



Department  
of Labor

*WORKING FOR YOU*

# PEF HEALTH & SAFETY CONFERENCE

## PESH AS A RESOURCE

**MAY 12, 2026**

APRIL 29, 2026

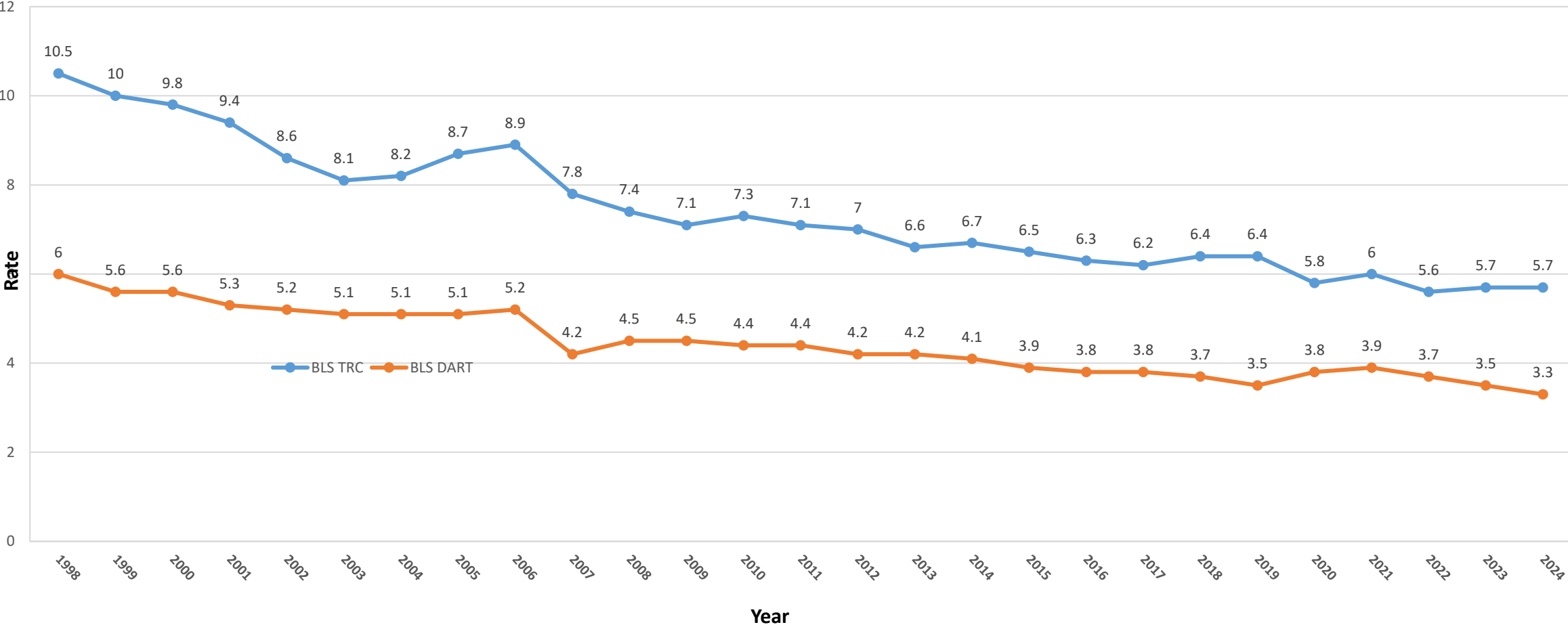


# **PUBLIC EMPLOYEE SAFETY & HEALTH (PESH) PROGRAM**

- Occupational Safety & Health (OSH) Act 1970
- The Public Employee Safety and Health (PESH) Act 1980
- Worker Protection Is The Goal- Injury and Illness Reduction
- OSHA State Plan
  - Public Sector Only
  - 50 Percent Federal Funding
  - Must Be At Least As Effective As Fed OSHA



# NYS - State and Local Governments (based on BLS data)



TRC – Total Recordable Case (Injury and Illness) Rate  
 DART – Days Away, Restricted, or job Transfer Rate

# THE PUBLIC EMPLOYEE SAFETY AND HEALTH (PESH) BUREAU

- Enforces the Provisions of The PESH Act and the Safety and Health Standards Promulgated Under OSHA
- Provides Consultation Services to Public Employers
- Provides Educational and Consultation Services to Employee Organizations
- Provides Technical Assistance During Statewide Emergencies

A close-up photograph of a person's hand, wearing a light-colored suit sleeve, holding an orange binder. The binder has a white label with the text "HEALTH & SAFETY" printed in a bold, serif font. The background is a plain, light-colored surface.

HEALTH & SAFETY



# THE PESH BUREAU

- 36 +/- Inspectors and Hygienists
- 9 District Offices



# SUPERVISING INSPECTORS

- Kwo Lam NYC (212) 775-3554
- Matt Setteducati Garden City/White Plains (516) 228-3970
- Joseph Fuller Albany/Utica (518) 457-5008
- Luke Parga Binghamton/Syracuse (607) 721-8211
- Rick Dugan Rochester/Buffalo (585) 258-8806
- Elizabeth Getman Complaint Intake (315)793-2258
- Jen Puerner Fatality Coordinator (716) 847-7133

# PESH PROGRAM MANAGEMENT

- Amy Phillips Director, Division of Safety and Health
- Darren Mrak Bureau Program Manager
- John Usher Assistant Program Manager  
(Consultation)
- Bret Schmidt Assistant Program Manager (Upstate)
- Olushola Abolarinwa Assistant Program Manager (Downstate)

# THE PESH ACT-DEFINITIONS

**Employer:** The state, any political subdivision of the state, a public authority or any other governmental agency or instrumentality thereof (State, County, Town, Village, Public Authorities, School Districts, Paid and Volunteer Fire Departments)

**Employee:** Any person permitted to work by an employer

**Authorized Employee Representative:** An employee authorized by the employees, or the designated representative of an employee organization recognized or certified to represent employees pursuant to Article 14 of the Civil Service Law



# SAFETY & HEALTH STANDARDS

- PESH must adopt all federal OSHA standards, or
- Develop own which are at least as effective (stringent)
- [www.osha.gov](http://www.osha.gov)
- [https://www.labor.ny.gov/workerprotection/safetyhealth/DOSH\\_PESH.shtm](https://www.labor.ny.gov/workerprotection/safetyhealth/DOSH_PESH.shtm)

# TYPES AND PRIORITY OF INSPECTIONS

- Imminent Danger
- Accident Investigations
- Complaints (Serious Hazard Alleged)
- Complaints (Non-Serious Hazard Alleged)
- Referrals
- Programmed Inspections



# INSPECTION PROCEDURES

The Act and Part 802 call for a structured inspection:

- No Advance Notice
- Opening Conference
- Union Participation
- Walk Around Inspection
- Closing Conference
- NOV/Report Issuance
- Abatement Periods
- Monitoring/Follow-up



# IMMINENT DANGER

- Advance notice given to employer
- Inspection commenced immediately
- PESH has authority to stop the work under Section 200 Of the Labor Law



# WORKERS' RIGHT TO REFUSE DANGEROUS WORK

**All** of the following conditions must be met:

- Employer failed to eliminate danger when asked to
- You refused to work in "good faith"
- Reasonable person would agree there is real danger of death or serious injury
- Not enough time to get corrected through regular enforcement channels

You should take the following steps:

- Ask your employer to correct the hazard, or assign other work
- Tell your employer that you won't perform the work unless and until the hazard is corrected and
- Remain at the worksite until ordered to leave by your employer
- <https://www.osha.gov/workers/right-to-refuse>

# ACCIDENT INVESTIGATIONS



- Any incident which is fatal to one employee or results in hospitalization of two or more employees
- Employer must report incident to PESH within 8 hours
- PESH may inspect incidents which injures only one employee if assets are available

# ADMINISTRATIVE RULES

- Part 801: Recording and Reporting Public Employees' Occupational Injuries and Illnesses
- Part 802: Inspection of Places Of Public Employment
- Part 803: Variance Regulations
- Part 804: Petition For Modification Of Abatement Date (PMA)
- Part 805: Petition for Employee Contest Of Abatement Period

<https://dol.ny.gov/reference-material-public-employee-safety-and-health-inspections>

# \*NEW - 12 NYCRR 801 Recordkeeping Amendments Reporting and Electronic Submission

- Effective July 31, 2024 (<https://dol.ny.gov/public-employee-safety-health>)
- Must report any of the following **within eight hours**:
  - The death of any employee as a result of a work-related incident
  - *The death of any employee in the work environment, regardless of the cause*
  - *The in-patient hospitalization of two (2) or more employees as a result of a work-related incident*
- Must report any of the following **within 24 hours** resulting from a work-related incident:
  - The in-patient hospitalization of an employee
  - An employee's amputation
  - An employee's loss of an eye

# Reporting must be done using one of the following methods:

- By telephone or in person to the Public Employee Safety and Health (PESH) Office that is nearest to the site of the incident. A PESH Office directory can be found here: [PESH Office directory](#)
- By calling 1-844-SAFE-NYS (1-844-723-3697)
- By email to [ask.shnypesh@labor.ny.gov](mailto:ask.shnypesh@labor.ny.gov)

# The following information must be provided:

- ✓ Establishment name
- ✓ Location of work-related incident
- ✓ Time of the work-related incident
- ✓ Type of reportable event (i.e., fatality, in-patient hospitalization, amputation, or loss of an eye)
- ✓ Number and names of the employees who suffered the fatality, in-patient hospitalization, amputation, or loss of an eye
- ✓ Employer's contact person and their phone number and
- ✓ Brief description of the work-related incident.

# COMPLAINTS

A hand holding a black pen is positioned over a clipboard with a white sheet of paper. The clipboard is held by another hand. The background is white. The text on the clipboard is a list of three bullet points.

- Complaints are reviewed and prioritized based upon the hazard to employees
- The higher the hazard the higher the priority
- Complainant may be asked to provide additional information prior to inspection (Specific hazard description and location)

# New Complaint Options

- <https://dol.ny.gov/public-employee-safety-health>:
  - **Online - [Use the Online Complaint Form](#)**

If you have any questions, send an email to [ask.shnypesh@labor.ny.gov](mailto:ask.shnypesh@labor.ny.gov) or call us at 1-844-SAFE-NYS (1-844-723-3697).

# REFERRALS

The background of the slide features several rolled-up newspapers. The papers are white with blue and red accents. One newspaper in the foreground has the word 'REFERRALS' printed on its side in large, bold, black letters. Another newspaper in the foreground has the word 'ON' visible. The newspapers are arranged in a slightly overlapping, diagonal pattern, creating a sense of depth and texture.

- Hazards identified in the news media
- Referrals from another agency
- Referrals from another discipline

# PROGRAMMED INSPECTIONS

- Conducted With The Least Burden To The Employer **BUT** The Employer Does Have To Facilitate The Inspection
- Administrative Plan
- Comprehensive in Scope



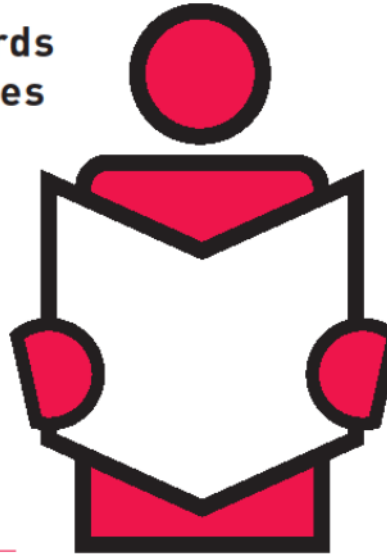
# REQUIRED POSTINGS

## YOU HAVE A RIGHT TO KNOW!

Your employer must inform you of the health effects and hazards of toxic substances at your worksite.

Learn all you can about toxic substances on your job.

For more information, contact:



# Workplace Violence Prevention Policy Statement

Name \_\_\_\_\_

Location & Phone Number \_\_\_\_\_

**THE RIGHT TO KNOW LAW WORKS FOR YOU.**  
NEW YORK STATE DEPARTMENT OF HEALTH

2706

4/00

Labor Law Information Relating to



Public Employee Safety and Health

## Public Employees Job Safety & Health Protection

The New York State Public Employee Safety and Health Act of 1980 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

### Employers

Employers must provide employees with a workplace that is:

- free from recognized hazards, that apply to the workplace, and
- in compliance with the safety and health standards that apply to the workplace, and
- in compliance with any other regulations issued under the PESH Act by the Commissioner of Labor.

### Employees

Employees must comply with all safety and health standards that apply to their actions on the job. Employees must also comply with any regulations issued under the PESH Act that apply to their job.

### Enforcement

The New York State Department of Labor administers and enforces the PESH Act. The Commissioner of Labor issues safety and health standards. The Department's Division of Safety and Health (DOSH) has Inspectors and Hygienists who inspect workplaces to make sure they are following the PESH Act.

### Inspection

When DOSH staff inspect a workplace, a representative of the employer and a representative approved by the employees must be allowed to help with the inspection. When there is no employee-approved representative, DOSH staff must speak with a fair number of employees about the safety and health conditions in the workplace.

### Order to Comply

If the Department believes an employer has violated the PESH Act, we will issue an order to comply notice to the employer. The order will list dates by which each violation must be fixed. If violations are not fixed by those dates, the employer may be fined.

The order to comply must be posted at or near the place of violation, where it can be easily seen. This is to warn employees that a danger may exist.

### Complaint

Any interested person may file a complaint if they believe there are unsafe or unhealthful conditions in a public workplace. This includes:

- An employee
- A representative of an employee
- Groups of employees
- A representative of a group of employees

Make this complaint in writing to the nearest DOSH office or by email to: [Ask.SHNYPESH@labor.ny.gov](mailto:Ask.SHNYPESH@labor.ny.gov). On request, DOSH will not release the names of any employees who file a complaint. The Department of Labor will evaluate each complaint. The Department will notify the person who made the complaint of the results of the investigation.

These complaints may also be made to the United States Department of Labor, Occupational Safety and Health Administration online at: [www.osha.gov](http://www.osha.gov).

### Discrimination

Employees may not be fired or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

If an employee believes that they have been discriminated against, he or she may file a complaint with the nearest DOSH office. File this complaint within 30 days of the discrimination incident.

### Voluntary Activity

The Department of Labor encourages employers and employees to voluntarily:

- reduce workplace hazards, and
- develop and improve safety and health programs in all workplaces.

The Division of Safety and Health can provide free help with identifying and correcting job site hazards. Employers may request this assistance on a voluntary basis by emailing: [Ask.SHNYPESH@labor.ny.gov](mailto:Ask.SHNYPESH@labor.ny.gov).

Additional information may be obtained from the nearest DOSH District Office below:

**Albany District**  
State Office Campus  
Bldg. 12, Rm. 158  
Albany, NY 12240  
Tel: (518) 457-5508

**Binghamton District**  
44 Hawley St., Rm. 901  
Binghamton, NY 13901  
Tel: (607) 721-8211

**Buffalo District**  
65 Court Street  
Buffalo, NY 14202  
Tel: (716) 847-7133

**Garden City District**  
400 Oak Street  
Garden City, NY 11550  
Tel: (516) 228-3970

**New York City District**  
75 Varick St., 7th Floor  
New York, NY 10013  
Tel: (212) 775-3554

**Rochester District**  
109 S. Union St., Rm. 402  
Rochester, NY 14607  
Tel: (585) 258-8806

**Syracuse District**  
450 South Salina Street  
Syracuse, NY 13202  
Tel: (315) 479-3212

**Utica District**  
207 Genesee Street  
Utica, NY 13501  
Tel: (315) 793-2258

**White Plains District**  
120 Bloomingdale Road  
White Plains, NY 10605  
Tel: (914) 997-9514

Post Conspicuously

**A Division of the New York State Department of Labor**

P208 (7/17) The New York State Department of Labor is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities.

# PESH Injury & Illness Forms

1. SH-900.2 – Incident Reporting Form (Similar to Worker's Comp Form C-2)
  2. SH-900– Log of Work-Related Injuries and Illnesses
  3. SH-900.1 – Summary of Work-Related Injuries and Illnesses (**Must be posted Feb-Apr**)
- \* For most inspections injury and illness records for the last 3 years will be requested – PESH SH-900 and SH-900.1 forms

Hindsight

Insight

Foresight

# SH-900.2 – Incident Reporting Form

- \* Accurate and complete info is critical
- \* Who, what, where, when, how
- \* Will help find out why
- \* Complete fully as soon as possible
- \* Must be treated as privacy case if bottom box checked



**NEW YORK STATE DEPARTMENT OF LABOR**  
**INJURY AND ILLNESS INCIDENT REPORT**  
**FORM SH 900.2**

**Attention:** This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

This *Injury and Illness Incident Report* is one of the first forms you must fill out when a recordable work-related injury or illness has occurred. Together with the *Log of Work-Related Injuries and Illnesses* and the accompanying Summary, these forms help the employer and PESH develop a picture of the extent and severity of work-related incidents. Within 7 calendar days after you receive information that a recordable work-related injury or illness has occurred, you must fill out this form or an equivalent. Some state worker's compensation, insurance, or other reports may be acceptable substitutes. To be considered an equivalent form any substitute must contain all the information asked for on this form.

According to 12 NYCRR Part 801, PESH record keeping rule, you must keep this form on file for 5 years following the year to which it pertains. If you need additional copies of this form, you may photocopy and use as many as you need.

**Completed by:** \_\_\_\_\_  
**Title:** \_\_\_\_\_  
**Phone:** (\_\_\_\_) \_\_\_\_\_ **Date:** \_\_\_\_\_

**Physician/Health Care Professional Information:** \_\_\_\_\_  
6) Name of physician or other health care professional: \_\_\_\_\_  
7) If treatment was given away from the worksite, where was it given?  
Facility: \_\_\_\_\_  
Street: \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
8) Was employee treated in an emergency room?  
 Yes  No  
9) Was employee hospitalized overnight?  
 Yes  No

**Information about the case:**  
10) Case number from the log: \_\_\_\_\_  
(Transfer the case number from the Log after you record the case.)  
11) Date of injury or illness: \_\_\_\_/\_\_\_\_/\_\_\_\_  
12) Time employee began work \_\_\_\_\_ AM / PM  
13) Time of event \_\_\_\_\_ AM / PM  
 Check if time cannot be determined  
Event occurred  before  during  after work shift

**Employee Information:**  
1) Full Name: \_\_\_\_\_  
2) Street: \_\_\_\_\_  
City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
3) Date of Birth \_\_\_\_/\_\_\_\_/\_\_\_\_ 4) Date hired \_\_\_\_/\_\_\_\_/\_\_\_\_  
5)  Male  Female

14) What was the employee doing just before the incident occurred? Describe the activity, as well as the tools, equipment, or material the employee was using. Be specific.  
**Examples:** "climbing a ladder while carrying roofing materials"; "spraying chlorine from hand sprayer."

15) What happened? Tell us how the injury occurred. **Examples:** "when ladder slipped on wet floor, worker fell 20 feet"; "Worker was sprayed with chlorine when gasket broke during replacement."

16) What was the injury or illness? Tell us the part of the body that was affected and how it was affected; be more specific than "hurt", "pain", or "sore." **Examples:** "strained back"; "chemical burn, hand."

17) What object or substance directly harmed the employee? **Examples:** "concrete floor," "radial arm saw"; "chlorine."

18) If the employee died, when did death occur? Date of death \_\_\_\_/\_\_\_\_/\_\_\_\_

**ILLNESS CASES ONLY** |  Check this box if the employee independently and voluntarily requests that his/her name not be entered on the log. If checked treat as a privacy concern case.

SH 900.2 (1-05)



# Other Tips

Using these categories, check **ONLY** the most serious result for each case.

		Remained at Work	
		I. Job Transfer or Restriction	J. Other Recordable Cases
G. Death	H. Days Away From Work		

- \* **IMPORTANT:** Column F must include: what employee was doing when injured, body part injured, and what the injury was
- \* Check only one box in Column G, H, I or J for each case (most serious result)
- \* For a case occurring in one year but with days extending into following years, estimate total and record on initial year log only
- \* Verify that ‘other recordable cases’ (column J) are in fact recordable. Most over-recording occurs in this category

# SH-900.1 Summary

- \* **Must be posted annual summary (Feb 1 – Apr 30)**  
Baseline for comparison
- \* Calculate your rate using data from SH-900.1:  

$$IR = \frac{N \times 200,000}{EH}$$
  - \* **IR** = Injury & Illness Rate
  - \* **N** = Number of cases
  - \* **EH** = Total hours worked by all employees
- \* Compare with future and BLS data for your industry group:
- \* <http://www.bls.gov/iif/oshsum.htm>

STATE OF NEW YORK  
DEPARTMENT OF LABOR



Division of Safety and Health  
Public Safety and Health Bureau  
State Office Campus  
Building 12, Room 158  
Albany, NY 12240

## SUMMARY OF WORK-RELATED INJURIES AND ILLNESSES FORM SH-900.1

All establishments covered by PART 801 **must** complete this summary annually, even if no occupational injuries or illnesses occurred during the year. Employees, former employees, and their representatives have the right to review this form. They also have limited access to the Log (SH 900) or its equivalent. See 801.35 and instructions for further details on access provisions for these forms.

1. ESTABLISHMENT INFORMATION	2. EMPLOYMENT INFORMATION
ESTABLISHMENT NAME _____	If you don't have accurate figures, see the instructions on the back of this sheet.  AVERAGE NUMBER OF EMPLOYEES _____  TOTAL HOURS WORKED BY ALL EMPLOYEES LAST YEAR _____
STREET ADDRESS _____	
CITY, STATE, ZIP CODE _____	
INDUSTRY DESCRIPTION (e.g., village fire department) _____	
STANDARD INDUSTRIAL CLASSIFICATION (SIC), IF KNOWN, _____	

Enter the column totals from the Log of Occupational Injuries and Illnesses (SH 900) for each category (column labels under each line correspond to the columns on the Log). If a category has no cases, enter "0."

3. NUMBER OF CASES	4. NUMBER OF DAYS	5. INJURIES AND ILLNESS TYPES
DEATHS _____ (Col. G)	JOB TRANSFER OR RESTRICTION _____ (Col. K)	INJURIES _____ (Col. 1)
DAYS AWAY FROM WORK _____ (Col. H)		SKIN DISORDERS _____ (Col. 3)
JOB TRANSFER OR RESTRICTION _____ (Col. I)	AWAY FROM WORK _____ (Col. L)	RESPIRATORY CONDITIONS _____ (Col. 4)
OTHER RECORDABLE CASES _____ (Col. J.)		POISONINGS _____ (Col. 5)
		HEARING LOSS _____ (Col. 6)
		ALL OTHER ILLNESSES _____ (Col. 7)

6. CERTIFICATION	
I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.	
SIGNATURE _____	TITLE _____
PRINT NAME _____	DATE _____

# 12 NYCRR 801.41 RECORDKEEPING AMENDMENTS

## ELECTRONIC SUBMISSION

- <https://www.law.cornell.edu/regulations/new-york/12-NYCRR-801.41>
- Information from certain forms must be submitted annually by **March 2<sup>nd</sup>** in a manner prescribed by the Commissioner of Labor
- **EMPLOYERS MUST SUBMIT DATA FOR ESTABLISHMENTS HAVING:**
  - 20-249 employees and in an industry listed in subdivision (d)  
(SH-900.1 Summary)
  - 250 or more employees (SH-900.1 Summary)
  - 100 or more employees and in an industry listed in subdivision (e)  
(SH-900 Log and SH-900.2 Incident Reports)

**[GO TO OSHA INJURY TRACKING APPLICATION \(ITA\)](#)**

# TOP 10 PESH ENFORCEMENT VIOLATIONS\*

Standard	Violations	Description
12 NYCRR Part 801.29(a)	323	Recordkeeping forms
1910.157(c)(1)	189	Fire extinguishers properly mounted, located and identified
12 NYCRR Part 801.47(a)	189	PESH job safety and health poster
1910.303(b)(2)	185	Installation not per labeling/listing
1910.1200(e)(1)	171	Written Hazard Communication Program
12 NYCRR Part 800.6(h)	169	Workplace Violence Prevention (WVP) training (initial or annual)
12 NYCRR Part 801.40(a)	159	Providing recordkeeping forms within 4 business hours
1910.151(c)	144	Eyewash
1910.303(f)(2)	136	Disconnects or circuit breakers not identified
1910.37(a)(4)	126	Exit route safeguards (sprinkler systems, alarm systems, fire doors, exit lighting) in proper working order
12 NYCRR Part 800.6(i)	132	No WVP incident reporting system

\*SOURCE: OSHA Information System (OIS), February 1, 2021 to February 1, 2026

# Top 10 Most Cited Standards

FY 2025



Source: USDOL OSHA

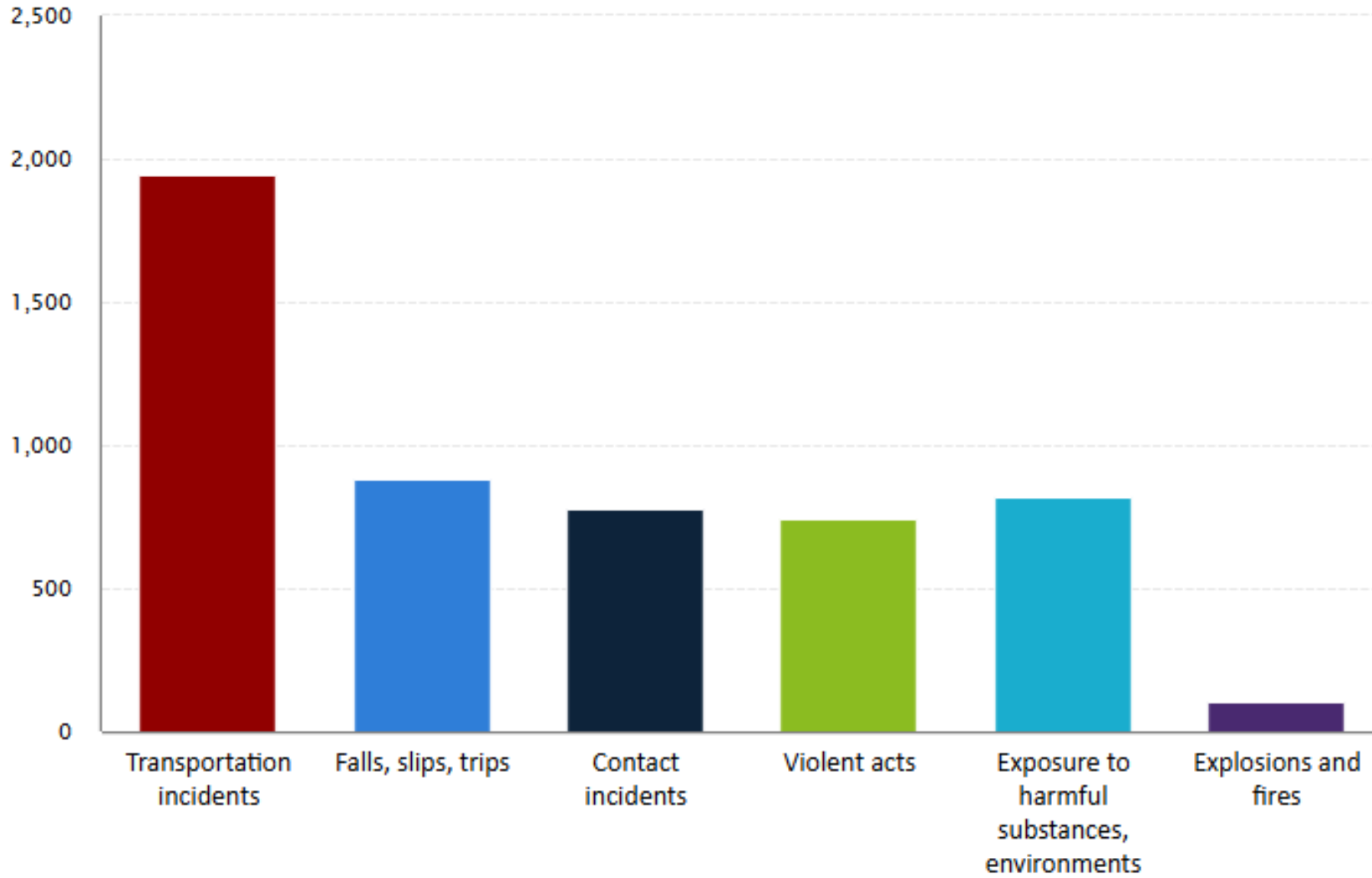
# DART INCIDENCE RATES BY EVENT TYPE, NEW YORK, STATE AND LOCAL GOVERNMENT, 2023-2024

All other	1.4
Overexertion, repetitive motion, and bodily conditions	1.3
Overexertion while moving or manipulating external object(s)	0.9
Violent acts	0.8
Violent acts by other person	0.8
Contact incidents	0.8
Falls, slips, trips	0.7
Slip, trip, stumble or fall on same level	0.6
Contact with non-running objects or equipment	0.4
Contact with other person or animal, nonviolent or intent unknown	0.2
Struck by propelled, falling, collapsing, or suspended objects or materials	0.2
Transportation incidents	0.1
Exposure to harmful substances or environments	0.1

SOURCE: Bureau of Labor Statistics, U.S. Department of Labor, Feb 20, 2026

# Fatal occupational injuries by event or exposure, 2023

Major categories



Click columns to drill down. Hover over chart to view data.  
Source: U.S. Bureau of Labor Statistics.





# WHICH PROGRAMS DO WE NEED?

It Depends On –

- Type of operations/tasks employees perform
- Employer policies

Compliance vs Risk Management

- Driving
- Safe Lifting

Industry Trends...

# When Certain PESH Programs Are Required

Program	Trigger
Workplace Violence Prevention	Required for all
Hazard Communication/Right-To-Know	Required for all
Hearing Conservation	Exposure >85 decibels (over 8 hours)
Portable Fire Extinguishers	Use required (otherwise need EAP)
Servicing Rim Wheels	Work on wheels > LT size
Powered Industrial Trucks (Forklifts)	Use of forklifts
PPE Hazard Assessment	Required for all
Respiratory Protection	Required use – full program
	Voluntary use – limited program (except filtering facepieces)
Permit-Required Confined Space	All spaces must be evaluated, inform of location/hazards, program required for <u>entry</u>
Lockout/Tagout	Servicing & maintenance on equipment
Bloodborne Pathogens	Tasks with exposure to blood or OPIM
Rabies	Road kill collection, animal control
Lyme Disease (Tick Borne)	Work in tick habitat areas w/ rate >10

# GENERAL PROGRAM AND TRAINING REQUIREMENTS UNDER COMMON OSHA/PESH STANDARDS

Standard	Name	Program Elements	Training Requirements
1910.38	Emergency action plans	Only applies when required by particular OSHA standard. EAP must be written if more than 10 employees	Designate and train employees to assist in evacuation. Review with each employee <u>initially</u> and <u>when changes occur</u>
1910.39	Fire prevention plans	Only applies when required by particular OSHA standard. FPP must be written if more than 10 employees	<u>Initially</u> inform employees of hazards and review with employee parts of plan necessary for self-protection
1910.95	Occupational noise exposure	If equal to or greater than 85 dBA TWA, hearing conservation program including annual audiometric testing and provision of hearing protection; wearing of hearing protectors required if equal to or above 90 dBA TWA	<u>Annual</u> for employees included in program
1910.119	Process Safety Management	Only applies to process involving a chemical at or above the threshold quantities in Appendix A (e.g., 1,500 pounds for chlorine). Does not apply to normally unoccupied remote facilities	<u>Initial</u> and <u>refresher at least every three years</u> . Also includes contractor and mechanical integrity requirements
1910.120	Hazardous waste operations and emergency response (HAZWOPER)	Emergency Response Plan, unless EAP calls for evacuation	<u>Initial</u> : 1 <sup>st</sup> responder awareness; 1 <sup>st</sup> responder operations (8 hrs); HazMat Tech, HazMat Spec, Incident Commander (24 hrs) <u>Annual refresher or demonstration of competency</u> ; Skilled support personnel (equipment operators) must be given initial briefing
1910.132	Personal Protective Equipment	Written certification of PPE Hazard Assessment, provide and ensure use of proper equipment	Written certification of <u>initial</u> training, and <u>retraining as required</u> by changes or inadequate employee knowledge
1910.134	Respiratory Protection	Written respiratory protection program, medical evaluation, annual fit testing	<u>Annual</u>
1910.145	Accident Prevention Signs and Tags	Instruction that danger signs indicate immediate danger and that special precautions are necessary, that caution signs indicate a possible hazard against which proper precautions should be taken. Safety instruction signs shall be used where there is a	<u>Initial</u>



## Safety & Health Programs

- Elements often detailed by standard
- Adapt to your conditions
- Review and adjust for changes
- Training after review & update
- Program set-up varies to match your organization (departments, chain of command, etc.)
  - General with appendices for depts

## What is Safety?

Tasks	Hazards	Control Measures
What are you going to do?	What hazards will you encounter?	How do you protect yourself and others?

Balance a sound knowledge of this table along with a positive safety and health culture and all your safety and health goals will become achievable!



Everyone goes home whole everyday

# COMMON HAZARD AREAS

- Exit routes/EAP
- Noise
- Personal Protective Equipment (PPE)
- Respiratory protection
- Confined spaces
- Lockout/Tagout
- Fire extinguishers/EAP
- Tools & machine guarding
- Electrical
- Asbestos, lead, silica
- Mold, IAQ
- Bloodborne pathogens (BBP)
- Hazard communication/Right-To-Know (RTK)
- Workplace Violence Prevention Program
- Welding/Compressed Gases
- Injury and Illness Recordkeeping

# 12 NYCRR Part 800.6

## Workplace Violence Prevention Programs Standard

- Purpose:
  - To ensure that the risk of workplace assaults and homicides is evaluated by public employers and employees; and,
  - To have public employers design and implement programs to minimize WPV.



# 12 NYCRR Part 800.6

## Requirements:

- Develop, implement and post WPV Policy Statement
- Perform a Risk Evaluation and Determination
- Develop a written\* WPV prevention program
- Employee Information and Training
- Incident reporting and recordkeeping

<https://dol.ny.gov/workplace-violence-prevention-information>

\* >20 full time employees

# WORKPLACE VIOLENCE PROGRAM CYCLE

- Annual review of incidents (with AER)  
↓
- Update program as needed  
↓
- Training  
↓
- Repeat

## ADDITIONAL WPV INFORMATION

Visit the PESH WPV webpage for helpful FAQs, program and training templates, and to obtain consultation assistance:

<https://dol.ny.gov/workplace-violence-prevention-information>



# Causes of **DEATH** from **FALLS**

Machinery/  
Vehicles  
6.3%

Other  
12.8%

Roofs  
33.0%

Ladders  
23.4%

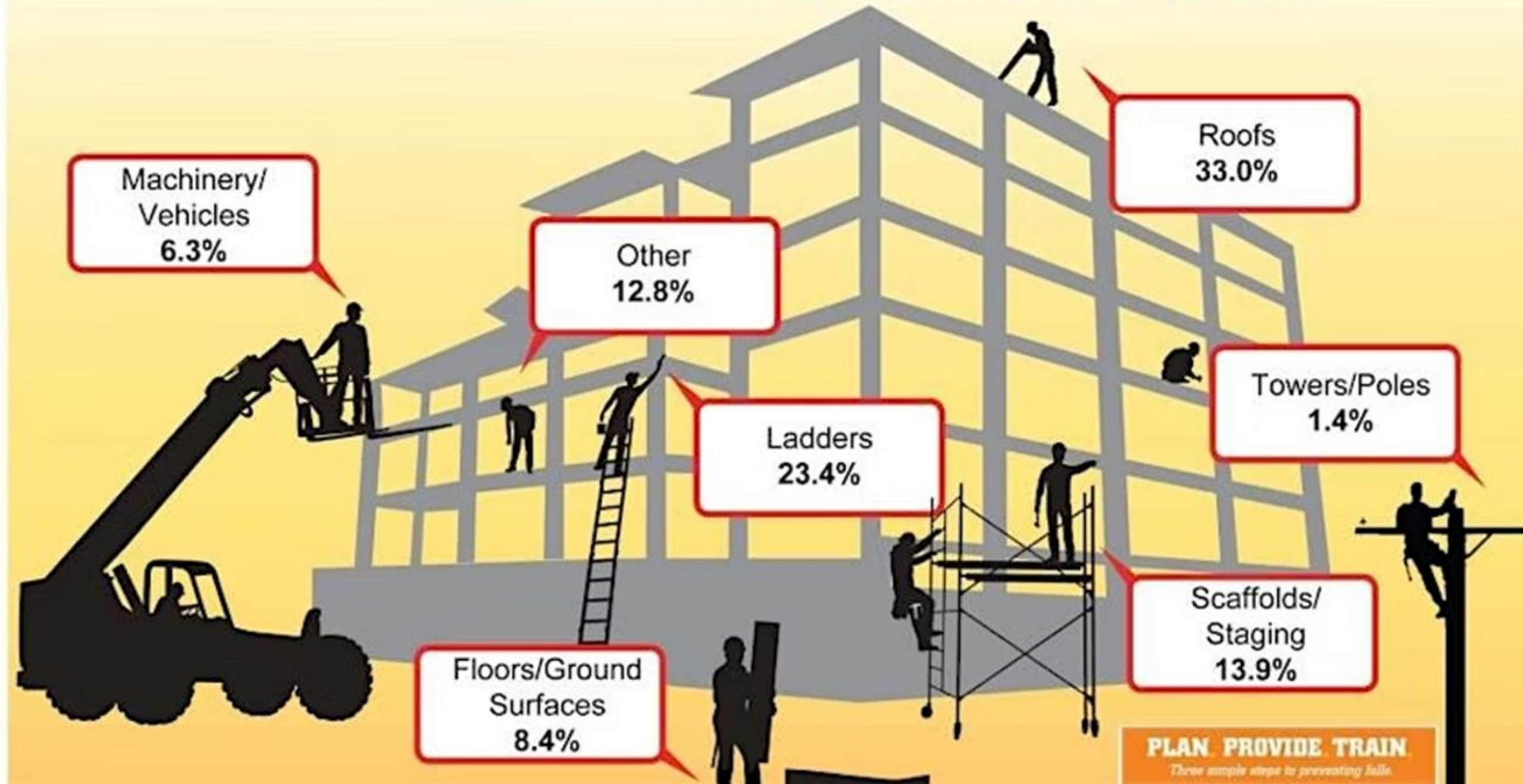
Towers/Poles  
1.4%

Floors/Ground  
Surfaces  
8.4%

Scaffolds/  
Staging  
13.9%

**PLAN PROVIDE TRAIN**

*Three simple steps to preventing falls*



# WALKING WORKING SURFACES PROPOSED RULE CHANGE

- Remove deadline (11/18/2036) by which all fixed ladders over 24 feet must be equipped with personal fall arrest systems or ladder safety systems
- Seeking comment on repealing or revising the requirement that PFAS be used on fixed ladders over 24 feet and instead permitting employers to continue to use ladder cages or wells

[1910.28\(b\)\(9\)](#)

<https://www.federalregister.gov/documents/2026/04/06/2026-06578/walking-working-surfaces>



# Tree Care and Logging

<https://www.osha.gov/tree-care>

## OSHA 3940 Fact Sheet



<https://www.osha.gov/sites/default/files/publications/OSHA3940.pdf>

<https://www.osha.gov/logging>

<https://www.osha.gov/etools/logging>



## OTHER REGULATORY/DEREGULATORY ACTIONS

- Tree Care Operations – NPRM
- Lock-Out/Tag-Out Update - NPRM
- Welding in Construction Confined Spaces - NPRM
- Rapid REDON Fit-Testing Protocol - NPRM
- Powered Industrial Trucks Design Standard Update - Final Rule
- Shipyard Fall Protection--Scaffolds, Ladders and Other Working Surfaces- NPRM
- Walking-Working Surfaces - NPRM
- Mechanical Power Presses Update - NPRM
- OSHA Standards Improvement Project 2025 - NPRM

# PESH/OSHA Heat NEP



## OSHA INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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**DIRECTIVE NUMBER:** CPL 03-00-024

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**SUBJECT:** National Emphasis Program – Outdoor and Indoor Heat-Related Hazards

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**DIRECTORATE:** Directorate of Enforcement Programs

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**SIGNATURE DATE:** April 10, 2026

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**EFFECTIVE DATE:** April 10, 2026

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### VII. Expiration.

This Instruction shall be operative for no more than five years from the effective date, unless canceled or extended by a superseding directive.

## PESH NEP



# Heat Stress Resources

**Remembering Tim: A Life Lost to Heat Illness at Work:**

<https://www.youtube.com/watch?v=o3ULhPd0KQg&feature=youtu.be>

**Heat App:**

[OSHA-NIOSH Heat Safety Tool Smartphone App iPhone • Android](#)

**OSHA Heat Stress Program:**

<https://www.osha.gov/sites/default/files/2021-07/Model%20Heat%20Illness%20Prevention%20Plan.pdf>

**Skin Pinch Test:**

<https://www.daytonohio.gov/DocumentCenter/View/6755/5-Facts-about-drink-water>

**Dehydrated? Urine trouble.**



**Well hydrated**  
No trouble here!  
Maintain hydration.



**Hydrated**  
Drink a little more water  
to stay out of trouble!



**Dehydrated**  
Trouble! Drink water until  
you are well hydrated.



**Severely dehydrated**  
Big trouble!  
Drink water immediately!

**Don't wait to hydrate! Prevent heat illness.**



[osha.gov/heat](https://www.osha.gov/heat)





## Prevent Heat Illness at Work

Outdoor and indoor heat exposure can be dangerous.

Nearly 3 out of 4 heat illness fatalities happen during the first week of work. New and returning workers need to build tolerance to heat by taking frequent breaks and working shorter shifts in the heat to start.

Dangerous heat exposure can occur indoors or outdoors, in any season. Employers can keep workers safe by following these simple safety practices:

- Follow the 20% Rule — on the 1<sup>st</sup> day, don't allow employees to work more than 20% of a shift at full intensity in the heat. Increase their time by no more than 20% a day until they are used to working in the heat.
- Provide cool drinking water – encourage workers to drink at least one cup every 20 minutes, even if they are not thirsty.
- Rest breaks — allow workers time to recover from heat in a shady or cool location.
- Dress for the heat — have workers wear a hat and light-colored, loose-fitting, breathable clothing if possible.
- Watch out for each other — encourage workers to monitor themselves and others for signs of heat illness.
- Look for any signs of heat illness, including fainting, dizziness, nausea, and muscle spasms, and act quickly — when in doubt, call 911.
- Offer training on the hazards of heat exposure and how to prevent illness.
- Develop an Emergency Action Plan on what to do if a worker shows signs of heat-related illness.



To learn more about heat illness prevention and first aid, visit [www.osha.gov/heat](http://www.osha.gov/heat).

OSHA alerts are issued on occasion to draw attention to worker safety and health issues and solutions.



<https://www.osha.gov/heat>

# NIOSH Heat Stress App



<https://play.google.com/store/app/details?id=erg.com.nioshheatindex>



<https://itunes.apple.com/us/app/osha-niosh-heat-safety-tool/id1239425102?ls=1&mt=8>

WE ARE YOUR DOL



Department  
of Labor

A photograph of a desk with a small potted succulent, a glass jar containing cannabis buds, and some papers. The text "ADULT USE CANNABIS AND THE WORKPLACE" and "New York Labor Law 201-D" is overlaid on the bottom half of the image.

ADULT USE CANNABIS AND THE WORKPLACE  
New York Labor Law 201-D

*“Articulable symptoms of impairment are objectively observable indications that the employee’s performance of the duties of their position are decreased or lessened”*

- <https://dol.ny.gov/system/files/documents/2021/10/p420-cannabisfaq-10-08-21.pdf>

# PROPOSED HEAT INJURY AND ILLNESS PREVENTION STANDARD

- On August 30, 2024, OSHA published the NPRM for Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings.
  - OSHA received more than 43,000 public comments,
  - Public hearing was June 16 – July 2, 2025.
  - Post-hearing comment period closed October 30, 2025.
- Current activity:
  - Docket analysis and development of final standard.
  - Common stakeholder comments: desire for more flexible/performance-oriented approach; cost concerns; trigger temperatures/acclimatization/ regional approach.



➤ <https://www.osha.gov/heat-exposure/rulemaking>

# STRATEGIC PLAN - FFY 2021-2026

- ❑ Goal is injury & illness reduction in specific industries (NAICS – North American Industrial Classification System)
- ❑ Selected based on injury and illness data (USDOL Bureau of Labor Statistics)
- ❑ Current 5-year plans include reducing injury and illness rate (TRC) by 5% in:

Industry	NAICS
Police Protection	922120
Fire Protection	922160
Health Services - Nursing Homes - General and Surgical Hospitals	623110 622110
Secondary Focus Area: Correctional Institutions	922140

# POLICE STRATEGIC PLAN

- Members collect, review and compile data from County Sheriff Departments

Measure Description	Baseline (2020) *	CY 2024 **	% Change from Baseline
TRC	17	7	-59
DART	13	5	-62

\* Based on 97% of polled county law enforcement agencies with road patrol divisions in NYS.

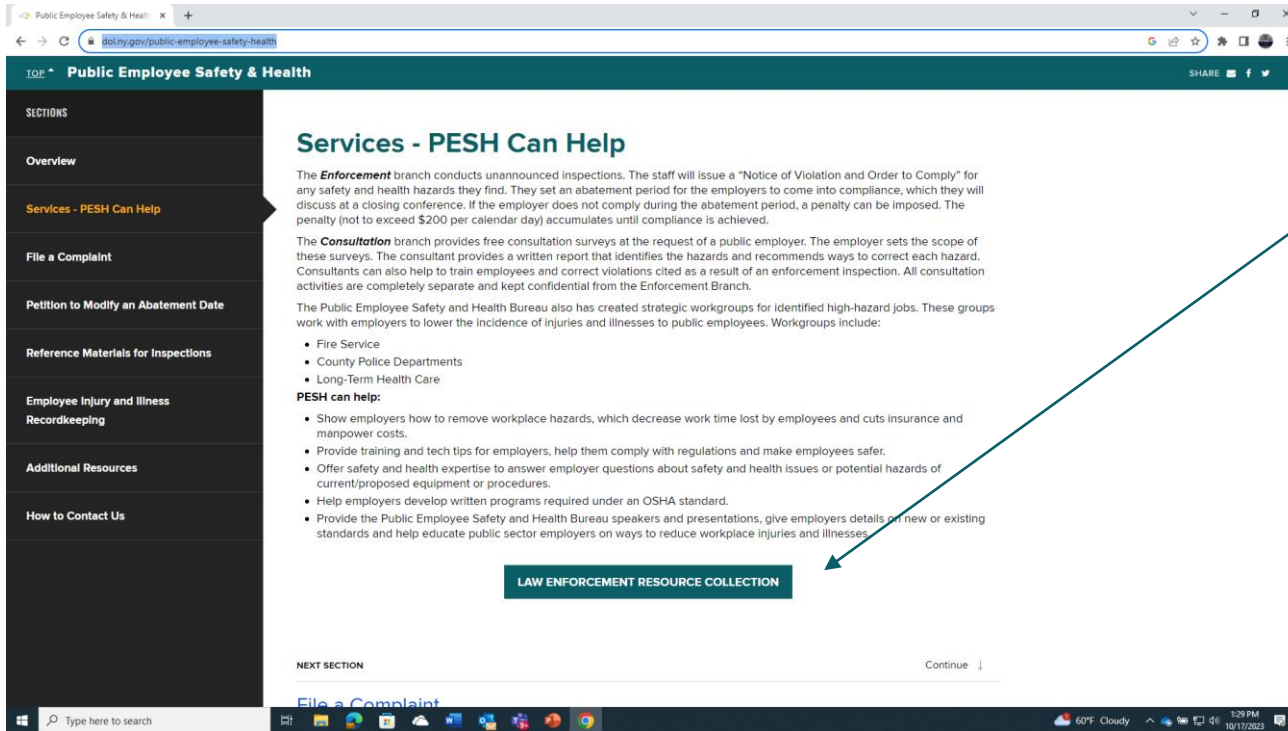
\*\* Based on 74% of polled county law enforcement agencies with road patrol divisions in NYS.

- Outreach at law enforcement organizations
  - NYS Sheriff's Association
  - NYS Association of Chiefs of Police
- Continually update resource collection



# \*NEW - LAW ENFORCEMENT RESOURCES

<https://dol.ny.gov/public-employee-safety-health>, click on **LAW ENFORCEMENT RESOURCES**:



Use this QR code:



OR use this link:

[https://drive.google.com/drive/folders/1c\\_qpkdUYNtCRecW](https://drive.google.com/drive/folders/1c_qpkdUYNtCRecW)

[OrQXMR3astpMWx5h1](https://drive.google.com/drive/folders/1c_qpkdUYNtCRecW)

# FIRE SERVICE STRATEGIC PLAN

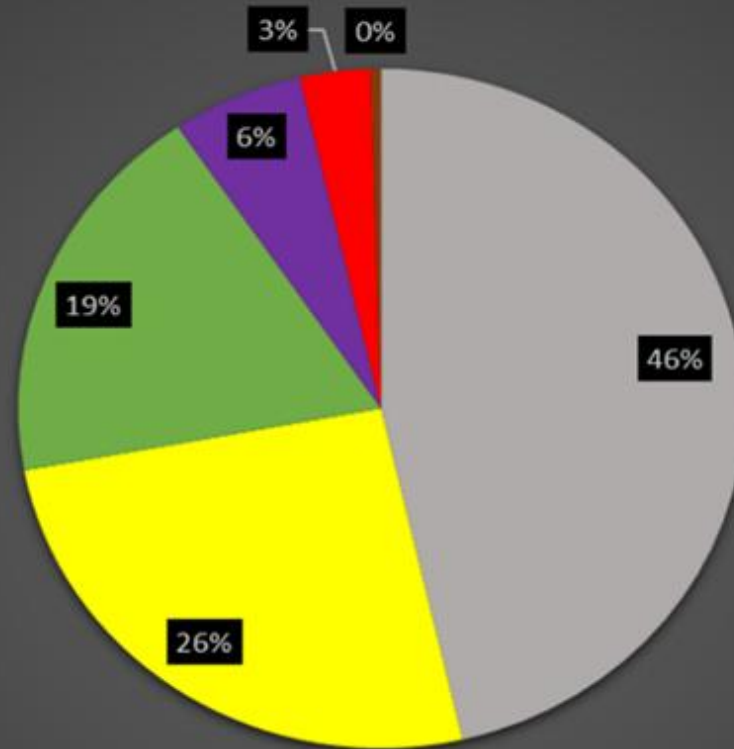
- Collect, review & compile injury & illness data from randomly selected FDs (5% of 1,779 in NY in 2024)
- Outreach presentations with County Fire Associations
  - Myth vs Fact
  - Line of Duty Death Stats
- Update resource collection on google drive:

Measure Description	2021	2022	2023	2024
TRC	6.08	3.91	6.55	5.05
DART	5.59	3.52	6.08	4.43



# FIRE SERVICE INJURY TRENDS

2023 NYS Injury Types



■ Fall, Jump, Slip, Trip

■ Struck By

■ Exposure to Fire Products (Heat, Smoke)

■ Overexertion, Strain (Heat Exhaustion)

■ Other

■ Contact with Objects (Needle Sticks, Laceration)

# EMERGENCY RESPONSE

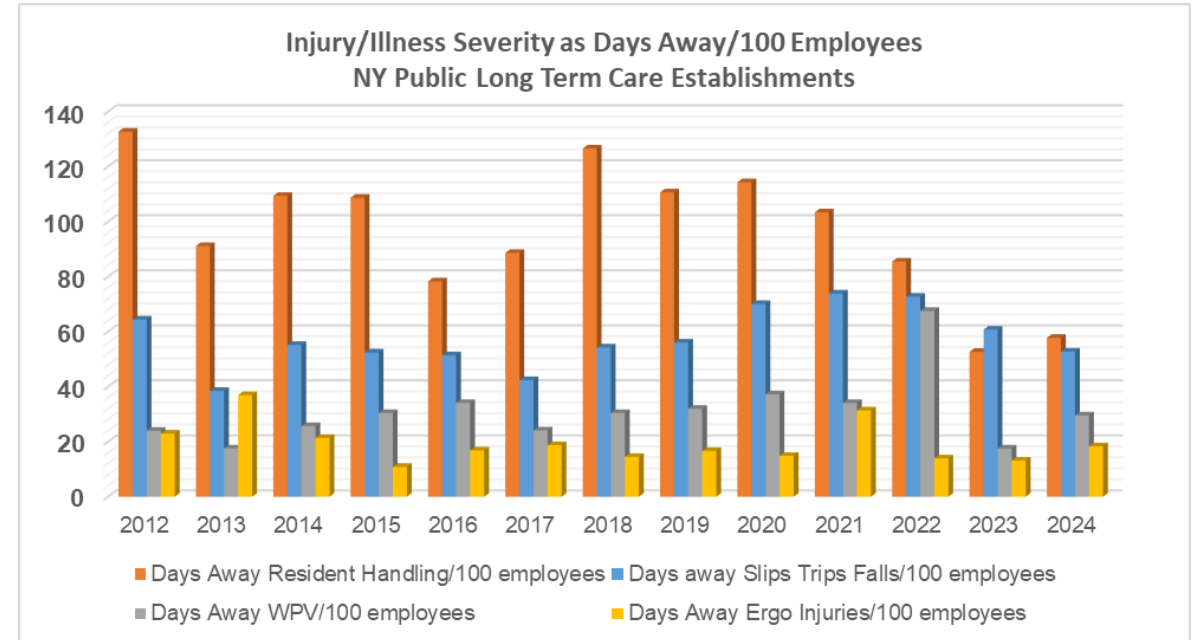
- February 5, 2024, OSHA published a NPRM on Emergency Response.
  - OSHA received more than 4,000 comments from stakeholders.
  - Additional comments by Federal stakeholders engaged in wildland firefighting.
  - 11 days of public hearings (November-December 2024).
  - Major fire service organizations letter to OSEC/OSHA (December 2025).
- Current activity:
  - Docket analysis and development of final standard.
  - Common stakeholder comments: reduce incorporation by reference of NFPA standards; reduce medical evaluation requirements; other cost/burden reducing measures; coverage of volunteer responders.



➤ <https://www.osha.gov/emergency-response/rulemaking>

# HEALTHCARE STRATEGIC PLAN

- Collect, review and compile injury & illness data from county nursing homes and public hospitals
- Past partnerships -
  - New York State Zero Lift Task Force
  - WNYCOSH
  - NYSDOH
- Exciting new partnerships –
  - *PERMA + FIT + Livingston Co + PESH*



# Protecting Crossing Guards

- ✓ Hi-Visibility Apparel and Stop Paddles
  - <https://mutcd.fhwa.dot.gov/html/2009/part7/part7d.htm>
- ✓ Signage
  - <https://mutcd.fhwa.dot.gov/html/2009/part7/part7b.htm#section7B12>
- ✓ Crosswalk Pavement Markings
  - <https://mutcd.fhwa.dot.gov/html/2009/part3/part3b.htm#section3B18>
- ✓ Training
  - <https://www.mass.gov/info-details/safe-routes-to-school-crossing-guard-resources>



# Hazard Highlight – Crystalline Silica in Ceramics



Removing kiln wash & glaze residue – later used downdraft table



Use HEPA vacuum or wet method to clean up dust



Use controls when mixing wash and clay powders

- Develop and implement an effective silica exposure control and respirator program to protect staff and students

# Illicit Drugs in Corrections and Law Enforcement

- Exposure to illicit drugs including fentanyl smuggled into correctional facilities through:
  - Mail
  - Documents
  - Packages
  - Visitation
  - Frisking and searching incarcerated individuals (I/I) and their living space
  - Evidence collection
  - Providing 1<sup>st</sup> aid and medical treatment
- Exposure to illicit drugs during law enforcement patrol, investigation and emergency response activities

# Illicit Drugs

- Opioids (heroin, fentanyl, carfentanyl) greatest concern - Pills, powder, liquid, paper that has been sprayed or soaked
  - Can quickly depress central nervous system and respiratory function - exposure can be fatal from even minute quantities
- Suboxone – Strips
  - A combination medication containing buprenorphine and naloxone, is used to treat opioid addictions
- Synthetic Cannabinoids (k2/spice) - Leafy material or liquid sprayed on paper
  - Symptoms such as agitation, vomiting, hallucination, paranoia, tremor, seizure, tachycardia, hypokalemia, chest pain, cardiac problems, stroke, kidney damage, acute psychosis, brain damage, and death



2 milligrams of fentanyl, a lethal dose in most people. Source: DEA

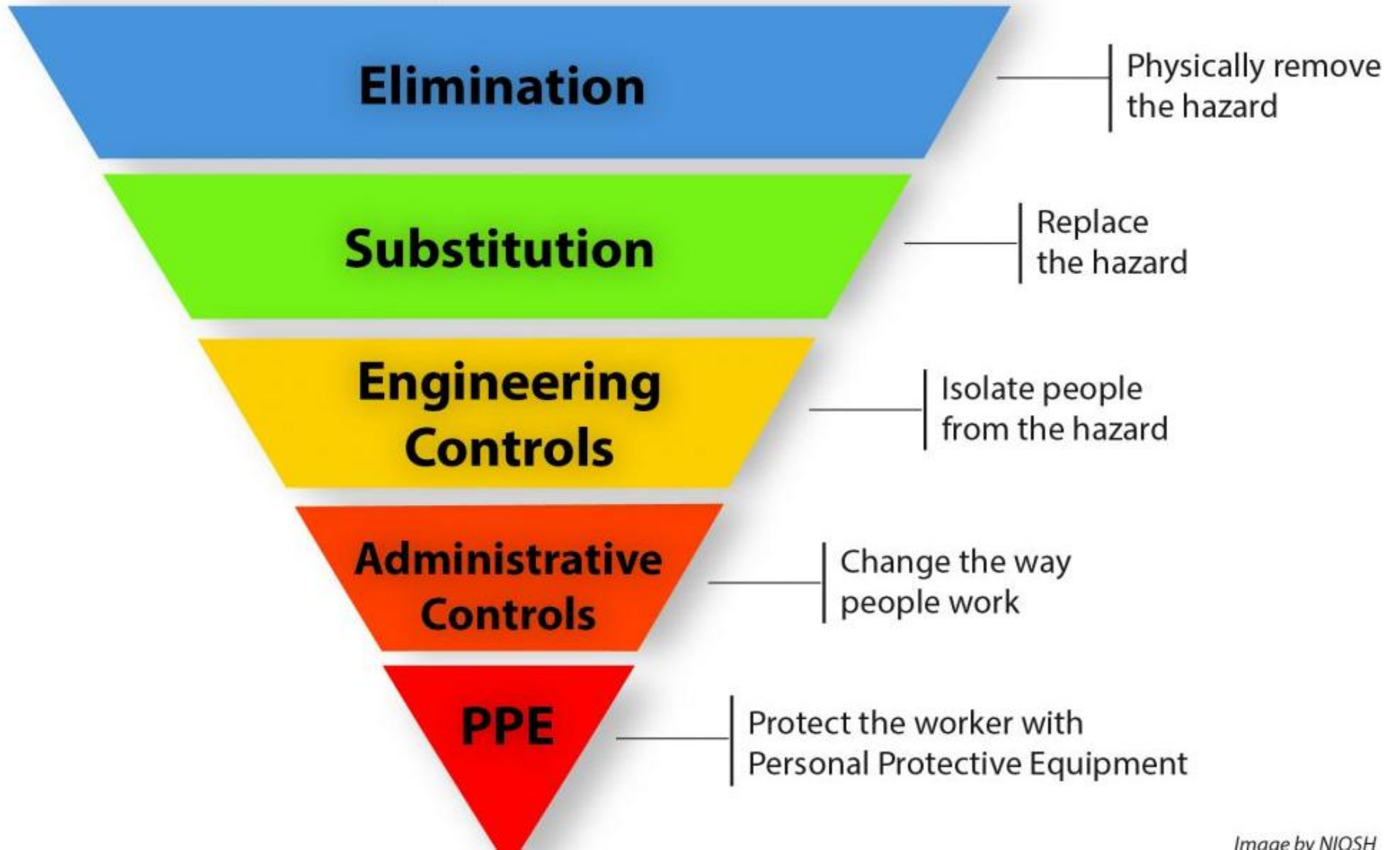


# Hierarchy of Controls

Most effective



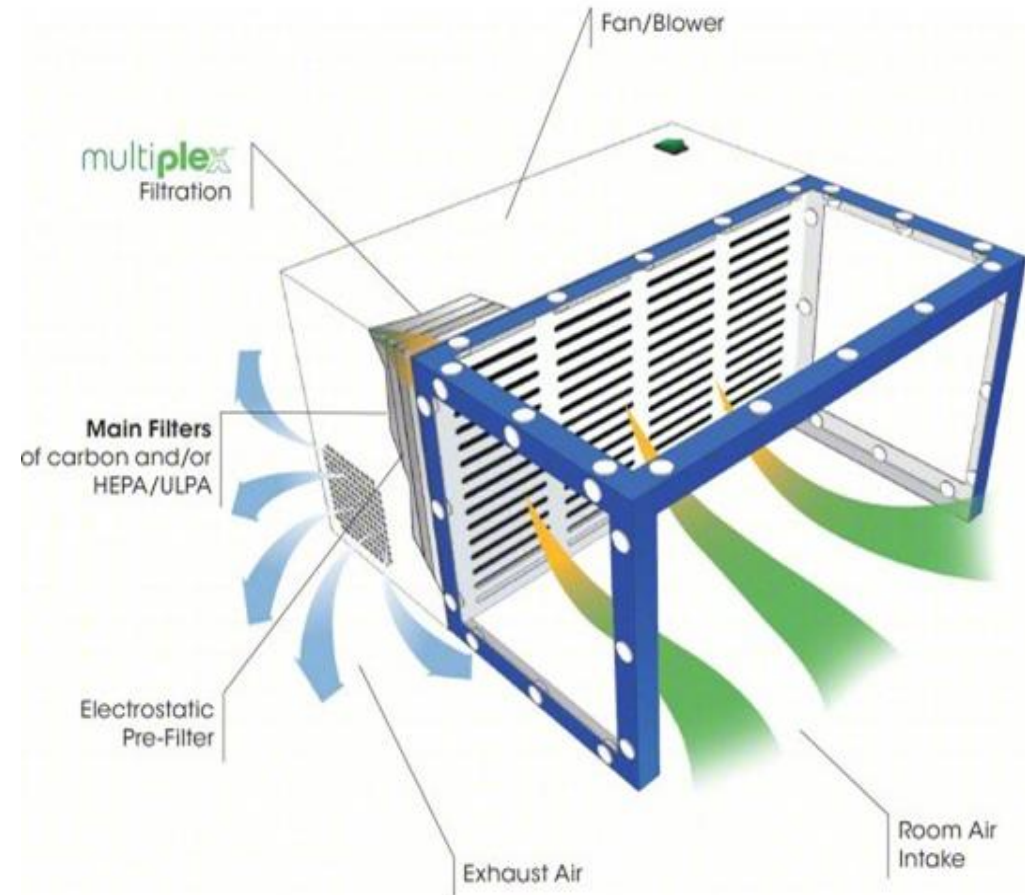
Least



# Protective Measures

- General duty clause for interdiction (prevention of entry)
  - Mail & package searching – HEPA filtered mini enclosures
  - Copying/digitizing incoming mail
  - Secure vendor program
- Protection for response activities not involving large quantities (patrol, searches, evidence collection, EMS):
  - PPE (5-mil nitrile gloves when suspected)
  - Respiratory protection (N100 when visible)
  - <https://www.cdc.gov/niosh/topics/fentanyl/risk.html>
  - Hazard communication training (use of Narcan (naloxone))
- [https://tools.niehs.nih.gov/wetp/public/hasl\\_get\\_blob.cfm?ID=11206](https://tools.niehs.nih.gov/wetp/public/hasl_get_blob.cfm?ID=11206)

# VENTILATION PURCHASED



This does not constitute an endorsement by PESH



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

Workplace Safety & Health Topics > Fentanyl

 Workplace Safety & Health Topics

Fentanyl

Emergency Responders

Tool-Kit for Emergency Responders

Personnel in Hospital and Clinic Settings

**Visit Opioids Topic Page**

Click here to visit the Opioids topic page for more information.

**Follow NIOSH**

Promoting productive workplaces through safety and health research



## Fentanyl: Emergency Responders at Risk

[Print](#)

### Preventing Emergency Responders' Exposures to Illicit Drugs

Responders are likely to come into contact with a mixture of illicit drugs during routine job duties. These mixtures of illicit drugs can include cocaine, methamphetamines, cannabinoids, cathinones, and opioids such as fentanyl and heroin for example. Exposure\* to illicit drugs can be harmful. Although the components of illicit drug mixtures might not be known at the time, emergency responders can use the following information to learn about safe operating procedures, and proper use of personal protective equipment (PPE) when responding to incidents that may involve illicit drugs.

#### Key Recommendations

NIOSH offers the following recommendations to help prevent emergency responders' exposures to illicit drugs, including fentanyl:

# NIOSH: FENTANYL EMERGENCY RESPONDERS AT RISK

Personal protective equipment recommendations for protection against illicit drugs including fentanyl													
Personal Protective Equipment	Pre-Hospital Patient Care			Law Enforcement Routine Duties			Investigations and Evidence Collection			Special Operations and Decontamination			
	Exposure Level	Minimal	Moderate	High	Minimal	Moderate	High	Minimal	Moderate	High	Minimal	Moderate	High
<i>Respiratory Protection</i>													
Disposable N100, R100, or P100 FFR <sup>1</sup>		✓				✓			✓			✓	
Elastomeric APR <sup>2</sup>								●	✓			●	✓
PAPR <sup>3</sup>									●			●	●
SCBA <sup>4</sup>									■				■
<i>Face and Eye Protection</i>													
Safety goggles/glasses <sup>5</sup>		✓				✓		✓	✓			✓	✓
<i>Hand Protection</i>													
Nitrile gloves <sup>6</sup>	✓	✓			✓	✓		✓	✓		✓	✓	✓
Nitrile gloves, double or use of thicker gloves			●			●		●	✓			●	✓
<i>Dermal Protection</i>													
Wrist/arm protection <sup>7</sup>		✓				✓		✓				✓	
Particulate hazards protective ensemble (i.e., NFPA 1999 Single or Multi-Use or NFPA 1994 Class 4 Ensemble)									✓				✓
Chemical hazards protective ensemble (i.e., NFPA 1994 Class 3 Ensemble or Higher)									●				●

Key	
✓	Minimum protection recommended.
●	When an on-scene health risk assessment is conducted and higher protection is warranted.
■	If particulate + gas/vapor hazard is expected above the immediately dangerous to life or health (IDLH) values or concentration is unknown, SCBA is recommended.
▨	Not recommended, refer scene to special operations response workers (such as local hazmat team)

# NIOSH FENTANYL: EMERGENCY RESPONDERS AT RISK JOB CATEGORIES

- Pre-Hospital Patient Care- EMS/fire-emergency responders responding to overdoses
- Law Enforcement Routine Duties- day-to-day law enforcement duties, such as traffic stops, apprehending and searching subjects, responding to overdoses
- Law Enforcement Investigation and Evidence Collection
- Special Operations and Decontamination- HAZMAT incidents

# NIOSH FENTANYL: EMERGENCY RESPONDERS AT RISK

## PPE RECOMMENDATIONS

**Minimal:** Response to a situation where it is suspected that illicit drugs may be present, but no illicit drug products are visible

- Example: An EMS response to a suspected drug overdose or law enforcement operation where information indicates illicit drug products are suspected but are not visible on scene

**Moderate:** Response to a situation where small amounts of illicit drugs in powder or liquid are visible

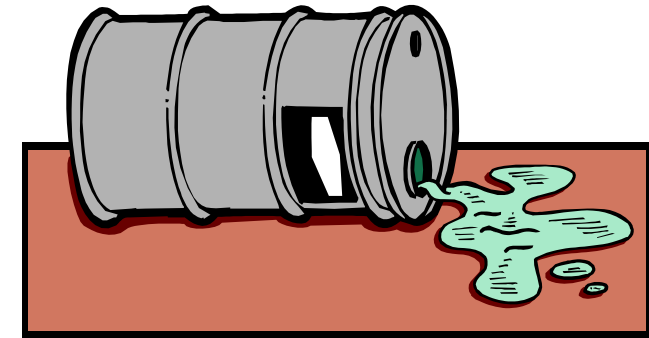
- Example: An EMS response to a suspected overdose or law enforcement operation where illicit drug products are suspected, and small amounts of powder or liquid are visible on scene

**High:** Response to a situation where large amounts of illicit drugs in liquid or powder form are visible

- Example: An illicit drug storage or distribution facility, milling operation, or production laboratory

# Hazardous Waste Operations and Emergency Response (HAZWOPER)

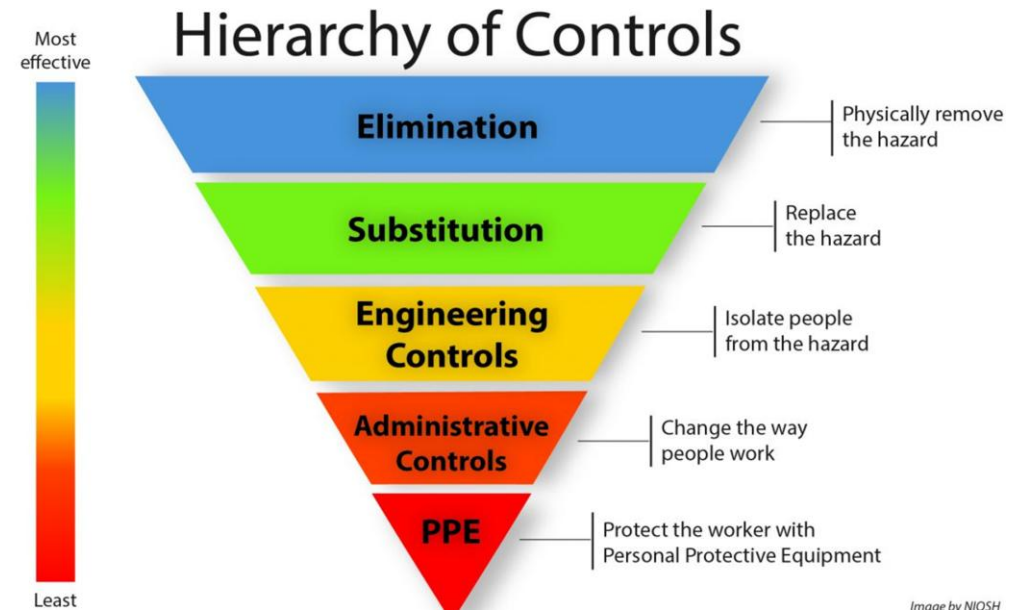
- 29 CFR 1910.120
- Written Program
- Training Levels
  - Awareness
  - Operations
  - Technician
  - Specialist
  - Incident Commander
- HAZMAT Team Members:
  - **Baseline Physical Examination**
  - **Surveillance (f)**
  - **Training**



<http://www.phmsa.dot.gov/hazmat/library/erg>

# Personal Protective Equipment (PPE)

- 29 CFR 1910.132
- Hazard Assessment (Certified)
- Provide training to employees required to wear PPE





# The Control of Hazardous Energy

## Lockout/Tagout (LOTO)

- 29 CFR 1910.147
- Safe Electrical Work Practices (1910.331)
- Written Procedures
- Training
- Periodic Inspections



# Portable Fire Extinguishers

- 29 CFR 1910.157
- Inspection, Maintenance and Testing
- Hydrostatic Testing
- Annual Training



# Electrical Hazards



# Noise Exposure

## Permissible Noise Exposures


Duration per day, hours	Sound level dBA
8	85
6	87
4	90
3	92
2	95
1 ½	97
1	100
½	105
¼ or less	110

- Noise induced hearing loss is Progressive, Permanent and Preventable!
- Employees exposed above 85 dBA as 8-hr TWA must be:
  - Included in hearing conservation program
  - Provided with hearing protectors
  - Provided with initial and annual audiograms and training
- Must ensure use of hearing protection when exposure exceeds 90 dBA
- Measure levels or use equip mfg info
- If you must raise your voice to be heard by someone within an arms length from you, the sound level is likely >85 dBA
- 1910.95

# Respirator Program

- Proper selection
- Medical evaluations
- Annual fit testing
- Use, inspection, maintenance & cleaning (look to MOM)
- Annual training

# Filtering Facepiece (Dust Mask)

- Entire facepiece is filtering medium, or filter is integral part of facepiece (disposable)
- Voluntary use exemption
  - Not required to develop program 
  - Must provide Appendix D
  - Post where respirators are kept



# Confined Spaces

- 29 CFR 1910.146
- Evaluate Workplace
- Inform of Location and Hazards
- Prevent Entry OR
- Develop & Implement Written PRCS Entry Plan



# Permit-Required Confined Space Inventory Entry Policy/Procedures

Facility: XXX Municipality DPW/WWTP/WTP

Space Name	Location	Hazards	Entry Option	Entry Procedures/Comments
Sanitary Manholes	Throughout Municipality	Hazardous atmosphere, engulfment, falls	<input type="checkbox"/> No Entry <input type="checkbox"/> Reclassify <input type="checkbox"/> Alternate Procedures <input checked="" type="checkbox"/> Full Permit	Traffic & pedestrian control, set-up tripod/winch/harness for non-entry rescue, establish & verify communication, test air with 4-gas meter at top, middle and bottom prior to entry and at entrant work area during entry. Document on permit form
Lift Station Wet Wells	Church Lane	Hazardous atmosphere, engulfment, electrical, falls	<input type="checkbox"/> No Entry <input type="checkbox"/> Reclassify <input type="checkbox"/> Alternate Procedures <input checked="" type="checkbox"/> Full Permit	Entry normally not required for pump replacement.  If entry is required, done under full permit as described above for Sanitary Manhole. Lockout/Tagout would also be required to eliminate electrical hazards
Headworks: Bar screen, grit channel, grinder	WWTP	Hazardous atmosphere, engulfment, mechanical, falls (4 feet deep)	<input checked="" type="checkbox"/> No Entry	Cleaned from above with long handled tools and hose
Aerator and Clarifier Basins	WWTP	Hazardous atmosphere, engulfment, mechanical, falls	<input type="checkbox"/> No Entry <input checked="" type="checkbox"/> Reclassify <input type="checkbox"/> Alternate Procedures <input type="checkbox"/> Full Permit	Pump out basin, wash down interior surfaces from outside, lockout arm/agitator mechanism, pumps and valve/gate, test air with 4-gas meter, properly set-up ladder for access. Document on reclassification form
Sequencing Batch Reactors (SBR)	WWTP	Hazardous atmosphere, engulfment, falls (20 feet deep)	<input type="checkbox"/> No Entry <input checked="" type="checkbox"/> Reclassify <input type="checkbox"/> Alternate Procedures <input type="checkbox"/> Full Permit	Drain or pump out vessel, wash down interior surfaces from above and outside space, lockout pumps, valves, blower and decanter mechanism, test air with 4-gas meter, properly set-up ladder and davit arm for access. Document above steps on reclassification form/log
Flocculators	WTP	Hazardous atmosphere, engulfment, falls, mechanical	<input type="checkbox"/> No Entry <input checked="" type="checkbox"/> Reclassify <input type="checkbox"/> Alternate Procedures <input type="checkbox"/> Full Permit	Drain or pump out all water from basin. Wash down interior surfaces from outside, lockout paddle drive, incoming water pumps and line valves, test air with 4-gas meter, set-up ladder and use harness for access. Document above steps on reclassification form or in log
Finished Water Storage Tank (300,000 gallon)	WTP	Engulfment, falls (37 feet deep)	<input checked="" type="checkbox"/> No Entry	Inspected and cleaned by contractor
Catch Basins Greater Than 4 Feet Deep	Throughout Municipality	Hazardous atmosphere, engulfment, falls	<input type="checkbox"/> No Entry <input checked="" type="checkbox"/> Reclassify <input type="checkbox"/> Alternate Procedures <input type="checkbox"/> Full Permit	Track weather forecasts and local emergencies, traffic & pedestrian control, establish & verify communication, clean out basin without entering using Vactor truck, inspect for stability before entry, test air with 4-gas meter, record & certify completion of these steps on reclassification form, immediately exit in event of inclement weather or nearby vehicle accident

Employer Guide and Model

# PERMIT-REQUIRED CONFINED SPACE

Entry Plan

29 CFR Part 1910.146



# Bloodborne Pathogens Exposure:

- Providing 1<sup>st</sup> Aid, CPR & other emergency medical care
- Assisting EMS
- Vehicle extrications
- Accident investigations
- Clean-up of blood or OPIM
- Arrest and search of suspects
- **TASER dart removal**
- **Administering Narcan (naloxone) for opioid (heroin) overdoses**
- **Collecting/disposing of used syringes**



# Bloodborne Pathogens 1910.1030

- Written Exposure Control Plan
- Exposure Determination
- Universal Precautions, Engineering Controls, PPE, Housekeeping
- Hepatitis B Vaccination/Declination
- Post-Exposure Evaluation and Follow-up
- Documentation Package for Healthcare Provider
- Labels and Signs
- Annual Training and Program Evaluation
- Recordkeeping



# Hazard Communication

## Right to Know

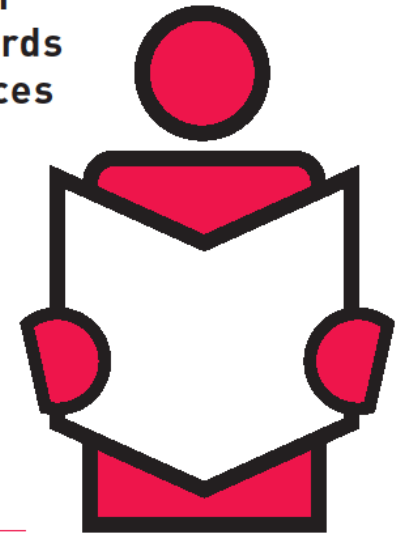
- 29 CFR 1910.1200
- Written Program
- Inventory
- Safety Data Sheets (SDS)
- Labeling
- Training
- Exposure Record
- Poster

## YOU HAVE A RIGHT TO KNOW!

Your employer must inform you of the health effects and hazards of toxic substances at your worksite.

Learn all you can about toxic substances on your job.

For more information, contact:



Name \_\_\_\_\_

Location & Phone Number \_\_\_\_\_

**THE RIGHT TO KNOW LAW WORKS FOR YOU.**  
NEW YORK STATE DEPARTMENT OF HEALTH

2706

4/00

# Haz Com/RTK Steps...

- ✓ Update list of products
- ✓ Ensure there is SDS for each product
- ✓ Must be readily available to employees
- ✓ Review MSDS/SDS before acquiring product
- ✓ Choose least hazardous product that is still effective
- ✓ Attach copy of current product list to training record each year
- ✓ 1910.1200 and 12 NYCRR 820



# Hazardous Chemicals in Laboratories – 1910.1450



- Limit Exposure to PELs
- Chemical Hygiene Plan (App A – National Research Council Recommendations)
- Chemical Hygiene Officer
- Training
- Hazard ID – Maintain Labels & MSDS

# Common Lab Issues

- ❑ Keeping Chemical Hygiene Plan (CHP) updated – May use district wide plan with appendices for specific information for schools
  
- ❑ Chemical Hygiene Officer (CHO):
  - Designated by the employer and
  - Qualified by training or experience, to
  - Provide technical guidance in the development and implementation of the provisions of the CHP.
  - This definition is not intended to place limitations on the position description or job classification that the designated individual shall hold within the employer's organizational structure.
  
- ❑ Hoods – Maintain air flow face velocity between 80-120 fpm, such as verified yearly (1910.1450(e)(3)(iii)). Higher velocity results in inadequate capture, faster leads to turbulence and ejection

[1910.1450](#)

# Other issues that may be addressed during an inspection:



- Emergency Action Plan for Fire and other emergencies
- Fire Prevention Plan
- Rabies
- Lyme Disease

# Resolving IAQ Issues



- Specify low emission materials
- Host-contractor coordination (get MSDS/SDS)
- Schedule work during off hours
- Reasonable accommodation? Labor-Mgmt
- Regular open meetings
- Let people know what to expect ahead of time
- Clear and simple way to report concerns
- Respond immediately to all concerns, with facts
- Communication is key!



# Mold

- Normally present outdoors
- Seasonal variation
- Problems related to moisture
- Lack of specific threshold or standard
- Leaks, flooding, condensation
- Dry or remove water damaged materials within 48 hours
- Clean hard, solid surfaces by brushing or scrubbing
- Use 10% bleach solution for final clean



# CLOSING CONFERENCE

- Types of Violations
- Notice of Violation – Posting
- Informal Conference (20 Working Days)
- Formal Appeal (60 Days)
- Petition to Modify Abatement Date
- Variances
- Penalties



## FOLLOW UP INSPECTIONS

- Conducted to verify compliance after all abatement dates have passed
- Penalties are issued for uncorrected violations
- Generally limited in scope

# DISCRIMINATION

Also known as Anti-Retaliation, Whistle Blower

The employer may take no adverse action against an employee because they:

- Filed a complaint
- Participated in the inspection
- Gave statements to the inspector
- Exercised any other right provided for in the Act



# Safety Committee Tips

- Assign tasks appropriately
- Set reasonable completion goals
- Periodic progress checks
- Follow through on action items



# DEREGULATORY ACTIONS

- **July 1, 2025**, OSHA published a series of proposed rulemakings reflecting the agency's **commitment to modernizing workplace safety standards, addressing outdated regulations, and enhancing the flexibility of compliance strategies across multiple industries.**

## Deregulatory activity:

- Safety Color Code
- Open Fires in Marine Terminals
- House Falls in Marine Terminals
- Methylene Chloride
- Cotton Dust
- 13 Carcinogens
- Vinyl Chloride
- Inorganic Arsenic
- Coke Oven Emissions
- 1,2-Dibromo-3-chloropropane
- 1,3-Butadiene
- Acrylonitrile
- Ethylene Oxide
- Cadmium
- Benzene
- Lead
- Asbestos
- Formaldehyde
- Methylenedianiline
- Respirators - Medical Clearance
- MSD Column Removal
- COVID-19 in Healthcare
- Construction Illumination
- General Duty Clause to Inherently Risky Professions
- \*Fixed Ladders (at OMB for clearance)

# IMPROVING OSHA'S IMAGE

- Redefine OSHA
  - More than one dimension
- Modernize look and tone
  - More caring and less adversarial
- Increase public presence
- Build trust: we want people to come to us, not avoid us

# OSHA CARES

As an employee, you have the right to:

- A safe workplace
- Speak up about safety and health concerns without retaliation
- Report an injury or illness
- Training in a manner you understand
- Be provided required safety equipment
- Request an OSHA inspection and speak with the inspector
- File a complaint with OSHA about workplace hazards
- Free safety and compliance assistance from OSHA at any time

## THAT YOU GO HOME SAFE

**Call us at 800-321-OSHA  
or visit OSHA.gov**



# Safety Champions

AN OSHA COOPERATIVE PROGRAM

- Safety Champions will replace OSHA Challenge initiative
- <https://www.osha.gov/safety-champions>

OSHA's Safety Champions Program (SCP) is a voluntary cooperative program that meets businesses where they are and supports participating employers in developing new and/or improved safety and health programs (SHP). The goal is to help reduce the risk of occupational injuries, illnesses, and fatalities by aligning SHPs with OSHA's Recommended Practices for Safety and Health Programs.

### WHO CAN PARTICIPATE

- ▶ Open to private and public-sector worksites covered by OSHA that want to improve safety and health in the workplace.

### HOW THE PROGRAM WORKS

- ▶ This is a self-guided, three-step framework: (1) Introductory, (2) Intermediate, and (3) Advanced.
- ▶ Each step aligns with the seven core elements of OSHA's Recommended Practices: (1) Management Leadership; (2) Worker Participation; (3) Hazard Identification and Assessment; (4) Hazard Prevention and Control; (5) Education and Training; (6) Program Evaluation and Improvement; and (7) Communication and Coordination.
- ▶ Participants can work independently or with Special Government Employees (SGEs) who may act as mentors or to assess their safety and health program and progress at any time.

- ▶ Upon successful completion of the Advanced Step, participating employers will have a SHP that integrates all seven core elements and reflects a proactive approach to safety and health.

### WHY PARTICIPATE

- ▶ Reduce the risk of workplace injuries, illnesses, and fatalities.
- ▶ Use a clear, flexible framework aligned with proven best practices.
- ▶ Access experienced safety and health professionals for guidance.
- ▶ Receive OSHA recognition as you advance.

### GET STARTED

- ▶ To learn more about the program and to enroll visit [OSHA.gov/Safety-Champions](https://www.osha.gov/Safety-Champions)

### SCP Steps to Success



# OSHA Pathway to Safety and Health Success



# Safety Champions Principles

- Continuous improvement
- Compliance with the OSH Act
- Cooperative relationship
- Protecting Whistleblower rights
- Assurance to submit all requested information by deadlines



# Core Elements of Safety Champions Program



# RECENT OSHA INITIATIVES

- Safety Helmet Transition
- Safety as a Core Value
- **Prevention Through Design**



# NON-TRADITIONAL HAZARDS

- Workplace Stress
- Suicide in Construction
- Opioid Abuse and Overdose Deaths



MENTAL HEALTH IN THE CONSTRUCTION INDUSTRY

## Suicide Prevention 5 Things You Should Know



Suicide is a leading cause of death among working-age adults in the United States. It deeply impacts workers, families, and communities. Fortunately, like other workplace fatalities, suicides can be prevented. Below are 5 things to know about preventing suicide.

- 1 BE AWARE**  
**Everyone can help prevent suicide.**  
Mental health and suicide can be difficult to talk about—especially with work colleagues—but your actions can make a difference. When you work closely with others, you may sense when something is wrong. 
- 2 PAY ATTENTION**  
**Know the warning signs of suicide.**  
There is no single cause for suicide but there are warning signs. Changes in behavior, mood, or even what they say may signal someone is at risk. Take these signs seriously. It could save a life. 
- 3 REACH OUT**  
**Ask "Are you okay?"**  
If you are concerned about a coworker, talk with them privately, and listen without judgment. Encourage them to reach out to your Employee Assistance Program (EAP), the human resources (HR) department, or a mental health professional. 
- 4 TAKE ACTION**  
**If someone is in crisis, stay with them and get help.**  
If you believe a coworker is at immediate risk of suicide, stay with them until you can get further help. Contact emergency services or the 988 Suicide and Crisis Lifeline. 
- 5 LEARN MORE**  
**Suicide prevention resources are available.**
  - Call or text the Suicide and Crisis Lifeline at 988.
  - Visit the American Foundation for Suicide Prevention ([www.afsp.org](https://www.afsp.org)) to learn more about suicide risk factors, warning signs, and what you can do to help prevent suicide. 

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# New Opioid Antagonist Law (Naloxone/Narcan)

§ 27-F. REQUIRING FIRST AID MATERIALS IN A WORKPLACE TO INCLUDE AN OPIOID ANTAGONIST. ALL EMPLOYERS THAT ARE FEDERALLY MANDATED TO HAVE FIRST AID SUPPLIES READILY AVAILABLE FOR THE TREATMENT OF ALL INJURED EMPLOYEES MUST INCLUDE AN OPIOID ANTAGONIST IN SUCH FIRST AID SUPPLIES. FOR THE PURPOSES OF THIS SECTION, "EMPLOYER" INCLUDES ANY PERSON, CORPORATION, LIMITED LIABILITY COMPANY, OR ASSOCIATION EMPLOYING ANY INDIVIDUAL IN ANY OCCUPATION, INDUSTRY, TRADE, BUSINESS, OR SERVICE. THE TERM "EMPLOYER" SHALL NOT INCLUDE A GOVERNMENTAL AGENCY.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

APPROVAL #16  
CHAPTER #621

December 12, 2025

MEMORANDUM filed with Assembly Bill 2725-A, entitled:

“AN ACT to amend the labor law, in relation to requiring employers to include an opioid antagonist in first aid supplies required by federal law”

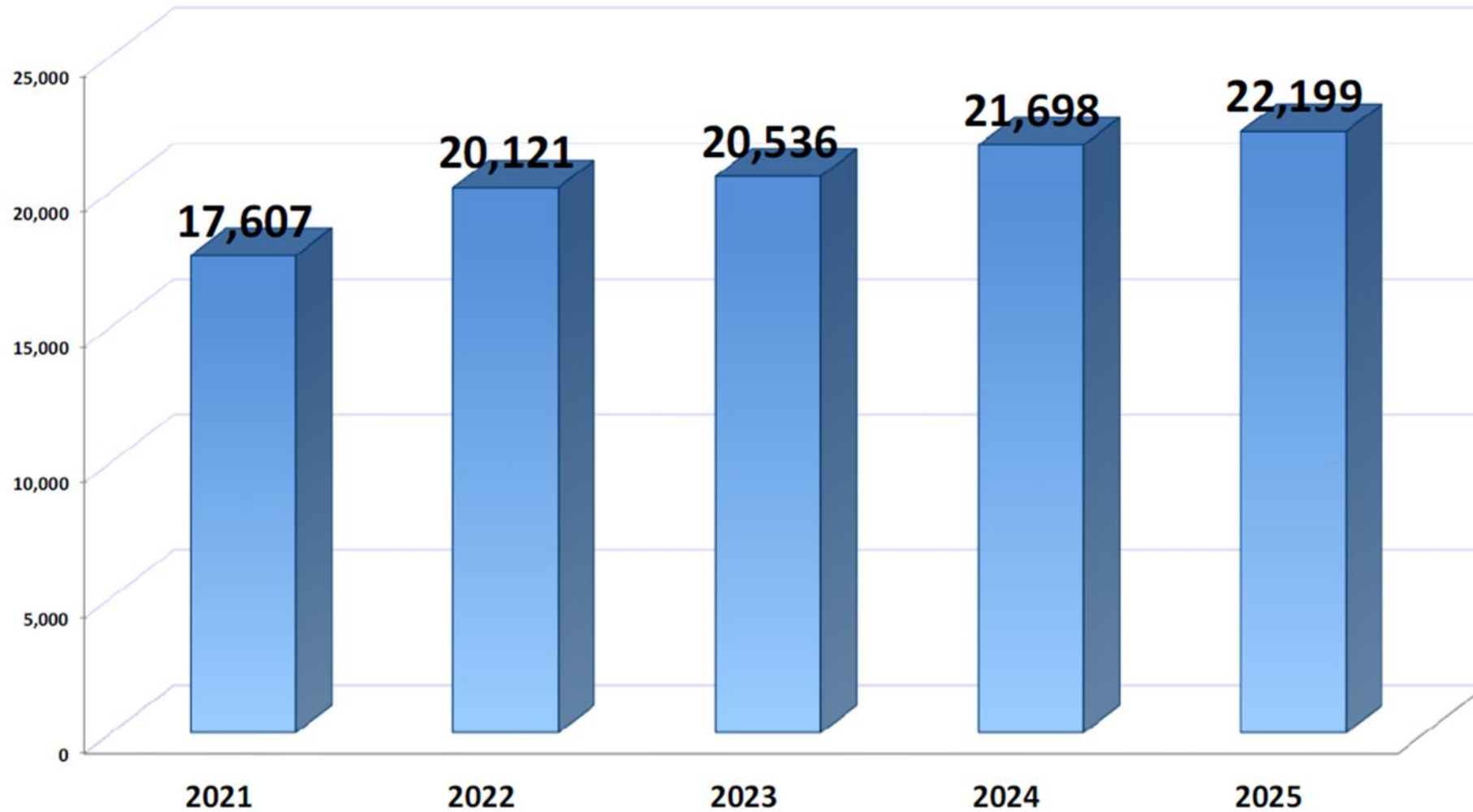
A P P R O V E D

This bill would require private employers that are federally mandated to provide first aid supplies in the workplace to include an opioid antagonist in those supplies.

I support ensuring that workplaces are better prepared to respond to opioid emergencies. As drafted, this bill raises many questions about how employers should comply. I have secured an agreement with the legislature to amend this bill to clarify that opioid antagonists must be kept in the workplace, but not every individual first aid kit; align this law with other existing opioid overdose prevention programs established in state law; require the Department of Labor to issue rules addressing workplace quantity requirements and training; and allow employers time to acquire the necessary supplies.

This bill is approved.

# On-Site Consultation Visits: FYs 2021 – 2025



- Source: FY 2025 On-Site Consultation Report (OIS) generated on Dec. 9, 2025.
- Totals include 21(d) and 23(g) On-Site Consultation Program data.

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# CONSULTATION

- Free and confidential assistance
- Limited or full-service consultation services are available
- Conducted in the same structured format as an inspection
- Employee participation required for all consultations
- Must send list of hazards to employee rep and employer must post onsite
- Service is provided upon the employer's request



# CONSULTATION

- The employer must agree to correct any serious hazards identified by the consultant by an agreed upon date
- The Employer must certify to PESH that the serious hazards have been corrected



- [https://dol.ny.gov/system/files/documents/2025/06/p206\\_6-25.pdf](https://dol.ny.gov/system/files/documents/2025/06/p206_6-25.pdf)



# Other Types of Assistance

- Indoor Air Quality
  - Carbon Dioxide, Temperature & Relative Humidity
  - Airborne Particulates
- Noise Monitoring
- Water Sampling
  - Lead & Copper
  - Total Coliform (Bacteria)
  - Turbidity
- Vermin
- Mold-Sanitation



# Available Air Monitoring Services from PESH

Substance	Operation/Source
Acid Gases (HCl, HNO <sub>3</sub> )	Labs
Acetone, Methyl Methacrylate	Nail Salons (BOCES)
Arsenic	Taxidermy/Museums
Asbestos	Building Materials
BTEX	Weights & Measures
Carbon Disulfide	Forensic Labs
Carbon Monoxide	Vehicle/Equipment Exhaust
Chlorine	Water and Waste Water Treatment
Formaldehyde	Fish Hatcheries, Mortuary Science, Furnishings
Hexavalent Chromium	Welding/Cutting Stainless, Hard Facing
Lead	Auto Body, Bridge Work, Restoration
Nitrogen Dioxide	Diesel Exhaust
Respirable/Total Dust	Sanding, Grinding, Cutting...
Silica	Concrete, Pavement, Masonry Work
Various Volatile Organics	Painting
Welding Metals Fume	Welding, Cutting

QUESTIONS?





**John Usher**  
**Program Manager 1**  
**New York State Department of Labor | PESH**  
Harriman State Office Campus  
Building 12, Room 158  
Albany, NY 12240  
C: (518) 788-1364 | [john.usher@labor.ny.gov](mailto:john.usher@labor.ny.gov)