

Sí Se: Salud y Seguridad en el Trabajo
Health and Safety Education for Forest Workers

Health and safety on the job: Your rights and responsibilities



**Alliance of Forest Workers and Harvesters
Labor Occupational Health Program, U.C. Berkeley**

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About this training guide

Introduction to the promotora

This flip chart training guide is your training tool for teaching forest workers about the hazards they face and help them find ways to protect themselves from getting hurt or sick because of their work. The information is tailored for workers in Oregon, but most of it is relevant for forest workers throughout the U.S. To teach this session, stand the flip chart with the illustrations or photos facing toward the workers you are training. On the other side are the instructions for what to say and do during the session. Flip the page to the next page when you are done.

Instructions for the promotoras will be in red.

Answers to questions will be in shaded boxes. Wait for participants to give answers based on what they know, and then add any missing points or clarify any information needed. Flip the page to the next page when you are done.

Learning objective for this session:

By the end of this session, participants will know what can hurt them or make them sick while working outdoors. They will

- Understand that the hazards forest workers face on the job can be addressed.
- Be able to name at least 3 protective rights they have, regardless of immigration status.
- Be able to describe at least 2 things that workers can do to improve their working conditions, even if there are no specific legal protections to use.
- Demonstrate an ability to speak up about problems at work.

Materials needed for this session

Besides this flipchart book, you will need the worker booklet,¹ blank paper and pens for writing (in case participants want to write down notes).

Time for this session

The total time for this session is approximately 2 hours. These are the main activities, with estimates for how much time each part will take.

Welcome and “Pre-test”	20 minutes
Julio’s Story	20 minutes
Workers’ rights	25 minutes
What can workers do?	30 minutes
Review	10 minutes
Wrap-up and Evaluation	15 minutes

¹ The booklet is entitled *Staying Safe at Work and Your Rights on the Job*. References to page numbers for other resources in this flipchart are to pages in the booklet.

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Health and safety on the job: Your rights and responsibilities

**A joint project of the
Alliance of Forest Workers and Harvesters
and the
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Welcome the participants, including family members, and introduce yourself and the rest of the promotoras. Explain that you are providing this workshop as a representative of the Alliance and that this workshop will focus on what forest workers can do to stay safe at work, we also know that families are an important resource and source of support, to help workers stay safe.

You can share with the group that you are familiar with the issues and challenges forest workers face because you are married to a forest worker and know many others.

Have participants introduce themselves, or do some kind of activity or “ice breaker” that helps people relax and get to know each other.

Say: Today we are going to talk about some of the rights you have, and some ideas for what you can do when you face health and safety problems at work.

Say: We will talk about your experiences in just a minute. This training will help you learn about the hazards forest workers face on the job, the rights you have, regardless of immigration status, what employers are required to provide and some ideas about what you can do when you face health and safety problems on the job.

Forest workers face many hazards on the job



Julio's story

Say: Let's talk about the rights forest workers have. I will read this story of a worker name Julio and we will talk about the rights you think Julio has.

One day, several of us were clearing brush on land where we could hardly walk through it. We had to get the job done that day. Our tools are old and don't work very well. So we were working as fast as we could, didn't take any breaks, and were very tired. Then Julio cut his leg with the chain saw when it slipped. The chaps he was wearing were worn out and didn't keep him from getting cut. We helped him as much as we could and then just kept going, even Julio. If we stop working to report the injury, we won't get paid.

Ask: What problems do you see in this story?

Write their answers on a flip chart.

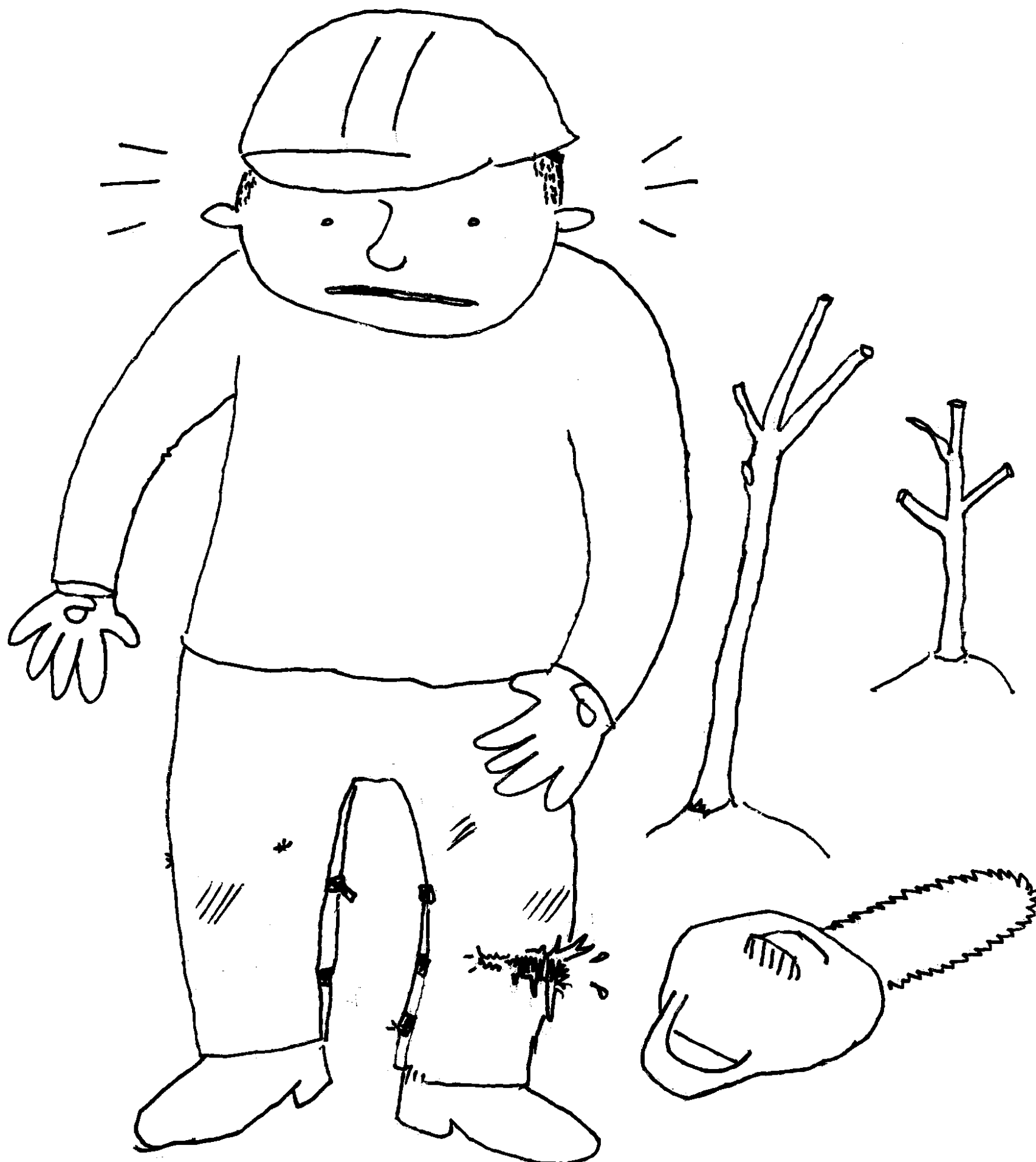
- Old equipment
- No breaks
- Work pace is too fast
- Chaps are worn out
- Untreated/unreported injury

Ask: Have you experienced any of these problems? What happened?

Does anyone want to share their experience?

Do you know any forest workers who have been injured on the job?

Julio's story



Say: We discussed some of the problems in Julio's story and some of those problems may be violations of the law. We are next going to learn about the legal rights Julio and these workers, like all workers, have on the job regarding these kinds of problems

Ask: Has anyone heard of OSHA?

Has anyone here had any contact with OSHA?

Say: OSHA stands for the **Occupational Safety and Health Administration**. It is the federal government agency established to protect workers from health and safety hazards. Each state has either a state or federal OSHA program or both.

Oregon OSHA is the name of the agency in Oregon. OSHA require employers to provide a workplace that is free from hazards and meets health and safety standards.

OSHA:

- Inspects workplaces.
- Responds to worker questions and complaints.
- Provides information and assistance to employers to help them comply with the law.
- Investigates workplace accidents and injuries.
- Fines employers if they are violating the law.

What is OSHA?



OSHA requires employers to:

**Provide a workplace
that is free from hazards and meets
health and safety standards.**

OSHA:

- Inspects workplaces.
- Responds to worker questions and complaints.
- Helps employers comply with the law.
- Investigates accidents and injuries.
- Fines employers who violate the law.

Say: In Oregon, the law also says that your employer must provide:

- Training to ensure you are able to safely operate machines, tools and equipment you need to do your job.
- Information about any hazards you might be exposed to, what is being done to protect you and how you can protect yourself.
- Protective equipment that is necessary to do the job safely. In forest work, this usually includes hard hats, eye and face protection, gloves, chaps or other leg protection, and hearing protection.

The employer cannot require workers to pay for these. The only exception is boots. Workers are required to wear proper boots, but the employer is not required to pay for these.*

- A system for workers to report hazards without fear of being fired or punished in any way.

This means that workers have the right to report hazards to their employer or to OSHA without being fired or punished. You can find more information about OSHA, and how to file a complaint, in the brochure we will hand out at the end of the workshop.

Workers have other specific rights, which are listed on page 6-7 in your booklet. Your employer must display a poster at your workplace that informs you of these rights. It is important to remember that you have a legal right to a safe job no matter what your immigration status is. We will talk more about this later.

Workers also have responsibilities, to protect both themselves and their co-workers.

Ask: What are some of the things *you* need to do—your responsibilities?

Let the participants share some answers, then flip to the next page to review.

* Oregon OSHA Administrative rules, Division 7, Subdivision D

Under OSHA law, employers must provide:

- **Training**
- **Information about hazards**
- **Personal protective equipment, such as hard hats, gloves, chaps, face protection and hearing protection**
- **A system for workers to report hazards without fear**



Review the responsibilities listed on page 12 of this Guide.

- Follow all safety rules that apply to your job:
 - Use safety equipment
 - Wear protective clothing
 - Follow safe work practices
- Report any safety or health hazards to your supervisor or your safety committee.
- Ask questions if you don't understand.
- Report any injury to your supervisor.
- Know what to do in an emergency.
- Cooperate with Oregon OSHA inspectors if they visit your workplace.

Say: These are things you need to do to protect yourself and your co-workers. Although it is the employer's responsibility to make sure all workers follow the safety rules, you can help each other by working together to follow safe work practices.

It is the employer who will have to pay a fine if OSHA finds that the work is not being done safely.

Now let's look at Julio's situation.

What are your responsibilities?

- **Follow all safety rules:**
 - Use safety equipment
 - Wear protective clothing
 - Follow safe work practices
- **Report any safety or health hazards to your supervisor.**
- **Ask questions if you don't understand.**
- **Report any injury to your supervisor.**
- **Know what to do in an emergency.**
- **Cooperate with Oregon OSHA inspectors if they visit your workplace.**



Say: Remember Julio’s story and the problems that you identified? We are going to focus on 4 of the problems in Julio’s story.

Say: we are going to start with problem # 1

Point to “old equipment” and “worn out chaps” and ask:

1. Does Julio have any rights or protections against this?

Yes.

2. What is the employer required to do by law?

The employer is required to provide a safe workplace.
The employer is required to provide necessary protective gear that works.

3. Do you remember what government agency would enforce this law?

OSHA

Say: now we are going to talk about problem # 2

Point to “work pace is too fast” and ask:

1. Does Julio have any rights or protections against this?

Yes.

2. What is the employer required to do by law?

The employer is required to provide a safe workplace.

3. What government agency would enforce this law?

OSHA

What are Julio's rights?

Julio's problems:

- Old equipment/chaps are worn out
- Work pace is too fast
- No breaks
- Untreated/unreported injury



Say: now we are going to talk about problem # 3

Point to “no breaks” and ask:

1. Does Julio have any rights or protections against this?

Yes.

2. Do you know what the employer is required to do by law?

The employer is required to provide a 10 minute paid break every 4 hours, plus a 30 minute unpaid meals breaks.

3. Do you know what government agency would enforce this law?

BOLI – Oregon Bureau of Labor and Industries

What are Julio's rights?

Julio's problems:

- Old equipment/chaps are worn out
- Work pace is too fast
- No breaks
- Untreated/unreported injury



Say: BOLI is the Oregon state labor agency. It protects many of your rights in the workplace, except for health and safety rights.

Under BOLI, you have the right to:

- Be paid at least minimum wage, which is \$8.50/hour in Oregon.
- Be paid for all hours worked.
- Receive a 30 minute unpaid break for meals for every work period lasting 6 or more hours.
- Receive **paid** breaks of at least 10 minutes during each 4 hour work period.
- Work without harassment or discrimination (because of your race, color, religion, sex, national origin, or age—40 or older)

BOLI

(Oregon Bureau of Labor and Industries)

Rights enforced by BOLI:

- **Wages**

- **Breaks**

- Paid breaks of at least 10 minutes every 4 hours
- Unpaid meal breaks (30 minutes) for 6 hour work period

- **Protection from harassment, discrimination or retaliation**



Say: now we are going to talk about problem # 4

Point to “untreated injury” and ask:

1. Does Julio have any rights or protections against this?

Yes.

2. Do you know what the employer is required to do by law?

The employer is required to provide medical treatment and payment for lost time (called workers' compensation or “workers' comp” in English.)

3. Do you know what government agency would enforce this law?

Oregon Workers' Compensation Division

What are Julio's rights?

Julio's problems:

- Old equipment/chaps are worn out
- Work pace is too fast
- No breaks
- Untreated/unreported injury



Say: All employers are required to carry **workers' compensation insurance**. This insurance will cover:

- Medical care for your injury.
- Payments if you lose wages for more than three days.
- Other benefits if you become permanently disabled, such as ongoing payments, or retraining for different work.

You have a right to benefits no matter who was at fault for your job injury. The employer cannot say “it was your fault, so I don't have to pay.”

You don't have to be a legal resident of the U.S. to receive benefits.

Even if your employer has workers' compensation insurance, he or she may tell you not to report the injury, because he doesn't want his insurance costs to go up. This is not legal, but it does happen.

Explain that information about these rights is in their booklet (pages 6-7). The agencies are listed in the resource section (pages 26-29).

We will discuss this more in the workshop about getting injured on the job.

Your right to workers' compensation if you are hurt on the job:

- 1. Medical care for your injury, whether or not you miss time from work.**
- 2. Payments if you lose wages for more than 3 days.**
- 3. Other benefits if you become permanently disabled.**



**Enforced by:
Oregon Workers' Compensation Division.**

Say: Now you will have a chance to discuss and demonstrate what you think Julio and his co-workers could possibly do about these problems. This chart lists the four problems we just discussed from Julio's story, and what the employer is required to do.

Say: I am going to divide you into groups of 4-5 people. I will ask each group to think about just one of these problems that I will assign to you.

What the law says

Old equipment/ chaps are worn out

- Employers must provide a safe workplace.
- Employers must provide necessary protective equipment.
- **Enforced by OSHA.**

Work pace is too fast

- Employers must provide a safe workplace.
- **Enforced by OSHA.**

No breaks

- Provide 10 min. paid break every 4 hours; meal breaks.
- **Enforced by Oregon BOLI.**

Untreated/unreported injury

- Provide medical treatment/ workers compensation.
- **Enforced by Oregon Workers' Compensation Division.**

Say: Now I want you to think about these questions that you see in the guide. Point out to the guide

Then plan out a short skit or role play, to show us what you think Julio could do to address this problem. Plan who you would talk to and what you would say.

Ask to pretend you are the employer and that you want them to think what they would say to you. When they do their skit you will pretend to be the employer, so they will talk directly to you.

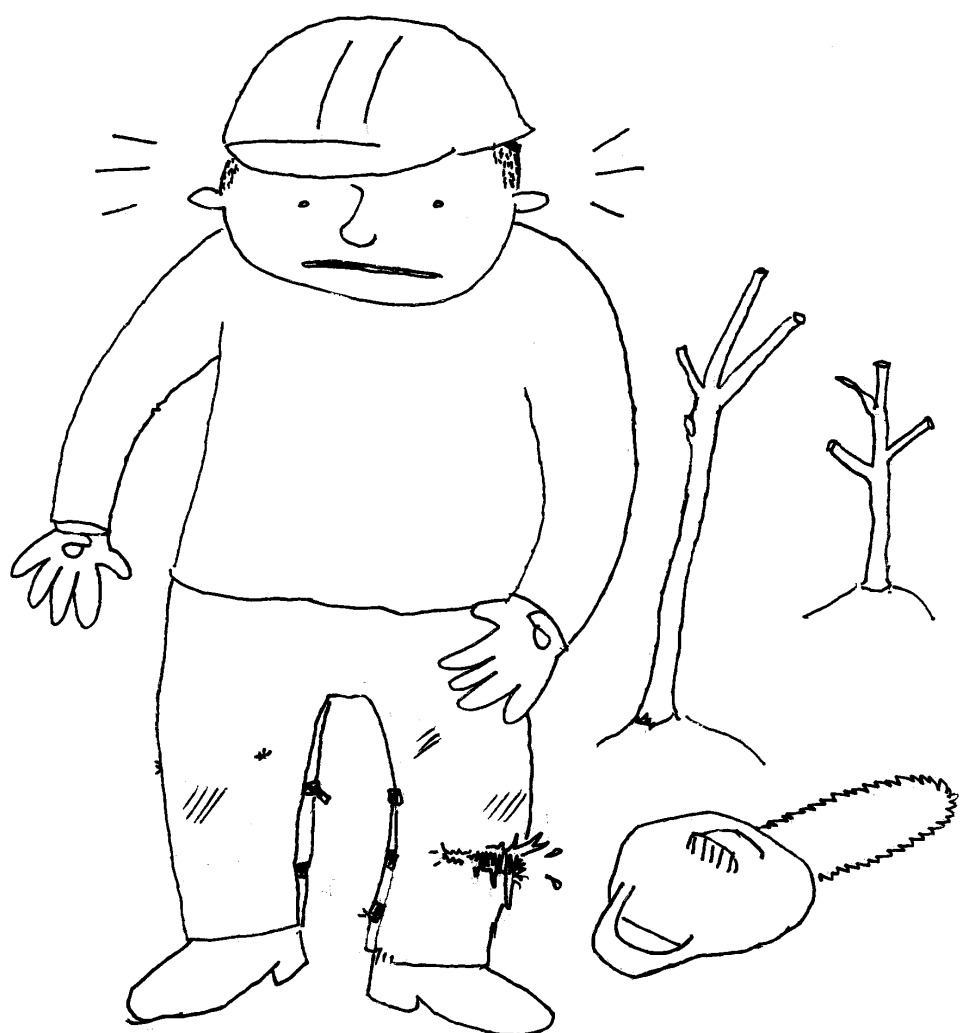
Give the groups about 15 minutes to think about the questions and plan their skit.

Encourage participants to think about what the workers can try to change, but recognize the possibility that some workers, especially undocumented workers, may not think it is realistic to approach the employer. Here are some ideas for you, the presenter, about things workers can do while they wait for help or if workers don't feel safe approaching the employer.

- Get help from the Alliance or other local organizations.
- Talk to other workers about working more safely and slowly.
- Take breaks anyway.
- Learn first aid.
- Workers together demand treatment for the injured co-worker.

What could Julio do?

- 1. What do you think the employer *should* do to fix this problem?**
- 2. What arguments could you make to convince the boss to fix this problem?**



Bring the groups back together. Ask each group to act out their short skit.

After all the groups have finished, ask:

What did you think of these skits?

What are some good ideas for how to address health and safety problems?

Let people respond. Ask questions to help draw out some of the following tips, then flip to the next page to review.

What can we do to improve safety at work?



Ask: Have any of you ever asked your boss for anything?
How did you do it?

Tell that the next tips are some of the things that they can do to solve problems on the job and point out the tips on page 30 of the guide.

Tips for problem-solving at work

1. Make a plan. Decide what you are trying to achieve.
2. What other help is available?
3. What are the obstacles to getting what you think is needed?
 - What if workers are undocumented? How can they be protected?
 - Don't do anything alone. Get help from the Alliance or other organizations.
 - When working together, have documented workers or US citizens be the spokesperson.
 - Write everything down that happens.
 - What can workers do to protect themselves in the mean time?
4. Talk to the boss or supervisor.
 - Who is the best person to talk to?
 - Do not go alone.
 - Explain how your solution will benefit the employer.
 - Write down what happened.
5. If the problem does not get solved, contact OSHA, the Alliance, or other organizations listed at the end of the resource booklet for assistance.

REVIEW



Tips for problem-solving at work

1. Make a plan. Decide what you are trying to achieve.
2. What other help is available?
3. What are the obstacles to getting what you think is needed?
4. Talk to the boss or supervisor. Do not go alone.
5. If the problem does not get solved, contact OSHA or other organizations for assistance.

Say: Let's do a quick review of some of the things we've discussed today. We are going to do the "Hot lettuce" activity:

Ask: What agency protects you on the job?

- OSHA

Ask: Name two reasons why you would you call OSHA?

- Employer does not provide personal protective equipment
- Someone gets injured on the job

Ask: What should you do to help protect yourself from retaliation?

- Talk to Alliance staff, other workers
- Speak to employer together/with witnesses

Ask: What else can you do besides approaching the boss?

- Talk to co-workers about the problem.
- Think about things you can do together (for example, support each other, go together to talk to the boss, share calling organizations or agencies to collect information)

Ask: Who else can help you?

- **The Alliance of Forest Workers and Harvesters** provides assistance with workplace issues including on-the-job health and safety.
- **Northwest Workers Justice Project** provides legal support and education to workers and their organizations.
- **Oregon Legal Aid Offices** in every county provide legal support on work and other issues.
- Government agencies like OSHA and the Oregon Bureau of Labor and Industries (BOLI).

Hot Lettuce

Say: Remember that you can find more information about your rights and resources in your booklet.

You can also find more information in the brochure from Oregon OSHA: “Your Workplace rights and responsibilities.”

Provide the brochure to anyone who wants it.

Say: Thank you. We would like to ask you to fill out a short evaluation form to see what you think you learned, and what you thought of the training. I will read each question out loud, and if there are answers to choose from, I will read those as well. You do NOT need to put your name on this.

Pass out the worker evaluation for this lesson. Ask participants to write the date and training location. Then read each question, if there are answers to choose from, read those as well.

Resources in your booklet

(Staying safe at work and your rights on the job)

Workers have rights on the job.....page 6
How can workers exercise their right to a safe workplace...page 8
Resources for more help.....page 26



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