EMPLOYERS:
Each employer shall furnish to each of his employees, employment, and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to his employees, and shall comply with occupational safety and health standards issued under the law.

EMPLOYEES:
Each employee shall comply with all occupational safety and health standards, rules, regulations, and orders issued under the law that apply to his own actions and conduct on the job.

INSPECTION:
The law requires that a representative of the employer and a representative authorized by the employees be given an opportunity to accompany the Compliance Officer for the purpose of aiding the inspection. Pursuant to AS 18.60.087, time spent by an employee aiding the inspection shall be considered as time worked, and the employee shall be compensated accordingly. Where there is no authorized employee representative, the Compliance Officer must consult with a reasonable number of employees concerning safety and health conditions in the workplace.

COMPLAINT:
Employees or their representatives have the right to file a complaint in writing with the nearest Alaska Department of Labor and Workforce Development office requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. Their names will be withheld upon request.

DISCRIMINATION:
Employees and their representatives have a right to call an inspector’s attention to possible violations in writing or orally. The law provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the law.

PENALTY:
Under AS 18.60.089, an employee may not be discharged or discriminated against because they filed a complaint, instituted, or caused to be instituted a proceeding related to the enforcement of occupational safety and health standards, or has testified or is expected to testify in a proceeding related to occupational safety and health. An employee who believes they have been discriminated against may file a complaint with the nearest OSHA and/or Alaska Occupational Safety and Health office within 30 days of the alleged discrimination.

CITATION:
If upon inspection, the Compliance Officer believes an employer has violated the law, a citation alleging such violations will be issued to the employer. Each citation will specify a time period within which the alleged violation must be corrected.

PROPOSED PENALTY:
The law provides for mandatory penalties against employers of up to $15,625.00 for each serious violation and for optional penalties of up to $15,625.00 for other violations. Penalties of up to $15,625.00 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the law may be assessed penalties of up to $156,259.00 for each violation. Current penalty supplements may be found here: https://labor.alaska.gov/lss/program_directives.htm.

CRIMINAL
Penalties are also provided for in the law. Any willful violation resulting in death of an employee upon conviction is punishable by a fine not more than $10,000 or by imprisonment for not more than 6 months, or by both. Conviction of an employer after a first conviction doubles these maximum penalties.

VOLUNTARY ACTIVITY:
While providing penalties for violations, the law also encourages efforts by labor and management, before an inspection, to reduce injuries and illnesses arising out of employment.

Additional information and copies of the law, specific safety and health standards, and other regulations may be obtained from the Alaska Department of Labor and Workforce Development, Division of Labor Standards & Safety, Alaska Occupational Safety and Health at the addresses shown at the bottom of this page.

The law provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the law.

The Alaska Department of Labor and Workforce Development encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employers and supervisors. Upon request of an employer, the Alaska Department of Labor and Workforce Development will furnish a consultant who will inspect the premises and identify hazards without assessing penalties.

The Alaska Department of Labor and Workforce Development will provide assistance to employers in the form of SDS program development aids, on-site program review, and safety seminars.

For more information, employers, employees and concerned citizens may contact the Alaska Department of Labor and Workforce Development, Labor Standards and Safety Division, Occupational Safety and Health, http://labor.alaska.gov/lss/osh/home.htm.

AS 18.60.058 (a) requires that employers must notify either AKOSH or OSHA within eight hours of an in-patient hospitalization, loss of an eye, amputation, or fatality.

AKOSH 1-800-770-4940 or 24-hour OSHA hotline 1-800-321-6742

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