

NEW JERSEY INSTITUTE OF TECHNOLOGY

Department of Mechanical and Industrial Engineering

M.S. Occupational Safety and Health Engineering

Fall 2024 - EM 633 – Legal Aspects of Health & Safety

Instructor: Prakash Kothari, MS, CIH, CSP

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Textbook: OSHA Inspections – Preparation and Response, Rick Kaletsky, National Safety Council

Reference Book: Bailey, M. A., Conn, E. J., Davis, F. D., Doran, W. K., Duggin, K. A., Flood, J. B., . . . Siepman, K. B. (2008). *Occupational safety and health law handbook* (2nd ed.). Landham, MD: Government Institutes.

Classroom: Central King Building 317

Schedule: Tuesdays

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 03	Introduction to course - Overview, OSHA Inspections, Training Obligations
Sept 10	Right to Know – Hazard Communication
Sept 17	Workman’s Compensation, Accident Investigation,
Sept. 24	Fire Prevention/Inspection – NFPA
Oct 1	OSHA Recordkeeping standard - 29CFR1904
Oct 08	OSHA regulation on Power Generation, Transmission and Distribution 29CFR1910.269
Oct 15–	MID TERM EXAM
Oct 22 –	Asbestos Compliance
Oct 29 –	Project Presentations, Radiation Compliance
Nov 05	Project Presentations, OSHA Lockout Tagout
Nov 12–	Project Presentations, OSHA Bloodborne Pathogens– Term Papers Due
Nov 19 –	Project Presentations, OSHA - Noise, Hearing Conservation
Dec 3 –	OSHA - Hand and Power Tools
Dec 10 –	Liability/Ethics/Legal issues for the Safety Professional, Review for Final Exam
Dec 17 –	Final Exam

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

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<http://www5.njit.edu/policies/sites/policies/files/academic-integrity-code.pdf>.

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