POSTER COMPLIANCE DATE 07/2017

# **Public Employee Safety and Health**

**Labor Law Information Relating to** 

## **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,
- 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

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.nv.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.

#### 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.

## 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

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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.

REV. 07/2017

## 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:

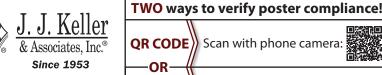
Name \_\_\_\_\_

LOCATION & PHONE NUMBER

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

REV. 04/2000

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