OSHA’s Proposed Ergonomics Standard

Ergonomics is the science of fitting the job to the worker. Ergonomics programs can prevent work-related musculoskeletal disorders (MSDs) that occur when there is a mismatch between the worker and the task. Each year 1.8 million workers experience injuries related to overexertion or repetitive motion, and 600,000 are injured severely enough to require time off work. OSHA’s proposed standard is designed to help prevent these injuries.

Who’s Covered?

• General industry employers with workers involved in manual handling or manufacturing production jobs (about 1.6 million worksites).

• Other general industry employers with one or more workers who experience work-related MSDs after the final standard takes effect (about 300,000 employers each year).

• 75% of general industry employers will not need to take any action!

What are the Benefits?

• 3 million MSDs will be prevented over 10 years, an average of 300,000 per year.

• 27.3 million workers at 1.9 million worksites will be protected.

• $22,500 savings in direct costs for each MSD prevented.

• $9 billion average savings each year. (Currently MSDs cost $15 to $20 billion in workers’ compensation costs with total costs as high as $45 to $60 billion each year.)

What are the Costs?

• Fixing a work station averages $150 per year.

• Employers will pay $4.2 billion (including $875 million now lost by workers whose income and benefits are not fully covered by workers’ compensation).

What is a Work-Related Musculoskeletal Disorder?

A musculoskeletal disorder is an injury or disorder of the muscles, tendons, ligaments, joints cartilage and spinal discs. To be considered covered, an MSD injury must be:

• Diagnosed by a health care professional, result in a positive physical finding or
serious enough to require medical treatment, days away from work or assignment to light duty work—i.e., an “OSHA-recordable” injury.

• Directly related to the employee’s job. (For example, a warehouse worker’s back injury would be covered, but that worker’s carpal tunnel syndrome may not.)

• Specifically connected to activities that form the core or a significant part of the worker’s job. (For example, a poultry processor might report tendinitis, but a back injury incurred while changing the water bottle occasionally would not be covered.)

**What Would the Proposal Require?**

• **Basic Program**—for employers with manual handling or manufacturing production jobs:
  
  • *Management leadership and employee participation*
    
    • Name someone to be responsible for ergonomics and supply resources and training for the program.
    • Be sure company policies do not discourage employees from reporting problems and let employees know how they can be involved in the ergonomics program.

  • *Hazard information and reporting*
    
    • Provide information to employees periodically on:
      • Ergonomic risk factors (force, repetition, awkward postures, static postures, contract stress, vibration, cold temperatures).
      • Signs and symptoms of musculoskeletal disorders.
      • Importance of reporting signs and symptoms early to prevent damage and how to make reports.
      • Requirements of this standard.
    
    • Set up a system for employees to report signs and symptoms of MSDs and respond promptly to reports.

• **Quick Fix**—for problem jobs that can be fixed right away:

  • Promptly care for an injured employee.
  • Work with employees to eliminate the MSD hazard within 90 days.
  • Verify that the fix worked within another 30 days.
  • Keep a record of Quick Fix controls.
  • Establish a full ergonomics program if the fix fails or another MSD of the same type occurs in that job within 36 months.
• **Full Program**—for employers with a covered MSD. Includes the basic program plus:
  
  • *Job hazard analysis and control*
    
    • Analyze problem jobs for ergonomic risk factors.
    • Work with employees to eliminate or materially reduce MSD hazards using engineering, administrative and/or work practice controls.
    • Use personal protective equipment to supplement other controls.
    • Track progress, and when jobs change, identify and evaluate MSD hazards.
  
  • *Training*
    
    • Train employees in jobs with covered MSDs, their supervisors and staff responsible for the ergonomics program.
    • Teach recognition of MSD hazards, the ergonomics program at the site and control measures used to reduce hazards.
    • Conduct training initially, periodically and at least every 3 years at no cost to employees and in language they understand (e.g., Spanish).
  
  • *MSD Management*—for workers who have covered MSDs.
    
    • Provide prompt response to an injured employee and access to a health care professional, if needed, for evaluation, management and follow-up at no cost to the employee.
      
      • Provide information to the health care professional about the job, the MSD hazards and the ergonomics standard.
      • Obtain a written opinion from the health care professional on how to manage the employee’s recovery and ensure that the health care professional shares it with the worker.
      • Provide necessary work restrictions and work restriction protection (WRP) during the recovery period (100% pay and benefits for employees put on light duty; 90% pay and 100% benefits for employees who must be removed from work). WRP benefits last until the employee can return to work OR the MSD hazards are fixed OR 6 months have passed—**which ever comes first**. WRP can be offset by workers’ compensation or similar benefits.
  
  • *Program Evaluation*
    
    • Evaluate the program periodically—at least every 3 years.
    • Consult with employees on program effectiveness and deficiencies.
    • Correct any deficiencies.
• *Recordkeeping*–for employers with 10 or more employees. Retain most records for only 3 years.

• *Grandfather Clause*–Employers who have already developed ergonomics programs won’t need to begin again, provided that their ergonomics programs:
  
  • Meet the basic obligations and recordkeeping requirements of the standard.
  • Were implemented and evaluated before the standard became effective.
  • Are eliminating or materially reducing MSD hazards.

**When is an Employer in Compliance?**

An employer has met the requirements of the standard when the controls eliminate or materially reduce MSD hazards. Employers can opt for an incremental process, trying one control and adding others if an injured employee does not improve or another MSD occurs in that job.

**When can an Employer Discontinue an Ergonomics Program?**

**IF** MSD hazards are eliminated or materially reduced **AND** no covered MSD is reported for 3 years, employers may stop all but the following aspects of their ergonomics programs:

- For manufacturing or manual handling jobs:
  - Management leadership and employee participation
  - Hazard information and reporting
  - Maintenance of implemented controls and training related to those controls

- For other general industry jobs where a covered MSD had been reported: maintenance of controls and training related to those controls.

**When would the Ergonomics Program Standard Become Effective?**

- 60 days after publication of the final standard.
- Phase-in of individual provisions:
  - Promptly–MSD management
  - 90 days–Quick Fixes
  - 1 year after effective date:
    - Management leadership and employee participation
    - Hazard information and reporting
  - 2 years after effective date:
    - Job hazard analysis
    - Training
    - Interim controls
  - 3 years after effective date
    - Permanent controls
    - Program evaluation