Understanding OSHA and Agriculture
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Occupational Safety and Health Administration (OSHA) is the government agency under Department of Labor (DOL) charged with enforcement of health and safety regulations for employers. The goal is to make employees safe and not expose them to unnecessary risks. Agriculture has long been one category of employers which had a special exemption due to the family oriented nature of the workforce. Businesses with one or more employees must follow OSHA guidelines, however, ag businesses may have up to 10 employees before the regulations kick in unless there is a fatality in the workplace.

As more farm producers have increased in size, these regulations and issues become something that might impact you. OSHA’s Compliance Safety & Health officer has the right to do a safety inspection on the premises of a business. There will be no advance notice because that is prohibited in their guidelines. It is possible the OSHA inspector(s) may also be accompanied by a person(s) from DOL’s Wage & Hour Division too.

An OSHA visit may consist of something like: a presentation of credentials, opening conference to describe why they are at the worksite; Records Review; Program Review; a walk-around the site; and then a closing conference to discuss problems found and how to correct them.

Often triggers for an OSHA inspection are Imminent Danger situations or a Fatality/Catastrophe situation. **Fatalities in the workplace must be reported to OSHA within 8 hours by calling 1-800-321-6742 (OSHA).** Employee complaints as well as referrals, from Code Enforcement, Wage & Hour and police or coroner, can also trigger a visit.

One of the main concerns the OSHA officials are trying to correct is safety issues for employees. Ag businesses need to demonstrate they have emergency plans which involve their employees, do regular training and education on potential safety hazards and provide physical barriers to prevent or limit problems/risks.

For ag businesses, there are a quick “Dirty Dozen” to start thinking about:

1. Manure Storage & Liquid Collection Structures- they present drowning hazards. Farms should have warnings signs, fencing, ladders, ropes, rescue rings, etc around area. Also there should be written info for handling oxygen deficiency issues and training should be done so all employees know their responsibilities.

2. Animal Behavior and worker positioning – working around livestock can result in crushing hazards, farms must have escape routes, provide training for employees about handling animals and post warning signs about the presence of bulls.

3. Electrical Systems – electrocution and electric shock hazards exist in many places, from overhead wires to exposed electrical panels and overloaded power strips. Training and lock out/tag out procedures are generally one way to handle some of the risks. Making sure all covers are properly placed also is important.
4. Skid steer loaders can cause multiple hazards (crush, roll-over, struck by, caught-in-between). General operator training is required with documented evaluation of performance and follow-up on all employees that use the equipment. Frequent problems OSHA finds are improper training, intentional bypass of safety features and failure to use equipment properly.

5. Tractor Operation – there are 9 items that must be taught to overcome the multiple hazards tractors pose, with annual retraining/updating. Tractors produced after October 1976 must have ROPS and seatbelts. Employees should be able to recognize and understand hazards of equipment.

6. Guarding of Power Take-Offs (PTO) – employees must be trained at initial assignment and then annually. PTO shafts and guards must be in good working condition. There are PTO shield retrofit kits to fix problems. Remember that a 540 rpm PTO travels at 2 yards/sec!!

7. Guarding of Other Power Transmission & Functional Components – often the cause of fatalities or serious entanglement or amputation hazards, this item refers to augers, conveyors, scrapers, fans if they are positioned below 7’ high and TMR mixer units.

8. Hazardous Energy Control while performing servicing & maintenance on equipment – requires lock out/tag out procedures to prevent accidents from causing problems. The procedure for handling these risks must also include covering shift changes or authorized lock removal.

9. Hazard Communication – with numerous chemicals present at many farm businesses, farm owners/managers must make MSDS sheets available to employees and train them to understand how to handle splashes, fire, ingestion or absorption of chemicals. Personal Protective Equipment (PPE) needs to be available. SDS sheets must be retained for 30 years! And EVERY container must be accurately labeled with contents and safety procedures.

10. Confined Spaces have numerous hazards and may include grain storage bins, vertical silos, hoppers, and manure storage vessels. Procedures must be developed for all items and identify system to work on them.

11. Horizontal bunker silos can result in fall hazards or engulfment if a face collapses. Guard rails should be installed on top and packing height should be clearly noted.

12. Noise about 85 decibels is a hazard. PPE, mufflers and other noise reducing steps may be in place.

This is just a quick and dirty look at some of the issues OSHA may look at on your business. For more information you can consult with your local OSHA resource, NYCAMH, hire a consultant and/or review the webinars sponsored by Farm Credit East, Northeast Dairy Producers Association, New York Farm Bureau and Pro-Dairy that were the source for this article.