

**OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)
REGULATORY UPDATES**

FINAL STATUTES AND RULEMAKING

CITATION	SUMMARY
<p>Effective Date: 03/05/2015</p> <p>Action: Final rule.</p> <p>Document Citation: 80 FR 11865</p> <p>Page: 11865 -11885 (21 pages)</p> <p>CFR: 29 CFR 1980</p> <p>Agency/Docket Number: OSHA-2011-0126</p> <p>RIN: 1218-AC53</p> <p>Document Number: 2015-05001</p>	<p>On March 5, 2015, OSHA published a final rule for handling whistleblower retaliation complaints filed under Section 806 of the Sarbanes-Oxley (SOX) Act of 2002. The SOX Act protects workers who report fraudulent activities and violations of Securities Exchange Commission rules that can harm investors in publicly traded companies. The Act prohibits publicly-traded companies, nationally recognized statistical ratings organizations, and other covered persons from retaliating against an employee who provides information about conduct that the employee reasonably believes violates federal mail, wire, bank or securities fraud statutes, SEC rules, or any provision of federal law relating to fraud against shareholders.</p> <p>Workers can file a complaint with OSHA if they believe that their employer has retaliated against them for exercising their rights under the SOX Act. OSHA enforces the whistleblower provisions of SOX and 21 other statutes protecting employees who report violations of various workplace and environmental regulations. A copy of the final rule is available at:</p> <p style="text-align: center;">FederalRegister.gov</p>

LETTERS OF INTERPRETATION

OSHA has not issued any letters of interpretation since our last regulatory update.

RECENT DEVELOPMENTS**New OSHA reporting requirements now in effect for workplace injuries and fatalities**

Beginning on January 1, 2015, employers are required to report all work-related fatalities within 8 hours and all inpatient hospitalizations, amputations, and losses of an eye within 24 hours of finding out about the incident. Previously, employers were required to report all workplace fatalities and when three or more workers were hospitalized in the same incident. The updated reporting requirements have a life-saving purpose: they will enable employers and workers to prevent future injuries by identifying and eliminating the most serious workplace hazards. Employers have three options for reporting these severe incidents to OSHA. They can call their nearest area OSHA office during normal business hours, call the 24-hour OSHA hotline at 1-800-321-OSHA (1-800-321-6742), or report online. Additional information is available on the OSHA website at:

[OSHA.gov Record Keeping](#)

New OSHA outreach material focus on Temporary Workers and Tree Care Workers

OSHA has released two new bilingual quick references for employers and employees.

- 1) The Temporary Worker pocket-sized pamphlet reminds individuals working through a staffing agency that they have the same rights as any other worker. The pamphlet is part of OSHA's Temporary Worker Initiative, which focuses on compliance with safety and health requirements when temporary workers are employed under the joint employment of a staffing agency and a host employer. The pamphlet is available at:

[OSHA.gov Temp Worker](#)

- 2) Tree Care Work: Know the Hazards, addresses the most common tree care work hazards and ways in which employers can prevent them. The pamphlet is available at:

[OSHA.gov Tree Care Work](#)

OTHER RECENT DEVELOPMENTS**OSHA and NIOSH issue hazard alert to protect workers from silica exposure during countertop manufacture and installation**

OSHA and the National Institute for Occupational Safety and Health (NIOSH) have jointly issued a hazard alert about protecting workers from significant crystalline silica exposure during manufacturing, finishing, and installing natural and manufactured stone countertops. Workers who inhale respirable size crystalline silica particles are at risk for silicosis – an incurable, progressively disabling and sometimes fatal lung disease. Symptoms of silicosis can include shortness of breath, cough and fatigue, and may or may not be obviously attributable to silica. Workers exposed to airborne crystalline silica also are at increased risk for lung cancer, chronic obstructive pulmonary disease and kidney disease. OSHA and NIOSH have identified exposure to silica as a health hazard to workers involved in stone countertop operations, both in fabrication shops and during in-home finishing/installation. The alert explains how this hazard can be mitigated with simple and effective dust controls and is available at:

[OSHA and NIOSH](#)**OSHA's Safety Pays Program helps show impact of injuries and illnesses on a company's bottom line**

OSHA has released a new tool to help safety professionals demonstrate the impact of workplace injuries and illnesses on their company's profitability. The program uses a company's profit margin, the average costs of an injury or illness and an indirect cost multiplier to project the amount of sales a company would need to cover those costs. The program is available at:

[OSHA.gov Safety Pays](#)**Adding inequality to injury: The costs of failing to protect workers on the job**

A new report released by OSHA explores the substantial impact of workplace injuries and illnesses on income inequality. Despite the decades-old legal requirement that employers provide workplaces free of serious hazards, every year, more than three million workers are seriously injured, and thousands more are killed on the job. The report states these injuries can force working families into poverty, and prevents families of lower-wage workers from attaining greater economic opportunity. The report is available at:

[DOL.gov](#)

OTHER RECENT DEVELOPMENTS**Whistleblower protections for temporary workers**

OSHA and the National Institute for Occupational Safety and Health (NIOSH) have jointly issued a hazard alert about protecting workers from significant crystalline silica exposure during manufacturing, finishing, and installing natural and manufactured stone countertops. Workers who inhale respirable size crystalline silica particles are at risk for silicosis – an incurable, progressively disabling and sometimes fatal lung disease. Symptoms of silicosis can include shortness of breath, cough and fatigue, and may or may not be obviously attributable to silica. OSHA has issued two new bulletins in the series of guidance documents developed under the agency's Temporary Worker Initiative. The initiative focuses on compliance with safety and health requirements when temporary workers are employed under the joint employment of a staffing agency and a host employer. One bulletin addresses how to identify who is responsible for providing these workers with required personal protective equipment and necessary training (<https://www.osha.gov/Publications/OSHA3780.pdf>), while the other explains their whistleblower rights (<https://www.osha.gov/Publications/OSHA3781.pdf>).