

NIOSH

A Worker's Guide to NIOSH

U. S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Public Health Service
Center for Disease Control
National Institute for Occupational Safety and Health
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WORKER RIGHTS UNDER THE OSH ACT

Among important employee rights are:

- The right to request information from employers on safety and health hazards in their work area.
- The right to ask for an inspection of the workplace by NIOSH or OSHA to see if safety or health hazards exist.
- The right to remain anonymous in this request.
- The right to protection from being fired or punished in any way for exercising these rights under the Act.
- The right to have an employee representative accompany inspectors on plant safety and health inspections.
- The right to know the results of an inspection report.
- The right to appeal certain OSHA findings or orders.
- The right to become part of certain legal proceedings in which an employer appeals OSHA findings or orders.
- The right to obtain a copy of OSHA standards and other rules, regulations, and requirements.
- The right to a safe and healthful workplace.

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INTRODUCTION

Ever since people first began working, health and safety on the job has been a problem. As early as the 4th Century B.C., physicians knew that chemicals found in mines were killing the people who worked in them. At the height of the Roman Empire, Pliny the Younger suggested that lead workers protect themselves from the metal's harmful effects by wearing masks made of animal bladders. While modern technology has brought with it many occupational hazards, many of the hazards faced by workers of past centuries still exist in the workplace.

Federal government involvement in worker health and safety began in the 1890's with the passage of a bill governing coal mine and railroad safety, although it was not until 1968 that the Nation's first comprehensive occupational safety and health program legislation was proposed. However, it did not become law until two years later. The resultant Occupational Safety and Health Act of 1970 (PL91-596) is the keystone of Federal government efforts to clean up the workplace environment and protect worker's lives and health. The act established two important agencies — the Occupational Safety and Health Administration (OSHA), which is part of the Department of Labor, and the National Institute for Occupational Safety and Health, (NIOSH) which is part of the Department of Health, Education, and Welfare.

Worker participation in the development of health and safety programs is an important part of the Occupational Safety and Health Act. The Act says that both employers and employees should be encouraged to reduce occupational safety and health hazards by instituting new—or improving old—programs. NIOSH's efforts are directed towards helping both groups meet this goal.

WHAT NIOSH DOES

NIOSH investigates health and safety hazards upon request in all kinds of workplaces, from steel mills to office buildings. After identifying and evaluating the hazards, it recommends procedures for prevention or control.

Remember that NIOSH does not have the authority to issue citations or fines if employers are violating existing health and safety rules. If its investigators discover a serious hazard, however, NIOSH can and does warn employees and employers and the Department of Labor. It is OSHA's responsibility to actually set and enforce safety and health standards.

NIOSH also does research on selected industries and recommends safe

MAJOR RESPONSIBILITIES

NIOSH

Investigates cause of workplace illness and accidents and determines if a substance, practice, or condition is a present or potential hazard. This includes on-the-spot evaluations as well as long-term follow-up.

Performs research and develops criteria documents that recommend exposure limits to hazardous chemicals, physical agents, and processes.

Tests and certifies personal protective equipment.

Provides for education of personnel responsible for occupational health and safety.

Develops sampling and measurement methods to evaluate workplace hazards.

conditions and practices and standards for materials and personal protective equipment that are found in your workplace.

NIOSH has three major offices and ten regional offices. The Institute has headquarters in Rockville, Maryland, near Washington, D.C. Its research facilities are in Cincinnati, Ohio, and Morgantown, West Virginia. Addresses of these locations, including NIOSH regional offices, are listed in this booklet.

All NIOSH locations can provide you with information and assistance on how to control job safety and health hazards. While it is up to OSHA to take legal action on these hazards, NIOSH can help you spot them and find out how dangerous they are, and can give advice on ways to reduce the hazards.

UNDER THE OSH ACT

OSHA

Inspects workplaces for violations of existing health and safety standards.
Enforces standards by assessing fines or by other legal means.

Reviews criteria documents, holds hearings, and sets new or revised standards for control of specific substances, conditions, or use of equipment.

Sets and enforces requirements for use of personal protective devices.

Provides for consultative services for management and employer and employee training and education.

IS YOUR WORKPLACE UNSAFE?

It is important that you learn to spot unsafe and unhealthy conditions. Many safety problems are easily identified; for example, unguarded machinery, inadequate aisles and exits in a work area, slippery floors — these are all obvious safety problems.

Health problems are not so easily recognized and you may not always think of them as being caused by your job. Some problems develop over a long period of time — occupational diseases such as silicosis and asbestosis can take 20 or more years. Some chemicals make you feel sleepy, give you headaches, or make you feel tired. These conditions can also cause accidents. Other workplace hazards affect not only you, but your family and even your unborn children. You are probably familiar with the effects of asbestos and how these can occur in family members if asbestos dust is carried home in workclothes.

Some questions you should ask about your work environment are:

- Are any substances used in this plant known to be harmful to your health?
- Are trade name products used without full knowledge of what is in them?
- Does the job require contact with mists, vapors, dusts, gases, or fumes that are potentially harmful? (The form of a substance or the way it is used can make it harmful. For example, wood dust may cause nasal cancer.)

If you answer “yes” to any of these questions, you may be exposed to harmful conditions. If you don’t know, you should find out if you are exposed to an occupational health or safety hazard and if necessary how to improve the situation. Check with your supervisor. If you believe you have been in contact with toxic (poisonous) or hazardous materials or situations, you should see your own physician, as well as the company’s health staff if there is one.

HOW NIOSH CAN HELP

A good rule is: if you can't find out how the materials you work with affect your health, ask NIOSH for more information. Write to the NIOSH office nearest you. Many of the results of NIOSH's investigations, research, and advice wind up in publications, which help more people find out about the hazards.

In addition to technical publications such as the criteria documents and the annual registry of toxic substances intended for specialized audiences, NIOSH also publishes booklets presenting good practices for persons who work in specific industries or with specific materials. These publications discuss problems faced by many kinds of workers — electroplaters, painters, foundry workers, battery workers, insulation installers, and printers.

NIOSH also publishes health and safety booklets that report on specific industries. Each booklet contains a checklist which can be used to perform informal inspections of the workplace and may be helpful to health and safety committees. Some of the industries covered are sawmills, battery manufacturers, users of carcinogens, pesticide formulators, and tanneries.

The NIOSH Clearinghouse

NIOSH has sent out more than 1 million copies of publications on health and safety work practices and guides. It also answers thousands of requests from people in all kinds of jobs and with all kinds of problems. Some requests are for NIOSH publications; others are for answers to specific technical information questions.

Because much of NIOSH's information is in publications, very often a question may be answered from one of them. The Clearinghouse can send you a catalog of the publications that are available or provide specific information from the NIOSH library or computer.

If you need information from NIOSH on a specific personal medical problem, it is important to see a physician first. Be sure that you provide your physician with the following information:

- A description of your job and your previous work history.
- Any recent changes in the job. (Have workers been moved to a different part of the plant? Is the company using new methods or equipment?)
- The workplace hazards or physical agents to which you have been exposed.
- How long the medical condition has persisted.

Then if you or your physician write to the Clearinghouse, NIOSH can help by providing information on the substances you may have been exposed to.

Respiratory Disease Studies

Occupational respiratory disease activities at Morgantown include administering the NIOSH health programs for coal and other mine workers. NIOSH receives and provides for the interpretation of chest X-rays of working underground coal miners. Then NIOSH forwards to the miner, and to the Department of Labor, the results of his examination. If the X-ray shows sufficient evidence of coal worker's pneumoconiosis (commonly called "black lung"), the miner may be transferred to a less dusty area of the mine or may qualify for compensation under the Black Lung Benefits Act. However, miners must apply to the Department of Labor, not NIOSH, for these benefits.

NIOSH also pays for autopsies of deceased coal miners. Samples of lung tissue are sent to the NIOSH Laboratory for research. Autopsy evidence may also be used to support claims for black lung benefits.

NIOSH's work in safety surveillance and studies on the causes of industrial accidents and injuries are also carried out in Morgantown, as is the work on personal protective equipment.

Health Hazard Evaluations

If workers want an on-site investigation of the actual health hazards in their workplace, NIOSH can conduct a Health Hazard Evaluation (HHE). These investigations must be requested by an authorized representative of employees or by an employer. An authorized representative of employees includes one who has been authorized in writing by two other employees to request the evaluation, or — if the workplace employs less than four workers — any one of the workers. If requested by the applicant, the names of the persons requesting the HHE will be kept confidential.

Copies of the NIOSH form for requesting an HHE are available from the regional offices and from the Hazard Evaluations and Technical Assistance Branch in Cincinnati.

If an HHE is needed, NIOSH representatives will contact an employee representative and plant management to set up a visit. At the plant, the NIOSH investigators will thoroughly check out the work environment, taking all necessary measurements and samples. If medical examinations of the employees are needed they will be done, too, if the employee agrees. The investigators may question privately any employee on the work conditions there. Every precaution is taken to assure that your privacy as well as your job is protected.

If the NIOSH investigator finds that any employees may be in imminent danger, the investigator will tell them, as well as the employer and the Department of Labor, immediately. In less dangerous situations, NIOSH, depending upon who requested the HHE, will either mail a copy of the findings directly to the affected employees or to the employer and require that it be posted near the job site. The Department of Labor will also receive a copy of the findings.

Under the Federal Mine Safety and Health Act of 1977, NIOSH was given responsibility for Health Hazard Evaluations in mines.

Industry-wide Studies

While it is important to examine specific dangerous situations, it is equally important to study the effects of long-term exposures to low levels of industrial materials, processes, and stresses that may cause illness, disease, or loss of the ability to function.

NIOSH uses industry-wide studies to develop basic information to be included in the development of recommended standards or, if necessary, to be used by OSHA in setting a Temporary Emergency Standard. Industries that have been studied include grain handling, sulfuric acid and sulfate-related industries, coal-fired power plants, and painting trades.

Health Surveillance

The NIOSH health surveillance program is designed to find out the number of workers exposed to specific hazards, what industries they work in, and which jobs they hold. This information can be used to determine what to study first.

Based on a study called the National Occupational Hazard Survey, NIOSH has estimated that 7 million workers in the United States are exposed to trade name products containing an OSHA-regulated toxic substance. More than 300,000 of these workers are exposed to trade name products containing one of the cancer-causing substances (carcinogens) regulated by OSHA. A list of some 250 trade name products which contain these carcinogens is available from the Clearinghouse in Cincinnati.

NIOSH is studying the combined effects of two or more substances on worker health. No one knows, for instance, what happens when a worker who has been exposed to lead is then exposed to solvents or sulfur dioxide. Does the additional exposure increase the damage, change it, or reduce it? This is particularly important since you may be exposed to many chemicals and substances throughout your working life.

NIOSH is also pooling information with other government agencies and is watching for signs of illness among workers in industries that traditionally have high rates of illness. This information can then be relayed rapidly to the affected workers.

Training Programs

Union health and safety committee members as well as technical personnel can benefit from another NIOSH activity: providing training in industrial hygiene, occupational medicine, nursing, chemistry, and safety. NIOSH is one of the few places in the nation to offer this kind of training.

NIOSH trains some 2,000 people each year. There are specific courses — such as monitoring asbestos dust — as well as broad overview ones.

One course that may be particularly valuable to workers involved in health and safety committee work, or to industrial hygienists and others working in the field, is “Introduction to Occupational Safety and Health.” This course discusses the role of industrial hygienists in the workplace, provides information on industrial toxicology (the study of industrial poisons), and discusses ways to use health standards and short-term exposure limits. The course also looks at respiratory diseases, poisons, hazardous gases and particles in the air, the effects of noise and stress, ventilation, protective equipment, ways to measure hazards (sampling techniques), and requirements under the OSH Act.

Criteria Documents

A major part of NIOSH's resources goes into the development of criteria documents that recommend standards for occupational exposure to hazardous chemicals, physical agents such as noise and heat, and processes. The task of determining what levels to recommend as safe is difficult.

The documents must include all available information on hazards, use of materials, and methods for control. Once the document has been drafted, it is reviewed by professionals in that field, including union safety and health experts. Their comments and criticisms are submitted to NIOSH for final review. The completed document is sent to the Department of Labor for use when OSHA considers setting standards. Even though NIOSH recommendations may not be immediately acted on by OSHA, they are often used in the interim to improve the occupational environment.

The purpose of the criteria documentation process, like most of NIOSH's research activities, is to evaluate thoroughly the problems in the workplace as the first step in protecting the health and well being of America's workers. For, unless the health and safety hazards of a material or process are known and documented, appropriate control measures by labor, industry, and government are difficult, if not impossible.

NIOSH REGIONAL OFFICES

DHEW, Region I
JFK Federal Building
Room 1401
Boston, MA 02203
617/223-6668

DHEW, Region II
26 Federal Plaza
Room 3300
New York, NY 10007
212/264-2485
DHEW Region III
P.O. Box 13716
Philadelphia, PA 19101
215/596-6716

DHEW, Region IV
101 Marietta Tower
Suite 502B
Atlanta, GA 30323
404/221-2396

DHEW, Region V
300 South Wacker Drive
33rd Floor
Chicago, IL 60606
312/886-3881

DHEW, Region VI
1200 Main Tower Building
Dallas, TX 75202
214/655-3916

DHEW, Region VIII
601 E 12th Street
5th Floor West
Kansas City, MO 64106
816/374-5332
DHEW, Region VIII
11037 Federal Building
Denver, CO 80294
303/837-3979

DHEW, Region IX
50 United Nations Plaza
Room 231
San Francisco, CA 94102
415/556-3781

DHEW, Region X
1321 Second Avenue
Mail Stop 502
Seattle, WA 98101
206/442-0530

NIOSH FACILITIES

Headquarters

Parklawn Building
5600 Fishers Lane
Rockville, MD 20857
301/443-2140

Morgantown

Appalachian Laboratory for
Occupational Safety & Health
944 Chestnut Ridge road
Morgantown, WV 26805
304/599-7521

Cincinnati

Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, OH 45226
513/684-8326

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National Institute for Occupational Safety and Health
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