



**TEAMSTERS**

# **Safety & Health FACTS**

Safety and Health Department, International Brotherhood of Teamsters  
25 Louisiana Avenue, NW, Washington, DC 20001 ♦ 202/624-6960 ♦ [ibtsafety@teamster.org](mailto:ibtsafety@teamster.org)

## **EMERGENCY PLANS AND FIRE PREVENTION PLANS**

29 CFR 1910.38

### **Emergency Action Plans**

1910.38(a)

This standard applies to all emergency action plans required by other OSHA standards, and describes the actions employers and employees must take to ensure employee safety from fires and other emergencies.

For those employers with 11 or more employees, the plan should be in writing and include at a minimum the following elements:

- ♦ Emergency escape procedures and assignments;
- ♦ Procedures for employees who do not immediately evacuate in order to perform critical plant operations;
- ♦ Procedures to account for all employees after emergency evacuation has been completed;
- ♦ Rescue and medical duties for those who are to perform them;
- ♦ The preferred means of reporting fires and other emergencies; and
- ♦ The names or regular job titles of people or departments who can be contacted for further information or explanation of duties under the plan.

For employers with fewer than 11 employees, the plan must cover all of the same above requirements, however it does not have to be in writing. Verbal instruction is sufficient.

All employers must also:

- ♦ Establish an alarm system;
- ♦ Establish in the plan the types of evacuation to be used in emergency circumstances;
- ♦ Designate and train a group of employees to assist in safe and orderly evacuation;
- ♦ Review the plan with each employee when first developed, again when the employee's responsibilities or designated actions under the plan change, and again whenever the plan itself is changed;
- ♦ Review with each new employee those parts of the plan that the employee must know in order to be protected in the event of an emergency; and,
- ♦ If a written plan is made, a copy must be kept at the workplace available for employee review.

## **Fire Prevention Plans**

1910.38(b)

This standard applies to all fire prevention plans required by other OSHA standards, and describes the actions employers and employees must take to help reduce the risk of fires.

For those employers with 11 or more employees, the plan should be in writing and include at a minimum the following elements:

- ♦ A list of the major workplace fire hazards and their proper handling and storage procedures, the potential ignition sources and their control procedures, and the type of fire protection equipment which should be used to control these types of fires;
- ♦ Names or regular job titles of those personnel responsible for maintenance of equipment and systems installed to prevent or control ignitions or fires;
- ♦ Names or regular job titles of those personnel responsible for control of fuel source hazards; and
- ♦ Maintenance procedures for equipment and systems installed on heat producing equipment to prevent accidental fires.

For employers with fewer than 11 employees, the plan must cover all of the above requirements, however it does not have to be in writing. Verbal instruction is sufficient.

All employers must also:

- ♦ Control accumulation of flammable and combustible waste so that they do not contribute to a fire emergency and include housekeeping procedures in the fire prevention plan;
- ♦ Inform employees of the hazards of the materials and processes to which they are exposed;
- ♦ Review with each new employee those parts of the fire prevention plan that the employee must know in order to be protected in the event of an emergency; and
- ♦ Regularly and properly maintain equipment or systems installed on heat-producing equipment to prevent an accidental ignition of combustible materials.

**Employer Decisions for: Emergency Action Plan [1910.38(a)];  
Fire Prevention Plan [1910.38(b)]; and  
Fire Extinguisher Use [1910.157].**

OSHA's standard 29 CFR 1910.157 describes the requirements for employers who provide fire extinguishers intended for use by all employees. In this instance, the employer is only responsible for complying with the requirements of 1910.157. (For more information, see the International Brotherhood of Teamsters (IBT) safety and health factsheet concerning emergency fire equipment).

The employer can also provide fire extinguishers and instruct employees not to use them, but rather require all employees to evacuate the building. In such a case, the employer must have an emergency action plan and fire prevention plan that comply with 1910.38. Also the employer must also comply with the inspection and testing portions of 1910.157(d) and (f).

The employer also has the option of designating certain employees to use the provided fire extinguishers to fight an early-stage fire, while the rest of the employees evacuate the building. In this case, the employer is responsible for complying with most of 1910.157 as well as maintaining an emergency action plan and fire prevention plan that comply with 1910.38.