

**A GUIDE  
FOR  
DEVELOPING  
A  
WRITTEN  
SAFETY PROGRAM  
AND  
LAB 600 RULES**

**PROVIDED BY  
THE NEW HAMPSHIRE  
DEPARTMENT OF LABOR**

-2010-

# **SAFETY PROGRAM**

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## **Section One**

### **INTRODUCTION**

The introductory statement should relate to all employees the overall goal of the safety program and also convey to the employees the importance of their participation. Only through the joint commitment on the part of management and employees can workplace accidents and injuries be reduced or eliminated. Employees should be encouraged to not only work safely and report unsafe conditions, but to also take an active role in safety and health by participating on the Joint Loss Management Committee.

## Section Two

### MANAGEMENT COMMITMENT

**This section is where the employer's policies and philosophies should be stated. It is extremely important that all employees are clearly aware of management's commitment to safety and health.**

A mission statement or policy should stress that safety will be as important as any other business function. The policy should be the foundation of the safety program or manual. The statement can include such philosophies as:

- All injuries are preventable
- Working safely is a condition of employment
- All operating exposures can be safeguarded
- Training employees to work safely is essential
- Injury prevention saves money

It should be known to all that management personnel are accountable for the success of the company safety program. The employer should provide responsibility lists to all supervisors and management personnel and their job descriptions should include these provisions. Job performance evaluations, salary increases or bonuses and other incentives must be related to safety and health success.

In order for any safety program to be successful all employees must be aware of the employer's policies and most importantly the **commitment from top management**. This page of the program must demonstrate that commitment to your employees and your management personnel.

## Section Three

# RESPONSIBILITIES

All employees have some responsibilities with regard to safety and health. Top Management is ultimately responsible for the overall success of the program, but everyone has an important role. In this section of the plan, it should spell out what the various duties are for each level. Examples of some of the various responsibilities are shown below. Be sure to **develop your own** specific list of responsibilities and not copy from these examples

- MANAGEMENT

Insure that each level of supervision and all employees are made aware of the elements of the safety program, and that those elements are implemented.

If personnel protective equipment is required, it is available, correct for that exposure, and employees are trained in it's proper use.

Correct any unsafe conditions brought to their attention by employees or supervisors.

Support supervisors' decisions that safety comes first.

Assure that proper training is being provided, and that employees are working in a safe and healthy manner.

- SUPERVISORS

Take immediate action to correct any unsafe condition or action.

Provide personal protective equipment, along with training for its use, and make certain it is worn when necessary.

Assure that all machine guarding is in place and functioning properly.

Promptly investigate and report all accidents and incidents.

Issue warnings, per disciplinary procedures, for violations of company safety and health procedures.

(Responsibilities con't.)

- **EMPLOYEES**

Report all accidents and incidents to the supervisor.

Report any unsafe conditions immediately.

Obey all safety and health regulations as stated in the company safety program.

Attend all safety training that may be required.

- **SAFETY COORDINATOR/DIRECTOR** (if applicable)

Assist and advise all levels of management in establishing an effective safety program.

Provide safety and health training for employees and committee members.

Maintain accident and incident records

Plan and coordinate inspections, committee meetings, training sessions and assist management in all areas of safety and health.

Review and update rules and programs as needed.

## Section Four

# SAFETY AND HEALTH COMMITTEES

The safety program or policy manual should include a description of any Joint Loss Management Committee (JLMC) or Safety Committees that function within the workplace. It is important to the success of these programs to encourage employees and supervisors to take an active role in achieving the goals of these committees.

- JOINT LOSS MANAGEMENT COMMITTEE

1. Purpose of the committee.
2. Size.
3. Equality of representation.
4. Employee representative selected by employees.
5. Membership must be representative of the major work activities.
6. Chairperson will be rotated between management and employees.
7. Meet at least quarterly.
8. Duties of the committee (see rules for Joint Loss Mgt. Comm.)

- HAZARDOUS MATERIALS RESPONSE TEAM

Will be trained to respond to hazardous materials spills, if required.

- INCIPIENT FIRE BRIGADE

If it is the policy to fight incipient fires, this group will be trained in their specific responsibilities.

- FIRST AID TEAM

If you have trained first aid volunteers, their functions and duties should be described here.

- EMERGENCY CONTINGENCY TEAM

If you have a team which is established to react in the event of emergencies, their duties and responsibilities should be described.

## Section Five

# SAFETY STATUTES, RULES AND REGULATIONS

**In order for all employees to understand their responsibilities for safety and health, it is very important that applicable statutes, rules and standards be implemented and communicated to employees.**

### **PUBLIC SECTOR:**

New Hampshire Department of Labor (NH DOL)

- Lab 1400 rules, Administrative Rules for Safety and Health
- Lab 600 rules, Safety Programs
- RSA 277, Safety & Health of Employees
- RSA 277A, Employees Right to Know
- RSA 281-A:64, Safety Provision
- RSA 155-A, State Building Codes

### **PRIVATE SECTOR:**

Occupational Safety and Health Administration (OSHA)

- (CFR 1910) General Industry Standards
- (CFR 1926) Construction Standards
- Lab 600 rules, Safety Programs
- RSA 281-A:64, Safety Provision
- RSA 155-A, State Building Codes

**Areas in which employers should develop an effective safety and health program can be found in the Lab 1400 rules.**

### **EXAMPLES:**

- Accident Reporting Requirements
- Housekeeping
- Ladders
- Machine Guarding
- Personal Protective Equipment

### **EXAMPLE OF SAFETY STANDARDS:**

**HAZARD COMMUNICATION PROGRAM/EMPLOYEES RIGHT TO KNOW:** Rules for safe use of hazardous materials within the company.

**LOCKOUT/TAGOUT or LOCK OUT:** Established procedures for de-energizing equipment prior to performing repairs or maintenance.



**CONFINED SPACE ENTRY PROCEDURES:** Procedures that must be strictly adhered to when it is required that employees perform work in any confined area.

**BLOOD BORNE PATHOGENS PROGRAM:** Established procedures for employees who may be exposed to blood or other potentially infectious materials.

## Section Six

### DISCIPLINARY POLICY

**Disregard for safety should be treated in the same manner as disregard for other employment rules such as attendance and quality.**

The company should develop, and make known to all employees, its policies for dealing with employees who choose not to comply with established rules and regulations for safety and health.

It is important that these procedures be applied fairly and equally to all employees regardless of their longevity or work record. A sample policy might include such steps as:

1. Verbal warning by foreman or supervisor;
2. Written warning placed in personnel file;
3. Job suspension;
4. Dismissal.

The policy should contain provisions for re-training on safety rules and regulations at some step as the employee may not have fully understood the procedures the first time.

## Section Seven

# ACCIDENT AND INCIDENT REPORTING AND INVESTIGATION

**The goal of all accident and incident investigation is to prevent a recurrence, not the find fault.**

Employers should have an established written procedure for performing accident or incident investigations. Immediate supervisors, members of the Joint Loss Management Committee and other designated individuals shall perform the investigation in order to determine *what happened, why it happened and what can be done to prevent it from happening again?*

Accident investigations should contain the following:

- Inspections of the scene by trained personnel;
- Interviews with witnesses as soon as possible after occurrence;
- Interview with the victim at appropriate time;
- Attempts to determine cause, or causes;
- Reports;
- Recommendations to prevent it from happening again;
- Photographs or sketches of the scene;
- Samples of chemicals, vapors etc.,if required.

An accident/incident report form should be established and all supervisors, foremen and managers who fill them out should be made aware of the necessary information which should be included.

## Section Eight

# TRAINING REQUIREMENTS FOR SAFETY AND HEALTH

**All employees must be aware of the training requirements for their jobs, as well as, the reasons for such training. No-one should be allowed to work with any hazardous equipment, or with any hazardous materials until they have been properly training.**

The written safety program should describe the purpose for wanting to provide safety and health training and list the areas and individuals who require it.

Some circumstances within your facility when training may be required:

- All new employees;
- Employees who are transferred to other departments;
- Managers, supervisors and foremen;
- Outside contractors entering your facility;
- Employee disregard for safety rules and regulations;
- Whenever new processes or equipment are added;
- Employees who volunteer for special teams or committees such as fire
- Brigades, emergency response team, etc;
- Joint Loss Management Committee members

## **Section Nine**

# **EMERGENCY EVACUATION AND RESPONSE PLANS**

**All employers, regardless of size, must establish procedures for dealing with emergencies such as fire, medical, hazardous material spill, or natural disaster.**

Preparedness in the event of such an emergency is vital. All employees should know the correct procedures to follow so that there will be no delays in reaction and response. The specific plans for evacuation should be described in the program, indicating how employees leave the building and where they go after exiting. Method of alarm should be well defined and practice evacuation drills should be planned. Included in this plan should be the responsibilities of all supervisor, foremen and designated response teams.

In the event of a medical emergency, the plan should deal with such concerns as:

- Who notifies the ambulance?
- Are trained first aiders and supplies available on site?
- Who are the trained people?
- Who is designated to meet and direct medical help to the area where help is needed?
- Who from management must be notified?
- If an emergency is the result of accident, is the area safe?

In emergencies requiring response from either an in house fire brigade, first aid team or hazardous materials spill team, the procedures for their response must be included in their training, as well as, in the company's safety program.

It is important to remember that in the event of a fire emergency, one of the first questions you will be asked by the responding fire department will be

**Is everyone out of the building?**

## **Section Ten**

### **SAFETY AND HEALTH COMMUNICATION**

**The key to success of any safety & health program is an open line of communication between employees and management.**

The program should encourage employees to suggest safety and health changes to management, to notify management of any unsafe conditions or equipment, and to actively participate on company safety committees.

Some ways in which management can keep employees informed on issues of safety & health are:

- Providing all employees with a copy of the safety program;
- Posting information such as notification of safety meetings and the minutes of the meetings;
- Safety & Health signs and Posters;

# **TITLE XXIII LABOR**

## **CHAPTER 281-A WORKERS' COMPENSATION**

### **Section 281-A:64**

#### **281-A:64 Safety Provisions; Administrative Penalty. –**

I. Every employer shall provide employees with safe employment. Safe employment includes but is not limited to furnishing personal protective equipment, safety appliances and safeguards; ensuring that such equipment, appliances, and safeguards are used regularly; and adopting work methods and procedures which will protect the life, health, and safety of the employees.

II. All employers with 10 or more employees shall prepare, with the assistance of the commissioner, a current written safety program. The programs shall be filed biennially with the commissioner on January 1. Employer programs shall, in addition to the specific rules and regulations regarding worker safety, include the process of warnings, job suspension, and job termination for violations of the safety rules and regulations set forth in the program.

III. Every employer of 5 or more employees shall establish and administer a joint loss management committee composed of equal numbers of employer and employee representatives. Employee representatives shall be selected by the employees. If workers are represented by a union, the union shall select the employee representatives. The joint loss management committee shall meet regularly to develop and carry out workplace safety programs, alternative work programs that allow and encourage injured employees to return to work, and programs for continuing education of employers and employees on the subject of workplace safety. The committee shall perform all duties required in rules adopted pursuant to this section.

IV. Employers subject to the requirements of paragraph III, other than employers participating in the safety incentive program under RSA 281-A:64-a, shall be placed on a list for early and periodic workplace inspections by the department's safety inspectors in accordance with rules adopted by the commissioner. Such employers shall comply with the directives of the department resulting from such inspections.

V. Notwithstanding paragraphs III and IV, an employer of 5 or more employees may satisfy the requirements of those paragraphs if such employer implements an equivalent loss management and safety program approved by the commissioner.

VI. The commissioner, in conjunction with the National Council of Compensation Insurance (NCCI), shall develop a list of the best and worst performers based on the experience modification factors promulgated by NCCI. The list shall include the top 10 lowest experience modification employers. The commissioner shall publicly recognize these low experience modification employers by presenting them with an award at the department's annual workers' compensation conference. The list of the top 10 highest and lowest experience modification employers shall be provided to the advisory council. The department shall review any specific claim against any employer listed in the top 10 highest experience modification list in conjunction with the safety program on file with the commissioner.

VII. In order to assist self-insurers in developing experience modification factors, self-insurers may submit the appropriate statistical information to the National Council of Compensation Insurance for calculating experience modifications.

VIII. The commissioner may assess an administrative penalty of up to \$1,000 a day on any employer not in compliance with the written safety program required under paragraph II of this section, the joint loss management committee required under paragraph III of this section, or the directives of the department under paragraph IV of this section. Each violation shall be subject to a separate administrative penalty. All penalties collected under this paragraph shall be forwarded to the state treasurer for deposit in the special fund called the workers' compensation safety inspection fund established in paragraph IX.

IX. All funds collected under paragraph VIII shall be paid over to the treasurer for deposit in a special fund, called the workers' compensation safety inspection fund, which shall be used for the purposes of the safety provisions under RSA 281-A and for the purposes of RSA 281-A:67.

**Source.** 1990, 254:36. 1994, 3:19, eff. July 1, 1994. 1997, 343:9, 10, eff. Jan. 1, 1998.



# **NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES**

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### CHAPTER Lab 600 SAFETY PROGRAMS AND JOINT LOSS MANAGEMENT COMMITTEES

#### REVISION NOTE:

Document #5909, effective 10-13-94, made extensive changes to the wording, format, structure, and numbering of rules in Chapter Lab 600. Document #5909 supersedes all prior filings for the sections in this chapter. The prior filings for former Chapter Lab 600 include the following documents:

Source. #5372, eff 4-14-92

#### PART Lab 601 DEFINITIONS

Lab 601.01 "Employer representative" as used in RSA 281-A: 64 III means any individual who serves as the management member of the joint loss management committee and who has the authority delegated by the employer to use his/her judgment in the interest of the employer to take the following actions:

- (a) Hire;
- (b) Transfer;
- (c) Suspend;
- (d) Lay off;
- (e) Recall;
- (f) Promote;
- (g) Discharge;
- (h) Assign;
- (i) Reward;
- (j) Discipline;
- (k) Direct them; or
- (l) Adjust grievances or effectively to recommend such actions.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94, EXPIRED: 10-13-00

New. #8592, eff 3-24-06

## PART Lab 602 SAFETY PROGRAMS

Lab 602.01 Program Requirements. As set forth in RSA 281-A: 64, II, the written safety program shall include the following:

- (a) The components required by Lab 603.03(g);
- (b) The process of warnings, job suspension, and job termination for violations of the safety rules and regulations set forth in the program;
- (c) Provision(s) for the commitment of adequate resources solely for safety;
- (d) Provision(s) for medical services, emergency response, first aid, and accident reporting and investigation; and
- (e) Provision(s) for review of the current written safety program by all employees.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94, EXPIRED: 10-13-00  
New. #8592, eff 3-24-06

Lab 602.02 Filing Procedures. To carry out the intent of RSA 281-A: 64, II, a summary of the above written safety program shall be filed with the commissioner of labor on a biennial basis by January 1<sup>st</sup> by submitting Safety Summary Form No WCSSF pursuant to Lab 515.16.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94; ss by # #6735, eff 4-23-98; ss by #8592, eff 3-24-06

## PART Lab 603 JOINT LOSS MANAGEMENT COMMITTEES

Lab 603.01 Purpose. To carry out the purpose of RSA 281-A: 64, a joint loss management committee is to bring workers and management together in a non-adversarial, cooperative effort to promote safety and health in each workplace. A joint loss management committee assists the employer and makes recommendations for change.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94, EXPIRED: 10-13-00  
New. #8592, eff 3-24-06

Lab 603.02 Establishment of Joint Loss Management Committee.

(a) Pursuant to RSA281-A: 64, III, all employers of 5 or more employees shall establish a working joint loss management committee composed of equal numbers of employer and employee representatives as follows:

(1) The size of the joint loss management committee shall be determined as follows:

a. Employers with 20 or fewer employees shall have a minimum of 2 members; and

b. Employers with more than 20 employees shall have a minimum of 4 members;

(2) Employee representatives shall be selected by employees;

(3) Where the employees are represented by a single, exclusive bargaining representative, the bargaining representative shall designate the members;

(4) Where the employees are represented by more than one labor organization or where some but not all of the employees are represented by a labor organization, each bargaining unit of represented employees and any residual group of employees not represented shall have a proportionate number of committee members based on the number of employees in each bargaining unit or group; and

(5) Committee members shall be representative of the major work activities of the employer

(b) An employer's auxiliary, mobile or satellite location, may be combined into a single, centralized joint loss management committee when an employer owned/leased facility is physically and/or geographically separated from the employer's primary facility such as would be found in construction operations, trucking, branch or field offices, sales operations or highly mobile activities, which shall represent the safety and health concerns of all locations.

(c) A joint loss management committee shall be located at each of the employer's primary places of employment at a major economic unit at a single geographic location comprised of a building or group of buildings and all surrounding facilities. The location shall have both employer and employee representatives present, control of a portion of a budget, and the ability to take action on the majority of the recommendations made by the joint loss management committee.

(d) Committee members shall be trained in workplace hazard identification and accident/incident investigation adequate to carry out the committee's responsibilities.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94, EXPIRED: 10-13-00

New. #8592, eff 3-24-06

Lab 603.03 Duties and Responsibilities of Joint Loss Management Committee. To carry out the intent of RSA 281-A: 64, the joint loss management committee shall:

- (a) Meet at least quarterly to carry out their duties and responsibilities.
- (b) Keep minutes of meetings which shall be made available for review of all employees;
- (c) Elect a chairperson, alternating between employee and employer representatives;
- (d) Develop and disseminate to all employees a committee policy statement;
- (e) Maintain current and disseminate to all employees the clearly established goals and objectives of the committee;
- (f) Review workplace accident and injury data to help establish the committee's goals and objectives;
- (g) Establish specific safety programs which include, but are not be limited to, the following:
  - (1) Designation, by name and title, of a person who shall be knowledgeable of site specific safety requirements and be accountable for their implementation and adherence;
  - (2) Provisions for health and safety inspections at least annually for hazard identification purposes;
  - (3) Performance of audits at least annually regarding the inspection findings; and
  - (4) Communication of identified hazards, with recommended control measures, to the person(s) most able to implement controls;
- (h) Assist with the identification of necessary safety and health training for employees; and
- (i) Assist with the identification and definition of temporary, alternate tasks.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94, EXPIRED: 10-13-00  
New. #8592, eff 3-24-06

Lab 603.04 Duties and Responsibilities of the Employer. To carry out the intent of RSA 281-A: 64, the employer shall:

- (a) Respond in writing to recommendations made by the committee, or make a verbal response that is recorded in the committee's official minutes,
- (b) Pay any employee who participates in committee activities in his/her role as a committee member, including, but not limited to, attending meetings, training

activities, and inspections, at his/her regular rate of pay for all time spent on such activities; and

(c) Provide for the required and necessary safety and health training for employees, at no cost and without any loss of pay so they can perform their work in a safe and healthy manner and environment.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94, EXPIRED: 10-13-00

New. #8592, eff 3-24-06

## APPENDIX

<b>RULE</b>	<b>STATUTE</b>
Lab 601	RSA 281-A: 64
Lab 602	RSA 281-A: 64
Lab 603	RSA 281-A: 64

# STATE OF NEW HAMPSHIRE

## DEPARTMENT OF LABOR

PO BOX 2076  
CONCORD, NH 03302-2076  
FAX (603) 271-2668

### SAFETY SUMMARY FORM FOR JANUARY 1, \_\_\_\_\_

COMPANY

NAME: \_\_\_\_\_

COMPANY

ADDRESS: \_\_\_\_\_

COMPANY LOCATIONS (Included in this form:) \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_ TITLE: \_\_\_\_\_ PHONE #: \_\_\_\_\_

FAX #: \_\_\_\_\_

EMAIL: \_\_\_\_\_

NUMBER OF EMPLOYEES: \_\_\_\_\_

STANDARD INDUSTRIAL CODE (SIC CODE): \_\_\_\_\_ FED. ID. #: \_\_\_\_\_

NATURE OF BUSINESS: \_\_\_\_\_

- 1) List potential safety and health hazards of your company.
  
  
  
  
  
  
  
  
  
  
- 2) Who is responsible for your inspections and how often are they done?
  
  
  
  
  
  
  
  
  
  
- 3) List the members of your company's joint loss management committee by name and job title. Please indicate which members represent the employer and those which represent employees, identify chairperson.  

<u>Management Member(s)</u>	<u>Employee Member(s)</u>
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4) Specify your emergency response procedures. (Example: fire, employee injuries, workplace violence, etc..)

5) Identify person(s) by name and title responsible for safety and health instruction for your employees and your joint loss management committee.

6) Identify person(s) by name and title qualified to take corrective actions on safety and health hazards.

7) Indicate your policy to communicate safety and health concerns with the activities of sub-contractors or outside service providers, when, or if utilized.

8) Summarize your disciplinary policy with regard to violations of your safety and health policies.

9) Summarize your policy for providing adequate resources dedicated to safety.

10) How are employees provided access to your safety and health policies?

\_\_\_\_\_  
Signature of person completing form

\_\_\_\_\_  
Date



**NH COMPANY LOCATIONS**

NAME

STREET

CITY

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**STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF LABOR**  
PO BOX 2076  
CONCORD, NH 03302-2076

**SAFETY SUMMARY FORM SUPPLEMENTAL INSTRUCTIONS\***

**THE INFORMATION ON THE SUMMARY OF SAFETY AND HEALTH PROGRAM FORM MUST BE SPECIFIC AND COMPLETED IN FULL. FORMS THAT ARE INCOMPLETE AND/OR ARE TOO GENERALIZED WILL BE SENT BACK FOR FURTHER INFORMATION. IF YOU DO NOT HAVE ENOUGH SPACE ON THIS FORM, PLEASE FEEL FREE TO USE ADDITIONAL PAPER AS NECESSARY. INFORMATION ON THIS FORM MUST BE COMPLETED, UPDATED AND FILED BI-ANNUALLY BY BUSINESSES WITH 10 OR MORE EMPLOYEES. IF YOU HAVE QUESTIONS ABOUT THE FORM ITSELF, OR WITH YOUR COMPANY'S NEEDS, PLEASE DO NOT HESITATE TO CALL A SAFETY INSPECTOR AT 271-6850 OR 271-6297.**

Topics on form which need further instructions:

- Please include Corporate address if filing for more than one New Hampshire Division.
- You are accountable for your total number of employees for establishing your joint loss management committee and for your written safety program. If you have, at any time of the year 5 or more employees, you need to set up a joint loss management committee. If you have, at any time of the year 10 or more employees, you must have a written safety program.
- On item #1, **be specific** about both existing or potential safety and health hazards or concerns of your company.
- On item #3, be sure to identify by name and job title, employee representatives as well as employer representatives of your joint loss management committee. Also, identify chairperson. There should be equal representation of both employee/employer representatives.
- On item #4, specify the emergency response procedures as outlined in your written safety program. This should include everything from emergency numbers and evacuation and head count to dealing with any minor or major injuries. Be specific about procedures used in case an emergency occurs.

On item #7, indicate the safety and health policies or procedures you use, **or would use** if sub-contractors perform work in your facility. This would include anyone from outside of your company coming in to perform any type of work or service.

On item #9, summarize your policy for providing adequate **time and resources** dedicated to safety. Resources could be equipment, training, personal time, commitment to safety and/or financial investments.

\* Please refer to Chapter 600, Safety Programs and Joint Loss Management Committees for further information.

## **SAFETY & HEALTH ASSISTANCE RESOURCES**

The following is a list of agencies or associations which can be of assistance to employers in issues concerning safety & health.

**New Hampshire Department of Labor  
PO Box 2230  
Concord, New Hampshire 03302-2230  
Tel. (603) 271-6850 or (603) 271-7822**

**Occupational Safety & Health Consultation Service  
New Hampshire Department of Environmental Services  
29 Hazen Drive  
Concord, New Hampshire 03301  
Tel. (603) 271-2024**

**Safety & Health Council of New Hampshire  
163 Manchester Street, Suite D  
Concord, New Hampshire 03301  
Tel. (603) 228-1401**