Fall 2020

EM 633-101: Legal Aspects of Health and Safety

Prakash Kothari

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NEW JERSEY INSTITUTE OF TECHNOLOGY

Fall 2018 - EM 633 – Legal Aspects of Health & Safety
Instructor: Prakash Kothari, MS, CIH, CSP
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Text Book: OSHA Inspections – Preparation and Response, Rick Kaletsky, National Safety Council

Course Description:

A comprehensive study of the Occupational Safety and Health (OSH) Act and the authority of the Occupational Safety and Health Administration (OSHA). Review of employer’s legal responsibilities and proactive measures to ensure compliance with OSHA's General Duty Clause.

Learning Objectives:

- Practice work-related functions that are within the legal framework for assuring safe and healthful workplaces in the U.S.
- Process of the rulemaking, enforcement, and adjudication in the occupational health and safety regulatory system.
- Illustrate the relationship of the Occupational Safety and Health Act with other Laws; Workers Compensation, common law remedy, EPA, etc.
- Discuss the duty to comply, the general duty clause, and employee and employer rights associated with each.
- OSHA regulations impacting various industries
- Describe the need for self-audits and inspections and discuss the ramifications of each.
- Identify how an employer can contest a citation and a penalty associated with an OSHA finding. Discuss the enforcement of criminal violations and the judicial review process of said violations. Appraise and explain the need for imminent danger inspections.

Course Outline:

Sept 01 – Introduction to course - Overview, OSHA Inspections, Training Obligations
Sept 15 – Right to Know – Hazard Communication
Sept 22- Workman’s Compensation, Accident Investigation,
Sept. 29 – Fire Prevention/Inspection – NFPA
Oct 6 – OSHA Recordkeeping standard - 29CFR1904
Oct 20 – MID TERM EXAM
Oct 27 – Asbestos Compliance
Nov 3 – Class Presentations, Radiation Compliance
Nov 10 – Class Presentations, OSHA Lockout Tagout
Nov 17 – Class Presentations, OSHA Bloodborne Pathogens – Term Papers Due
Nov 24 – Class Presentations, OSHA - Noise, Hearing Conservation
Dec 1 – OSHA - Hand and Power Tools
Dec 8 – Liability/Ethics/Legal issues for the Safety Professional, Review for Final Exam
Dec 15 – Final Exam

Grading Percentages: Presentation – 20 %, Term Paper: 10%, Mid Term – 20 %, Final Exam – 40%
Attendance - 10%

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