

# SCIOTO COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

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## POLICY 3.02.20 PUBLIC EMPLOYMENT RISK REDUCTION PROGRAM

(ORC 4167)

- A. The Public Employment Risk Reduction Program applies to both public employers and public employees in an effort to provide safe and healthful workplaces.
- B. Under the provisions of the Public Employment Risk Reduction Program, the Scioto County Board of Developmental Disabilities, acting as a public employer, has the following rights, requirements and responsibilities.
  - 1. The Board will furnish a place of employment free from recognized hazards.
  - 2. The Board will comply with the Ohio Public Employment Risk Reduction standards.
  - 3. The Board will not discriminate against any employee for good faith refusal to perform assigned tasks if the employee has requested a hazardous condition to be corrected, but the condition remains uncorrected.
  - 4. The Board may apply to the Division of Occupational Safety and Health for an order granting a temporary variance from the Ohio Public Employment Risk Reduction Standard(s), with said variance extending up to one year or the time it takes to come into compliance, whichever is less.
  - 5. The Board will maintain records regarding safety and health activities and exposure to potentially toxic, carcinogenic or harmful materials.
  - 6. The Board will post notices informing employees of their rights and responsibilities under the Public Employment Risk Reduction Program (PERRP).
  - 7. The Board is entitled to up to fourteen days to notify PERRP of its intent to contest a citation issued by the Division of Occupational Safety and Health and be entitled to a hearing regarding same.
- C. Under the provisions of the Public Employment Risk Reduction Program, Board employees have the following rights and responsibilities.
  - 1. Employees must comply with the Ohio Public Employment Risk Reduction standards, rules and orders as adopted.

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2. Employees must comply with safety rules the Board establishes for the purpose of fulfilling compliance with the Ohio Public Employment Risk Reduction standards.
3. Employees acting in good faith have the right to refuse to work under conditions that they reasonably believe present an imminent danger of death or serious harm to the employee(s).
4. The Board will not take any disciplinary action against the employee for refusal to work if all of the following are met:
  - a. The refusal to work was in good faith;
  - b. The employee notified his/her immediate supervisor of the imminent danger, but the conditions have not been corrected or there has not been sufficient time to make the corrections; ;
  - c. The conditions are not such as normally exists or reasonably may be expected to occur in the normal and regular duties of a Board employee;
  - d. The danger was one that a reasonable person would conclude is of imminent danger of death or serious harm; and

If the employee does not meet all four of these conditions, then the employee is subject to normal discipline for refusal to work.

- D. An employee, after refusing to work, shall notify the Ohio administrator of workers' compensation of the hazardous condition through a signed, written statement.
- E. An employee who is reassigned to other tasks, during the period of time it takes to correct the condition, shall receive full compensation and benefits as though not reassigned and retain his/her rights to continued employment.
- F. The Public Employment Risk Reduction Program does not supersede nor does it affect in any manner any Worker's Compensation laws.
- G. For more information regarding the Public Employment Risk Reduction Program requirements, please refer to the Board's Hazard Communication Plan required by Policy 4.17 of this Manual.