

opportunity to observe such monitoring or measuring

- 7 Employees have the right of access to (a) the list of toxic materials published by NIOSH, (b) criteria developed by NIOSH describing the effects of toxic materials or harmful physical agents, and (c) industry-wide studies conducted by NIOSH regarding the effects of chronic, low-level exposure to hazardous materials
- 8 On written request to NIOSH, employees have the right to obtain the determination of whether or not a substance found or used in the establishment is harmful

With respect to enforcement.

1. Employees have the right to confer with the compliance officer in connection with an inspection of an establishment
2. An authorized employee representative must be given an opportunity to accompany the compliance officer during an inspection for the purpose of aiding such inspection (This is commonly known as the "walk-around" provision)
- 3 An employee has the right to make a written request to OSHA for a special inspection if the employee believes a violation of a standard threatens physical harm, and the employee has the right to request OSHA to keep his identity confidential
- 4 If an employee believes any violation of the Act exists, he has the right to notify OSHA or a compliance officer in writing of the alleged violation, either before or during an inspection of the establishment
- 5 If a request is made for a special inspection and it is denied by OSHA, the employee must be notified in writing by OSHA, together with the reasons, that the complaint was not valid. The employee has the right to object to such a decision and may request a hearing by OSHA
- 6 If a written complaint concerning an alleged violation is submitted to OSHA and the compliance officer responding to the complaint fails to cite the employer for

the alleged violation, OSHA must furnish the employee or his authorized representative a written statement setting forth the reasons for its final disposition

- 7 If OSHA cites an employer for a violation, employees have the right to review a copy of the citation which must be posted by the employer at or near the place where the violation occurred
- 8 Employees have the right to appear as an interested party or to be called as a witness in a contested enforcement matter before the Occupational Safety and Health Review Commission
9. If OSHA arbitrarily or capriciously fails to seek relief to counteract an imminent danger and an employee is injured as a result, that employee has the right to bring action against OSHA for relief as may be appropriate
- 10 An employee has the right to file a complaint to OSHA within 30 days if he believes he has been discriminated against because he asserted his rights under the Act
11. An employee has the right to contest the abatement period fixed in the citation issued to his employer by notifying the OSHA Area Director that issued the citation

Occupational safety and health standards

The Act authorizes OSHA to promulgate, modify, or revoke occupational safety and health standards *

In order to get the initial set of standards in place without undue delay, the Act authorized OSHA to promulgate any existing federal standard or any national consensus standard without regard to the usual rulemaking procedures prior to April 28, 1973. The initial set of standards, Part 1910, appeared in the *Federal Register* of May 29, 1971. Subscriptions to the *Federal Register* are obtained through the Government Printing Office,

* The rules of procedure for promulgating, modifying or revoking standards are codified in the *Code of Federal Regulations* (C F R), Title 29, Chapter XVII, Part 1911