordinator near you
• Time for questions
• Panel Wednesday March 18th, 1:30