

# WORK COMP INSIGHTS

## Safety and Health Assistance for Small Businesses

The Occupational Safety and Health Administration (OSHA) created the Office of Small Business Assistance to help small business employers understand their safety and health obligations, access compliance information, provide guidance on regulatory standards and to educate them about cost-effective means for ensuring the safety and health of worksites.

OSHA encourages all businesses to establish safety and health programs, and find and fix hazards to prevent workplace injuries and illnesses. To assist in your safety efforts, OSHA offers many resources designed specifically for smaller employers, including:

- *OSHA's Non-Retaliation Policy*
  - Information inquiries received by the agency regarding safety and health regulations or other safety-related subjects will not trigger an inspection for your small business.
  - There are a few rare exceptions to the policy, such as the employer notifying OSHA of the presence of an imminent danger or the occurrence of a fatality. However, OSHA policy is to provide assistance to help employers prevent and reduce workplace fatalities, illnesses and injuries.
- *Penalty Reductions for Small Business*
  - OSHA considers the size of the employer, among other factors, when determining the penalty to be proposed for any violation. OSHA has always had detailed procedures in place for making this

determination, which are currently outlined in the OSHA Field Operations Manual (FOM). The FOM states that proposed penalties may be reduced by the following percentages for smaller businesses:

- Up to a 60 percent penalty reduction may be applied if an employer has 25 employees or fewer
- Up to a 40 percent reduction if the employer has 26-100 employees
- Up to a 20 percent reduction if the employer has 101-250 employees

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**As a small business owner,  
there are numerous resources  
you can turn to for help  
creating a safe and compliant  
workplace.**

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### **Benefits for Your Business:**

As a small business owner, you are privy to some perks provided by OSHA. In addition to the possibility of lower fines, small businesses also receive the following benefits:

- *Exemptions from Recordkeeping*
  - Employers with 10 or fewer employees are exempt from most, though not all, OSHA recordkeeping requirements for recording and reporting occupational injuries and illnesses.
- *Consultation*
  - OSHA offers free assistance in identifying workplace hazards and establishing or improving safety and health management systems corporation-wide.

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Employers in high-hazard industries or those involved in hazardous operations receive priority. Largely funded by OSHA, consultation programs are run by state agencies and offer an array of services.

- Key services offered by consultation include:
  - Help in recognizing hazards in the workplace.
  - Suggested approaches or options for solving a safety or health problem.
  - Sources of help available to a company needing further assistance.
  - Written reports that summarize the findings of on-site reviews of safety and health.
  - Assistance in developing or maintaining an effective safety and health management system.
  - Training and education for a small business, its employees at the workplace and, in some cases, away from the worksite.
  - Recognition by OSHA's Safety and Health Achievement Recognition Program (SHARP).
- An effective workplace safety and health management system at a small business worksite(s) will enable the small employer to:
  - Recognize and remove hazards from the worksite.
  - Protect workers from injury and illness.
  - Prevent loss of life.
  - Cultivate informed employees who take responsibility for their own safety, their coworkers' safety and for worksite safety as a whole.
  - Improve employee morale.
- An increased understanding of workplace hazards and remedies will put small business managers in a better position to:
  - Comply with federal and state safety and health requirements.
  - Become more effective at their jobs.

- Increase productivity rates and assure product quality.
- An exemplary workplace safety and health management system is good business sense that also makes financial sense because it will allow a small business to:
  - Learn first-hand that the cost of accident prevention is far lower than the cost of accidents.
  - Improve the bottom line by lowering injury and illness rates, decreasing workers' compensation costs, reducing lost workdays and limiting equipment damage and product losses.

OSHA's Office of Small Business Assistance can be contacted by the following:

- By phone – 202-693-2220
- Write to the Directorate of Cooperative and State Programs at 200 Constitution Avenue, NW, Room N-3660, Washington, DC 20210.
- On the Web at [www.osha.gov/dcsp/osba/index.html](http://www.osha.gov/dcsp/osba/index.html)

## Other Cooperative Programs

Information about OSHA's cooperative programs is available from any OSHA Regional Office, OSHA Area Office or by contacting OSHA's Directorate of Cooperative and State Programs at the U.S. Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Room N-3660, Washington, DC 20210, phone 202-693-2200.

## Voluntary Protection Programs (VPP)

OSHA's VPP provide an opportunity for labor, management and government to work together cooperatively to further the goal of providing effective safety and health protection in the workplace. The VPP grant recognition to worksites that provide or are committed to providing effective protection for their employees through implementation of systematically managed safety and health programs. The Star Program is for worksites that have at least one year's experience with an effectively implemented safety and health program. The Merit Program is for employers working toward an effectively implemented program. The Demonstration Program is for worksites with programs at Star quality but with some aspect of their program that requires further study by OSHA. All participants work in

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partnership with OSHA and provide models for OSHA as well as for their industries.

## **OSHA Strategic Partnership Program (OSPP)**

OSPP is designed to enable groups of employers, employees and employee representatives to partner with OSHA and enter into an extended, voluntary, cooperative relationship in order to encourage, assist and recognize efforts to eliminate serious hazards and achieve a high level of worker safety and health.

## **OSHA Alliance Program**

Alliances are goal-oriented, written agreements between OSHA and organizations to work together to prevent workplace injuries and illnesses. Organizations include employers, employees, labor unions, trade or professional groups, educational institutions and government agencies. Alliances focus on one or more of the following goals: training and education; outreach and communications; and promoting the national dialogue on occupational safety and health.

## **Other Sources of Assistance:**

### **Voluntary Protection Programs Participants' Association (VPPPA)**

The VPPPA is a private organization made up of VPP participant companies. The VPPPA has members in most states and is willing to provide information, outreach and mentoring to help worksites improve their safety and health programs. Chapters of the national association have been formed in most OSHA regions, and members of these chapters also are willing to provide the kind of assistance provided by the national organization.

### **Small Business Development Centers**

The U.S. Small Business Administration (SBA) administers the Small Business Development Center Program to provide management and technical assistance to current and prospective small business owners. There is a Small Business Development Center (SBDC) in every state, the District of Columbia, Puerto Rico, Guam, Samoa and the U.S. Virgin Islands, with more than 1,000 service centers across the country. SBDC assistance is tailored to the local community and the needs of individual clients and designed to deliver up-to-date counseling, training and technical assistance. Services could include helping small businesses with financial, marketing, production, organization, engineering and technical problems.

### **National Institute for Occupational Safety and Health (NIOSH)**

NIOSH is a research agency in the U.S. Department of Health and Human Services, whereas OSHA is a regulatory agency in the U.S. Department of Labor. NIOSH conducts research and makes recommendations to prevent work-related illness and injury. NIOSH has produced a useful guide, Safety and Health Resource Guide for Small Businesses, with telephone numbers, email addresses, websites and mailing information to enable small businesses to contact government agencies, private organizations, consultants and others who can help with occupational safety and health issues. The NIOSH toll-free phone number is 800-232-4636, or visit [www.cdc.gov/niosh](http://www.cdc.gov/niosh).

### **Trade Associations and Employer Groups**

Due to the increase in job safety and health awareness resulting from OSHA activities, many trade associations and employer groups have put a new emphasis on safety and health matters to better serve their members. If you are a member of such a group, find out how it is assisting its members. If you are not a member, find out if these groups are circulating their materials to nonmembers.

### **Trade Unions and Employee Groups**

If your employees are organized, set up some communications, as you do in normal labor relations, to get coordinated action on hazards in your business. Safety and health is one area where advance planning will stimulate action on common goals. Many trade unions have safety and health expertise that they are willing to share.

### **The National Safety Council and Local Chapters**

The National Safety Council (NSC) has a broad range of information services available. If you have a local chapter of the NSC in your area, you can visit [www.nsc.org](http://www.nsc.org) to see how you can use materials pertaining to your business.

### **Financing Workplace Improvement**

The SBA is authorized to make loans to assist small businesses with meeting OSHA standards. Because SBA's definition of a "small" business varies from industry to industry, contact your local SBA field office to determine whether you qualify.