#### HANDOUT #12b

## Filing an OSHA Complaint – Tips for Completing the OSHA-7 Form

#### **INSTRUCTIONS Provided on the Form:**

Open the form and complete the front page as accurately and completely as possible. Describe each hazard you think exists in as much detail as you can. If the hazards described in your complaint are not all in the same area, please identify where each hazard can be found at the worksite. If there is any particular evidence that supports your suspicion that a hazard exists (for instance, a recent accident or physical symptoms of employees at your site) include the information in your description. If you need more space than is provided on the form, continue on any other sheet of paper. After you have completed the form, return it to your local OSHA office.

#### Here are tips for completing the form:

- 1. Be specific and include appropriate details: The information on the complaint form may be the only description of the hazard that the inspector will see before the inspection. The inspector will base his or her research and planning on this information.
- Establishment Name, Address, & Type of Business: Be thorough and specific. The inspector's research on the company and the industry's hazards will be based on this information.
- Hazard Description/Location: The hazard description is the most important part of the form. Your answer should explain the hazards clearly. If your complaint is about chemicals, identify them whenever possible and attach copies of labels or MSDSs if you can. Identify the location so the inspector will know where to look.
- 4. Has this condition been brought to the attention of the employer or another government agency? You should indicate on the form if you have tried to get the employer to fix the hazard before filing the complaint. Also, if another agency, such as a local fire or building department, has been notified of these hazards, OSHA may want to consult with them.

U.S. Department of I	abor	1				
Occupational Safety and Health Administration						
Notice of Alleged Safety or Health Hazards						
Notice of Alleged Safety of Health Hazards						
			Complain	t Number		
Establishment Name			Company	i Minoei		
Site Address						
one Address	Site Phone	( :	2 )—	Site FAX		
Mailing Address	sue Phone			SHEFAA		
Induting Facetos	Mail Phone			Mail FAX		
Management Official	Main Phone			Telephone		
Type of Business				- depirede		
HAZARD DESCRIPTIONL	OCATION	Describe briefly the he	ana kabulatan sa	believe evict Technic	the concerning of another of	
exposed to or threatened by each hazard	Specify the pa	nicular building or wo	eknite where the al	leged violation exists.	the approximate manoe or emproyees	
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		ć .	<u> </u>			
			3			
			*			
Has this condition been brought attention of:	to the	🗆 Employer	□ Other Gov	erument Agency(sp	pecify) <b>4</b>	
Please Indicate Your Desire:		🗆 Do NOT reve	al nor name to	war Fremlesser		
Please Indicate 1 dur Lesite.		□ Do NOT reve			5	
The Undersigned believes that a	violation of			o are rampioyer		
an Occupational Safety or Healt	h standard	`				
exists which is a job safety or h		Employee			ety and Health Committee	
at the establishment named on t	his form.	Representativ	e of Employee	s □ Other (spec		
Complainant Name					Telephone	
Address(Street,City,State,Zip)		(				
	_	i (	6 )		2	
Signature			1		Date	
If you are an authorized represent represent and your title:	ntative of em	ployees affected b	y this complai	ut, please state the :	name of the organization that you	
Organization Name: Your T	itle:					
organization route. 10011	aute:					

- 5. Do NOT reveal my name: OSHA will keep your name off the complaint, if you wish. Remember that discrimination for health and safety activity is illegal. If you are a union representative, you may wish to have your name on the complaint.
- 6. Signature and address: It is important to sign the complaint if you want OSHA to conduct an onsite inspection. Also, your address will allow OSHA to send copies of inspection related materials to you.

#### HANDOUT #12b Construction Complaint Scenario

### Use the following scenario to determine what information should be put on an OSHA complaint form. Is any additional information needed?

You are a construction worker for ABC, Inc, 1000 Sweet Road, Anytown, USA, 40001. ABC does non-residential plumbing, heating and airconditioning work. You have worked for ABC for 3 years. You, along with 7 co-workers, have been installing sheetmetal ductwork in the lower level of the Anytown Shopping Mall, which is undergoing renovation, for the past few weeks. The site is located in the Northwest quadrant, in the basement of the anchor store, located at 555 Times Drive, in Anytown. One of your coworkers has been operating a 65-horsepower concrete cutting saw in the same area. The saw is being run in the propane mode. You and several coworkers get headaches from the fumes whenever the saw is used and have told your supervisor about the problem. The supervisor said that nothing could be done, because the General Contractor, CAB Management, has control over the site and this job will be complete in another month. You did some research and found out that exposure to propane in a confined, unventilated area can cause headaches, dizziness, difficulty breathing and unconsciousness. There is no ventilation or monitoring of the air in the area.

After talking to your union representative, you decide to file a complaint with OSHA.

NOTES:

# Notice of Alleged Safety or Health Hazards

#### For the General Public:

# This form is provided for the assistance of any complainant and is not intended to constitute the exclusive means by which a complaint may be registered with the U.S. Department of Labor.

Sec 8(f)(1) of the Williams-Steiger Occupational Safety and Health Act, 29 U.S.C. 651, provides as follows: Any employees or representative of employees who believe that a violation of a safety or health standard exists that threatens physical harm, or that an imminent danger exists, may request an inspection by giving notice to the Secretary or his authorized representative of such violation or danger. Any such notice shall be reduced to writing, shall set forth with reasonable particularity the grounds for the notice, and shall be signed by the employee or representative of employees, and a copy shall be provided the employer or his agent no later than at the time of inspection, except that, upon request of the person giving such notice, his name and the names of individual employees referred to therein shall not appear in such copy or on any record published, released, or made available pursuant to subsection (g) of this section. If upon receipt of such notification the Secretary determines there are reasonable grounds to believe that such violation or danger exists, he shall make a special inspection in accordance with the provisions of this section as soon as practicable to determine if such violation or danger exists. If the Secretary determines there are no reasonable grounds to believe that a violation or danger exists, he shall notify the employees or representative of the employees in writing of such determination.

NOTE: Section 11(c) of the Act provides explicit protection for employees exercising their rights, including making safety and health complaints.

#### For Federal Employees:

This report format is provided to assist Federal employees or authorized representatives in registering a report of unsafe or unhealthful working conditions with the U.S.Department of Labor.

The Secretary of Labor may conduct unannounced inspection of agency workplaces when deemed necessary if an agency does not have occupational safety and health committees established in accordance with Subpart F, 29 CFR 1960; or in response to the reports of unsafe or unhealthful working conditions upon request of such agency committees under Sec. 1-3, Executive Order 12196; or in the case of a report of imminent danger when such a committee has not responded to the report as required in Sec. 1-201(h).

# **INSTRUCTIONS:**

Open the form and complete the front page as accurately and completely as possible. Describe each hazard you think exists in as much detail as you can. If the hazards described in your complaint are not all in the same area, please identify where each hazard can be found at the worksite. If there is any particular evidence that supports your suspicion that a hazard exists (for instance, a recent accident or physical symptoms of employees at your site) include the information in your description. If you need more space than is provided on the form, continue on any other sheet of paper.

After you have completed the form, return it to your local OSHA office.

**NOTE:** It is unlawful to make any false statement, representation or certification in any document filed pursuant to the Occupational Safety and Health Act of 1970. Violations can be punished by a fine of not more than \$10,000. or by imprisonment of not more than six months, or by both. (Section 17(g))

Public reporting burden for this voluntary collection of information is estimated to vary from 15 to 25 minutes per response with an average of 17 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. An Agency may not conduct or sponsor, and persons are not required to respond to the collection of information unless it displays a valid OMB Control Number. Send comment regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Directorate of Enforcement Programs, Department of Labor, Room N-3119, 200 Constitution Ave., NW, Washington, DC; 20210.

OMB Approval# 1218-0064; Expires: 03-31-2011

Do not send the completed form to this Office.

Handout #12b

U. S. Department of Labor Occupational Safety and Health Administration

# Notice of Alleged Safety or Health Hazards

		Complaint Number				
Establishment Name						
Site Address						
S	ite Phone	Site FAX				
Mailing Address						
N	Iail Phone	Mail FAX				
Management Official		Telephone				
Type of Business						
HAZARD DESCRIPTION/LO exposed to or threatened by each hazard.	CATION. E Specify the part	escribe briefly the hazard(s) which you believe exist. Inc cular building or worksite where the alleged violation exis	lude the approximate number of employees ts.			
Has this condition been brought to the attention of:		Employer Other Government Agency(specify)				
Please Indicate Your Desire:		<ul> <li>Do NOT reveal my name to my Employer</li> <li>My name may be revealed to the Employer</li> </ul>				
The Undersigned believes that a violation of an Occupational Safety or Health standard exists which is a job safety or health hazard at the establishment named on this form.		Mark "X" in ONE box) Employee Representative of Employees Other (s	Safety and Health Committee pecify)			
Complainant Name			Telephone			
Address(Street,City,State,Zip)						
Signature			Date			
If you are an authorized representative of employees affected by this complaint, please state the name of the organization that you represent and your title:						
Organization Name: Your Title:						