



IMMIGRANT WORKER HEALTH & SAFETY: *A Guide for Front-Line Advocates*

INTRODUCTION

The statistics speak for themselves: every day, an average of twelve workers die on the job due to work-related conditions.¹ Another 50,000 workers die each year from occupational disease. Estimates suggest that between 8 million and 12 million work-related injuries or illnesses occur every year. Immigrant workers are disproportionately at risk for workplace safety and health problems – with Latino workers facing the greatest risk of dying on the job.

Since 1970, the federal Occupational Safety & Health Act (“OSHA”) has guaranteed workers the right to work in a job free from known hazards to their health. But as immigrant workers themselves attest, they daily face serious threats to their safety and health on the job.

This Guide is designed to orient front-line advocates, ESOL teachers, community organizers, lawyers, and social service workers on immigrant workers’ fundamental rights under OSHA to enjoy a safe workplace. This Guide grows out of a year-long pilot program undertaken by Make the Road New York with the support of funding from the Susan Harwood Program of the federal Occupational Safety & Health Administration (“OSHA”), the federal agency charged with enforcing the federal OSH Act.

Make the Road New York is a community-based nonprofit organization with neighborhood centers in Brooklyn, Queens, Staten Island, and Suffolk County Long Island, New York. Make the Road New York builds the power of Latino and working class communities to achieve dignity and justice through organizing, policy innovation, transformative education, and survival services.

The organization’s more than 9,000 members – primarily low-income Latino immigrants – tackle the key issues facing their communities, including workplace justice, tenants’ rights, civil rights, public education, health care access, adult literacy, and workforce development. For more than 14 years, Make the Road has focused in particular on helping low-wage immigrant workers enforce their most basic rights on the job – from receiving the minimum wage and overtime to ensuring a healthy and safe work environment.

In the past several years, Make the Road has also focused on organizing and supporting immigrant-owned small businesses.

¹ Statistics taken from the AFL-CIO Report *Death on the Job: The Toll of Neglect*, April 2001. Available at http://www.aflcio.org/issues/safety/memorial/doj_2011.cfm.

This Guide is part of an integrated set of materials designed to help workers and small business owners understand workers' rights to a safe workplace. These materials include:

- **English and Spanish-language Know-Your-Rights** materials and educational activities for immigrant workers.
 - **IMMIGRANT WORKERS' HEALTH & SAFETY TEN-HOUR TRAINING.** This interactive, participatory training series orients workers on recognizing hazards on the job; identifying and mapping the impacts of hazards on workers' own health; and understanding workers' legal rights under OSHA. The training can be used as a "train the trainer" model, where participants complete the training – and then undertake their own outreach and education of other workers in their communities and workplaces.
 - **Short-Format KYR Modules:** Elements of the ten-hour training are also available as stand-alone shorter sessions of between 30 minutes and three hours.
- A comprehensive **10-Topic ESOL curriculum** on worker health and safety entitled **TAKING ACTION FOR A SAFE WORKPLACE.**
 - Originally written by the New York Committee for Occupational Safety and Health ("NYCOSH") in 2005, the curriculum was revised and updated by Make the Road in 2011 and approved by OSHA. ESOL instructors can use the entire curriculum, or integrate topics in to an existing ESOL curriculum on health, workplace issues, or social activism. Activities are designed for the range of levels of English Language Learners, with suggestions on how to adapt activities for either more basic or advanced classes.
- English and Spanish-language materials designed for **small businesses** interested in compliance with OSHA, as well as going beyond simply complying with the legal requirements. These materials include:
 - **A SMALL BUSINESS GUIDE TO WORKPLACE HEALTH & SAFETY,** available in English and Spanish. Using stories of real small business owners, this accessible guide provides concrete tips for business owners interested in assessing the health & safety risks at their businesses and developing strategies for addressing problems.
 - A companion **SMALL BUSINESS TRAINING,** also available in English and Spanish, outlines a series of interactive activities for training small business owners on the topics outlined in the guide. The training can be structured to run between 1 and 3 hours per training.

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UNDERSTANDING THE CONTEXT

As part of our Pilot Project, Make the Road surveyed 150 immigrant workers and 50 small business owners on workplace health & safety issues. In addition to formal surveys, we also held countless information conversations to understand better the realities of low-wage immigrant workers and immigrant entrepreneurs trying to build their businesses.

Nearly all workers had worked in conditions they felt were unsafe. Half of workers surveyed reported suffering an accident on the job. Notably, while many were quick to identify accidents they or co-workers suffered on the job, they were less likely to identify work-related occupational disease or long-term health impacts until questioned in more detail. Informal conversations made clear that workers often endure unsafe conditions, including conditions that result in clear long-term health impacts, but feel resignation that such conditions persist in *all* low-wage jobs. Notably, only half of those surveyed had heard of OSHA. They worry that complaining (to the employer, or to the government) is futile. And they fear retaliation.

The challenges are many for helping immigrant workers identify and tackle workplace safety & health issues.

- First, training must help workers begin to identify the types of workplace hazards that can lead to long-term serious health conditions, and to consider the long-term risks versus the short-term benefits of work.
- Second, workers need support in developing and using strategies for addressing workplace conditions that do not necessarily rely on the employer. For example, learning to lift objects safely – or to partner with co-workers to work safely – can dramatically improve workers' safety on the job. And, notably, these strategies do not depend on employer to work.
- Third, workers need to hear and see evidence that taking steps to report unsafe conditions can lead to real changes on the job, and that they really do enjoy protections against retaliation.

The lessons from our work with small business owners during the pilot year reflected the same stories of workers themselves. Owners and their families typically work long hours at the business, struggling to make ends meet and build their business. Thus, owners themselves are exposed to the same health risks at the worksite. Addressing workplace safety issues may not seem as important as simply keeping a business afloat. Meaningful intervention thus requires helping owners recognize that the modest investment in workplace safety & health in the short run can save money in the long run – and protect both workers' and owners' health.

With this context in mind, we will now turn to the substance of workers' rights – and employers' obligations – when it comes to health & safety on the job.

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WHO IS COVERED BY OSHA?

The OSH Act is applicable to nearly **all private employers and their employees** in the 50 states, the District of Columbia, Puerto Rico and other U.S. territories. The law covers in theory almost every field of business, including manufacturing, construction, the food industry, service jobs, car washes, private educational institutions, etc.

Importantly, there are a few categories of **workers NOT covered** by the law:

- People who are self-employed (for example, plumbers in business for themselves)
- Farm workers on small farms which employ only immediate family members
- Domestic workers who work in private homes directly for the family (workers employed by an agency to do domestic work are covered)
- Government employees – these workers are covered by other similar laws. New York State workers are covered by the Public Employee Safety and Health Act (PESH Act).

Importantly, workers are covered *regardless of immigration status*.

The OSH Act is enforced by the Occupational Safety and Health Administration (“OSHA”), an agency within the United States Department of Labor.

Resources

- Occupational Safety and Health Administration: <http://www.osha.gov/workers.html>
- U.S. Department of Labor Guide to OSH Act: <http://www.dol.gov/compliance/guide/osha.htm>
- New York Department of Labor Guide to PESH Act: http://www.labor.state.ny.us/workerprotection/safetyhealth/dosh_pesh.shtm

WHAT DOES OSHA REQUIRE OF EMPLOYERS?

Most fundamentally, OSHA establishes a “**general duty**” for employers to provide a workplace free of known hazards that can cause death or serious physical harm. The “general duty” clause of OSHA is in the text of the law itself, in section 5(a). This duty is intentionally broad, and applies to all workers in all worksites that are covered by OSHA.

In addition to the “general duty” that is in the text of the law itself, there are a large number of special regulations and rules that the Occupational Safety and Health Administration (also called “OSHA”) has passed to regulate specific hazards, worksites, or jobs.

There are four main categories of regulations (also called “standards”). These apply to:

- General Industry (general rules that apply to most workplaces);
- Construction (rules specific to workers in the construction industry);
- Maritime (covering workers in shipyards, marine terminals, and in longshoring); and
- Agriculture.

Some standards apply across all industries, such as rules requiring employers to provide protective personal equipment for workers, to train workers on hazards they face on the job, to prevent the spread of infectious disease, and more.

You can find the text of these standards online at OSHA’s website, where they are grouped by category and arranged under descriptive sub-headings, at http://www.osha.gov/pls/oshaweb/owasrch.search_form?p_doc_type=STANDARDS&p_toc_level=1&p_keyvalue=1910.

For many jobs held by low-wage immigrant workers, there may not be specific standards that apply. For example, there are no special rules about how much a worker can be required to lift in a store or restaurant. Likewise, there are no specific rules about preventing repetitive stress injuries (RSI’s) that workers may develop from their work. But even if there is no specific standard that applies in these situations, the employer’s “general duty” still requires that the employer protect against recognized hazards.

Where a known hazard exists at a worksite, OSHA requires employers to use the “**hierarchy of control**” to address the hazard.

First, the employer must try to **eliminate the hazard**. For example, an employer may substitute a less toxic cleaning product for one that is causing a hazard.

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Second, if the hazard cannot be completely eliminated, the employer must use **administrative, work practice, or engineering controls** to limit the hazard. These can take many forms. For example, an employer can install a guard on a machine with a sharp blade. While this does not eliminate the risk posed, it helps control the risk. Likewise, the employer can train employees on best practices to limit or manage the hazard – such as how to lift heavy items, or how to properly dispose of toxic chemicals.

Third, if a hazard is not adequately controlled, the employer must provide workers with **personal protective equipment** (PPE) to protect against the hazard. PPE includes masks, respirators, goggles, hardhats, and other equipment that protects workers from hazards.

Employers must use the hierarchy of control to address every known hazard at the worksite.

WHAT ARE AN EMPLOYEE'S RIGHTS UNDER OSHA?

OSHA provides workers five basic rights.

- ✓ As noted above, OSHA at its most fundamental provides workers a **right to a healthy and safe workplace**, free from known **hazards** that can cause death or serious physical harm.
- ✓ OSHA also gives workers a **right to information**.
 - Employers must post the OSHA “Job Safety and Health: It’s the Law” poster in a conspicuous place where employees and applicants for employment can see it. OSHA requires only that it be posted in English, but the poster is available in other languages as well.
 - Employers must inform workers of the existence, location, and availability of their medical and exposure records when they begin employment and at least annually.
 - Employers must make available *Material Safety Data Sheets* (MSDS) for hazardous substances used at the worksite. MSDS are created by the manufacturer of the substance, and include basic information on the substance such as the:
 - chemical and common name of the potentially dangerous product,
 - hazardous ingredients of the chemical and the associated hazards,
 - physical and chemical characteristics of the chemical or product,
 - potential for the substance to catch on fire or explode,
 - description of how the chemical reacts with other substances,
 - health symptoms related to overexposure to the substance,

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- precautions for safe handling, how to respond to spills, and how to dispose of the chemical or product, and
- control measures or PPE necessary to protect the worker from the hazard.
- Employers must have a *Hazardous Communication Plan*, which outlines:
 - Proper labeling of containers of hazardous substances,
 - Location and access by workers to MSDS,
 - Inventory of hazardous chemicals or products in each work area, and
 - Details on how the employer will inform the workers of the hazards associated with the substances they use.
- Employers must maintain information on worksite injuries and illnesses.
 - Employers with more than 10 workers must keep a log of all injuries and illnesses (called the OSHA Form 300 - Log of Work-Related Illnesses and Injuries). Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. A summary version must be posted in visible form between February 1 and April 30 of the year following the year covered in the form.
 - Employers with ten or fewer employees are exempt from recordkeeping requirements, as are employers in certain “low-hazard” industries, including: automobile dealers, accessory and apparel stores, eating and drinking establishments, and service industries like medical and dental offices.
 - An employer’s inspection history can be searched and found online at <http://www.osha.gov/pls/imis/establishment.html>.
- ✓ OSHA gives workers a **right to training** by the employer about how to safely perform the work, in compliance with the OSHA standards that apply.
- ✓ OSHA provides workers a **right to report unsafe working conditions** and to participate in OSHA investigations. Workers can:
 - Ask employers to correct unsafe working conditions. For imminent dangers, workers should call OSHA immediately (1-800-321-OSHA).
 - File a complaint with OSHA anonymously about the condition. Complaints may be filed online at <http://www.osha.gov/as/opa/worker/complain.html>.
 - Participate in OSHA investigations and get information about the resolution.
- ✓ Finally, OSHA protects workers against **retaliation** for asserting their rights.

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- It is illegal for an employer to retaliate against a worker for reporting an unsafe condition or participating in an OSHA investigation. Workers must report retaliation to OSHA within 30 days of the incident to be protected.
- Examples of what may count as retaliation include: firing or laying off, blacklisting, demoting, denying overtime or promotions, discipline, intimidation, threats, reduction of hours or pay, etc.

For more information, review the **OSHA Guide to Employee Workplace Rights**, available at: <http://www.osha.gov/Publications/osha3021.pdf>.

TAKING ACTION

Immigrant workers daily face unsafe conditions on the job. This section outlines how to support workers who want to take action.

Where and How to File an OSHA Complaint:

OSHA complaints can be filed either in writing (by mail or online) or by telephone. If filing by letter, complaints should be sent to the regional office that has jurisdiction over the worksite in question – for instance, New York and New Jersey are in Region 2, while Connecticut is in Region 1. (A map with contact information is available at <http://www.osha.gov/html/RAmap.html>.)

OSHA Region 2 Office (New York, New Jersey)
201 Varick Street, Room 670, New York, New York 10014, (212) 337-2378, (212) 337-2371 FAX

Online complaints can be filed at <http://www.osha.gov/as/opa/worker/complain.html>.

To file by phone, call OSHA's toll-free number at 1-800-321-OSHA. You will be asked for the zip code of the workplace and then connected to the area office with jurisdiction. You can also request to be sent a copy of the complaint form (OSHA-7 form).

Protecting a Worker's Identity:

OSHA accepts anonymous complaints by workers who do not disclose their names or by unions, community groups, or members of the public. Note: anonymous complaints are given lower priority for investigation than complaints made by employees who share their identity.

Workers can also share their identity with OSHA, but request that OSHA not disclose their name to the employer. Requesting such confidentiality will in no way affect how OSHA handles the complaint. OSHA must shield the identity of the complainant when requested to so.

OSHA will never ask workers' immigration status, and workers should never disclose their status. Immigration status is totally irrelevant to employees' rights under OSHA, or employers' obligations to provide a safe workplace.

What to Include in a Complaint:

No matter how you file a complaint, it is key to provide as much information as possible.

Include:

- The employer's full name
- The full address of the worksite, including where an OSHA inspector can enter the premises
- The mailing address of the employer (if different)
- The name(s) of the highest ranking manager on site and/or, if applicable, the name of any safety engineer or personnel
- The phone number of the head office
- The type of business
- A detailed description of the hazard.
 - Try to be as complete and precise as possible in describing the type of hazard(s), including specific details (name and model of any equipment, the names of any chemicals involved, the type of metal/material, etc.).
 - Include the number of employees affected by each hazard, when the hazard occurs. If the worker can do so safely, include any photographs, drawings, or other documentation about the hazard(s).
 - *Be very clear about the location of the hazard so that the inspector can find it at the worksite.*
- Whether the hazard has been brought to the attention of the employer or any government official. If the employer or a manager has been made aware, be very clear about how and when this information was shared (the manager witnessed an accident, for instance).
- Indicate whether the identity of the person filing the complaint should be kept confidential from the employer.
- Complainant name, telephone number, address, signature (even if confidentiality is requested), and date.
- Indicate if complainant is an authorized representative of other employees.

In addition to the above, include further details if available: whether the complainant is writing on behalf of any other employees; whether the hazard violates an OSHA standard, if known, and why; whether any employees have already been injured by the hazard with a description of

the injury or harm; whether the employer has received any OSHA citations in the past three years, if known.

What then?

Complaints are given different priorities for investigation depending on various factors.

OSHA will conduct on-site inspections in response to a complaint when:

- the unsafe condition represents an imminent danger of serious physical harm;
- the employer has been cited by OSHA for an egregious, willful, or failure-to-abate violation within the past three years; or
- where the complaint was in writing and signed by an employee or employee representative and describes a hazard "with reasonable particularity."

In other situations, OSHA will call the employer and mail a letter, giving the employer five days to respond. If the employer denies the truth of the complaint or claims that the hazard has been fixed, OSHA is required to inform the complainant. If the worker disputes the employer's response, OSHA is required to use "professional judgment," based on both accounts, to determine whether an inspection is necessary.

If OSHA decides to not inspect, OSHA is required to provide the complainant with the reasoning behind the decision. At this point a written complaint, signed by a current employee or an employee representative, describing an OSHA violation with "reasonable particularity" may result in an inspection (assuming the initial complaint did not meet this standard for whatever reason). OSHA must inspect in response to such a complaint unless it determines that there is no reasonable basis for the complaint or if OSHA has evidence that the hazard is being corrected.

There is no formal appeal if OSHA decides not to inspect the worksite. However, complainants may request further clarification of a decision not to inspect from the OSHA area director and, if subsequently, from the OSHA regional administrator in an informal review.

When OSHA investigates, the agency will order employers to correct violations of OSHA standards and may fine the employer for violations.

Employees have rights during an OSHA inspection.

- ✓ Employees have the right to have their own representative present during the inspection (an employer cannot pick the employee rep).
- ✓ Employees have the right to speak privately with the inspector.
- ✓ At the end of the inspection, the inspector will hold a conference with the employer, employee, and employee representative, either together or separately, to discuss how any hazards will be abated. OSHA must provide a written summary on request.

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- ✓ If OSHA orders the employer to correct a hazard, it will ordinarily mandate a period of time within which this correction must be done. Workers have the right to contest this “abatement period” by writing the OSHA area director within 15 days after the employer is issued a citation.
- ✓ Similarly, if no inspection is ordered, workers may request further information from first the OSHA area director and then the regional administrator if, after an inspection, no citations are issued.

Fighting Retaliation

The OSH Act forbids employers from retaliating, discriminating against, or otherwise punishing, employees for exercising their rights under the law, including complaints to the employer, a union, OSHA or any other government agency and participation in OSHA inspections, conferences, hearings, or other OSHA-related activities.

Retaliation need not take the form of termination of employment. Blacklisting, demotions, reduction in pay or hours, denial of a request for overtime or promotions, threats, intimidation, or any other adverse actions taken because of the employee’s exercise of OSHA rights, may also count as illegal retaliation.

If a worker has been the victim of retaliation, he or she must contact the nearest OSHA office within 30 days of learning of the retaliatory act. If OSHA concludes there was retaliation, OSHA can require the employer to restore any illegally deprived benefits – including reinstatement to a job, back pay that was not earned because of the retaliation, and any similarly lost benefits. If the employer refuses, OSHA can initiate action in court to compel compliance, a process that unfortunately can take years.

Workers are protected from retaliation, regardless of immigration status. Note, however, that if a worker is fired in retaliation for exercising protected rights, that worker may not win back his or her job if unable to present valid documentation of their authorization to work in the U.S.

Refusing Dangerous Work: A Limited Right

While health and safety laws exist to protect workers from dangerous conditions, under federal laws, workers have a **LIMITED RIGHT** to refuse to do a job they believe to pose an immediate risk of serious harm to their health and safety.

To legally refuse unsafe work,

- The worker must believe in *good faith* that an *immediate* danger exists – in other words, the worker must not refuse in order to harass their employer or disrupt business; **and**
- The conditions must be unsafe enough that an *outside observer* would agree that there is a real danger of death or serious injury; **and**

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- There must not be enough time to request that OSHA inspect the workplace and have the dangers removed before the worker's health is put at immediate risk.

If these criteria are met, the worker then **MUST**:

- Ask the employer to correct the hazard;
- Ask the employer for other work;
- Tell the employer that he/she will not perform the work unless and until the hazard is corrected; and
- Stay at the worksite until ordered to leave by employer if the employer refuses to address the unsafe condition.

Only if all of these conditions are met may a worker refuse unsafe work and be protected from retaliation by the employer.

Examples:

- A worker cannot refuse work because he/she believes that working in a basement will cause breathing problems.
- A worker probably *can* refuse to work on an unstable ladder that is likely to cause a fall, if the worker has asked the employer for a safe ladder and the employer refuses to take action.

If a worker refuses to perform work he or she considers unsafe, but these conditions are not met, then the worker will not be protected if the employer fires the employee for refusing the to work. Thus, workers should be very careful when deciding to refuse work.

Most importantly, if a worker feels that he or she must refuse to do an assigned task because of the hazard it poses, that worker should **NEVER** leave the worksite until first ordered to do so by an employer or manager.

WORKERS' COMPENSATION

It is important for workers facing hazardous job conditions to be aware of the Workers' Compensation system, which is a legal remedy that is completely separate from – and **NOT** precluded by – taking action under OSHA.

If a worker faces unsafe conditions on the job, he or she can report the conditions to OSHA. If a worker is injured on the job, or suffers a work-related injury, he or she can separately file a claim for workers' compensation benefits.

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New York State law requires employers to carry workers' compensation insurance to cover all employees. When a worker is injured on the job or develops a work-related illness, the employer's insurance carrier covers the medical expenses for the worker and pays a portion of the worker's wages for time the worker is off the job. The system is "no fault" – it does not matter who caused the injury (the employer, the worker, a co-worker, no one). Even if the accident is the worker's fault, e.g. because the worker failed to follow safety rules, the worker is still covered.

Employers must carry worker's comp insurance for all of their employees, with a few exceptions. For domestic workers, employers only need to carry compensation insurance if the domestic worker works at least 40 hours for the same employer. When employers fail to carry insurance, workers can still claim benefits – the process takes longer, but benefits are paid out of a special fund for uninsured workers.

Workers are covered by the workers' compensation system regardless of immigration status.

It is important for workers to file for and obtain benefits through the comp system, and not side-payments by the employer or through private insurance, because the system will cover all medical expenses related to the work injury/disease – even if expenses arise years after the worker has left the job where he sustained the injury.

The key benefits under Workers' Compensation are:

- **Medical benefits** for as long as a worker needs it, possibly even for life, including doctor's visits, medical procedures, physical therapy, medications and travel to and from the doctor. Workers will continue to receive medical benefits even when they leave the job where they suffered the injury.
- **Lost wages:** if a worker is out of work for at least 8 days because of the injury or illness, s/he can get up to 2/3 of pre-tax wages a week (capped at \$400). This benefit is not taxed.
- **Other cash awards:** permanent partial disability (for ongoing disabilities); cash awards for loss of a limb or its use; for lost future earnings, up to 2/3 of the amount you lost.
- **Rehabilitation:** if a worker cannot return to the old job because of the injury, s/he may be entitled to attend rehab to learn new skills.

Note that a worker must file a claim (C-3) with the Workers' Compensation Board within 2 years of the illness or injury. In addition, there are important early steps a worker must take to preserve the right to Workers' Compensation.

1. The worker must provide the employer notice of the injury within 30 days (written notice is best);

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2. The worker must file a C-3 form (the initial claim form) with the Workers' Compensation Board ("Board") within two years of the injury; and/or
3. The doctor or hospital who provided initial treatment must file a C-4 with the Board. The filing of a C-3 or a C-4 will establish a worker's claim with the Board, but a worker should file his own C-3 in order to ensure that the facts about the injury or illness are correct.

The employer is also required to file a C-2 Form with the Board within 10 days of the injury/illness. Failure to do so is a misdemeanor, punishable by a fine. A worker's ultimate right to collect comp benefits is not affected by the employer's failure to file that accident report, although it may cause delays.

Finally, be aware that while a worker can file for benefits without a workers' compensation attorney, if his or her claim is contested by the insurance carrier or a hostile employer, the worker should not attempt to navigate the system without one. By law, attorneys cannot charge clients a fee upfront in Workers' Compensation cases. The attorney's fee is court-ordered at the end of the case and is usually a small percentage of the worker's benefits, NOT paid directly by the worker.

RESOURCES

The following is a list of key resources for workplace safety & health issues in the New York City area.

Technical Assistance

COSH Groups

There is a national network of independent non-profit organizations dedicated to helping unionized and non-unionized workers achieve safer working conditions. These organizations, known as COSH Groups, operate in 17 states. For non-unionized workers, a COSH group is the first place to turn for help. COSHs have technical information about hazards and expertise in solving workplace environmental problems. They also refer injured workers to appropriate resources for medical and legal help. COSH groups have become more aware of the needs of immigrant workers in recent years and have begun working with community organizations that serve immigrants.

NYCOSH, the New York Committee for Occupational Safety and Health

116 John Street, Suite 604, New York, NY 10038

212-227-6440

www.nycosh.org

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The NYCOSH website lists the other COSH groups.

Occupational Health Clinics

These clinics specialize in worker health and safety and provide health care services. Services are charged based on an income scale, they take patients without health insurance, and they do not ask about a worker's immigration status.

Mt. Sinai- Irving J. Selikoff Center for Occupational & Environmental Medicine

345 E 102nd Street

New York, NY 10029-5611

(212) 241-5555 Manhattan (Mount Sinai Medical Center)

(718) 278-2736 Queens (Mount Sinai Hospital of Queens)

(914) 964-4737 Yonkers (Hudson Valley Occupational Medicine Center, located at St. John's Riverside Hospital)

NYU/Bellevue Occupational & Environmental Medicine Clinic

Bellevue Hospital

First Ave. & 27 Street, Room CD 349

New York, NY 10016

(212) 562-4572

Long Island Occupational and Environmental Health Center (LIOEHC)

Suffolk LIOEHC – Medford Site

1741 B North Ocean Avenue

Medford, NY 11763

(631) 289-1428

Nassau LIOEHC – Plainview Site

558 Old Country Road

Plainview, NY 11803

(516) 433-1543

Association of Occupational and Environmental Clinics (AOEC)

1010 Vermont Avenue NW, #513

Washington, DC 20005

(202) 347-4976

Legal Assistance

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Directory of fee legal services in New York visit: <http://lawhelp.org/ny/>

Make the Road New York:

Make the Road New York is a community-based organization that organizes with low-income, primarily immigrant New Yorkers, on the pressing issues of the community, with particular focus on workers' rights. Make the Road has a legal team that provides support services to members of the organization. <http://www.maketheroad.org>

Bushwick, Brooklyn:

301 Grove Street
Brooklyn, NY 11237
(718) 418-7690

Jackson Heights, Queens:

92-10 Roosevelt Avenue
Jackson Heights, NY 11372
(718) 565-8500

Port Richmond, S. Island:

479 Port Richmond Ave.
Staten Island, NY 10302
(718) 727-1222

MFY Legal Services, Inc.

MFY provides free legal assistance to residents of New York City on a wide range of civil legal issues, prioritizing services to vulnerable and under-served populations.

299 Broadway, 4th Floor
New York, NY 10007
(212) 417-3700

<http://www.mfy.org/>

Legal Aid Society

The Legal Aid Society is a private, not-for-profit legal services organization that provides quality legal representation to low-income New Yorkers.

Main office

199 Water Street
New York, NY 10038
(212) 577-3300

<http://www.legal-aid.org>

New York Legal Assistance Group (NYLAG)

NYLAG is a not-for-profit law office that provides free civil legal services to low income New Yorkers who would otherwise be unable to afford or receive legal assistance.

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7 Hanover Square, 18th Floor, New York, NY 10004
(212) 613-5000
Monday, Wednesday and Thursday 9:00 a.m. – 3:00 p.m.
<http://www.nylag.org/>

Governmental Assistance

Occupational Safety and Health Administration (OSHA)

US Dept. of Labor, OSHA Region II

201 Varick St., Room 670
New York, NY 10014
(212) 337-2378

Public Employees Safety and Health (PESH) Bureau

People who work for a New York State or New York City agency can contact PESH
One Hudson Square, 75 Varick Street (7th Floor)
New York, NY 10013
(212) 352-6132)

Labor Union Information & Assistance

Unionized workers can contact their union as the first step in resolving hazards. Some of the larger unions have health and safety departments, which are very experienced in educating their members about hazards and helping them fight for safer working conditions. Workers who are unsure about whether their union has any health and safety resources or who do not receive help from their union can contact the COSH group (see below) in their area to find out.

AFL-CIO

The AFL-CIO website <http://www.aflcio.org> is an important source of information about issues facing the labor movement today. The website's health and safety section often contains suggestions about how workers can organize to improve their working conditions and examples of how groups of workers have achieved results.

LaborNet

Another website, www.labor.net, contains labor news stories from around the country which are also geared to a literate audience.

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Community Organizations & Advocacy Groups

National Mobilization Against Sweatshops (NMASS) Brooklyn Workers Center -

93 Third Avenue

Brooklyn (corner of Bergen St. & Third Ave.)

(718) 625-9091

Labor rights clinics available by appointment.

El Centro del Inmigrante

1546 Castleton Ave

Staten Island, NY 10302

info@elcentronyc.org

718 420 6466

<http://elcentronyc.org/>

ESL, G.E.D. and Literacy classes, labor organizing, health education and screenings, family and immigrant rights services, immigration counseling, legal assistance, social activities, food and clothing distribution and community service.

Lower East Side Workers Center

59 Hester Street between Ludlow and Essex

212-358-0295

nmass@yahoo.com

<http://www.nmass.org>

Economic and workplace justice organizing for low-wage immigrant workers; injured workers' group; legislative and organizing activities around worker compensation rights

Project Hospitality

100 Park Avenue

Staten Island, NY 10302

(718) 448-1544

<http://www.projecthospitality.org>

Family and immigrant rights services, ESL classes, health education and screenings, day laborer center.

Restaurant Opportunity Center of New York (ROC-NY)

275 Seventh Avenue, Suite 1703

New York, NY 10001

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212-343-1771

<http://www.rocny.org>

Organizes restaurant workers dedicated to improving conditions and raising issues of concern

Tepeyac Association of New York

251 West 14th Street

New York, NY 10011

212-633-7108 joelmagallan@gmail.com

Education and service center for Mexican immigrants; rights, resources and leadership development

Wind of the Spirit Immigrant Resource Center

19 Market Street

Morristown, NJ

973-538-2035 07960

windofthespirit@verizon.net

Labor rights issues; ESL classes, computer literacy classes, cultural events

Workplace Project

91 N. Franklin Street, Suite 207

Hempstead, NY 11550

516-565-5377

<http://www.workplaceprojectny.org>

workplace@igc.org

Organizes low-wage Latino immigrants; provides community education, leadership training, and labor-related support. Day laborer center.