

22.2: Programs

Managing Safety and Health

Employers have a general duty under section 5(a)(1) 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 clause is a stop gap measure to ensure all employers understand that regardless of whether a specific standard exists to address a specific hazard, any known condition, situation, or place known to present a hazardous or unsafe environment for workers must be controlled.

Employees are also expected per section 5(b) to comply with occupational safety and health standards promulgated under this Act.

Several health and safety programs advantaged by the general duty clause are random drug testing/pre-employment drug screening, sexual harassment prevention training and education, and ergonomic safety.

Random drug testing and screening

Many workers experience pre-employment drug screening when their work involves transportation, operating crucial or hazardous equipment, or when working in certain public health and safety organizations. Random drug screening often occurs in workplaces that must ensure ongoing safety of employees operating equipment and when there is a significant public safety interest. Employers will often do post incident drug testing permissible under § 1904.35(b)(1)(iv) In general the types of drug testing authorized include:

- Random drug testing.
- Drug testing unrelated to the reporting of a work-related injury or illness.
- Drug testing under a state workers' compensation law.
- Drug testing under other federal law, such as a U.S. Department of Transportation rule.
- Drug testing to evaluate the root cause of a workplace incident that harmed or could have harmed employees. If the employer chooses to use drug testing to investigate the incident, the employer should test all employees whose conduct could have contributed to the incident, not just employees who reported injuries.

Sexual Harassment and Bullying

Hostile work environment is a phrase associated with workplace sexual harassment and bullying. Every workplace is susceptible to challenging power dynamics and cultures of disrespect. Increasingly workers are representative of every demographic; young, old, every race and ethnicity, socio-economic class, varied genders, and varied cultures. Employers must anticipate that with a diversity of workers with diverse backgrounds there will be the potential for misunderstandings, miscommunications, and even distrust. Preparing for these challenges requires employers to acknowledge their general duty to create a safety culture where every employee is not only physically safe but feels safe as well.

Employers and employees consistent with the OSHA general duty clause are equally responsible for advancing policies and work practices that center on treating all workers with dignity and respect, establishing cultural norms for the workplace that all agree upon. This is often and best achieved by safety and training programs focusing on acceptable workplace interpersonal behaviors and boundaries of propriety. Controlling unacceptable behaviors through education and training gives workers the skills and tools to manage interpersonal relationships in the workplace and reduces the risk of creating hostile work environments.

Ergonomic Safety

Musculoskeletal disorders (MSDs) affect the muscles, nerves, blood vessels, ligaments and tendons. Workers in many different industries and occupations can be exposed to risk factors at work, such as lifting heavy items, bending, reaching overhead, pushing and pulling heavy loads, working in awkward body postures and performing the same or similar tasks repetitively. Employers have a general duty to recognize risk factors that increase a workers risk of injury.

Work-related MSDs can be prevented. Ergonomics --- fitting a job to a person --- helps lessen muscle fatigue, increases productivity and reduces the number and severity of work-related MSDs. An ergonomic safety program reduces time away from work or restricted work activity and has been shown to be effective in reducing the risk of developing MSDs in high-risk industries as diverse as construction, food processing, firefighting, office jobs, healthcare, transportation and warehousing.

Effectively managing ergonomic safety programs means you must have strong commitment by management to set clear expectations and goals. Workers must be involved in identifying the hazards and risk factors, assessing and controlling the work environment and assisting with providing solutions. OSHA encourages education and training on MSDs and prevention methods as well as recognizing when to report possible injury. OSHA stipulates an ergonomic evaluation and process uses the principles of a safety and health program to address MSD hazards. Such a process should be viewed as an ongoing function that is incorporated into the daily operations, rather than as an individual project or one time job hazard assessment.

Employee Assistance Programs (EAP)

The Federal Office of Personnel Management (OPM) describes Employee Assistance Programs as a voluntary, work-based program that offers free and confidential assessments, short-term counseling, referrals, and follow-up services to employees who have personal and/or work-related problems. EAPs address a broad and complex body of issues affecting mental and emotional well-being, such as alcohol and other substance abuse, stress, grief, family problems, and psychological disorders. EAPs are active in helping organizations prevent and cope with workplace violence, trauma, and other emergency response situations.

Employers have a general duty to anticipate and recognize that psycho-social hazards are often hidden from view. Similar to expectations for reducing the risk of hostile work environments through education and training, EAPs address the contributors to behaviors that may result from external stresses that can result in causing employees harm in the workplace. Managing safety and health with voluntary intervention programs that address psycho-social hazards endorses the industrial hygiene principle of prevention, through intervention. EAP along with education and training are engineering controls that prepare workers to address a broad spectrum of hazards in the workplace.

This page titled [22.2: Programs](#) is shared under a [CC BY 4.0](#) license and was authored, remixed, and/or curated by [Kimberly Mosley \(ASCCC Open Educational Resources Initiative \(OERI\)\)](#).

- [21.2: Programs](#) by [Kimberly Mosley](#) is licensed [CC BY 4.0](#).