State Occupational Safety and Health Standards

Prepared by Public Citizen and the Policy Surveillance Program Staff

ABOUT STATE OCCUPATIONAL SAFETY AND HEALTH STANDARDS LAWS & THE DATA

In 1970, President Nixon signed into law the Occupational Safety and Health (OSH) Act, the first comprehensive piece of legislation aimed at protecting workers from dangers they may face on the job. Every year, millions of work-related injuries and illnesses are reported, thousands of workers are killed on the job, and tens of thousands more die from occupational diseases.\(^1\) Safety and health regulations and statutes (also known collectively as “standards”) can prevent many of these deaths and injuries.\(^2,3,4\)

Under the OSH Act, states are permitted to substitute their own rulemaking and enforcement agencies for the federal Occupational Safety and Health Administration (OSHA), as long as the state programs are “at least as effective” as the federal agency. Twenty-five states, plus Puerto Rico and the Virgin Islands have federally-approved state programs.

These state programs must either adopt federal safety and health standards issued by OSHA or pursue their own regulations or statutes (referred to in these datasets as “state-specific standards”).

There are two broad types of state-specific standards, depending on whether there is a federal OSHA counterpart to the state standard. The first group consists of state standards that supplement or replace, in whole or in part, an existing federal OSHA rule. The second group consists of state-specific standards that protect workers from hazards not addressed in any federal OSHA rule.

These pages include all state-specific standards that concern specific workplace safety and health hazards and that are enforced by state OSHA programs.

The regulations and statutes are broken into six different industrial categories:

1. General Industry
2. Construction
3. Agriculture

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4. Maritime  
5. Oil and Gas  
6. Mining

The first four categories, General Industry, Construction, Agriculture, and Maritime, are based on the industries under which federal OSHA regulations are classified, while the latter two, Oil and Gas, and Mining, are based on industrial categories covered by state-specific standards and have no federal OSHA counterpart (the oil and gas industries are not specifically covered by federal OSHA regulations, while mining workplace safety is regulated by a separate federal agency, the Mine Safety and Health Administration, or MSHA).

Workers, unions, policymakers, researchers, regulated entities, and others can use these pages to inform themselves about the different state-specific occupational safety and health protections available in their own state or in other states across the country.

The Occupational Safety and Health datasets are intended to be tools for reviewing regulations and laws in one state or for comparing them across several states. The portal is not intended to provide legal advice. Please consult legal counsel for specific questions about the application of law in your state.

**NAVIGATING THE DATA**

There are two ways to navigate the data by clicking the Filter tab or the Explore tab — for each option, the data can be visualized in a map and table format or in jurisdiction profiles.

*Filter*

The dataset homepage will default to the Filter tab. Here, users may answer a series of questions to learn more about the characteristics of the laws. Answering more than one question will show all the jurisdictions that meet the combined criteria. Criteria selected will be listed above the questions, and can be removed by clicking the white X or by clicking “Reset” above the questions. These criteria correspond to questions aimed at identifying the broad categories of occupational safety or health hazards, industries, or work processes addressed in the state standards. As questions are answered by selecting each of these criteria, additional criteria may appear that represent more specific hazards, industries, or work processes covered by each state’s standards.

Each of the 25 states in the datasets also has a single effective date. This date corresponds to the date on which the state plan received “Initial Approval” from federal OSHA. This initial approval represents the date on which the state plan was authorized to commence rulemaking and enforcement activities.

*Explore*

Users can access Explore by clicking the Explore tab in the bar above the questions. Using Explore, users will see the answers to one question across all jurisdictions.

The questions and state laws vary across the State Occupational Safety and Health Standards datasets, including:
Oil and Gas

There are five states with standards for the oil and gas industries. The two questions in this dataset are based on the division of this broad category into two smaller and distinct industries:

1. Drilling, Servicing, and Production
2. Refining, Transportation, and Handling

General Industry, Construction, and Agriculture

The questions for the remaining three datasets, General Industry, Construction, and Agriculture are based primarily on the classification of the federal OSHA regulations in 29 CFR 1910 (General Industry), 29 CFR 1926 (Construction), and 29 CFR 1928 (Agriculture). Please refer to the regulations contained within each of these federal OSHA regulatory chapters to clarify the meaning of the technical terms used in the three datasets’ questions.

In the General Industry and Construction datasets, the top-level phrases correspond – roughly – to the broad Subparts (D to Z in 29 CFR 1910 and C to CC in 29 CFR 1926) within each of these regulatory chapters.

In the Agriculture dataset, only a few of the questions are based on the federal OSHA agricultural regulations in 29 CFR 1928, with the rest derived primarily from federal OSHA’s General Industry regulations at 29 CFR 1910.

To the extent possible, state standards were classified according to this federally-derived classification scheme. In some cases, the federal Subpart or regulation title was modified to account for novel state standards. An example of this is the question in the Construction dataset for “Steel Erection and Wood Framing” that was initially based on Subpart R Steel Erection in 29 CFR 1926, but that had to be modified to account for state-specific standards addressing wood framing operations within the context of steel erection activities.

In yet other cases, a new parent or child question had to be created where no analog to a state standard could be found in any of the three federal OSHA regulatory chapters. An example of this would be the questions in the General Industry and Agriculture datasets on “Heat and Cold Stress” that have no federal counterparts.

Scope of standards within each industrial category

For the most part, General Industry standards apply to all employers in the state, unless superseded by another, industry-specific standard in one of the other five industrial categories, or as indicated otherwise in the standard’s scope or applicability provisions. Standards in the five other industry-specific datasets apply only to employers in those respective industries.

DISPLAYING THE RESULTS

There are two display modes once criteria have been selected by using either the Filter or Explore tab — Map display mode and Profiles display mode.

Map Display

LawAtlas.org dataset homepages default to the map display mode. When querying the data using the Filter tab, all jurisdictions that meet the criteria selected will display in one tone of yellow. Those jurisdictions that do not meet the criteria selected will be colored gray. When
querying the data using the Explore tab, the map will illuminate with colors from yellow to red that are associated with the various answer choices (the color-coding is defined by the key to the left of the map).

Below the map, a table will appear. Using the Filter or Explore tab to navigate the questions will change the display:

- Using the Filter tab, you can select an unlimited number of criteria and the applicable jurisdictions that meet the combined criteria will be displayed in the table below.
- Using the Explore tab, you can isolate a single criterion and the applicable jurisdictions will appear in the table below.

Profiles Display
The Profiles display presents the results of the criteria selected in a text-based format for each applicable jurisdiction. Using the Filter tab, jurisdictions that meet the criteria selected will display. Using the Explore tab, jurisdictions that meet the criterion selected will display. If no criteria are selected, the full profiles for each state will appear under both Filter and Explore.

Profile Legend
Within each Profile box, above the questions and answers, there are additional options and information useful in exploring the law:

<table>
<thead>
<tr>
<th>§§</th>
<th><strong>Toggle Legal Text</strong> – Selecting this option will show all the legal text used to answer questions for this jurisdiction.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Toggle Full Place Profile</strong> – Selecting this option will show all questions and answers for this jurisdiction, regardless of what was selected using the Filter or Explore tabs.</td>
</tr>
<tr>
<td></td>
<td><strong>Toggle Size</strong> – Selecting this option will make the profile larger, but will not change the information displayed.</td>
</tr>
</tbody>
</table>

Legal Text History – This interactive timeline displays when changes in the law have occurred within a jurisdiction. Using the arrows to the left or right, users may explore how the law has changed over time as new amendments to the law have been enacted. The timeline will change from gray to a shade of yellow when the jurisdiction passed its first relevant law. Each change in the law after that is marked by a break in the timeline.

Map and Profile Legend
There are a few symbols to be aware of in both Map and Profiles display modes:
Section Symbol – Clicking this symbol will open a window that displays excerpts from the law that correspond to the question and answer.

Caution Note – Clicking on this symbol will open a small window that displays text that describes important caveats about the question and answer.

DATASET RESOURCES
Each dataset homepage includes the following resources available for download:

- Data: The Data file exports in CSV. format and may contain two tabs. The “Statistical Data” tab contains the legal variables coded in the dataset, displayed as values defined in the accompanying Codebook. The “Summary Data” tab contains the legal variables coded in the dataset in text form, as well as the accompanying citations and any caution notes that may be included. Note: if there is only one tab available for download it will be the “Statistical Data” as described above.

- Codebook: The Codebook defines all of the coded variables in the dataset. The Codebook lists the question, question type, variable name, variable value and variable label. The Codebook should be used in conjunction with the Statistical Data extract.

- Research Protocol: The Research Protocol is a comprehensive document that outlines the entire methodology of the project, including the scope, inclusion and exclusion criteria, data collection methods, definitions, coding scheme decisions, as well as the quality control process.

- Summary Report: The Summary Report provides a snapshot of important findings from the dataset.

ADDITIONAL INFORMATION
Additional resources with information about federal and state occupational safety and health agencies and standards include:


This collection of laws does not provide legal advice nor does it address enforcement of laws, administrative policies, case law, or any other sources of law. Should you have a specific question about these laws in your state, please contact an attorney in your jurisdiction.