

## **Appendix A**

### **Appendix to Rule 4167-4-01**

Ohio public employment risk reduction program

Safety and health protection

On the job

The public employment risk reduction act was enacted to provide safe and healthful working conditions for Ohio's public employees.

Employer duties: Each public employer shall provide a place of employment free from recognized hazards.

Employee duties: Each employee shall comply with all safety and health standards, rules, and regulations.

Enforcement: The division of safety and hygiene will:

1. Inspect job sites for unsafe and unhealthful conditions following a request to do so by a public employee, public employee representative, or public employer.
2. Issue citations requiring public employers to correct safety and health violations.

Refusal to work: Any public employee acting in good faith may refuse work under conditions reasonably believed to present an imminent danger of death or serious physical harm, provided that the condition is not such as normally exists or reasonably might be expected to occur in the normal and regular duties of the public employee. In the case of a refusal to work, the public employee must follow these three steps: and if all of the conditions in this rule are not met the public employee may be subject to disciplinary action pursuant to law or agreement.

1. Notify his or her immediate supervisor of the imminent danger condition.
2. Submit a written statement of the imminent danger to the superintendent as soon as practical.

Complaints: Any public employee or employee representative may file a complaint with the division of safety and hygiene of any unsafe or unhealthful condition or practice by letter, or by fax. Employees should initially attempt to have unsafe or unhealthful conditions corrected through their own procedures by contacting their immediate supervisor.

Inspections: The inspector will question privately a representative number of employees and management personnel concerning safety and health conditions in the workplace.

Citations: Following an inspection by the division of safety and hygiene, notice of violations issued to the public employer must be prominently posted at or near the place where the hazard was found.

Protection: Employees cannot be discharged or otherwise discriminated against in any manner for filing a complaint in accordance with the act or by instituting or causing to be instituted any provision of the Act. Discrimination complaints must be filed with the State Personnel Board of Review within sixty days of the discriminatory act or be pursued through provisions under a collective bargaining agreement.

Fatality/multiple hospitalization reporting: within eight (8) hours after a death of any employee from a work related incident, or the in-patient hospitalization of three or more employees, the employer is required to contact the division of safety and hygiene.

For additional information contact:

Ohio bureau of workers' compensation

Division of labor and worker safety and hygiene

Public employment risk reduction program Yarmouth Drive, Pickerington, Ohio 43147

Phone: (614) 644-2246 (800) 671-6858

Fax: (614) 644-3133

Refusal To Work Phone: (614) 731-4380

Fatality/multiple hospitalization reporting phone: (614) 731-4380

Under provision of Rule 4167-4-01 of the Ohio Administrative Code, public employers must post this notice (or facsimile) in a conspicuous place where notices to employees are customarily posted. Minimum reproduction size of this notice is 8 1/2 by 14 inches. Alternatively, a copy of this notice can be given to each employee provided each employee is informed of the provisions of this notice at the time of initial hire and at least annually thereafter.