

## **Safety and Health Rights in the Workplace Presentation Train-the-trainer**

*The following is a script you can use to present a 2-hour Safety and Health Rights in the Workplace Presentation.*

*Ask everyone to sign in on attendance sheet - name or nickname is enough (mailing address and phone number only if they would like).*

### **INTRODUCTION**

- Introduce yourself.
- Session supported by - Arkansas Committee for Occupational Safety AND
- Health and Labor Education Program - UALR

“Why are we here?”

- Understand our rights as workers,
- Discuss safety problems encountered in the workplace
- Learn about rights concerning safety and health on the job.”

## Part 1- Basic Legal Rights in the Workplace

Play video – about legal rights in the workplace. (15 – 20 min.)

### ***Put up Overhead #1***

#### **Legal Rights in the Workplace**

How are rights in the workplace created?

- Federal laws protect rights while working in the United States.
- Legal rights in the workplace covered under the Occupational Safety and Health Act or OSHA.
- Rights apply to workers in private companies, processing plants, factories, and offices
- We have the right:
  - To be Paid for all hours worked – (*putting on gear, set up time, cleaning machinery, and wash up before leaving*)
  - To be paid time and a half for hours over 40 in one week (*\$6 per hour regular time, \$9 an hour overtime. It is illegal for employers to ask you to put hours on the next week's time sheet to avoid paying weekly overtime*)
  - To ask about any deductions from your pay check – (*charges for uniforms and safety equipment OK, not OK for ear plugs and respirators*)
  - To unpaid leave under the Family and Medical Leave Act (FMLA) – (*12 weeks unpaid leave for 1. serious health condition 2. Care of immediate family members 3. Birth, adoption, foster care placement*)

- To child labor protections – *(1. 16 & 17 year olds – no hazardous work ie. Driving, forklift ops, power saws, slicers) 2. 14 & 15 year olds – no power equipment, limited work hours ie. No more than 3 hours on school days 3. 13 and below - no employment.*
- To a workplace free from serious danger – *(OSHA requires employers to provide employment free from the danger of serious injury or death)*
- Not be retaliated against for using these laws – *(Employer cannot legally fire employee for using OSHA regulation)*

## **Part 2 Workplace Safety and Health Problems**

### Activity

- Everyone introduce themselves. *(If a small group, ask each to briefly describe a problem encountered with workplace safety.)*
- Talk about work-related injuries/illnesses faced at work. *(List these on a pad as people bring them up.)*

### Activity - (If time limited, complete as a class)

- Break into small groups *(4- 5 in a group. Give each group a large piece of paper and a set of colored dots or colored pens.)*
- Draw a picture of a person. Identify injuries/illnesses on the body with colored dots. *(Demonstrate by drawing the outline of a person on your easel pad.)*

Put up Overhead #2 and/or pass out leaflet with color codes

*Red* = cuts, bruises, broken bones  
*Orange* = strains, pains & numbness  
*Yellow* = mental & emotional stress  
*Green* = cough, sinus infection, skin rashes  
*Blue* = other injuries & illnesses (explain)

- Each group appoints a spokesperson to explain the different colored dots/marks on their picture
- Discussion how doing this exercise in the workplace might help workers.
- When and where could you do this exercise? At safety meeting with workers from different workplaces with same type jobs.

### Part 3 - Hazards in the Workplace

- What hazards or things cause injuries in the workplace? (*List these as people bring them up.*)
- Draw a map of different work areas.

Indicate with colored dots (or pens) where hazards are. (*Put up **overhead #3**. Pass out Workplace Hazards flyer*). Draw a workplace map with hazards as an example.

|                 |  |  |
|-----------------|--|--|
| <b>Red =</b>    | <b>SAFETY HAZARDS &amp; PHYSICAL HAZARDS</b> | (machines, equipment, confined spaces, electrical hazards, noise, floors, heat, flame, etc.) |
| <b>Orange =</b> | <b>ERGONOMIC HAZARDS</b>                     | (actions that result in strain injuries)   |
| <b>Yellow =</b> | <b>MENTAL STRESS</b>                         | (understaffing, shift work, harassment, etc.)  |
| <b>Green =</b>  | <b>CHEMICAL HAZARDS</b>                      | (solvents, cleaning materials, fumes, dusts, & other chemicals)                              |
| <b>Blue =</b>   | <b>BIOLOGICAL HAZARDS</b>                    | (blood, mold, fungus, diseases)  |

## **PART 4 What can we do to improve workplace safety?**

Avenues of action:

- Organizing and Solidarity Actions
- Collective Bargaining
- Contract Grievances
- Joint Committees
- Enforcing the Law

What laws cover safety in the workplace?

- OSHA
  - General duty clause
  - Standards
- NLRA
  - Requires bargaining
  - Right to act collectively
  - Right to refuse hazardous work
- Environmental Laws
  - Clean Air Act
  - Clean Water Act
  - Surface Transportation Act
  - Solid Waste Control Act

- State Laws
  - Arkansas Chemical Right-to-Know Act
  
- How well do you know your OSHA Rights? *(Have people work in groups of three.) Or orally as a group, the first 10 questions. Use the answer guide for discussing each question.*

## REVIEW KEY POINTS

### Overhead #5

You have a right to:

- Work free from recognized hazards that cause or likely cause serious injury or death. *(There are many specific safety standards that cover the workplace; you have a right to know what those standards are. You can request standards from your employer, call OSHA, or lookup standards on the OSHA Internet site. There is a complete "Poultry Processing Industry" section at: [www.osha-slc.gov/SLTC/poultry\\_ecat](http://www.osha-slc.gov/SLTC/poultry_ecat))*
  
- Suggest ways to make you job safer. *(Request information about safety hazards and suggest ways to make a job safer request information about the hazards including MSDS sheets on chemicals (material safety data sheets) & OSHA injury logs)*
  
- Refuse work that is unsafe *(Right to refuse work that is unsafe, that you feel may badly hurt or kill you. You risk discipline or discharge if you refuse work but, you are best protected under the law if you:)*
  - Talk to your supervisor and explain your fears
  
  - Ask other workers to see if they feel the work is too dangerous

- Offer to do the work, if it can be made safe
  - Don't quit or leave, but offer to work in another area that is safe
- Report safety hazards to OSHA and have your workplace inspected
- Ask OSHA not to report your name to the employer
  - Someone besides the worker(s) involved can file the complaint
  - OSHA will investigate and may decide to inspect the workplace for reported hazards.
- Not be retaliated against for using OSHA rights. The law says that your employer cannot:
- Discriminate against you
  - Fire you
  - Demote you
  - Give you dirty work
  - Punish you in any way



## Part 5 - Workers' rights scenarios

### Workers' Rights Scenario #1

"At your workplace, a manufacturing plant, a net was hung underneath a conveyor belt to catch falling parts..."

1. What is the hazard?

- Unsafe net
- Foreman risking workers lives

2. What OSHA rights might be useful?

- Right to refuse hazardous work
- OSHA 11 (c) anti-discrimination

3. Make the most of your rights

1. You have a reasonable belief of serious harm or death
2. Ask employer to eliminate the danger before refusing
3. Call OSHA to come to inspect
4. Tell employer that you will do other work
5. Ask other workers what they think

Protect yourself from retaliation

1. Keep a diary of events
2. Include conversations with employer
3. Note witnesses
4. If discriminated against, file complaint with OSHA within 30 days
5. Contact your workers committee or COSH group

## Workers' rights scenario, #4

"You are concerned about toxic chemicals in your workplace....."

### 1. What is the hazard?

Toxic chemicals

### 2. What OSHA rights could you use?

Ask for

- MSDS (material safety data sheet)
- OSHA 200 log - see if other related injuries, illnesses
- Any other tests or reports about chemicals

### 3. Ask for help in interpreting information

### 4. Other OSHA rights

- Make sure all workers have been properly trained
- File a complaint with OSHA

### 5. Other steps?

Conduct a survey of workers to see how many are having symptoms

Discuss situation with COSH group or union

Contract OSHA for advice

### Overhead #3

You have a right to:

- 1) A work that is free from recognized hazards that are causing or likely to cause serious injury or death
- 2) Request information about safety hazards and suggests ways to make a job safer
- 3) Refuse work that is unsafe
- 4) Report safety hazards to OSHA and have your workplace inspected
- 5) Not be retaliated against for using OSHA rights

#1

***COLOR AFFECTED AREAS:***

***RED*** = CUTS, BRUISES, BROKEN BONES

***ORANGE*** = STRAINS, PAINS & NUMBNESS

***YELLOW*** = EMOTIONAL STRESS

***GREEN*** = COUGH, SINUS INFECTION,  
SKIN RASHES

***BLUE*** = OTHER INJURIES & ILLNESSES

- Red = SAFETY HAZARDS & PHYSICAL HAZARDS (machines, equipment, confined spaces, electrical hazards, noise, floors, heat, flame, etc.)
- Orange = ERGONOMIC HAZARDS (actions that result in strain injuries)
- Yellow = MENTAL STRESS (under-staffing, shift work, harassment, etc.)
- Green = CHEMICAL HAZARDS (solvents, cleaning materials, fumes, dusts, & other chemicals)
- Blue = BIOLOGICAL HAZARDS (blood, mold, fungus, diseases)

### Overhead #3

You have a right to:

- 1) A work that is free from recognized hazards that are causing or likely to cause serious injury or death
- 2) Request information about safety hazards and suggest ways to make a job safer
- 3) Refuse work that is unsafe
- 4) Report safety hazards to OSHA and have your workplace inspected
- 5) Not be retaliated against for using OSHA rights

#4

## The right to refuse work that is unsafe

You always risk discipline or discharge, but you are best protected under the law if you:

- Talk to your supervisor and explain your fears
- Ask other workers to see if they feel the work is too dangerous
- Offer to do the work, if it can be made safe
- Don't quit or leave, but offer to work in another area that is safe
- Call OSHA and explain the situation

**#5**

***WE HAVE THE RIGHT:***

- 1) TO BE PAID FOR ALL HOURS WORKED
- 2) TO BE PAID TIME & ONE-HALF FOR OVERTIME
- 3) TO ASK ABOUT PAYCHECK DEDUCTIONS
- 4) TO UNPAID LEAVE IN CERTAIN SITUATIONS
- 5) TO CHILD LABOR PROTECTIONS
- 6) TO A WORKPLACE FREE FROM SERIOUS DANGERS
- 7) NOT TO BE RETALIATED AGAINST FOR USING LAWS



#5s

## Derechos:

- Pago por todas las horas trabajadas
- Pago por tiempo extra
- Preguntar por las deducciones en el cheque de pago
- Permisos sin pago
- Leyes para trabajo de menores de edad
- Lugar de trabajo libre de peligros
- Que no tomen represalias si usamos las leyes

#1s

Rojo = cortadas, moretones o huesos  
quebrados

Anaranjado = dolores, adormecimiento de  
manos, pies, etc.

Amarillo = Estres emocional

Verde = Tos, sinusitis, alergias en la peil

Azul = otras eufemedades, otras lesiones

#3s

***Ud tiene derecho a:***

- ▶ un trabajo seguro y sin peligro
- ▶ hablar con su supervisor sobre condiciones peligrosas en su trabajo
- ▶ rehusarse a hacer un trabajo peligroso
- ▶ reportar peligros en el trabajo a la OSHA
- ▶ recibir una inspección de su lugar de trabajo por la OSHA



**WHAT IS THE PROBLEM?  
?CUAL ES EI PROBLEMA?**

**WHAT CAN YOU DO?  
?QUE PUEDES HACER?**

## ARCOSH VULNERABLE WORKER TRAINING

Today's Date \_\_\_\_\_

Location \_\_\_\_\_

### Sign-in Sheet

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_

16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_
20. \_\_\_\_\_
21. \_\_\_\_\_
22. \_\_\_\_\_
23. \_\_\_\_\_
24. \_\_\_\_\_
25. \_\_\_\_\_
26. \_\_\_\_\_
27. \_\_\_\_\_
28. \_\_\_\_\_
29. \_\_\_\_\_
30. \_\_\_\_\_

**Safety and Health Rights  
in the Workplace**

# **- Train-the-Trainer -** Part 1 Basic Legal Rights in the Workplace

Part 2 Workplace Safety and Health - Injuries and Illnesses

Part 3 Hazards in the Workplace and OSHA Rights

Part 4 Workers' Rights Scenarios - Putting Our Knowledge to Work

Sponsored by The Arkansas Committee for Occupational Safety and Health  
and The Labor Education Program, University of Arkansas at Little Rock  
and funded by an OSHA grant to  
the National Network of Committees on Occupational Safety and Health  
training materials developed in part by the George Meany Center for Labor Studies

Tom Karson  
Labor Education Program, UALR  
2801 S. University  
Little Rock, AR 72204  
501-569-8483  
tdkarson@ualr.edu

## Part 1 Basic Legal Rights in the Workplace

“Let’s begin by watching a video about our legal rights in the workplace.”

“This video covers common problems including:

not being paid for work and overtime work  
not being able to take time off work  
being required to do unsafe work”

“There will be time for questions when the video is over.”

Show the video, and then take questions.

Answer the questions as you can. If you do not know the answer, listen carefully and take notes about the problem (you may ask them to talk to you after the training session is over if it is a complicated story). Tell them you will get back with an answer.

Put up Overhead #1

Legal Rights in the Workplace

We have the right:

1) to be paid for all hours worked

putting on gear, set up, clean up machines  
(not wash up before leaving)

2) to be paid time & one-half for hours over 40 in one week

If you make \$6 an hour, overtime is \$9 an hour  
It is illegal for employer to ask you to put hours on the next  
week’s time sheet to avoid paying weekly overtime



3) to ask about any deductions from your pay check

may have to pay for some safety equipment and uniforms, but not ear plugs or respirators

4) to unpaid leave under the Family and Medical Leave Act (FMLA)

12 weeks unpaid leave for:

Serious health condition

Care of immediate family members

Birth, adoption, foster care placement

5) to child labor protections

16 & 17 year olds - no hazardous work

Driving, fork lift, power saws, slicers

14 & 15 year olds - no power equipment

Hours limited, 3 hours on school days

13 and below - employment illegal

6) to a workplace free from serious dangers

Occupational Safety and Health Act requires employers to provide employment and a place of employment free from the danger of serious injury or death.

7) not to be retaliated against for using these laws

Employer cannot legally fire employee for using the law.

## Read "Em Their Rights -OSHA 11(c) Activity

### Scenario #2 Immigrant Workers

Your group works in an unorganized metal recycling plant that employs workers mainly from Central America. One of your co-workers says to you, "I think I am getting sick from the fumes at work....."

a. What would you say to this co-worker?

- talk to the worker to get full story
- find out who else is affected & ask for information from the employer (MSDS)
- explain that it is illegal for employer to retaliate,
- if fired or punished, report to OSHA within 30 days
- the OSHA law covers immigrant workers
  - it is illegal for employer to retaliate against a worker for asking about safety or reporting to OSHA
- OSHA law covers immigrant workers
- sometimes workers have more protection if they go to government
- OSHA does not ask about immigrant status
- it may be better to go as a group to talk to employer
- ask for help from interfaith worker committee and committee on safety and health