

How To Become OSHA Compliant

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Introduction

Confusion is common when it comes to OSHA and the agricultural industry. Who is regulated, and why? What standards and rules do pork producers need to follow? The first step in achieving compliance is to become educated about OSHA. For more information on any topic below, visit the OSHA Web site (www.osha.gov).

Objective

To determine which OSHA rules and standards must be followed by pork producers to achieve OSHA compliance.

What is OSHA?

OSHA was created in 1970 with the mission of assuring the safety and health of America's workers. In addition to the federal OSHA program, 24 states and two U.S. territories operate their own safety and health programs. Many top pork producing states, including Iowa, North Carolina, Minnesota, Indiana, Michigan, Utah, Virginia, Kentucky, South Carolina, and Arizona have state specific OSHA programs. For state-specific information, contact your state OSHA authority.

Is my Operation Regulated by OSHA?

To determine if your operation(s) are regulated by OSHA, you need to know how many employees you have had during the past calendar year. Immediate family members do not count as "employees." The following OSHA categories then apply:

- Family farms are not regulated by OSHA.
- Farms with ten or fewer employees are usually not inspected by OSHA, and are generally not required to keep OSHA injury and illness records.
- Farms with more than ten employees must keep OSHA records, must follow by all applicable OSHA standards, and may be inspected by OSHA.

OSHA Recordkeeping

If you employed more than ten employees in the past year, you will be required to keep OSHA records. There are three main record keeping forms:

- Log of Work-Related Injuries and Illnesses (OSHA form 300)
- Summary of Work-Related Injuries and Illnesses (OSHA form 300A)
- Injury and Illness Incident Report (OSHA form 301)

To obtain OSHA forms along with instructions for completion, visit <http://www.osha.gov/recordkeeping/new-osha300form1-1-04.pdf>. For training modules on OSHA recordkeeping, visit <http://www.osha.gov/recordkeeping/RKpresentations.html>.

Which OSHA Standards Apply to Pork Production Facilities?

OSHA "standards" are regulations that you must follow. There are three key areas for pork producers to understand. They include:

- General Duty Clause Section 5(a)(1) http://63.234.227.130/pls/oshaweb/owadisp.show_document?p_table=OSHACT&p_id=3359
- Occupational Safety and Health Standards for Agriculture (29 CFR 1928) http://www.osha.gov/pls/oshaweb/owastand.display_standard_group?p_toc_level=1&p_part_number=1928
- General Industry Standards (29 CFR 1910) http://www.osha.gov/pls/oshaweb/owastand.display_standard_group?p_toc_level=1&p_part_number=1910

What is the General Duty Clause?

The General Duty Clause is the most frequent citation among pork producers. The General Duty Clause requires employers to "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." This means that OSHA can require you to find ways to eliminate ANY type of serious hazard as long as that hazard represents a risk to your workers.

Which OSHA Standards are Specific to Agriculture?

To read the complete Agriculture Standard (29 CFR 1928) visit http://www.osha.gov/pls/oshaweb/owastand.display_standard_group?p_toc_level=1&p_part_number=1928. The Agriculture Standard includes regulations regarding roll over protective structures, guarding of farm equipment, and other topics less pertinent to pork production.

Which General Industry Standards Apply to Pork Producers?

Some General Industry standards apply to all pork production facilities, such as Hazard Communication (1910.1200); others apply only to farms that have general industry processes (for example, feed milling). To read the complete General Industry Standard (20 CFR 1910), visit http://63.234.227.130/pls/oshaweb/owastand.display_standard_group?p_toc_level=1&p_part_number=1910&p_text_version=FALSE.

Summary

What's the bottom line on OSHA? The Agriculture and General Industry Standards are very long and may seem overly complex for small to medium sized pork producers. In many cases, using common sense and abiding by the General Duty Clause is the best way to begin achieving OSHA compliance. For detailed information about what to expect during an OSHA inspection, refer to PIG factsheet 16-01-05 (to view factsheet, registration is required at <http://www.porkgateway.org>).

