

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 reconized hazards.

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

Enforcement: The Ohio Department of Commerce 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 employee. In the case of 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. If the employer declines to correct or disputes the condition, the employee must attempt to contact the director of the Division of Occupational safety and Health and/or a representative of the Division knowledgeable of Risk Reduction standards and workplace hazards.
3. Submit a written statement of the imminent danger to the Chief of the Bureau of Occupational Safety and Health as soon as practical.

Complaints: Any public employee or employee representative may file a complaint with the Ohio Department of Commerce 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 Ohio Department of Commerce, 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 60 days of the discriminatory act or be pursued through provisions under a collective bargaining agreement.

For additional information contact: Ohio Department of Commerce
Division of Labor and Worker Safety
Bureau of Occupational Health and Safety
50 West Broad Street
29th Floor
Columbus, Ohio 43215
Phone: 1-800-671-6858 or 614-644-1618

Fax: 614-644-3133
Refusal to Work Phone: 614-731-4380