



Shop Steward's Training

Asher Tobin, Staff Industrial Hygienist

Safety and Health Training

March 2, 2019

Overview

- I. Driver Regulatory Update
- II. Safety and Health Agencies
 - I. FMCSA
 - II. OSHA
 - III. Workers' Rights under FMCSA and OSHA
- III. Department Activities

Driver Regulatory Update

- Drug and Alcohol Testing
 - Update on our website
- Coercion Rule
- Electronic Logging Devices for Hours of Service Compliance
- Medical Qualifications

Drug and Alcohol Testing Clearinghouse

Applicable to
DOT-CDL Qualified Drivers

Drug and Alcohol Clearinghouse

- The Federal Motor Carrier Safety Administration conducted rulemaking and issued a Final Rule rule to establish a clearinghouse which will require the following:
 - Create such a repository (database) for all non-negative drug and alcohol testing results
 - Require employers to conduct pre-employment searches for all new CDL drivers and annual searches on current drivers.

Revisions to the DOT Drug Testing Regulation

Expanding the Testing Panel – Opioids

Drug Testing Panel

- Effective January 1, 2018, the drug testing panel will be:
- Marijuana
- Cocaine
- Amphetamines
- Phencyclidine
- Opiates
- **Opioids (New)**
 - **Hydrocodone** - Vicodin, Lortab, Lorcet, Maxidone, Norco, Zydone, Vicoprofen, Ibudone, Reprexain
 - **Hydromorphone** - Dilaudid
 - **Oxymorphone** - Numorphan
 - **Oxycodone** - OxyFast, OxyIR, OxyNorm, Roxicodone, OxyContin, Percocet

Coercion Rule

<https://www.fmcsa.dot.gov/safety/coercion>

Final Rule

Coercion Rule

- Coercion occurs when a motor carrier, shipper, receiver, or transportation intermediary threatens to withhold work from, take employment action against, or punish a driver for refusing to operate in violation of certain provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), Hazardous Materials Regulations (HMRs) and the Federal Motor Carrier Commercial Regulations (FMCCR). Coercion may be found to have taken place even if a violation has not occurred.
 - An example of coercion is when a motor carrier terminates a driver for refusing to accept a load that would require the driver to violate the hours of service requirements.

Coercion Rule

The following must have occurred in order for coercion to have existed:

- A motor carrier, shipper, receiver, or transportation intermediary request a driver to perform a task that would result in the driver violating certain provisions of the FMCSRs, HMRs, or the FMCCRs;

Coercion Rule

The following must have occurred in order for coercion to have existed:

- The motor carrier shipper, receiver, or transportation intermediary make a threat or take action against the driver's employment or work opportunities to get the driver to take the load despite the regulatory violation that would occur.

Coercion Rule

The following must have occurred in order for coercion to have existed:

- The driver informs the motor carrier, shipper, receiver, or transportation intermediary of the violation that would occur if the task is performed, such as driving over the hours of service limits or creating unsafe driving conditions; and

Coercion Rule

- The Coercion Rule allows drivers to report incidents of coercion to FMCSA and authorizes FMCSA to issue penalties against motor carriers, shippers, receivers, or transportation intermediaries that have coerced drivers.

Electronic Logging Devices for Hours of Service Compliance

Final Rule

Electronic Logging Devices

- What is an ELD?
 - A device that automatically records a driver's driving time and other aspects of the HOS records.
 - Monitors a vehicle's engine to capture data on whether the engine is running, miles driven, and engine hours.

Electronic Logging Devices

- Implementation Dates
 - Carriers and drivers who are using paper logs or logging software must transition to ELDs no later than December 18, 2017.
 - Carriers and drivers who use AOBRDS prior to the compliance date must transition to ELDs no later than December 16, 2019.

Electronic Logging Devices

- ***What does the Electronic Logging Device (ELD) rule address?***
 - Requires ELD use by commercial drivers who are required to prepare hours-of-service (HOS) records of duty status (RODS).
 - Sets ELD performance and design standards, and requires ELDs to be certified and registered with FMCSA.
 - Establishes what supporting documents drivers and carriers are required to keep.
 - Prohibits harassment of drivers based on ELD data or connected technology (such as fleet management system). The rule also provides recourse for drivers who believe they have been harassed.

Electronic Logging Devices

- ***Who must use an electronic logging device (ELD)?***
 - The ELD rule applies to motor carriers and drivers who are currently required to keep records of duty service (RODS) on paper or with an Automatic Onboard Recording Device (AOBRD) under the hours-of-service (HOS) regulations.
 - Drivers who use the timecard exception, and don't keep paper RODs, will not be required to use ELDs.
- ***The following drivers may keep paper RODS:***
 - **Drivers who keep RODS no more than 8 days during any 30-day period.**
- Driveaway-towaway drivers (transporting a vehicle for sale, lease, or repair), provided the vehicle driven is part of the shipment.
- Drivers of vehicles manufactured before model year 2000.
- However, a carrier can choose to use an ELD, even if it is not required.

Electronic Logging Devices

- ***What electronic logging device (ELD) user documentation must be onboard a driver's commercial motor vehicle?***
 - **A user's manual for operating the ELD;**
 - An instruction sheet with step-by-steps instructions for transferring hours-of-service records to an authorized safety official;
 - An instruction sheet on reporting ELD malfunctions and recordkeeping procedures during ELD malfunctions; and
 - A supply of paper grid graphs to record driver duty status and related information for at least 8 days, in case of ELD malfunction.

Electronic Logging Devices

What are the categories of supporting documents?

- FMCSA has identified five categories of supporting documents:
 - Bills of lading, itineraries, schedules, or equivalent documents that show the starting and ending location for each trip;
 - Dispatch records, trip records, or equivalent documents;
 - Expense receipts related to “on-duty/not driving” periods (meals, lodging, fuel, etc.);
 - Fleet management system communication records;
 - Payroll records, settlement sheets, or equivalent documents showing payment to a driver.

Electronic Logging Devices

What supporting documents must be retained by drivers in their vehicles?

- A driver is not required to retain any supporting documents in the vehicle. However, a driver must show any supporting documents that are in a vehicle to authorized safety officials on request.

Can supporting documents be limited to only those acquired at the beginning and end of the workday?

- No, it is important to keep documents received throughout the day to verify hours of service compliance with the 60/70-hour rule over a period of days.

Electronic Logging Devices

What is the definition of harassment in the Electronic Logging Device (ELD) rule?

- **Harassment** is action taken by a motor carrier that the carrier knew (or should have known) would result in a driver violating the Hours of Service (HOS) rules or a situation where the driver is operating while ill or fatigued. The carrier's action must be based on information from an ELD or other technology used in combination with an ELD.

Electronic Logging Devices

What are the differences between harassment and coercion?

- Harassment is very specific; harassment occurs when a driver commits an HOS violation based on carrier actions that were related to ELD use.
- Coercion is much broader, and is not limited to HOS violations. Coercion occurs when a motor carrier, shipper, receiver, or transportation intermediary threatens to withhold work from, take employment action against, or punish a driver for refusing to operate in violation of certain provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), Hazardous Materials Regulations (HMRs) and the Federal Motor Carrier Commercial Regulations (FMCCR). Coercion may be found to have taken place even if a violation has not occurred. FMCSA has published a separate rule on coercion.

<https://www.fmcsa.dot.gov/hours-service/elds/electronic-logging-device-eld-exemptions-and-waivers>



Electronic Logging Devices and Hours
of Service Supporting Documents

Frequently Asked Questions

DECEMBER
2018



U.S. Department of Transportation
Federal Motor Carrier Safety Administration

Medical Qualifications

Sleep Apnea

Seizure Disorders

Diabetes

Vision

Sleep Apnea

Sleep apnea is a potentially serious sleep disorder in which breathing repeatedly stops and starts.

Sleep Apnea

- Sleep Apnea
 - Studies show that drivers who have OSA are over 2 times as likely to have a crash than drivers who don't have the disorder
 - Research indicates that there is a high correlation between Body Mass Index (BMI) and OSA, so BMI is a good indicator of OSA
 - Studies show that there is a high correlation between a diagnosis of OSA and excessive daytime sleepiness

Sleep Apnea

- MRB recommended revising regulatory guidance for medical examiners
- MRB met with MCSAC to discuss proposed revisions
- Congress instructed FMCSA to refrain from issuing guidance and to conduct rulemaking on this issue.
 - Because there is no guidance, medical providers are determining what is the best practice for their individual operation.
 - Not likely that FMCSA will conduct rulemaking in the foreseeable future.

Sleep Apnea

- Sleep Apnea Recommendations
 - Driver will be disqualified immediately if the driver
 - Admits to experiencing excessive sleepiness during the major wake period while driving
 - Experienced a crash associated with falling asleep, or
 - Has been found non-compliant with treatment

Sleep Apnea

- Sleep Apnea Screening (Risk Factors)
 - BMI equal to or greater than 35
 - Reported loud snoring
 - Witnessed apneas
 - Reported sleepiness during the major wake period
 - Small or recessed jaw
 - Small airway (Mallampati Scale of Class 3 or 4)
 - Neck size (17 inches for men, 15.5 inches for women)
 - Hypertension (treated or untreated)
 - Type 2 diabetes
 - Age 42 or above
 - Family history
 - Experienced a single-vehicle crash

Sleep Apnea

- Sleep Apnea (Diagnostic Process)
 - In-lab polysomnography
 - At-home polysomnography
 - Is not as comprehensive as in-lab test
 - If negative, driver will have to submit to in-lab test
 - Treatment Options
 - CPAP
 - Bariatric Surgery
 - Tracheotomy
 - Weight Loss – Non-surgical
 - Dental Appliances – Not currently acceptable as effective treatment for moderate to severe OSA

Seizure Disorders

Exemption Process

Seizure Disorders

- There is no formal exemption program, unlike that for vision.
- FMCSA does allow drivers who have certain types of medically controlled seizure disorders to apply for and receive an exemption which allows them to operate commercial motor vehicles.

Seizure Disorders

Seizure Exemption Application

Welcome to the FMCSA Seizure Exemption Program application site. All of the information you will need to apply for an exemption from the epilepsy regulation in 49 CFR 391.41(b)(8) is located here.

If you are applying for a Seizure exemption, please first review the following criteria, you must meet these conditions to be considered:

- **Seizure Disorder/Epilepsy diagnosis.** If there is a seizure disorder/epilepsy diagnosis, the applicant should be seizure-free for 8 years, on or off medication. If the individual is taking anti-seizure medication(s), the plan for medication should be stable for 2 years. Stable means no changes in medication, dosage, or frequency of medication administration. Recertification for drivers with an epilepsy diagnosis should be performed every year.
- **Single unprovoked seizure.** If there is a single unprovoked seizure (i.e., there is no known trigger for the seizure), the individual should be seizure-free for 4 years, on or off medication. If the individual is taking anti-seizure medication(s), the plan for medication should be stable for 2 years. Recertification for drivers with a single unprovoked seizure should be performed every 2 years.
- **Single provoked seizure.** If there is a single provoked seizure (i.e., there is a known reason for the seizure), the Agency will consider specific criteria that fall into the following two categories: low-risk factors for recurrence and moderate-to-high risk factors for recurrence.
 - **Examples of low-risk factors for recurrence** include seizures that were caused by a medication; by non-penetrating head injury with loss of consciousness less than or equal to 30 minutes; by a brief loss of consciousness not likely to recur while driving; by metabolic derangement not likely to recur; and by alcohol or illicit drug withdrawal.
 - **Examples of moderate-to-high-risk factors for recurrence** include seizures caused by non-penetrating head injury with loss of consciousness or amnesia greater than 30 minutes, or penetrating head injury; intracerebral hemorrhage associated with a stroke or trauma; infections; intracranial hemorrhage; post-operative complications from brain surgery with significant brain hemorrhage; brain tumor; or stroke.

If you meet the above criteria, then you may submit an application to be considered for an exemption. First, the Agency must make a thorough review of your medical records and any other documents that would support your request for an exemption from this regulation. We require the following information:

Diabetes

Final Rule

Diabetes

- Effective September 19, 2018, the FMCSA will permit individuals with properly managed diabetes to operate CMVs in interstate commerce if they meet the physical qualification standards in §391.41
- The final rule eliminates the diabetes grandfather provision under §391.64(a) 1 year after the effective date of this rule November 19, 2019 and also eliminates the need for the Federal diabetes exemption program

Diabetes cont.

- The rule enables a (ME) to grant an individual with ITDM a Medical Examiner's Certificate, MCSA-5876, for up to 12 months.
- The treating clinician – who manages and prescribes insulin for the treatment of the individual's diabetes – provides the ITDM Assessment Form, MCSA-5870, to the ME indicating that the individual maintains a stable insulin regimen and proper control of his or her diabetes.
- ME is responsible for determining if the individual meets FMCSA's physical qualification standards and can operate CMVs

Diabetes

- The new rule involves a two-step process with the drivers' treating clinician and ME.
- Under Section 391.46 a driver with diabetes treated with insulin is qualified to operate a CMV if the individual was evaluated by his/her treating clinician. The evaluation by the individual's clinician is only valid for 45 days.

Questions??
break



Overview

- Safety and Health Agencies
 - Federal Motor Carrier Safety Administration
 - Occupational Safety and Health Administration
- Worker Rights

Safety and Health Agencies

Federal Motor Carrier Safety Administration
Occupational Safety and Health Administration

Federal Motor Carrier Safety Administration

- The FMCSA was established within the Department of Transportation on January 1, 2000, pursuant to the Motor Carrier Safety Improvement Act of 1999.
- **Primary mission**
 - Prevent commercial motor vehicle-related fatalities and injuries. The Administration seeks to accomplish its mission by:
 - Ensuring safety in motor carrier operations through strong enforcement of safety regulations
 - Targeting high-risk carriers and commercial motor vehicle drivers
 - Improving safety information systems and commercial motor vehicle technologies
 - Strengthening commercial motor vehicle equipment and operating standards
 - Increasing safety awareness

FMCSA – www.fmcsa.dot.gov

- **Activities**

- Commercial Drivers' Licenses

- The Administration develops standards to test and license commercial motor vehicle drivers.

- Data and Analysis

- The Administration collects and disseminates data on motor carrier safety and directs resources to improve motor carrier safety.

- Regulatory Compliance and Enforcement

- The Administration operates a program to improve safety performance and remove high-risk carriers from the Nation's highways.

• **Activities**

– Research and Technology

- The Administration coordinates research and development to improve the safety of motor carrier operations and commercial motor vehicles and drivers.

– Safety Assistance

- The Administration provides States with financial assistance for roadside inspections and other commercial motor vehicle safety programs. It promotes motor vehicle and motor carrier safety.

• **Activities**

– Other Activities

- Supports the development of unified motor carrier safety requirements and procedures throughout North America.
- Participates in international technical organizations and committees to help share the best practices in motor carrier safety throughout North America and the rest of the world.
- Enforces regulations ensuring safe transportation of hazardous materials

Whistleblower Protection for Trucking Employees

- Workers have the right to complain to OSHA and seek an OSHA inspection. Section 11(c) of the Occupational Safety and Health Act of 1970 (OSH Act) authorizes OSHA to investigate employee complaints of employer discrimination against those who are involved in safety and health activities.
- OSHA also is responsible for enforcing whistleblower protection under ten other laws.

Whistleblower Protection for Trucking Employees (cont.)

Refusal of Work – See Fact Sheet

- 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 may file a complaint with OSHA.
- 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.
- But 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.

**Whistleblower Rights:
Section 11(c) of the OSH Act
Surface Transportation Act (STAA)
National Transit Systems Security Act (NTSSA)**

- A worker who has been retaliated against may file an 11(c) complaint or DOT STAA complaint with OSHA.
- Must be filed within:
- 30 days for 11(c);
- 180 DAYS for STAA.

OSHA Website - www.osha.gov



UNITED STATES
DEPARTMENT OF LABOR

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Occupational Safety and Health Administration [English](#) | [Spanish](#)

ABOUT OSHA ▾ WORKERS ▾ EMPLOYERS ▾ REGULATIONS ▾ ENFORCEMENT ▾ TOPICS ▾ NEWS & PUBLICATIONS ▾ DATA ▾ TRAINING ▾



National Safety Stand-Down To Prevent Falls in Construction May 7-11, 2018

TAKE ACTION

- Contact OSHA
- File a safety and health complaint
- Report a death or severe injury
- Get whistleblower information
- Submit 2017 data electronically
- Request a free consultation
- Find an OSHA office
- Check our frequently asked questions

NEWSLETTER

OSHA QuickTakes
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NEWS [More News](#)

may 3, 2018
OSHA Schedules Meeting to Request Comments on Whistleblower Issues in the Railroad and Trucking Industries

May 3, 2018
5th Annual National Safety Stand-Down to Prevent Falls Begins May 7

April 30, 2018
U.S. Department of Labor Fixes Error Dating to 2016 Implementation of "Improve Tracking of Workplace Injuries and Illnesses" Regulation

TWITTER

Tweets [Follow](#)

OSHA_DOL @OSHA_DOL
If you'd like to participate in the #StandDown4Safety May 7-11, you can find an event in your area here: osha.gov/StopFallsStand...

OSHA_DOL @OSHA_DOL
ICYMI: @OSHA_DOL and @AESCNational have renewed an alliance to keep Texas oil and gas workers safe → osha.gov/news/newsrelea...

OSHA WORKING WITH EMPLOYERS

- Training
- Compliance Assistance
- Cooperative and Recognition Programs

Below are just a few examples of our cooperative programs that work with and recognize employers who create safe workplaces.

[Frank D. Riggio Co. Inc.](#), NJ: Reduced injury and illness rates, and insurance costs with help from OSHA's On-Site Consultation Program.

OSHA Consultation Offices by State



Consultation Offices can help employers identify workplace hazards, comply with standards, and establish safety and health programs. This service is free and confidential.

Occupational Safety and Health Act (OSH Act)

- The major health and safety law in the U.S. to prevent and reduce workplace injury, illness and death;
- Covers private sector, federal sector, and in twenty-six states and territories, state and local public sector workers also.

Occupational Safety and Health Administration

- **OSHA's Mission**

- To assure safe and healthful working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education and assistance.

- **Duties**

- Each employer 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;
 - shall comply with occupational safety and health standards promulgated under this Act.
 - Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

OSHA-approved State Plans that cover both private and public sector workers


- Alaska
- Arizona
- California
- Hawaii
- Indiana
- Iowa
- Kentucky
- Maryland
- Michigan
- Minnesota
- Nevada
- ▶ New Mexico
- ▶ North Carolina
- ▶ Oregon
- ▶ Puerto Rico
- ▶ South Carolina
- ▶ Tennessee
- ▶ Utah
- ▶ Vermont
- ▶ Virginia
- ▶ Washington
- ▶ Wyoming


MOSH




https://www.dlir.state.md.us/labor/mosh/

csa questions and a... ADP Workforce Now L... SAFER Web - Compan... LII 49 CFR Appendix B to ... Springer Handbook of... DC Velocity - Logistics... A&I online - Motor Ca... Primus - My I

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 DEPARTMENT OF
LABOR, LICENSING & REGULATION

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MOSH Services

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- > [Research](#)
- > [Discrimination](#)
- > [Teen Worker Safety](#)
- > [MOSH home page](#)

Latest News

- >  [Hurricane Preparedness](#)
- > [An Open Letter on Workplace Safety](#)
- > [Electronic Reporting Recordkeeping Requirements](#)
- > [Fentanyl Safety Considerations](#)
- > [Tree Trimming & Removal Safety Bulletin](#)
- > [Adoption of the OSHA Confined Space in Construction Standard](#)
- > [Safe Operation of an Aerial Lift](#)
[Operación Segura de Plataformas de Trabajo a Áreas](#)

Emergency Phone Numbers

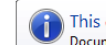
Maryland Occupational Safety and Health (MOSH) - Division of Labor and Industry

Maryland Occupational Safety and Health (MOSH) works to improve the safety and health of Maryland's working men and women in both the public and private sector by providing consultation services, outreach and educational programs, establishing partnerships, setting and enforcing standards, and encouraging continual process improvement in workplace safety and health. MOSH, with the assistance of the [MOSH Advisory Board](#), develops and proposes rules and regulations designed to prevent accidents and occupational diseases in every occupation or place of employment in Maryland.



Maryland Seguridad y Salud Ocupacional (MOSH) trabaja para mejorar la seguridad y la salud de los hombres y mujeres que trabajan en Maryland, tanto en el sector público y privado para proveer servicios de consulta, difusión y programas educativos, establecer alianzas, establecer y cumplir las normas, y promover el proceso continuo para mejora la seguridad y salud en el trabajo. MOSH, con la asistencia de la Junta Consultiva de MOSH, desarrolla y propone normas y regulaciones diseñadas para prevenir accidentes y enfermedades ocupacionales en cada profesión o lugar de trabajo en Maryland.

MOSH Consultation Services



Safety and Health Rights



General Duty Clause

(section 5(a)(1) of the OSHA Act)

“Each employer 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...”

You Have the Right to:

- A safe and healthful workplace;
- Know about hazardous chemicals;
- Information about injuries and illnesses in your workplace;
- Complain or request hazard correction from employer.

You Have the Right to:

- Training;
- Hazard exposure and medical records;
- File a complaint with OSHA;
- **Participate in an OSHA inspection;**
- **Be free from retaliation for exercising safety and health rights.**

Right to Training

- On a variety of health and safety hazards and standards that employers must follow;
- Topics such as, lockout-tagout, bloodborne pathogens, noise, confined spaces, fall hazards in construction, personal protective equipment, along with a variety of other subjects.



Right to Refuse Dangerous Work

- A real, imminent danger of death or serious physical injury exists; and
- You tell your employer and shop steward about the danger; and
- You have offered to do alternative work but were not accommodated; and
- You cannot risk waiting for an OSHA inspection.

Article 25. Defective Equipment and Dangerous Conditions of Work

National Master First Student Agreement April 1, 2015 through March 31, 2020

- The Employer shall not require employees to take out on the streets or highways any vehicle that is not in a safe operating condition or not equipped with the safety appliances prescribed by law. It shall not be a violation of this Agreement where employees refuse to operate such equipment unless such refusal is unjustified.

Article 25. Defective Equipment and Dangerous Conditions of Work

National Master First Student Agreement April 1, 2015 through March 31, 2020

- No employee shall be disciplined for failing to perform a scheduled work assignment due to the Company's continued failure to provide a safe work area, or to maintain safe equipment.

Worker Rights

- You have a right to:
 - **Participate in safety and health committees**
 - Participate in OSHA inspections and other OSHA-related activities
 - Report a work-related injury or illness.



Workplace Health or Safety Complaints

- You have a right to:
 - Complain to supervisors and employers;
 - Call OSHA (1-800-321-OSHA) for an informal complaint;
 - File a formal written complaint with OSHA and have OSHA come and inspect your workplace.





Occupational Safety & Health Administration

How to File a Safety and Health Complaint

The *Occupational Safety and Health Act of 1970* gives employees and their representatives the right to file a complaint and request an OSHA inspection of their workplace if they believe there is a serious hazard or their employer is not following OSHA standards. Workers do not have to know whether a specific OSHA standard has been violated in order to file a complaint.

Complaints from workers or their representatives are taken seriously by OSHA. **OSHA will keep your information confidential.**

COMPLAINT FILING OPTIONS



Online – Go to the Online [Complaint Form](#)

Written complaints that are signed by workers or their representative and submitted to an OSHA Area or Regional office are more likely to result in onsite OSHA inspections. Complaints received on line from workers in OSHA-approved state plan states will be forwarded to the appropriate state plan for response.



Fax/Mail - Download the OSHA [complaint form](#)* [\[En Español\]](#)* (or request a copy from your local [OSHA Regional or Area Office](#)).

Complete it and then fax or mail it back to your local OSHA Regional or Area Office. 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. Please include your name, address and telephone number so we can contact you to follow up.



Telephone – your local [OSHA Regional or Area Office](#).

OSHA staff can discuss your complaint and respond to any questions you have. If there is an emergency or the hazard is immediately life-threatening, call your local [OSHA Regional or Area Office](#) or [1-800-321-OSHA](#).

RELATED INFORMATION

- Learn more about your [rights](#) as a worker.
- You can [file a whistleblower complaint](#) if your employer has retaliated against you for exercising your rights as a worker.

VIDEOS



Young Workers' Rights
[English](#) | [Spanish](#)



Know Your Rights
[English](#) | [Spanish](#)



How to File a Workplace Safety Complaint

OSHA Standards

- Limit the amount of hazardous chemicals to which workers can be exposed;
- Require the use of certain safety practices and equipment;
- Require employers to monitor hazards and maintain records of injuries and illnesses;
- **Legally enforceable.**

Recordkeeping: OSHA 300, 300A and 301 Logs

- Applies to most employers with more than 10 workers;
- Workers' right to review the current log, up to past 5 years;
- Workers also have the right to view the annually posted summary of the injuries and illnesses (OSHA 300A).



National Labor Relations Act (NLRA)

- Allows workers in union and non-union workplaces to “act collectively” to improve workplace health and safety conditions.

Questions??



Resources: www.teamstersafety.org

 **Teamster Safety & Health** Home ▾ Safety + Health ▾ Training ▾ Get In Touch 

Welcome

The Safety and Health Department is responsible for developing occupational safety and health and transportation safety policy for the International Brotherhood of Teamsters. The department also provides technical and regulatory information as well as support to IBT Trade Divisions, Conferences, IBT Departments, Joint Councils, Local Union Affiliates and Rank-and-File Members.

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News We're Talking About



News

Fact sheets

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Resources



- Staff
- Fact sheets
- Contract language samples
- Website: www.teamstersafety.org
- Phone: (202) 624-6960
- Fax: (202) 624-8740
- Email: ibtsafety@teamster.org



IBT Safety and Health Department: Programs and Services

Overview

- I. IBT Safety and Health Department Staff
- II. Department Activities
- III. Resources

I. IBT Safety and Health Department

- Staff
- What do we do?

Safety and Health Department Staff

- LaMont Byrd, Director
 - Azita Mashayekhi, Industrial Hygienist
 - Enjoli DeGrasse Parson, Certified Industrial Hygienist
 - Asher Tobin, Industrial Hygienist
 - Kelly Bellamy, Office Manager
 - Chee Chang, Program Manager
 - Thomas Nelson, Financial Manager
 - Charmaine Woolard, Asst. Program Manager
 - Salina Hattley, Assistant Finance Manager
 - Chris Coppola, Program Assistant
 - Sherrie Matullo, Administrative Assistant
 - Hallie Whittier, Administrative Assistant

Safety and Health Department Staff

- Teamsters Local Union 25 – Boston, MA
- Teamsters Local Union 509 – Cayce, SC
- Teamsters Local Union 519 – Knoxville, TN
- Joint Council 25 – Joliet, IL
- Teamsters Local Union 769 – Miami, FL
- Teamsters Local Union 282 – Lake Success, NY
- Teamsters Local Union 445 – Newburg, NY
- Teamsters Local Union 631 – Las Vegas, NV
- Construction Teamsters Training – Fontana, CA
- Northern California Training – Rancho Murieta, CA
- Washington/Idaho Training – Pasco, WA
- HAMMER – Hanford, WA

What do we do?



- Technical assistance and information
- Legislative and regulatory activities
- Workplace inspections and surveys
- Collective bargaining
- Occupational Safety and Health Research
- Organizing
- Training and education

Technical Assistance and Information

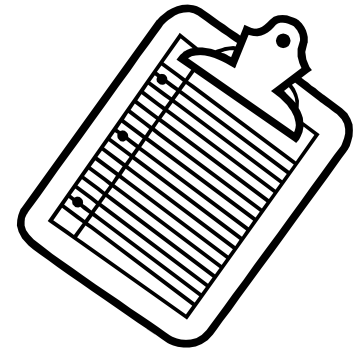
- Environmental and personal monitoring
- Review and analyze sampling data
- Review drug testing results
- Regulatory and technical interpretations for
 - Occupational Safety and Health Administration (OSHA)
 - Department of Transportation (DOT)
 - Mine Safety and Health Administration (MSHA)
 - National Institute for Occupational Safety and Health (NIOSH)

Legislative & Regulatory Activities

- Testify before Congressional committees
- Help develop legislation
- Provide technical assistance to lobbyists
- Rulemaking –OSHA, FMCSA, MSHA, FAA, HSA, FRA, EPA

Workplace Inspections and Surveys

- Site visits – comprehensive or focused inspections
- Review of written programs
- Surveys – designed to identify potential or real problems based on employee information



Collective Bargaining

- Master Agreements
 - National Master Freight
 - United Parcel Service
 - National Automobile Transporters
 - Anheuser-Busch
- White Paper Agreements
 - Model Contract Language

Occupational Safety and Health Research

- Diesel Exhaust Study
 - Harvard University School of Public Health
 - Exposure studies for freight members (dock and drivers)
- Driver Health Study
 - Dana-Farber Cancer Institute
 - Tobacco Use and Nutritional Habits of Drivers
- Toll Booth Workers Study
 - Mt. Sinai Medial Center
 - The Health and Safety of Toll Collectors, A White Paper

Occupational Safety and Health Research

- Harvard University School of Public Health
 - Cardiac effects of exposure to engine exhaust
- Harvard University School of Public Health
 - Cardiac effects of exposure to engine exhaust
- Noise Exposure Study
 - IBT Staff
 - Assessment of noise exposure among ready-mixed concrete drivers
- Johns Hopkins University – Distracted Driving

Organizing

- Organizing
 - Technical support
 - Regulatory enforcement
 - Safety and Health Surveys
 - Document safety and health issues
 - Support for collective bargaining for first contract

Training and Education

- Worker Training
 - Construction Safety
 - Hazardous Waste Remediation
 - Hazardous Waste Transportation
 - Radioactive Materials Transportation
 - Radioactive Waste Remediation
 - Hazardous Materials Transportation
 - CDL – Construction Trucking
 - General Industry Safety and Health
 - Forklift Safety
 - Load Securement
 - Crane Safety
- Apprenticeship Program for CDL Drivers

Worker Training

- Construction Safety
- Hazardous Waste Remediation
- Hazardous Waste Transportation
- Radioactive Materials Transportation
- Radioactive Waste Remediation
- Hazardous Materials Transportation
- CDL – Construction Trucking
- General Industry Safety and Health
- Forklift Safety
- Load Securement
- Crane Safety (limited)
- Medical Qualification for Drivers
- Hours of Service
- Drug and Alcohol Testing
- Worker Safety and Health Rights

Resources



- Staff
- Fact sheets
- Contract language samples
- Website: www.teamstersafety.org
- Phone: (202) 624-6960
- Fax: (202) 624-8740
- Email: ibtsafety@teamster.org

Questions??

