



Job Safety and Health Protection

THE VIRGINIA OCCUPATIONAL SAFETY AND HEALTH (VOSH) LAW, BY AUTHORITY OF TITLE 40.1 OF THE LABOR LAWS OF VIRGINIA, PROVIDES JOB SAFETY AND HEALTH PROTECTION FOR WORKERS. THE PURPOSE OF THE LAW IS TO ASSURE SAFE AND HEALTHFUL WORKING CONDITIONS THROUGHOUT THE STATE. THE VIRGINIA SAFETY AND HEALTH CODES BOARD PROMULGATES AND ADOPTS JOB SAFETY AND HEALTH STANDARDS, AND EMPLOYERS AND EMPLOYEES ARE REQUIRED TO COMPLY WITH THESE STANDARDS.

Employers

Each employer shall furnish to each of his employees employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to his employees, and shall comply with occupational safety and health standards issued under the Law.

Employees

Each employee shall comply with all occupational safety and health standards, rules, regulations and orders issued under the Law that apply to his own actions and conduct on the job.

Inspection

The Law requires that a representative of the employer and a representative authorized by the employees be given an opportunity to accompany the VOSH inspector for the purpose of aiding the inspection.

Where there is no authorized employee representative, the VOSH inspector must consult with a reasonable number of employees concerning safety and health conditions in the workplace.

Citation

If upon inspection VOSH believes an employer has violated the Law, a citation alleging such violations will be issued to the employer. Each citation will specify a time period within which the alleged violation must be corrected.

The VOSH citation must be prominently displayed at or near the place of alleged violation for three days or until the violation is corrected, whichever is later, to warn employees of dangers that may exist there.

Proposed Penalty

The Law provides for mandatory penalties against private sector employers of up to \$7,000 for each serious violation and for optional penalties of up to \$7,000 for each other-than-serious violation. Penalties of up to \$7,000 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the Law may be assessed penalties of up to \$70,000 for each such violation.

Public Sector employers, all departments, agencies, institutions or other political subdivisions of the Commonwealth, are exempt from the penalty provisions of this Law.

Criminal penalties are also provided for in the Law. Any willful violation resulting in the death of an employee is punishable, upon conviction, by a fine of not more than \$70,000 or by imprisonment for not more than six months, or by both. Subsequent conviction of an employer after a first conviction doubles these maximum penalties.

Complaint

Employees or their representatives have the right to file a complaint with the nearest VOSH office requesting an inspection if they believe unsafe or unhealthy conditions exist in their workplace. VOSH will withhold, on

request, names of employees filing complaints. Complaints may be made at the Department of Labor and Industry addresses shown below.

Discrimination

The Law provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Law.

An employee who believes he has been discriminated against for exercising their rights under the Law, may file a complaint with the Commissioner of the Virginia Department of Labor and Industry within 60 days of the alleged discrimination.

CASPA

Complaints Against State Plan Administration: Any person may complain to the Regional Administrator of OSHA (address below) concerning the Administration of the State Safety and Health Program.

State Coverage

The VOSH program shall apply to all public and private sector businesses in the State except for Federal agencies, businesses under the Atomic Energy Act, railroad rolling stock and tracks, certain Federal enclaves, and businesses covered by the Federal Maritime jurisdiction.

Voluntary Activity

Voluntary efforts by the employer to assure his workplace is in compliance with the Law are encouraged. Voluntary Safety and Health Consultation and Training Programs exist to assist employers. These services may be obtained by contacting the Department of Labor and Industry addresses shown below.

Recordkeeping

Employers now have a new system for tracking workplace injuries and illnesses. OSHA's new recordkeeping log is simpler to understand and use. Using a question and answer format, the revised recordkeeping rule provides answers to record occupational injuries and illnesses, and explains how to classify specific cases. Flowcharts and checklists make the recordkeeping requirements easier to follow. Not all industries are required to do a recordkeeping log. To see if your industry is exempt, visit the OSHA Web site at www.osha.gov/recordkeeping/pub3169text.html.

Fatalities

Any fatality or injuries to three (3) or more employees involving inpatient hospitalization from a workplace incident, must be reported to the nearest VOSH office within eight(8) hours. Failure to report may result in a \$5,000 fine.

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Powers-Taylor Building
13 South Thirteenth Street
Richmond, VA 23219
VOICE (804) 371-2327
TDD (804) 786-2376
FAX (804) 371-6524

WEB <http://www.doli.state.va.us>

U.S. Department of Labor
OSHA Regional Administrator
The Curtis Center, STE 740 West
170 South Independence Mall West
Philadelphia, PA 19106-3309
(215) 861-4900

OCCUPATIONAL SAFETY AND HEALTH OFFICE LOCATIONS

Headquarters

Powers-Taylor Building
13 South Thirteenth Street
Richmond, VA 23219
(804) 371-2327

Central Virginia/ Richmond

Main Street Station
1500 East Main Street
Suite 222
Richmond, VA 23219
(804) 371-0442

Northern Virginia/ Manassas

10515 Battleview Parkway
Manassas, VA 20109
(703) 392-0900

Tidewater/Norfolk

6363 Center Drive
Building 6, Suite 101
Norfolk, VA 2350
(757) 455-0891

Southwest/Roanoke

Brammer Village
3013 Peters Creek Road
Roanoke, VA 24019
(540) 562-3580

Abingdon

Brooksfield Square
Suite 4
966 West Main Street
Abingdon VA 24210
(276) 676-5465

Lynchburg

3704 Old Forest Rd
Suite B
Lynchburg, VA 24501
(434) 385-0806

Verona

201 Lee Highway
Verona, VA 24482
(540) 248-9280



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LABOR AND INDUSTRY

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Commissioner

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