

LECCIÓN LESSON 4

Derechos y responsabilidades de los trabajadores: seguridad y salud en el rancho

Workers' Rights and Responsibilities: Safety and Health on the Farm

Seguridad en las lecherías

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Scan to visit website:

<http://umash.umn.edu/projects/projects/seguridad.html>



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LESSON 4

TABLE OF CONTENTS

Background & Instruction page 3

Facilitator's Guide page 10

Handouts page 39

LESSON 4

SUMMARY OF INSTRUCTIONS

Lesson Objectives

This lesson will help participants to:

1. Identify worker safety and health rights and responsibilities in the US
2. Recognize the role of the Occupational Safety and Health Administration (OSHA)
3. Describe “Workers’ Compensation Insurance”
4. Recognize the importance of reporting workplace injuries and illnesses

Materials

The following are the materials and things you will need during this session:

- » Power Point presentation or flipchart slides
- » Flipchart markers
- » Pens or pencils for participants
- » Comic Book: Safety and Health on the Farm: It’s your Right. It’s the Law

Time

This lesson will take 1 hour.

BACKGROUND INFORMATION

Who oversees workers' rights and safety in the United States?

The Occupational Safety and Health Administration, also known as OSHA, is the government agency responsible for assuring safe and healthful workplaces. OSHA was created in 1970 as part of the Occupational Safety and Health Act. OSHA helps ensure safe and healthful working conditions by setting and enforcing standards and by providing training, outreach, education and assistance. Work-related injuries and deaths have been reduced by half since OSHA started.

What are the workers' rights related to safety and health?

First and foremost, all workers have the right to work in a safe and healthy workplace. It does not matter whether workers are men or women, what race they are, what country they are from, how old they are or what religion they are. Immigrant workers also have the right to work in a safe and healthy environment. Yes, OSHA protects undocumented workers too.

Speaking of safety and health, employers are required to provide a workplace free of hazards and risks and to provide opportunities for workers to learn about these hazards and risks and how to protect themselves. The eight basic worker rights related to safety and health are outlined below. These rights and how to contact OSHA are listed on a poster that employers are required to display.

1. Right to a Safe and Healthy Workplace

Workers have the right to work in a safe and healthy place. The law requires employers to provide working conditions that are free of hazards and do not cause injuries or make workers sick.

2. Right to Information

Workers have the right to ask for and get information from their employer about:

- » **chemicals used at work**
- » **injuries and illnesses that happened at work to other workers**
- » **your own medical records related to your work**
- » **results of any tests done in the workplace to measure hazards**

3. Right to Know about Chemical Hazards

Employers are required to make sure workers have information about the chemicals used in the workplace. Employers should...

- » **Make available to all workers the "Safety Data Sheets" (SDS) which include detailed information about each chemical workers use or may be exposed to.**
- » **Ensure all containers of hazardous chemicals are labeled properly.**
- » **Train workers about the hazards and health effects of the chemicals they work with, the ways to protect themselves, and the personal protective equipment they should wear.**

LESSON 4

4. *Right to Personal Protective Equipment*

Employers are required to pay for and provide workers with certain personal protective equipment (abbreviated as PPE) adequate to the hazards of the job. Some of the PPE that may be required in certain agricultural tasks includes:

- » **safety glasses to protect eyes from being injured from chemicals**
- » **ear plugs or earmuffs to protect against noise**
- » **gloves to protect from absorbing chemicals through the skin on the hands**

5. *Right not to be Discriminated against for Safety and Health Actions*

Workers have the right to ask for a safe workplace without fear of punishment. Workers should not be denied a pay raise, have their hours reduced or be fired for taking actions to have a safe workplace. Worker protection from this kind of retaliation is known as “Whistle Blower” protection. Workers can file a discrimination complaint with OSHA if their employer has punished them for using any employee rights established under the Occupational Safety and Health Act.

6. *Right to Occupational Safety and Health Training*

Employers are required to provide training on safety and health hazards in the workplace. Employers must train workers on how and when to use PPE. The training must be done in a language and vocabulary workers can understand.

7. *Right to File an OSHA Complaint*

Workers have the right to file a complaint with OSHA if they think their workplace is unsafe. They can file a complaint, online, in writing via mail or by telephone. OSHA has employees that speak Spanish. A worker may also ask OSHA not to reveal his or her name. Workers cannot be discriminated against for filing a complaint with OSHA.

8. *Right to an OSHA Inspection*

Workers have the right to request an OSHA inspection of their workplace. Workers can request an inspection by writing the OSHA office nearest to them. Written and signed complaints submitted to OSHA area offices are more likely to result in an on-site OSHA inspection. Workers can make the inspection most effective by participating in the inspection process. Workers can request an inspection by phone, mail, or online.

Workers can call, write or submit online the report of a death, file a complaint about workplace safety and health issues, request an inspection or get general information. They speak Spanish or have interpreters. You can also contact OSHA offices in Wisconsin.

LESSON 4

OSHA general office: 1.800.321.6742

OSHA website: <https://www.osha.gov/as/opa/worker/complain.html>

OSHA website in Spanish: <https://www.osha.gov/as/opa/spanish/index.html>

In Wisconsin:

Appleton: 920.734.4521

Milwaukee: 414.297.3315

Madison: 608.441.5388

Eau Claire: 715.832.9019

Do OSHA regulations apply to all farms?

In Wisconsin, OSHA can inspect, respond to a complaint, provide consultation, organize trainings and conduct surveys and studies on farms that have 11 or more employees or farms that provide housing to their workers. Family members of the owner of the farm are not counted as employees.

Why is it important for workers to report an injury or illness?

Nobody wants to get hurt, become sick or disabled, or to die from their work. It is important for workers to report injuries and illnesses caused by work so they can get immediate medical care, prevent long-term disabilities, and prevent future harm to other workers.

It is important to report injuries, because when employers know about injuries and illnesses on the farm, it will help them to take actions to eliminate or reduce the hazards on the workplace, make sure workers get trained, and to understand what types of training workers need.

Is it the worker's responsibility to report an injury or illness?

Yes, it is the responsibility of workers to report any work-related injuries and illnesses to their supervisors as soon as possible.

It is the responsibility of workers to report any work-related injuries and illnesses to their supervisors as soon as possible.

What should workers tell their supervisor when they report an injury?

A worker must tell his or her supervisor when an injury happens at work as soon as possible. He or she can tell the supervisor or put it in writing. All injuries, even minor injuries, should be reported to the supervisor. Rapid reporting helps avoid problems or delays with getting treatment and benefits. When an injury happens, the

LESSON 4

employer needs to know the following information to ensure the worker receives proper care and benefits and to comply with regulations:

- » **type of injury or illness and the parts of the body involved**
- » **explanation of the incident or the circumstances that resulted in the injury or disease**
- » **source or hazard that harmed the worker**
- » **date and time of the incident or when it was first noticed**

If a worker needs medical attention from a healthcare provider such as a doctor or nurse, the worker should tell the doctor or nurse that the injury or illness happened at work. Workers must also report to their supervisors the return-to-work instructions given by the doctor or nurse.

What kind of injuries and illnesses must employers report to OSHA?

Employers who fall under OSHA jurisdiction are required by OSHA to keep track of injuries and illnesses that cause:

- » **death**
- » **loss of consciousness**
- » **days away from work**
- » **restricted work activity or job transfer**
- » **medical treatment beyond first aid**

First aid can be provided on the farm for minor injuries. It may include using nonprescription medications, washing or cleaning wounds, using bandages, gauze pads, using temporary immobilization devices such as neck collars or splints. When an injury or illness happens at work, the employer is required to fill out two OSHA forms.

What is workers' compensation?

Workers' compensation is an insurance paid for by the employer. This insurance covers workers who get hurt or sick because of some event or exposure at their work such as hurting their back in a fall, getting burned by a chemical that splashes on their skin or getting hurt in a machinery accident. Workers' compensation **is not the same** as a medical insurance.

In Wisconsin, farmers are required to have the workers' compensation insurance if the farm has 6 or more employees.

Farmers in Wisconsin are required to purchase worker's compensation insurance if they have 6 or more employees (not including family members of the owner). This law differs from state to state.

LESSON 4

Workers' compensation should also cover workers who get hurt or get ill by repeated exposures at work, such as hurting their wrists from doing the same motion over and over, losing their hearing because of constant loud noise, or suffering from respiratory problems due to exposure to dust. These types of injuries and illnesses may be difficult to prove that they are work related.

It doesn't matter who is at fault for the injury or illness. If workers get hurt, sick or die because of their work, they may be eligible for the following workers compensation benefits:

- 1. Medical care**
 - » payments to medical providers to cover medical and hospital bills for treatment of an injury or illness caused by work.
 - » transportation to medical visits
 - » medicines and therapy related to the injury or illness
- 2. Temporary disability benefits**
 - » payments to workers up to a certain amount of their wages lost while recovering or because the injury prevents workers from doing their usual job while recovering.
- 3. Permanent disability benefits**
 - » payments if the worker does not recover completely and is unable to return to work
- 4. Death benefits**
 - » payments up to a certain amount to the spouse, children or other dependents if the worker dies from a job injury or illness; benefits may include certain percent of salary and burial expenses

Can workers get fired for being injured?

In Wisconsin, as in most states, it is illegal to fire a worker solely because the worker has suffered a workplace injury and made a claim. However, a worker may be fired if the injury makes the worker unable to complete the essential responsibilities of his or her job.

It is illegal to fire a worker because the worker has suffered a workplace injury and made a workers' compensation claim.

What should the worker tell the doctor or nurse?

It is very important that workers tell the doctor if the injury or illness happened or is related to work. The doctor determines the number of days to recover and/or the type of jobs workers can do when they return to work. Here are the steps workers should follow:

- 1. Tell the supervisor about the injury or illness as soon as possible.**
- 2. Seek medical care to treat the injury or illness.**
- 3. Tell the doctor or nurse if the injury or illness is work-related.**
- 4. Follow the "return to work" instructions and inform the supervisor of these instructions.**

LESSON 4

Yes, you can do it!

Your life and the wellbeing of your family and coworkers are in your hands. Remember, you can do it!

- ◇ **Think safety first.**
- ◇ **Know your rights and responsibilities.**
- ◇ **Report injuries and illnesses related to your work to your employer and your health care provider.**

Faciliator Guide and Presentation

LESSON 4

Workers' Rights and Responsibilities: Safety and Health on the Farm

Safety in Dairy



1

Welcome participants.

Say:

Today, we will talk about your rights and responsibilities regarding your safety and health at work.

Before starting, conduct a quick activity to create a comfortable learning environment.

LESSON 4

We will learn about

- Worker safety and health rights and responsibilities.
- OSHA or Occupational Safety and Health Administration.
- Workers' Compensation Insurance.
- Importance of reporting work-related injuries and illnesses.



2

Say:

In today's training, we'll talk about...

- your rights and responsibilities about safety and health on the farm;
- OSHA or Occupational Safety and Health Administration;
- what workers compensation insurance is; and
- reporting injuries and illnesses that happen at work.

Ask:

We are going to talk a lot about workplace health and safety rights and responsibilities. What do you think a right is? What do you think a responsibility is?

Explain:

A legal right is something that laws says you are entitled to. For example, all workers have the right to get paid for the work they do. A responsibility is something that you are obligated to do. You have a responsibility to show up to work at the time requested.

Health and Safety: *What are workers' rights?*

3

Say:

Working in pairs or in teams, discuss what rights you have regarding safety and health as a worker in the United States.

Ask and write responses on the flip chart.

What do you think of your rights regarding your safety and health on the job?

Say:

Good responses. Now let's learn more about the workers' rights regarding safety and health at work.

Ask:

What government agency in the US is responsible for making sure workers have a safe and healthy place to work and are protected from hazards?

LESSON 4

Occupational Safety and Health Administration



Occupational Safety and Health Administration

- Ensures safe and healthy work conditions.
- Enforces the Safety and Health Act at work.
- Helps employers to comply with regulations.
- Helps workers understand their rights.

4

Say:

The Occupational Safety and Health Administration (OSHA) is the government agency that addresses safety and health related to work in the United States.

Since OSHA started, work-related injuries and deaths in the US have been reduced by half.

OSHA does the following:

- Ensures men and women have safe and healthy work conditions.
- Enforces the regulations of the Occupational Safety and Health (OSH) Act.
- Helps employers to comply with regulations through outreach and education.
- Helps workers understand their rights.

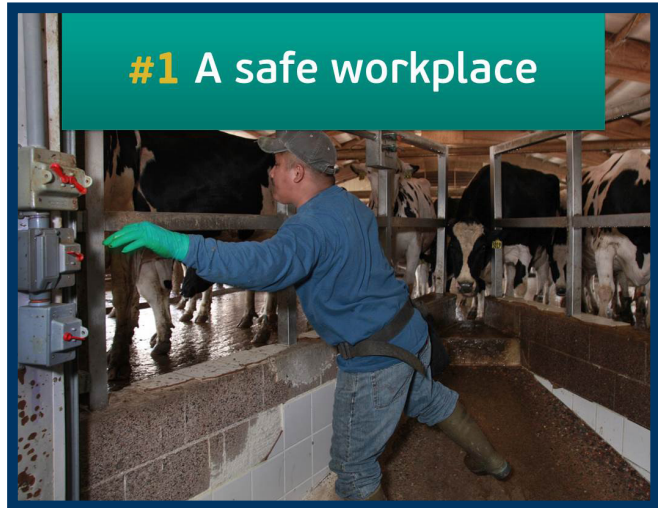
These are
your basic
rights!

5

Explain:

All workers, no matter their race, national origin, language, gender or income, have the right to safe and healthy working conditions. Immigrant and undocumented workers are also protected. We will describe eight basic rights for dairy farm workers.

#1 A safe workplace




6

Say:

Right #1: Workers have the right to work in safe and healthy conditions. Employers must create a safe workplace. The law states that workplaces must be free of known and serious dangers. Essentially, workers have a right to a safe workplace.

LESSON 4



#2 Access to information about:

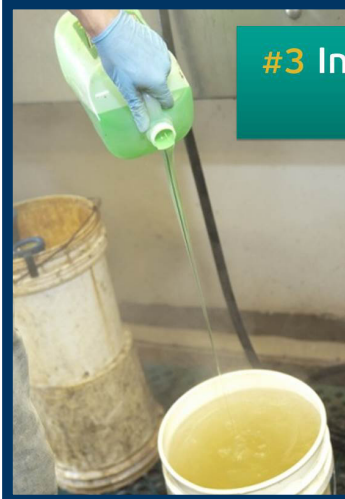
- Workplace injuries and illnesses
- Your own medical results
- Results of any tests done to measure conditions and hazards at work

7

Say:

Right #2: Workers have the right to ask for and get information from their employer about:

- injuries and illnesses that happened at their workplace;
- their own medical records of any medical tests done as a result of their work; and
- results of tests done in the workplace to measure hazards



#3 Information about chemicals

- Safety Data Sheet (SDS)
- Labels on containers with chemicals

8

Say:

Right #3: Another right that workers have is the right to request and get information about the chemicals used in the workplace. Employers should...

- share with workers the "Safety Data Sheets" (SDS). The SDS includes detailed information about each chemical workers may be exposed to; and
- ensure all containers containing chemicals have the proper labels.

LESSON 4



9

Say:

Right #4: Employers are required to pay for and provide workers with personal protective equipment or PPE to help protect workers from being injured or exposed.

On a farm, some of the required PPE includes:

- Safety glasses to protect eyes from chemicals and objects;
- Ear plugs or earmuffs to protect against noise; and
- Gloves to protect from absorbing chemicals through the skin.



10

Say:

Employers should take other measures to protect workers such as making sure tractors have seatbelts and rollover protective structures or ROPS.

Generally, employers are not required to provide protective clothing such as steel-toed boots and coveralls.

LESSON 4



11

Say:

Right #5: Workers have the right to ask for a safe workplace without fear of punishment.

Workers should not be denied a pay raise, have their hours reduced or be fired for taking actions to have a safe workplace.



12

Say:

Right #6: Workers have the right to receive training with appropriate vocabulary and in a language they understand. Yes, you have the right to receive training in Spanish about:

- Hazards on the farm;
- Type of personal protective equipment required, and how and when to use it; and
- How to do your job and task safely to prevent injuries.



Say:

Right #7:

- Workers have the right to file a complaint with OSHA if they think their workplace is unsafe.
 - Workers can call, write, or submit online complaints. There are people at OSHA that speak Spanish or they have interpreters.
 - Workers can ask OSHA not to reveal their names.
 - Workers cannot be fired, penalized or somehow retaliated against for filing a complaint with OSHA.
- Later, I will give you a comic book with OSHA contact information.

LESSON 4



14

Say:

Right #8: The right to an OSHA inspection of their workplace:

- Workers can call, write, or submit online complaint for an inspection to OSHA. There are people at OSHA that speak Spanish or they have interpreters.
- Nearest OSHA offices are more likely to respond to a request for an on-site OSHA inspection.
- Workers can participate in the inspection. This can make the inspection more effective.
- Workers cannot be fired, disciplined or punished for requesting an inspection.

As mentioned, I will give you a comic book with OSHA contact information.



15

Say:

While all workers have these rights, it's important to know that OSHA has some restrictions when it comes to agriculture. In many states and in Wisconsin, OSHA can only enforce the law on farms that have more than 11 employees or provide worker housing. Members of the owner's family are not considered employees.

Summary

16

Say:

Let's review what we learned. I will say part of a sentence or phrase and you will help me by completing it with information that we just discussed.

1. Workers have the right to work in a place that ...[is safe, is healthy, does not make workers sick or cause injuries]
2. Workers can ask and receive information about ...[past injuries in the work place, their medical records for tests done to them for work, results from testing done of any hazards in the workplace, chemicals used in the workplace and training]
3. Workers can receive certain personal protective equipment FOR FREE when it is required such as...[safety glasses, gloves, ear plugs]
4. Workers cannot be punished or fired because they...[file a complaint with OSHA, ask the OSHA inspect their workplace]
5. Workers should have trainings about.. [chemicals and other hazards in the workplace, how to protect themselves]
6. Trainings should be in a language ...[that workers understand]
7. Do immigrants and undocumented workers have the same rights?...[yes]
8. Does OSHA enforce the law on all farms? [no...OSHA can only enforce the law on farms with 11 or more employees or farms that provide worker housing]

You now know your official rights regarding safety and health in the workplace. What challenges do you think immigrant workers face when trying to ensure their rights?

[Answers might include: workers might be too afraid of being fired, workers do not know who to turn to for help, workers are isolated, language differences will make it harder to communicate about rights, and workers might not have authorization to work in the US and might be afraid of being deported.]

Being an immigrant worker can make guaranteeing these rights more challenging. This is particularly true if you do not have authorization to work in the United States. However, this does not make it legal or ok for your boss to violate your safety and health rights.

A Story

17**Read Oscar's Story:**

Oscar works on a dairy farm with 10 other workers. During the night shift, Oscar was working with the cows in the corral when a cow pinned him against the fence. Juan was close by and helped him escape. Oscar rested for 2 hours and returned to work. The following day, he could hardly breathe, he had bruises on his body, and couldn't move because of the pain in his chest. He went to the hospital in a taxi. He had broken two ribs. He didn't tell the doctor that the accident happened while working on the farm. The doctor prescribed him medicine and told him to rest for 10 days. Oscar had to pay the cost for the doctor, the hospital, the X-rays, and the medicines. They asked him if he had workers compensation. Oscar didn't know what that was. He thought it was some type of health insurance. He did not have any health insurance. Eventually, he had to borrow money to pay for his medical expenses. He returned to work the following day and didn't mention the accident, the medical expenses, or the instructions to rest for 10 days because he was afraid of losing his job. He never asked the supervisor what workers compensation was because he was afraid to ask.

Ask and write their answers on the flip chart:

Oscar had to borrow money to pay for his medical care and worked while he was still injured. If you were Oscar, what would you have done differently? What could you do to get help with the medical costs or to get paid while you recover from your injury?

[Answers may include: report it to the supervisor, report it to the doctor, ask about the worker compensation]

Ask and write their answers on the flip chart:


Why do you think workers should report injuries to the farmer or supervisor?

[Answers may include: to get immediate medical treatment, the farmer needs to know, it's the law; to help pay for the medical expenses, to get paid while recovering, to get workers compensation; to prevent other workers from being injured the same way because farmers can make changes; it helps the farmer know what types of training workers might need.]

Point to the flip chart and say:

Indeed, there are a lot of benefits from reporting incidents immediately to the supervisor and the doctor. It can help with getting workers compensation that can help pay for medical expenses and part of the workers' wages while they recover. It can help the farmer know what to fix so others do not get hurt. It can help the farmer know what kind of worker training is needed.

LESSON 4



It is the worker's responsibility to report

What to report?

- ✓ Any injury or illness that happened at work

To whom should workers report?

- ✓ Supervisor as soon as possible

18

Say:

Now that we know that it is the worker's responsibility to report injuries, let's review what and when workers should report.

- Workers should report any injury – even minor injuries, or symptoms of illness or illness that might have been caused at work.
- Workers should report to the supervisor as soon as possible.

Ask:

What information is necessary to report?

What should be reported?

- ✓ Type of injury or illness
- ✓ Details about incident
- ✓ Source or cause of injury or illness
- ✓ Date and time

19

Say:

Workers should report:

- Type of injury or signs or symptoms of an illness and the parts of the body affected;
- Details about the incident or circumstances the injury or health problem occurred
- What caused the injury or health problem; and
- Date and time the incident occurred.

Say:

Regarding injuries, employers have responsibilities too. They have to keep records.

Ask:

What types of injuries and incidents do you think farmers are required to document?

The employer is responsible for documenting:

- Deaths that happened at work
- Incidents that cause loss of consciousness
- Injuries and illnesses that require medical care beyond first aid
- Day away from work
- Restricted work activity of injured or sick workers

20

Say:

- Employers must record deaths related to work.
 - Employers must record incidents that cause a loss of consciousness or fainting.
 - Employers must document injuries or illnesses that require medical attention.
 - Employers must document the number of days the injured worker is absent from work.
 - Employers must document restricted work as a result of injuries or illnesses.
-

Why is it important to report?

21

Say:

Now, let's review what we learned. It is important to report an injury or health problem that happens at work. Why is this important?

Why is it important to report?

- Because it's the law: the farm owner needs to keep record of the deaths and certain injuries.
- For workers to receive compensation benefits for work-related injuries and illnesses
- To make changes and eliminate the hazards on the farm
- To train the workers

22

Say:

- Employers need to keep records of deaths and certain incidents: it's the law.
- In order for workers to receive workers' compensation benefits, they must report the injury or illness to their supervisor.
- If employers know about injuries and illnesses, they can make changes on the farm to get rid of the hazards that caused the injury or illness or makes changes to reduce risks.
- If employers know about injuries and illnesses, they can organize trainings to educate workers about ways to prevent future injuries and health problems.



What is Workers' Compensation?

23

Ask and write answers on the flip chart:

What do you think workers' compensation insurance is?

Say:

- Workers' compensation is a type of insurance paid for by the employer that addresses injuries and illnesses related to work.
- Workers' compensation insurance covers the workers when injuries and illnesses happen at work.
- All farms in Wisconsin are required to have workers' compensation for all of their employees when the farm has 6 or more workers. The family or relatives of the employer do not count.
- Workers' compensation helps injured workers get the medical care they need. If the injured worker is able, one of the main goals of workers' compensation is to help workers get better so they can return to work.

It is not health insurance



24

Say:

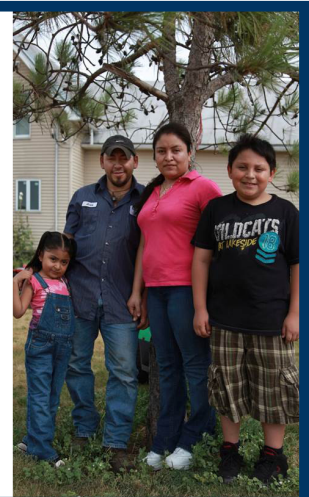
Some workers think that workers' compensation is the same as health insurance. This is not the case. Workers' compensation only covers injuries and illnesses related to work. Health insurance helps cover medical costs related to all kinds of illnesses or injuries. Some employers provide health insurance for their workers. Some do not. It is not a requirement for small farms to provide health insurance. You can also buy your own health insurance.

Benefits

Workers get certain benefits when:

- Injured
- Sick

Worker families get benefits if worker dies



25

Say:

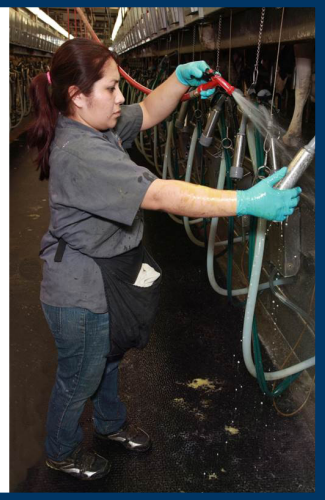
With workers' compensation, the worker receives benefits when the worker:

- Is injured from a work-related incident; or
- Gets sick from work.

If the worker dies as a result of a work injury or illness, the family receives benefits.

LESSON 4

- It doesn't matter who is at fault.
- Workers should not be penalized for being injured or filing workers' compensation claims.
- Workers can lose their job if they can no longer work.



26

Say:

It doesn't matter who is at fault. The worker should not be penalized for being injured or for filing a claim for workers' compensation. But workers can lose their jobs if they can no longer work.

Medical expenses

- Medical care and hospital bills
- Transportation to see doctor
- Prescriptions, lab tests, therapy



27

Say:

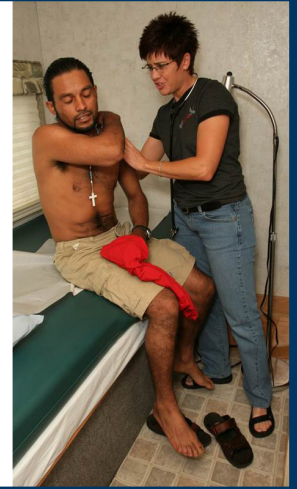
Workers' compensation covers:

- Medical expenses such as the costs for the doctors and the hospital;
- Transportation expenses to and from a clinic and hospital; and
- Medicines, lab tests and therapy.

Temporary disability

Receive part of salary:

- While recovering
- If injuries prevent them from doing their usual job



28

Say:

Workers also can receive part of their salary while they recover from their injuries or if the injuries prevent them from doing their job.

Permanent Physical Disability

Workers receive payment when they are unable to work



29

Say:

Workers can receive payments when they have permanent disability because they cannot recover from the injury or cannot work anymore.

LESSON 4

In case of death

The spouse, children or other dependents can receive payment



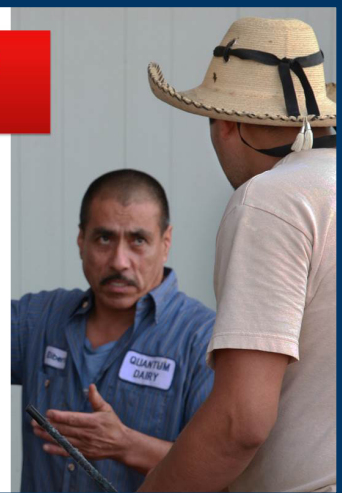
30

Say:

If the worker dies due to a workplace injury or illness, the family receives payment. Benefits may include a percentage of the salary and burial expenses.

It's the worker's responsibility:

- Report to supervisor
- Get medical attention
- Notify doctor that injury occurred at work
- Inform supervisor about return-to-work instructions



31

Say:

It is the worker's responsibility to:

- Report to the supervisor as soon as possible any injury or illness caused by work.
- Get medical attention as soon as possible.
- Notify medical personnel that the injury or illness happened at work.
- Inform the supervisor about the return-to-work instructions.

Return to work instructions give the farmer recommendations about light duty or tasks that are not as hard to do while the work recovers. It also gives recommendations about when the worker can return to work.

LESSON 4

| JEOPARDY! | | | |
|-----------------|--------------------------|---------------------------|-----------|
| Worker's Rights | Owner's Responsibilities | Worker's Responsibilities | Benefits |
| <u>10</u> | <u>10</u> | <u>10</u> | <u>10</u> |
| <u>20</u> | <u>20</u> | <u>20</u> | <u>20</u> |
| <u>30</u> | <u>30</u> | <u>30</u> | <u>30</u> |

32

Say:

We will play a fun game. I will ask a question and you can win points if you know the answer. Raise your hands if you know the answer. Prizes are according to the points gained.

| Rights |
|---|
| 10 points |
| What is the federal agency that protects the safety and health of workers in the United States? |
| u |

33

What is the federal agency that protects the safety and health of workers in the United States?

In the United States, the agency that protects the safety and health of all workers is the Occupational Safety and Health Administration or OSHA.

LESSON 4

Rights

20 points

Workers have a right to what kind of workplace?



34

Workers have a right to what kind of workplace?

Workers have the right to a workplace that is SAFE AND HEALTHY, that is, a work-place that DOES NOT CAUSE INJURIES, ILLNESSES, DISABILITIES OR DEATH.

Rights

30 points

Does OSHA protect immigrant workers?



35

Does OSHA protect immigrant workers?

Yes. OSHA protects workers and immigrant workers, including those who do not have authorization to work in the United States. OSHA protects men, women and workers of all ages.

LESSON 4

Owner's Responsibilities

OSHA requires that farms with 11 or more workers keep health and safety records. What does the owner have to record on OSHA forms?



36

OSHA requires that farms with 11 or more workers keep health and safety records. What does the owner have to record on OSHA forms?

Farms with 11 or more workers must record on OSHA's forms accidents and injuries that require medical attention, cause loss of consciousness, death and alternative tasks that workers must do while recovering from injuries.

Owner's Responsibilities

20 points

On a dairy, does the employer have to provide Personal Protective Equipment to workers?



37

On a dairy, does the employer have to provide Personal Protective Equipment to workers?

Yes. The employer must provide certain free personal protective equipment for workers. The PPE must be adequate for the workers' tasks.

LESSON 4

Owner's Responsibilities

30 points

The owner must train workers. What health and safety topics must be included?



38

The owner must train workers. What health and safety topics must be included?

The training must inform about work hazards and ways to prevent work-related injuries and illnesses. The training must be delivered in a language that workers understand.

Worker's Responsibilities

10 points

If workers are injured at work, who do they have to inform right away?



39

If workers are injured at work, who do they have to inform right away?

Workers must inform their SUPERVISOR right away, even if the injuries are minor.

LESSON 4

Worker's Responsibilities

20 points

Who is responsible for informing the doctor that the injury happened at work?



40

Who is responsible for informing the doctor that the injury happened at work?

The WORKER is responsible for informing the doctor that the injury happened at work.

Worker's Responsibilities

30 points

Why does the worker have to give the employer return-to-work instructions recommended by the doctor?



41

Why does the worker have to give the employer return-to-work instructions recommended by the doctor?

The employer needs the RETURN-TO-WORK INSTRUCTIONS to know when the worker can come back to work. In some cases, workers can be given alternative tasks or light duty.

LESSON 4

Benefits

10 points

Is Workers' Compensation Insurance the same as health insurance?



42

Is Workers' Compensation Insurance the same as health insurance?

Workers' Compensation Insurance is NOT the same as health insurance. Workers' compensation is paid by the farmer to cover workers' expenses for injuries and illnesses resulting from work.

Benefits

20 points

What medical expenses does the worker's compensation cover?



43

What medical expenses does workers' compensation cover?

Workers' compensation insurance covers medical expenses including HOSPITAL BILLS, MEDICINES, THERAPIES AND TRANSPORTATION.

LESSON 4

Benefits

30 points

Does workers' compensation insurance pay salaries while the worker is recovering?



44

Does workers' compensation insurance pay salaries while the worker is recovering?

Yes. Workers' compensation insurance pays part of the workers salary for the days away from work or for permanent disability.

You can do it!

- Know your rights and responsibilities
- Think about your safety
- Remember, working in a dairy can be dangerous



45

Say:

Remember you can do it!

- Know your rights and responsibilities
- Think safety
- Remember that work in dairy can be dangerous

Thank you for your participation!

Contact Information:

National Farm Medicine Center

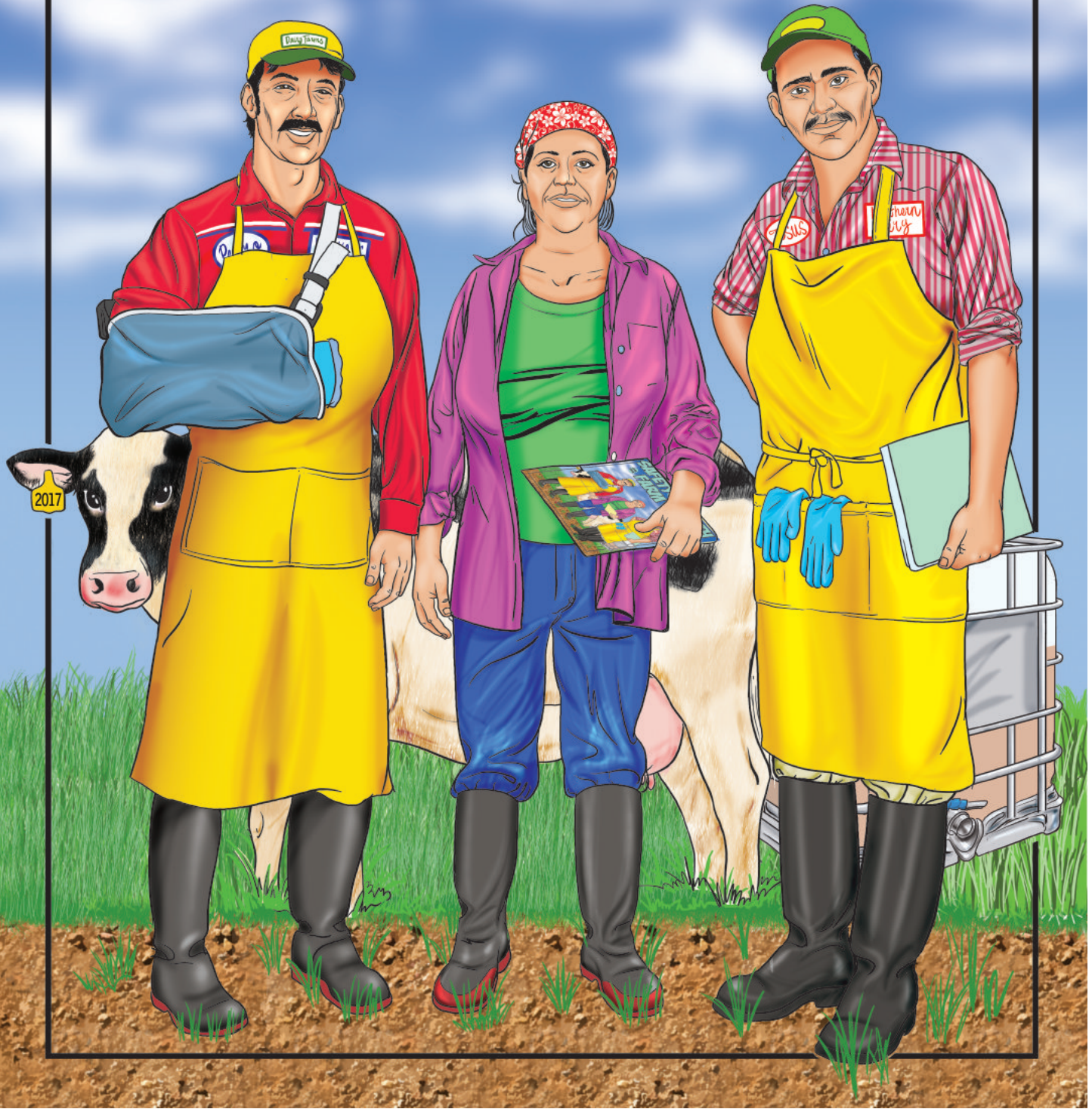
1.800.662.6900

46

Handouts

SAFETY AND HEALTH ON THE FARM

IT'S YOUR RIGHT
AND IT'S THE LAW



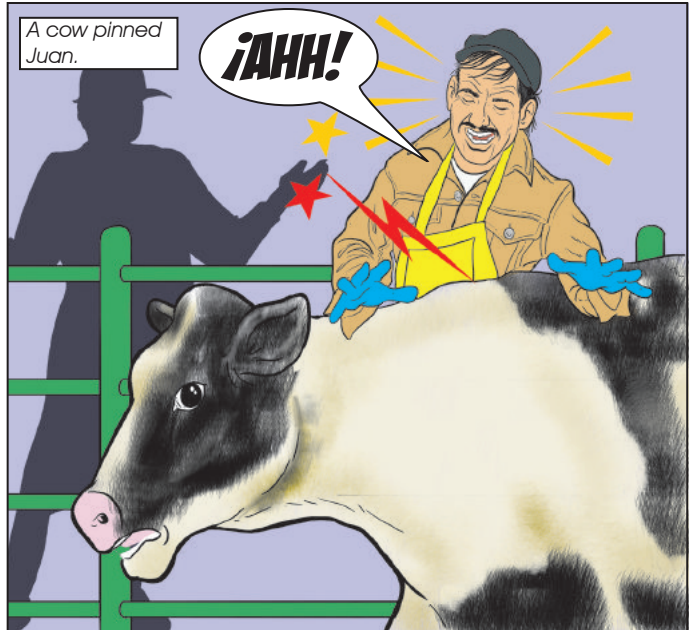


Juan is a milker on a dairy farm. He is from México.

Juan was never trained to work safely with cows.

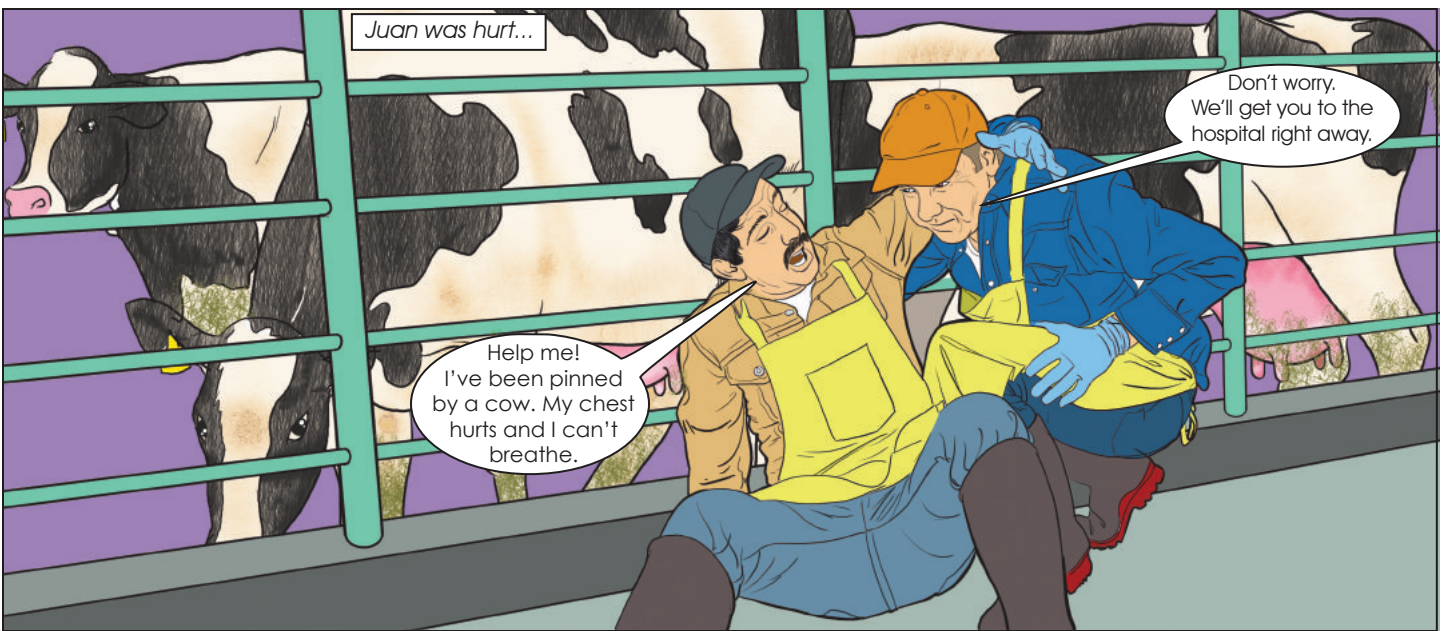


Today, the crowd gate got stuck. Juan jumped into the holding area to open the gate...



A cow pinned Juan.

¡AHH!



Juan was hurt...

Help me! I've been pinned by a cow. My chest hurts and I can't breathe.

Don't worry. We'll get you to the hospital right away.

Even though Juan is in great pain, he is worried about how he is going to pay for his medical bills. He is scared that he will lose his job.

What am I going to do? I don't have the money to pay for the doctor. And if I don't work, I can't send money home to Mexico.

Don't worry. Our farm has workers' compensation insurance for all employees who get hurt on the job.

And what do I have to do?

Right now, it's important that we get you to a doctor. You will need to tell the doctor this happened at work.

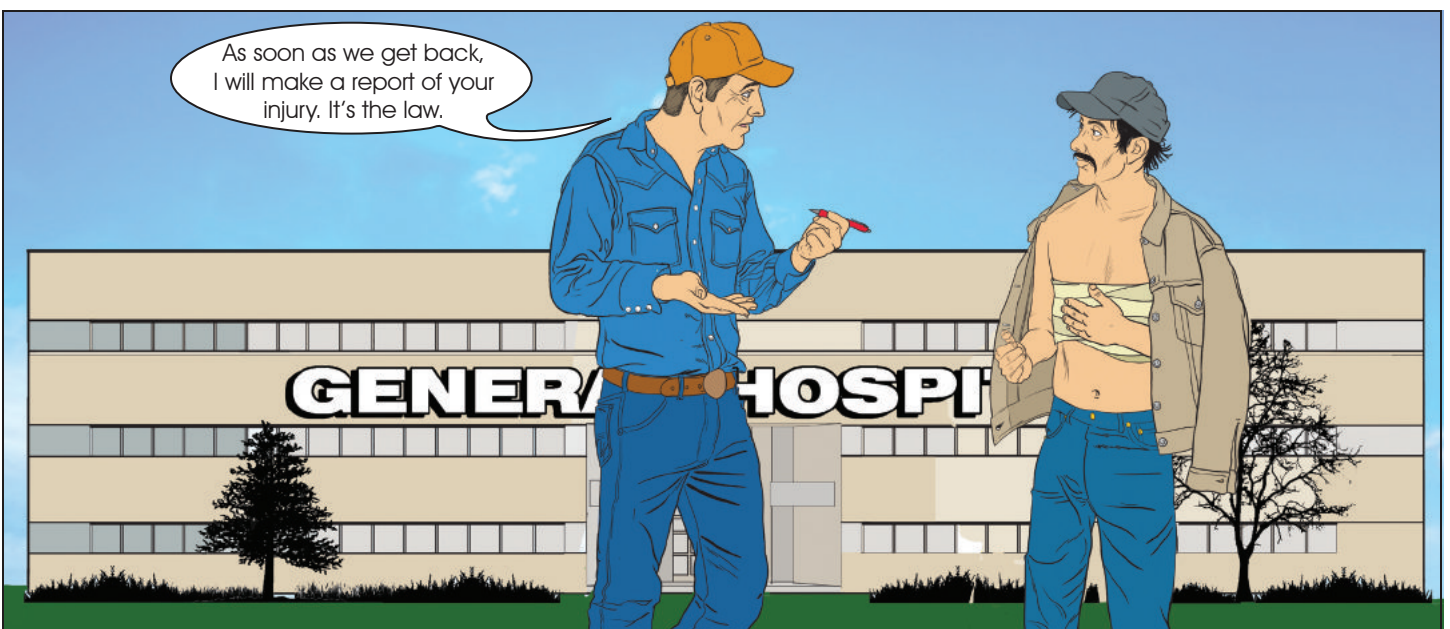
You broke 4 ribs. What happened?

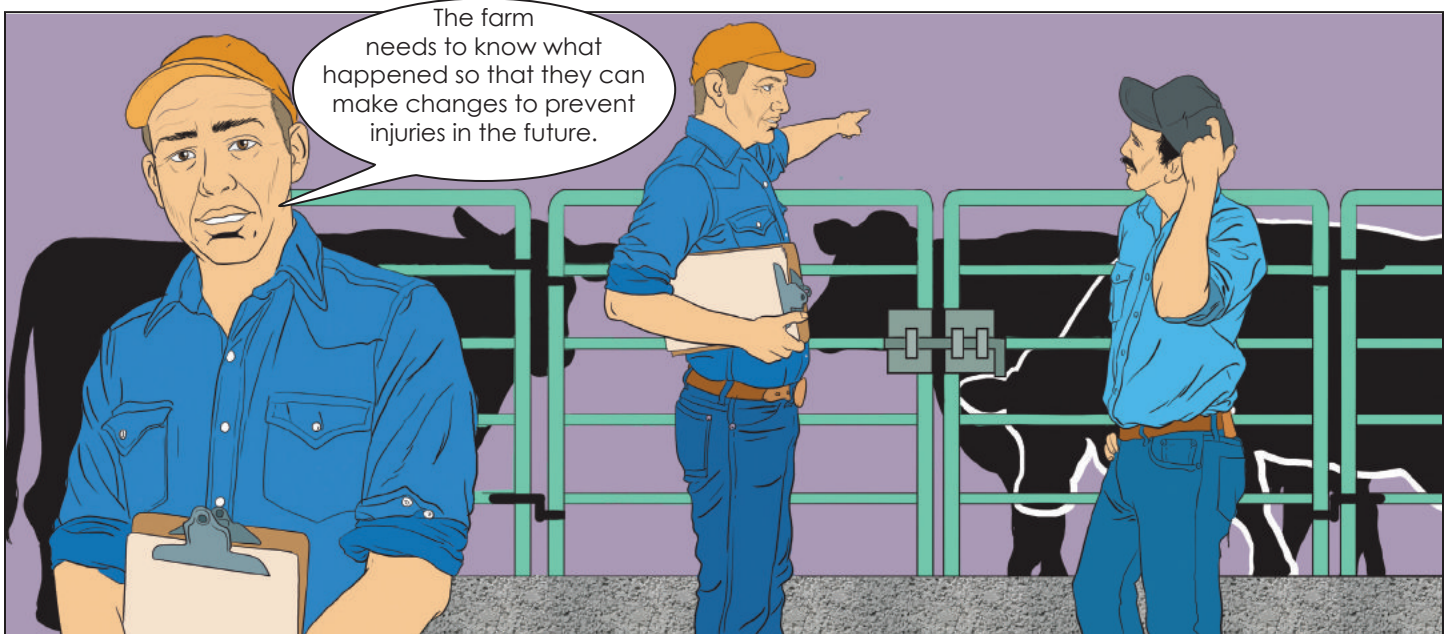
Doctor this happened at work. I got pinned by a cow.

EMERGENCY

Working on farms can be dangerous. We've arranged for you to see another doctor tomorrow.

Talk to that doctor about getting you back to work as soon as you can. It's good for you and it's good for the farm.







Workers have certain rights like the right to know about the hazards in their workplace and how to keep safe.

How to stay safe when working with animals is the topic of today's training.



Communication is very important on the farm, among workers and between workers and the farmer.

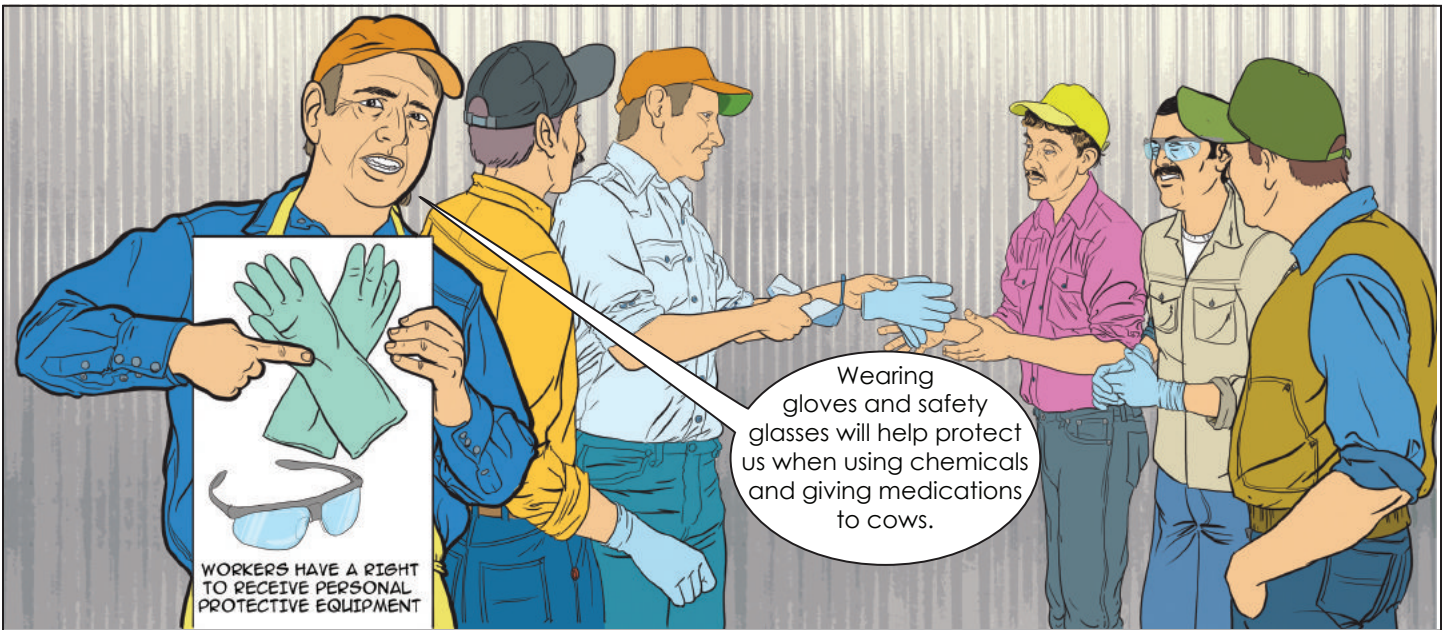
I want to tell you what I learned from getting pinned by that cow. We need to be aware of cow behavior and look for signs of stress or aggression.



Escape routes will help workers exit safely in case cows are stressed or aggressive.

It's very important for workers to know where the escape routes are when working with cattle.

Another right that workers have is to receive information about the chemicals used at work.



Two weeks later...



Workers' Rights

All workers have these rights:

- ❑ Right to a safe and healthy workplace.
- ❑ Right to know about chemical hazards and how to avoid injury.
- ❑ Right to health and safety training about hazards at your workplace.
- ❑ Right to information about workplace hazards.
- ❑ Right to demand a safe workplace without fear of discrimination or punishment.
- ❑ Right to file an OSHA complaint and to request an OSHA inspection of your workplace.



- For more booklets, call (715) 387-5891 or visit <http://www.migrantclinician.org/dairyworkercomic>
- For more information about workers' compensation in your state visit www.migrantclinician.org/workerscomp
- Story: Amy Liebman, Patricia Juárez-Carrillo, Salvador Sáenz and Francisco Guerrero
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