

MODULE 6

Health and Safety Protection and Workers Compensation

Module Overview

Time: 90 minutes plus Introductions

- Objectives:**
- to identify some workplace health and safety hazards
 - to review the legal right to a hazard-free work place and the Occupational Safety and Health Act
 - to practice evaluating and responding to work place hazards
 - to review what Workers Compensation provides to workers injured on the job

- Preparation:**
- read Schwartz, *Your Rights on the Job* Chapter 5
 - prepare flipcharts
 - copy and read handouts *Participant Outline; What Are Hazards, OSHA Rights, OSHA in a Nutshell, Scenario #1 Scenario #2 and/or Scenario #3 OR pictures 4, 5 and/or 6, and The Massachusetts Workers Compensation Act in a Nutshell*

Materials: flipchart, markers, masking tape

Module Outline

Module Detail

Welcome and Introductions

Time: 10 minutes

Flipcharts: *Objectives and Agenda*

Welcome and Introductions

Welcome participants, introduce yourself and review workshop objectives and agenda. It is helpful to put the Objectives and Agenda on flipcharts to post. Ask participants to introduce themselves, giving their name and union or organizational affiliation, if any.

What Are Some Workplace Health and Safety Hazards?

Time: 15 minutes

Handout: *What Are Hazards* from Western MassCOSH

Flipchart: *Some Workplace Hazards (title only)*

Activity 1: What Are Some Workplace Health and Safety Hazards?

Ask for examples from their experience, or the experiences of friends or relatives, of workplace health or safety hazards.

Give an example such as *No guard on a machine* or *Poor ventilation*. List participants' examples on flipchart. Ask which hazards they think affect the worker's health and which affect the worker's safety. Work with participants to group hazards into **health hazards** and **safety hazards**. Explain that health hazards may also be grouped into **stress, physical, chemical** and **biological**.

Review handout: *What Are Hazards* and compare to list.

Sum-up for participants:

“Safety hazards cause immediate harm. Accidents and injuries are caused by safety hazards and may include broken bones, cuts and electrocutions. Health hazards cause disease or illness. Diseases may take years to develop. Some examples of occupational diseases include cancer, heart disease, hearing loss and reproductive difficulties.”

OSHA – the Legal Right to a Safe Workplace

Time: 15 minutes

Handouts: *Your OSHA Rights; OSHA in a Nutshell*

Activity 2: OSHA – the Legal Right to a Safe Workplace

Review *Your OSHA Rights* fact sheet. Ask participants what questions they have about OSHA.

Review the section on *Remedies* and *Who to Contact* in handout *OSHA in a Nutshell* and list *MassCOSH (Massachusetts Coalition on Occupational Safety and Health)* and *Western MassCOSH* as additional resources.

Responding to Health and Safety Problems on the Job

Time: 40 minutes

Flipcharts: *Scenario 1 (title only); Scenario 2 (title only), etc.*

Handouts: Scenarios 1, 2 and/or 3; Pictures 4, 5 and/or 6.

Activity 3: Responding to Health and Safety Problems on the Job

Explain to participants that they will now have an opportunity to analyze some health and safety case studies. Break participants into small groups and ask them to review one of the cases provided and answer the questions which follow. Suggest that group members take turns reading aloud the case and the questions as they are answered. There are 3 different scenarios to be used by the groups. Use any that are

Note to facilitator:

appropriate to the group's work interests or experience. Advise groups that they should try to reach consensus on their answers.

You may use pictures 4, 5 or 6 instead of, or in addition to, the written case studies, if literacy levels are an issue. If you use pictures ask participants to use the following questions to analyze the pictures:

1. *What do you see happening here?*
2. *What hazards do you see?*
3. *If you were the pictured worker, what would you do?*

Ask groups to report back their answers. If more than one group is doing the same scenario (or picture) ask one group to respond to the first question and the next group to take the next question, and so on. List responses on the flipchart for that scenario.

Sum-up:

“It is important to know your rights under OSHA when responding to a situation that appears to be a health or safety hazard. It is also important to act with other workers in the work place to be effective. You may have a workplace health and safety committee to turn to. If you have a union you may have contract language which gives you additional protection.”

**Workers Compensation:
What to do if you are
injured**

Time: 15 minutes

Handout: *The
Massachusetts Workers=
Compensation Act (Chapter
152) in a Nutshell*

**Activity 4: Workers Compensation: What to do if you are
injured**

Give participants the following information on Workers Compensation:

“Workers compensation is the most important program for injured workers. It provides weekly cash benefits, medical coverage, and re-training expenses for all **work-related** injuries or illnesses, even when the injuries were caused by the employee's own carelessness. Workers Compensation is a trade-off program. In return for guaranteed benefits workers give up the right to sue their employer, their supervisors or their fellow employees for negligence. Workers Compensation will provide 60% of the employee's weekly wage for temporary disability, and 2/3rds of the average weekly wage for permanent total disability.”

Review the handout *The Massachusetts Workers Compensation Act (Chapter 152) in a Nutshell*.

Summary and Remedies**Time:** 5 minutes

Ask participants: “What questions to you have?”

Refer participants to Massachusetts Department of Industrial Accidents for questions which can't be answered in class.

Summary and Remedies

“Workers have the right to a work place free from health and safety hazards. They have a legal procedure to follow to correct hazards in the workplace. In the event of a work place injury or illness workers have the right to benefits guaranteed by Workers Compensation law. If workers have a union they may have additional protection on the job.

Public sector workers are not covered by OSHA, but municipal, county and school employees have limited protection and can call the Division of Occupational Safety (617) 969-7177) to inspect workplaces. They can also use the Right to Know law to obtain information on hazardous substances.

Immigrant workers, whether documented or undocumented, are covered by health and safety laws. It is not always safe, however, for undocumented workers to go to state and federal agencies with complaints, as those agencies might notify the Immigration and Naturalization Service (INS). Undocumented workers should check first with MassCOSH or Western MassCOSH.). The handout *Safe and Unsafe Agencies for Immigrant Workers* can be used as a guideline.

Remedies include cleaning up or correcting the hazard, reinstatement if worker has lost job for refusing unsafe work and fines for serious or willful violation.”

Note to facilitator:

If you are going on to the module on FMLA, use the following bridge:

“What if you are ill or injured and it did not happen on your job? Workers covered by the Family and Medical Leave Act are entitled to 12 weeks of **unpaid** leave with a guarantee that you will get your job back when you return.”