

Alaska

● **STATE HEALTH, SAFETY AND HOUSING LAWS (*EMPLOYEE SAFETY EDUCATION*)**

STATUTORY CITATION: Alaska Stat. §§ 18.60.066 – 18.60.068

GENERAL SUMMARY: The state health, safety and housing laws grant most workers in the state the right to information regarding toxic or hazardous substances to which they may be exposed at the workplace, and require employers to provide a safety education program to workers newly assigned to jobs where such exposure may occur.

PROVISIONS APPLICABLE TO AGRICULTURE: To the same extent as their counterparts in non-agricultural industries, every farm employer with one or more employees working in a place not used primarily as a personal residence must make available to any employee, on request, written information on each toxic or hazardous substance to which the worker may be exposed. Before a worker is assigned to a job which could result in exposure to a toxic substance, the employer must provide a safety instruction program that informs the worker of (1) the location, properties and effects of the hazardous or toxic substances to which he or she will be exposed in the workplace, (2) the nature of the operations that could result in exposure and the necessary handling practices or precautions to be observed, and (3) the location, purpose and proper use of personal protective equipment. Finally, each employer must post written information at the job site identifying the toxic substances with which employees may come into contact and advising them of a location, in or near the workplace and accessible to the workers, where product safety and health information may be inspected.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. An employee who has suffered any such retaliation may file a complaint with the state enforcement agency.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Occupational Safety and Health Section, Division of Labor Standards and Safety, Department of Labor and Workforce Development, Juneau, Alaska 99811 (907-465-4855).*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Arkansas

○ PUBLIC HEALTH AND WELFARE LAWS (*HAND HARVESTING BY CHILDREN*)

STATUTORY CITATION: Ark. Code § 20-20-303

GENERAL SUMMARY: Chapter 20 of Arkansas' public health and welfare statutes authorizes the state health department to establish a list of approved pesticides and other agricultural chemicals deemed safe for the occupational exposure of children 12 and 13 years of age who are employed in hand harvesting of short-season crops. The department may also establish time periods after which it is deemed safe for 12- and 13-year-old hand-harvest workers to re-enter the fields after those chemical products are applied.

SPECIFIC TERMS AND CONDITIONS: Under this authority, the Arkansas Department of Health has adopted **no regulation** listing any pesticide products found safe for 12- and 13-year-old hand harvesters, nor established safe re-entry periods applicable to such workers.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Arkansas Department of Health, Little Rock, Arkansas 72205.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Labor Standards Division, Arkansas Department of Labor, Little Rock, Arkansas 72205 (501-682-4500).* This agency is responsible for issuing youth employment certificates in Arkansas, and for enforcing other provisions in the state's child labor laws.

California

● CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH ACT OF 1973 (*REPORTING OF PESTICIDE POISONINGS*)

STATUTORY CITATION: Cal. Lab. Code §§ 6409

GENERAL SUMMARY: The California Occupational Safety and Health Act imposes the responsibility on all employers in the state to safeguard the well-being of their employees. Not only are employers obligated to comply with specific safety and health orders and regulations issued under the Act's rulemaking provisions, but they must also observe certain reporting requirements related to accidents involving pesticides.

SPECIFIC TERMS AND CONDITIONS: Any physician who treats or attends to an injured employee must file a report of occupational injury or illness with the employer or the employer's insurer. If treatment is for pesticide poisoning, or a condition suspected of being pesticide poisoning, the employer or the employer's insurer must file a copy of the physician's report with the state industrial relations department within 5 days. The treating physician must also forward the report to the state agency.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. Likewise, employees may not be fired or laid off for refusing to work in a workplace or on a job where a real or apparent hazard exists in violation of the Act or its regulations. The name of any person who submits a complaint regarding workplace safety must be kept confidential unless the person requests otherwise.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Division of Occupational Safety and Health (Cal/OSHA), California Department of Industrial Relations, Oakland, California 94612 (510-286-7000)*. Failure to file a report regarding an injured employee is a misdemeanor, punishable by a fine of up to \$200.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Division of Labor Standards Enforcement, California Department of Industrial Relations, Oakland, California 94612 (510-285-2118)*. This agency is responsible for enforcing the law prohibiting retaliation for occupational safety or health activity.