

NEW DEVELOPMENTS IN OSHA

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The Williams-Steiger Occupational Safety and Health Act of 1970 was enacted to assure so far as possible every working man and woman in the nation a safe and healthful work place. The provisions of the law apply to employers engaged in a business that affects interstate commerce. This of course includes horticultural and sod growers with one or more employees.

The duty of the employer under this act is to provide his employees working conditions free from recognized hazards. More specifically it is the employers duty to comply with safety and health standards that apply to him under the Act. At the present time the U. S. Secretary of Labor has declared four specific OSHA standards as applicable to agriculture, which includes those engaged in horticultural services as well as producers of sod or horticultural products. These four OSHA standards are:

1. The SMV emblem
2. Anhydrous ammonia
3. Pulpwood logging
4. Housing in temporary labor camps

The law also provides the opportunity for each state to take over administration of the Occupational Safety Act, providing it can present a program that would be at least as effective in dealing with occupational hazards as that which is proposed through the OSHA program.

Michigan Plan

Michigan is one of the states preparing a state plan to take over safety responsibilities from the federal government. Governor Milliken has appointed a Task Force to submit proposals for a state plan and the Task Force report has been submitted to the Governor. Based on this report, a Michigan program has been developed and submitted to OSHA officials in Washington for their approval. If this plan is approved, OSHA will be administered by the Michigan Departments of Health and Labor and this action could occur by Spring, 1973.

Recordkeeping Changes

Farmers with fewer than eight employees are now exempt from the routine recordkeeping requirements of OSHA. By administrative edict as of January

1, these small employers need no longer fill out forms 100 and 101, the records of work related accidents and illnesses and the year-end summary. Fatalities and multiple hospitalizations of employees must still be reported to the area OSHA office within 48 hours.

A small sample of otherwise exempt small employers were notified during January that they should continue keeping all records for use in a survey on safety and health by the Bureau of Labor Statistics.

Inspections

The Congress made a move to prevent inspections of employers with a small number of employees, and tied this to budget requests made by the U. S. Department of Labor during the latter part of 1972. However, the entire budget packages were vetoed by the President, so the future of such exclusions is still in doubt. Such restrictions would be of a temporary nature and do not solve the compliance problem, just delay it.

Inspections to small employers in agriculture and horticultural product areas have been rare, but the future scope of such inspections should not be underestimated. We might anticipate a greater number of inspections, particularly as this program becomes administered through the Michigan Departments of Health and Labor.

The OSHA program should influence your decisions in managing your operation. In future purchases of equipment and supplies, put more stress on healthy and safety. We can anticipate new standards applying to agriculture and in many cases these standards will be made retroactive. For example, when buying a tractor, give serious consideration to one with a protective frame or crush resistant cab. If building new or modifying old migrant housing, exceed the licensing standards required by the Michigan Department of Health. Guard exposed belts and pulleys and check your chemical handling procedures. Teach safe practices in your place of employment and make the use of safe practices a condition of employment with each and every employee you hire.