

2—The Occupational Safety and Health Act of 1970

- 2 Technical information—Provides technical information concerning health or safety conditions at workplaces, such as the possible hazards of working with specific solvents, and when to use protective equipment
- 3 Accident prevention—Provides technical assistance for controlling on-the-job injuries including the evaluation of special problems and recommendations for corrective action.
- 4 Industrial hygiene—Provides technical assistance in the areas of engineering and industrial hygiene, including the evaluation of special health-related problems in the workplace and recommendations for control measures.
- 5 Medical service—Provides assistance in solving occupational medical and nursing problems in the workplace including the assessment of existing medically related needs and the development of recommended means for meeting such needs.

The locations of the headquarters and regional offices of NIOSH are listed in the Directory toward the end of this chapter

Bureau of Labor Statistics

The responsibility for conducting statistical surveys and establishing methods used to acquire injury and illness data is placed in the Bureau of Labor Statistics (BLS). Questions regarding recordkeeping requirements and reporting procedures can be directed to any of the OSHA regional or area offices or the BLS regional offices. The locations of the headquarters and regional offices of BLS are listed in the Directory.

Major Provisions of the OSHAct

Coverage

Except for specific exclusions, the Act is applicable to every employer who has one or more employees and who is engaged in a business affecting commerce. The law applies to all 50 states, the District of Columbia, Puerto Rico, and all U.S. possessions.

Specifically *excluded* from coverage are all federal, state, and local government employ-

ees. There are, however, special provisions in the Act for federal employees and potential coverage for state and local government employees.

The OSHAct is also not applicable to those operations where a federal agency (and state agencies acting under the Atomic Energy Act of 1954) other than the Department of Labor has statutory authority to prescribe or enforce standards or regulations affecting occupational safety or health. An example of this exclusion are in the operations covered by the Federal Metal and Nonmetallic Mine Safety Act or the Federal Coal Mine Health and Safety Act, where statutory authority is vested in the Department of the Interior.

OSHA clarified its interpretations of coverage with respect to certain employees by issuing a regulation*. It has been declared that churches and religious organizations, with respect to their religious activities, are not regarded as employers. Likewise, persons who in their own residences employ others to perform domestic household tasks are not regarded as employers. Further, any person engaged in agriculture who is a member of the immediate family of the farmer is not regarded as an employee and hence is not covered by the Act.

Employer and employee duties

Each employer covered by the Act

- 1 Has the general duty to furnish each of his employees employment and places of employment which are free from recognized hazards that are causing or likely to cause death or serious physical harm (this is commonly known as the "general duty clause"), and
- 2 Has the specific duty of complying with safety and health standards promulgated under the Act

Each employee, in turn, has the duty to comply with the safety and health standards and all rules, regulations, and orders which

* The regulation clarifying policy regarding "Coverage of Employees Under the Williams-Steiger Occupational Safety and Health Act of 1970" is contained in the *Code of Federal Regulations* (C.F.R.), Title 29, Chapter XVII, Part 1975