

HANDOUT #2

Employers Must Provide and Pay for PPE



Personal Protective Equipment (PPE)

The Occupational Safety and Health Administration (OSHA) requires that employers protect you from workplace hazards that can cause injury or illness. Controlling a hazard at its source is the best way to protect workers. However, when engineering, work practice and administrative controls are not feasible or do not provide sufficient protection, employers must provide personal protective equipment (PPE) to you and ensure its use.

PPE is equipment worn to minimize exposure to a variety of hazards. Examples include items such as gloves, foot and eye protection, protective hearing protection (earplugs, muffs), hard hats and respirators.

Employer Obligations	Workers should:
✓ Performing a "hazard assessment" of the workplace to identify and control physical and health hazards. ✓ Identifying and providing appropriate PPE for employees. ✓ Training employees in the use and care of the PPE. ✓ Maintaining PPE, including replacing worn or damaged PPE. ✓ Periodically reviewing, updating and evaluating the effectiveness of the PPE program.	✓ Properly wear PPE ✓ Attend training sessions on PPE ✓ Care for, clean and maintain PPE, and ✓ Inform a supervisor of the need to repair or replace PPE.

Employers Must Pay for Personal Protective Equipment (PPE)

On May 15, 2008, a new OSHA rule about employer payment for PPE went into effect. With few exceptions, OSHA now requires employers to pay for personal protective equipment used to comply with OSHA standards. The final rule does not create new requirements regarding what PPE employers must provide.



The standard makes clear that employers cannot require workers to provide their own PPE and the worker's use of PPE they already own must be completely voluntary. Even when a worker provides his or her own PPE, the employer must ensure that the equipment is adequate to protect the worker from hazards at the workplace.

Examples of PPE that Employers Must Pay for Include:

- Metatarsal foot protection
- Rubber boots with steel toes
- Non-prescription eye protection
- Prescription eyewear inserts/lenses for full face respirators
- Goggles and face shields
- Fire fighting PPE (helmet, gloves, boots, proximity suits, full gear)
- Hard hats
- Hearing protection
- Welding PPE



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Payment Exceptions under the OSHA Rule

Employers are not required to pay for some PPE in certain circumstances:

- Non-specialty safety-toe protective footwear (including steel-toe shoes or boots) and non-specialty prescription safety eyewear provided that the employer permits such items to be worn off the job site. (OSHA based this decision on the fact that this type of equipment is very personal, is often used outside the workplace, and that it is taken by workers from jobsite to jobsite and employer to employer.)
- Everyday clothing, such as long-sleeve shirts, long pants, street shoes, and normal work boots.
- Ordinary clothing, skin creams, or other items, used solely for protection from weather, such as winter coats, jackets, gloves, parkas, rubber boots, hats, raincoats, ordinary sunglasses, and sunscreen
- Items such as hair nets and gloves worn by food workers for consumer safety.
- Lifting belts because their value in protecting the back is questionable.
- When the employee has lost or intentionally damaged the PPE and it must be replaced.

OSHA Standards that Apply

OSHA General Industry PPE Standards

- 1910.132: General requirements and payment
- 1910.133: Eye and face protection
- 1910.134: Respiratory protection
- 1910.135: Head protection
- 1910.136: Foot protection
- 1910.137: Electrical protective devices
- 1910.138: Hand protection

OSHA Construction PPE Standards

- 1926.28: Personal protective equipment
- 1926.95: Criteria for personal protective equipment
- 1926.96: Occupational foot protection
- 1926.100: Head protection
- 1926.101: Hearing protection
- 1926.102: Eye and face protection
- 1926.103: Respiratory protection

There are also PPE requirements in shipyards and marine terminals and many standards on specific hazards, such as 1910.1030: Bloodborne pathogens and 1910.146: Permit-required confined spaces.

OSHA standards are online at www.osha.gov.

Sources:

- *Employers Must Provide and Pay for PPE, New Jersey Work Environment Council (WEC) Fact Sheet*
- *OSHA Standards, 1910.132(h) and 1926.95(d)*
- *Employer Payment for Personal Protective Equipment Final Rule, Federal Register: November 15, 2007 (Volume 72, Number 220*

Workplace Mental Health

OSHA Occupational Safety and Health Administration

Mental health is an important component of overall well-being and is equally as vital as physical health for all employees. Mental health concerns due to work have the potential to adversely impact an employee's social interactions, productivity, performance, and absenteeism.

Stress affects people in a variety of ways such as muscle tension, headaches, stomach discomfort, high blood pressure, and heart disease. Ignoring workplace stress can have lasting harmful effects on individuals, families, co-workers, and communities.

Traumatic Events

Sometimes a shocking, scary, or dangerous experience can be so intense that it can have an emotional, cognitive, behavioral, and physical impact on a person. Some examples of traumatic events that can happen in workplaces are:

- Explosions or chemical releases
- Building, crane, or other equipment collapses
- Co-workers being injured or dying on the job
- Abuse or assault of a co-worker or client

It is normal to feel terrified during and after a traumatic event. This is part of the body's "fight or flight" response to possible danger.

Traumatic events can happen to workers in all industries.

After experiencing a traumatic event people may:

- Feel anxious, sad, or angry
- Have terrifying thoughts or flashbacks
- Have recurring nightmares
- Be confused or unable to think clearly
- Have a hard time falling and staying asleep
- Frighten easily



If these symptoms continue long after the event or affect day-to-day life, they can be signs of acute stress disorder, or post-traumatic stress disorder. Both require professional help to address.

Substance Use Disorder

Substance use disorder is a persistent desire for substances even in the face of negative consequences. Some people come to rely on opioids, stimulants, alcohol, or other substances even when the substances cause harm. People may develop a dependence on drugs, including prescription medications, and alcohol for many reasons, including the presence of other mental health conditions, chronic pain, or injuries. Regardless of the underlying reason, substance use disorder can be treated and controlled.





MAY
Mental Health Awareness Month

JUNE
Post Traumatic Stress Disorder Awareness Month

SEPTEMBER
National Suicide Prevention Month
National Recovery Month

Suicide

Suicide can touch anyone, anywhere, at any time. But it is not inevitable. Help is available.

According to the CDC[1,2]

- More than 12 million adults seriously think about suicide each year.
- More than 3 million adults make a plan to commit suicide each year.
- More than 1 million adults attempt suicide each year.
- More than 48,000 people die by suicide in the United States each year.

People of any age, gender, and background can have thoughts of suicide. Untreated mental health conditions can lead to these thoughts and even suicidal actions. That is why it is important to provide resources and encourage people to get help when they are having mental health concerns, experiencing traumatic events, or battling substance use disorders.

988 SUICIDE & CRISIS LIFELINE

Certain factors may increase an individual's risk of developing suicidal thoughts and attempting suicide such as:

- Mental health conditions like depression, bipolar disorder, schizophrenia, anxiety disorders, and substance use disorders
- Traumatic events
- Health issues like chronic pain or illness
- Prolonged stress
- Recent tragedy or loss
- Criminal or legal problems
- Job loss or financial problems
- Substance use disorder
- Childhood trauma
- Domestic violence

References

1. Centers for Disease Control and Prevention (2021)
2. Centers for Disease Control and Prevention Statistics (2021)

Resources

Employers can help change the stigma of mental health by prioritizing it as part of their workplace culture, having conversations about it, and knowing how to support those workers who say they need assistance. Workplace Stress - Overview | Occupational Safety and Health Administration (osha.gov)

- OSHA Suicide Prevention in Construction
- OSHA Workplace Stress
- Call or text 988 for free, confidential crisis counseling anytime, 24/7
- Text a counselor at 838255 for Veterans Crisis Line
- Text Talk to 741741 for English
- Text Ayuda to 741741 for Spanish

Get Help

OSHA 4395-01 2024

OSHA® FactSheet

OSHA's Whistleblower Protection Program

OSHA's Whistleblower Protection Program enforces the provisions of more than 20 federal laws protecting employees from retaliation for, among other things, raising or reporting concerns about hazards or violations of various workplace safety and health, aviation safety, commercial motor carrier, consumer product, environmental, financial reform, food safety, health insurance reform, motor vehicle safety, nuclear, pipeline, public transportation agency, railroad, maritime, securities, tax, antitrust, and anti-money laundering laws. Employees who believe that they have experienced retaliation in violation of one of these laws may file a complaint with OSHA.

Whistleblower Laws Enforced by OSHA

Following is a list of statutes which OSHA enforces. Each statute has a different time frame in which a complaint can be filed.

- *Anti-Money Laundering Act (90 days)*
- *Asbestos Hazard Emergency Response Act (90 days)*
- *Clean Air Act (30 days)*
- *Comprehensive Environmental Response, Compensation and Liability Act (30 days)*
- *Consumer Financial Protection Act of 2010 (180 days)*
- *Consumer Product Safety Improvement Act (180 days)*
- *Criminal Antitrust Anti-Retaliation Act (180 days)*
- *Energy Reorganization Act (180 days)*
- *Federal Railroad Safety Act (180 days)*
- *Federal Water Pollution Control Act (30 days)*
  International Safe Container Act (60 days)
- *Moving Ahead for Progress in the 21st Century Act (motor vehicle safety) (180 days)*
- *National Transit Systems Security Act (180 days)*
- *Occupational Safety and Health Act (OSH Act) (30 days)*
- *Pipeline Safety Improvement Act (180 days)*
- *Safe Drinking Water Act (30 days)*
- *Sarbanes-Oxley Act (180 days)*
- *Seaman's Protection Act (180 days)*
- *Section 402 of the FDA Food Safety Modernization Act (180 days)*
- *Section 1558 of the Affordable Care Act (180 days)*
- *Solid Waste Disposal Act (30 days)*
- *Surface Transportation Assistance Act (180 days)*
- *Taxpayer First Act (180 days)*
- *Toxic Substances Control Act (30 days)*
- *Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (90 days)*

What Is Retaliation?

Retaliation is an adverse action against an employee because of activity protected by one of these whistleblower laws. Retaliation can involve several types of actions, such as:

- Firing or laying off
- Demoting
- Denying overtime or promotion
- Disciplining
- Denying benefits
- Failing to hire or rehire
- Intimidation or harassment
- Making threats
- Reassignment to a less desirable position or affecting promotion prospects
- Reducing pay or hours
- More subtle actions, such as isolating, ostracizing, mocking, or falsely accusing the employee of poor performance
- Blacklisting (intentionally interfering with an employee's ability to obtain future employment)
- Constructive discharge (quitting when an employer makes working conditions intolerable due to the employee's protected activity)
- Reporting the employee to the police or immigration authorities

Filing a Complaint

Employees who believe that their employers retaliated against them because they engaged in protected activity should contact OSHA as soon as possible because they must file any complaint within the legal time limits.

An employee can file a complaint with OSHA by visiting or calling their local OSHA office, sending a written complaint to the closest OSHA office, or filing a complaint online. No particular form is required and complaints may be submitted in any language.

Written complaints may be filed by fax, electronic communication, hand delivery during business hours, U.S. mail (confirmation services recommended), or other third-party commercial carrier.

The date of the postmark, fax, electronic communication, telephone call, hand delivery, delivery to a third-party commercial carrier, or in-person filing at an OSHA office is considered the date filed.

To file a complaint electronically, please visit: www.osha.gov/whistleblower/WBComplaint.

To contact an OSHA area office, employees should call 1-800-321-OSHA (6742) to be connected to the closest area office or visit www.osha.gov/contactus/bystate to find local OSHA office address and contact information.

When OSHA receives a complaint, OSHA will first review it to determine whether certain basic requirements are met, such as whether the complaint was filed on time. If so, the complaint will be investigated in order to determine whether the employer retaliated against the employee for engaging in activity protected under one of OSHA's whistleblower laws. OSHA may also attempt to assist the employer and employee in reaching a settlement of the case.

Private-sector employees throughout the United States and its territories and employees of the United States Postal Service (USPS) who suffer retaliation because of occupational safety or health activity are covered by section 11(c) of the OSH Act. In addition, private-sector employees are also covered by laws in States which operate their own comprehensive occupational safety and health programs approved by Federal OSHA ("State Plans"). For information on the whistleblower provisions of the 22 State Plan States which cover private-sector employees, visit www.osha.gov/stateplans.

With the exception of employees of the USPS, public-sector employees (those employed as municipal, county, state, territorial, or federal workers) are not covered by the OSH Act. State and local government employees are covered by the whistleblower provisions of all the States with State Plans, including six States which cover only State and local government employees.

A federal employee who is not a USPS employee who wishes to file a complaint alleging retaliation due to disclosure of a substantial and specific danger to public health or safety or involving a violation of an occupational safety or health standard or regulation should contact the Office of Special Counsel (www.osc.gov). Such federal employees are also covered by their own agency's procedures for remedying such retaliation.

Public-sector employees who are unsure whether they are covered under a whistleblower law should call 1-800-321-OSHA (6742) for assistance, or visit www.whistleblowers.gov.

Results of the Investigation

If OSHA determines that retaliation in violation of the OSH Act, *Asbestos Hazard Emergency Response Act*, or the *International Safe Container Act* has occurred, the Secretary of Labor may sue in federal district court to obtain relief. If OSHA determines that no retaliation has occurred, it will dismiss the complaint.

Under the other whistleblower laws, if the evidence supports an employee's complaint of retaliation, OSHA will issue an order requiring the employer, as appropriate, to put the employee back to work, pay lost wages, and provide other possible relief. If the evidence does not support the employee's complaint, OSHA will dismiss the complaint. After OSHA issues a decision, the employer and/or the employee may request a full hearing before an administrative law judge of the Department of Labor. The administrative law judge's decision may be appealed to the Department's Administrative Review Board (ARB); in significant cases the Secretary of Labor may review the ARB decision. Aggrieved parties may seek review of final DOL decisions by the courts of appeals.

Under some of the laws, an employee may file the retaliation complaint in federal district court if the Department has not issued a final decision within a specified number of days (180, 210 or 365 depending on the law).

To Get Further Information

To obtain more information on whistleblower laws, go to www.whistleblowers.gov.

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory-impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: (877) 889-5627.

OSHA® Occupational Safety and Health Administration

DWPP FS-3638 08/2022

U.S. Department of Labor

OSHA®
Occupational Safety and Health Administration

Job Safety and Health
IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



Contact OSHA. We can help.

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

OSHA 3165-04R 2019

Workplace Mental Health

OSHA Occupational Safety and Health Administration

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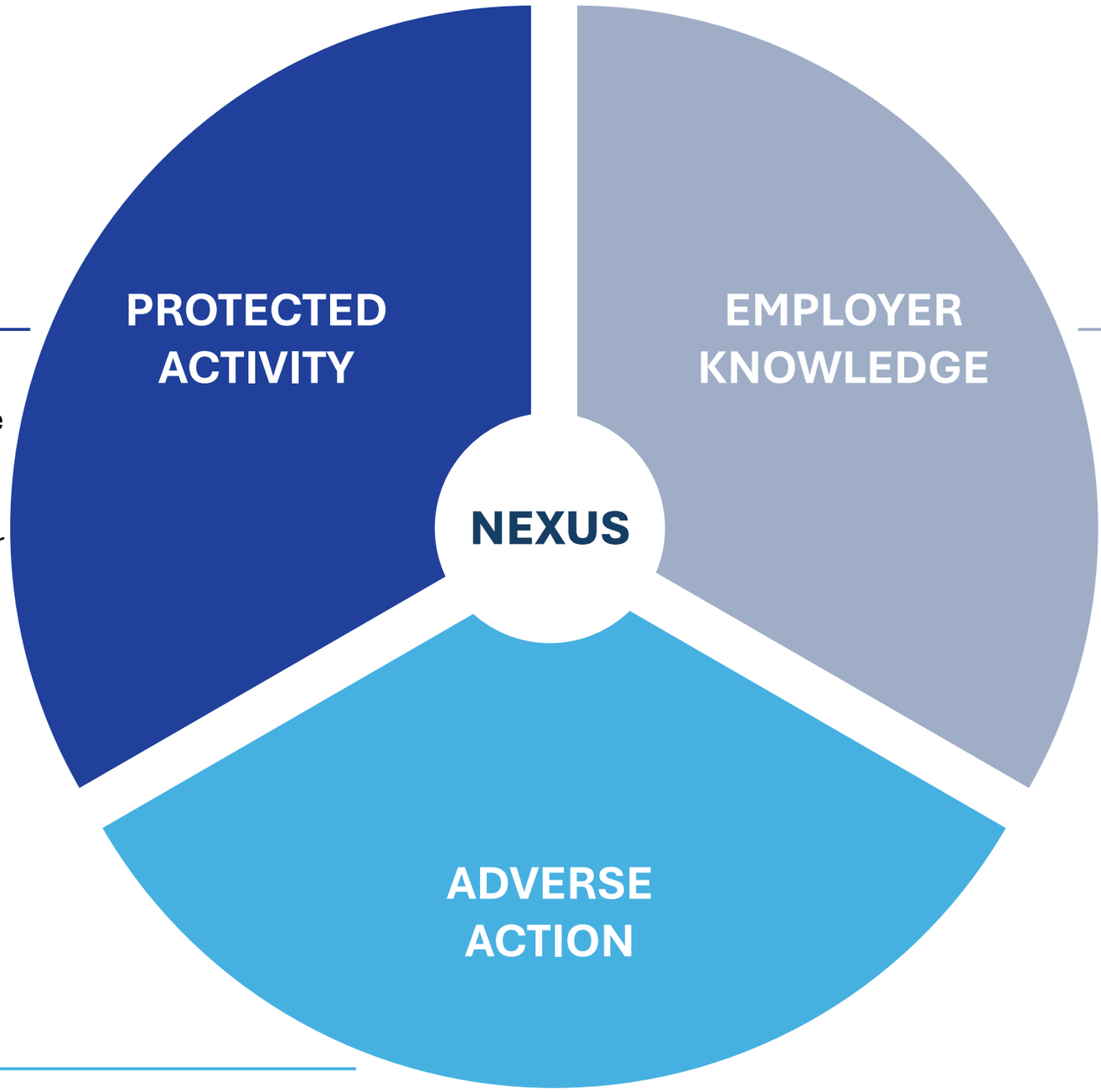
JUNE
Post Traumatic Stress Disorder Awareness Month

SEPTEMBER
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Elements of a Whistleblower Complaint

OSHA investigates whistleblower complaints under 25 different statutes, all sharing four elements: protected activity, employer knowledge, adverse action, and a nexus:

NEXUS: The connection between the protected activity and adverse action.



PROTECTED ACTIVITY

Protected Activity refers to actions by an employee that are statutorily protected, such as: reporting a potential violation, hazard, or work-related injury or illness; cooperating with a government agency; filing a complaint; or refusing to perform unsafe or illegal work.

EMPLOYER KNOWLEDGE

Employer knowledge exists when a person involved in or influencing the adverse action decision knows or suspects the employee engaged in protected activity, and in some cases, this can be inferred.

ADVERSE ACTION

An adverse action is an employer's action that would discourage a reasonable employee from engaging in protected activity, including but not limited to: termination, lay off, demotion, overtime denial, discipline, reassignment, pay or hour reduction, and blacklisting.

For more information about OSHA's Whistleblower Protection Program or to file a complaint, go to whistleblowers.gov

OSHA 4487 08/2025

OSHA EXPLAINS: How We Investigate Whistleblower Complaints under the OSH Act

You engaged in "protected activity" under the OSH Act.

For example, did you:
- Raise a workplace safety and/ or health concern to a supervisor?
- File a safety/health complaint with OSHA?
- Report a work-related injury or illness to your employer?
- Participate in/cooperate with an OSHA inspection?

→ Your employer takes an "adverse action" against you.

For example, did your employer:
- Fire you?
- Demote you?
- Reduce your hours?
- Threaten to contact immigration?

→ You or your representative file a whistleblower retaliation complaint with OSHA.

- Must be filed within **30 calendar days** after the adverse action occurs!
- The protected activity must have caused the adverse action.

↓

Investigator evaluates your complaint to ensure it meets minimum requirements. (WIM-Chapter 3.II.D.) Investigator will contact you with findings.

→ Complaint accepted. Employer notified of complaint and your identity. Investigation begins.

→ Investigator interviews you. You submit evidence (such as emails, text messages, written warnings, phone records, etc.) to the OSHA investigator.

↓

Complaint does not meet requirements and **you agree** that it may be closed without an investigation (administratively closed) and no right to seek further review. **Employer not notified.**

Complaint does not meet requirements and **you don't agree** that it may be administratively closed. Complaint is docketed for investigation, immediately dismissed, and you may seek further review. **Employer is notified.**

↓

Your employer sends a response to your complaint to both the OSHA investigator and you. This is known as a "position statement."

→ Investigator interviews witnesses and collects evidence as needed.

→ You respond to the position statement with a "rebuttal." You should use the rebuttal to give additional evidence to OSHA.

↓

If OSHA finds that retaliation did not occur, your case is closed or "dismissed."

The investigator holds a closing conference with you to explain the recommendation to dismiss.

→ You have 15 calendar days to request a review of the dismissal by OSHA's Directorate of Whistleblower Protection Programs (DWPP).

→ Case dismissal is either upheld, or case is returned for further investigation or referral for potential litigation.

If OSHA finds that retaliation occurred, we refer your case to the U.S. Department of Labor's Office of the Solicitor for potential litigation. This is known as a "merit case." You cannot sue on your own.

Common reasons complaints may not be investigated:
- You filed too late (after the 30-calendar day filing period).
- Your employer's actions were unrelated to your concern about workplace safety or health.
- You have significantly delayed or failed to respond to the investigator's inquiries.

whistleblowers.gov
1-800-321-OSHA (6742)
TTY 1-877-889-5627

OSHA 4488 08/2025

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988 SUICIDE & CRISIS LIFELINE

Certain factors may increase an individual's risk of developing suicidal thoughts and attempting suicide such as:

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- Traumatic events
- Health issues like chronic pain or illness
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- Recent tragedy or loss
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- Childhood trauma
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Get Help

OSHA 4395-01 2024

Urine Color Chart	Dehydration Level	Interpretation	Other Disorders
	Level 1	Clear urine means that you are hydrated. You need to continue drinking water as normal. Vacíe medios de orina que usted es hidratado. Debe continuar beber agua como normal.	Clear urine indicates your health is fine. You should continue eating healthy food and follow the correct diet that suits your body type. La orina clara indica su salud es fino. Debe continuar comer alimento sano y seguir la dieta correcta que conviene su de tipo cuerpo.
	Level 2	This means you are fine and maybe you need to drink a little more water. Esto significa que es fino y quizá debe beber un poco más agua.	This urine color may mean you are on medications like amitriptyline or indomethacin. It may also be due to a rare metabolic disorder called the blue diaper syndrome. Este color de la orina puede significar que está en medicinas como amitriptyline o indomethacin. También puede estar debido a un desorden metabólico raro llamó el síndrome azul de pañal.
	Level 3	This is a mild dehydration symptom. You need to drink ½ a bottle of water or about ¼ liters of water in an hour especially if you are outside or sweating. Esto es un síntoma templado de deshidratación. Debe beber ½ una botella de agua o acerca de ¼ litros de agua en una hora especialmente si está afuera o sudar.	Bright yellow urine indicates you are suffering from dehydration. It may also mean there are high levels of vitamin B complex in your body. La orina amarilla brillante le indica sufre de la deshidratación. También puede significar que hay alto niveles de complejo de vitamina B en su cuerpo.
	Level 4	This is a severe dehydration symptom. You need to drink about ½ liter bottle of water immediately. Esto es un síntoma severo de deshidratación. Debe beber acerca de ½ botella de litro de agua inmediatamente.	Dark yellow urine indicates there are chances one may be suffering from jaundice, hemolytic anemia, hematuria apart from dehydration. La orina amarilla oscura indica hay las oportunidades que uno puede estar sufriendo de la ictericia, anemia de hemolytic, hematuria aparte de deshidratación.
	Level 5	This is the most severe sign of dehydration. You should be drinking ½ liter water and seek medical help without delay. Esto es el signo más severo de deshidratación. Debe estar bebiendo ½ agua de litro y busca asistencia médica sin tardar	The dark, brown color urine may indicate side effects by certain medications as well as liver disorders. La oscuridad, dora orina en color puede indicar efectos secundario por ciertos desórdenes de medicinas así como hígado.