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| <p>Sec.</p> <p>(g) Judicial review of Secretary's withdrawal of approval or rejection of plan; jurisdiction; venue; procedure; appropriate relief; finality of judgment.</p> <p>(h) Temporary enforcement of State standards.</p> <p>668. Programs of Federal agencies.</p> <p>(a) Establishment, development, and maintenance by head of each Federal agency.</p> <p>(b) Report by Secretary to President.</p> <p>(c) Omitted.</p> <p>(d) Access by Secretary to records and reports required of agencies.</p> <p>669. Research and related activities.</p> <p>(a) Authority of Secretary of Health and Human Services to conduct research, experiments, and demonstrations, develop plans, establish criteria, promulgate regulations, authorize programs, and publish results and industrywide studies; consultations.</p> <p>(b) Authority of Secretary of Health and Human Services to make inspections and question employers and employees.</p> <p>(c) Contracting authority of Secretary of Labor; cooperation between Secretary of Labor and Secretary of Health and Human Services.</p> <p>(d) Dissemination of information to interested parties.</p> <p>(e) Delegation of functions of Secretary of Health and Human Services to Director of the National Institute for Occupational Safety and Health.</p> <p>669a. Expanded research on worker health and safety.</p> <p>670. Training and employee education.</p> <p>(a) Authority of Secretary of Health and Human Services to conduct education and informational programs; consultations.</p> <p>(b) Authority of Secretary of Labor to conduct short-term training of personnel.</p> <p>(c) Authority of Secretary of Labor to establish and supervise education and training programs and consult and advise interested parties.</p> <p>(d) Compliance assistance program.</p> <p>671. National Institute for Occupational Safety and Health.</p> <p>(a) Statement of purpose.</p> <p>(b) Establishment; Director; appointment; term.</p> <p>(c) Development and establishment of standards; performance of functions of Secretary of Health and Human Services.</p> <p>(d) Authority of Director.</p> <p>(e) Additional authority of Director.</p> <p>(f) Annual reports.</p> <p>(g) Lead-based paint activities.</p> <p>671a. Workers' family protection.</p> <p>(a) Short title.</p> <p>(b) Findings and purpose.</p> <p>(c) Evaluation of employee transported contaminant releases.</p> <p>(d) Regulations.</p> <p>(e) Authorization of appropriations.</p> <p>672. Grants to States.</p> <p>(a) Designation of State agency to assist State in identifying State needs and responsibilities and in developing State plans.</p> <p>(b) Experimental and demonstration projects.</p> | <p>Sec.</p> <p>(c) Designation by Governor of appropriate State agency for receipt of grant.</p> <p>(d) Submission of application.</p> <p>(e) Approval or rejection of application.</p> <p>(f) Federal share.</p> <p>(g) Administration and enforcement of programs contained in approved State plans; Federal share.</p> <p>(h) Report to President and Congress.</p> <p>673. Statistics.</p> <p>(a) Development and maintenance of program of collection, compilation, and analysis; employments subject to coverage; scope.</p> <p>(b) Authority of Secretary to promote, encourage, or engage in programs, make grants, and grant or contract for research and investigations.</p> <p>(c) Federal share for grants.</p> <p>(d) Utilization by Secretary of State or local services, facilities, and employees; consent; reimbursement.</p> <p>(e) Reports by employers.</p> <p>(f) Superseding of agreements between Department of Labor and States for collection of statistics.</p> <p>674. Audit of grant recipient; maintenance of records; contents of records; access to books, etc.</p> <p>675. Annual reports by Secretary of Labor and Secretary of Health and Human Services; contents.</p> <p>676. Omitted.</p> <p>677. Separability.</p> <p>678. Authorization of appropriations.</p> <p style="text-align: center;">CHAPTER REFERRED TO IN OTHER SECTIONS</p> <p>This chapter is referred to in section 671a of this title; title 2 sections 1302, 1341, 1371, 1434; title 3 sections 402, 425; title 15 sections 2080, 2603; title 25 section 450m; title 30 section 951; title 31 section 1105; title 39 sections 404, 415, 3622; title 42 sections 280b-1, 300ee-2, 2297h-13, 4853a, 6971, 7412, 11021, 11022.</p> <p>§ 651. Congressional statement of findings and declaration of purpose and policy</p> <p>(a) The Congress finds that personal injuries and illnesses arising out of work situations impose a substantial burden upon, and are a hindrance to, interstate commerce in terms of lost production, wage loss, medical expenses, and disability compensation payments.</p> <p>(b) The Congress declares it to be its purpose and policy, through the exercise of its powers to regulate commerce among the several States and with foreign nations and to provide for the general welfare, to assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources—</p> <p>(1) by encouraging employers and employees in their efforts to reduce the number of occupational safety and health hazards at their places of employment, and to stimulate employers and employees to institute new and to perfect existing programs for providing safe and healthful working conditions;</p> <p>(2) by providing that employers and employees have separate but dependent responsibilities and rights with respect to achieving safe and healthful working conditions;</p> <p>(3) by authorizing the Secretary of Labor to set mandatory occupational safety and health standards applicable to businesses affecting</p> |
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interstate commerce, and by creating an Occupational Safety and Health Review Commission for carrying out adjudicatory functions under this chapter;

(4) by building upon advances already made through employer and employee initiative for providing safe and healthful working conditions;

(5) by providing for research in the field of occupational safety and health, including the psychological factors involved, and by developing innovative methods, techniques, and approaches for dealing with occupational safety and health problems;

(6) by exploring ways to discover latent diseases, establishing causal connections between diseases and work in environmental conditions, and conducting other research relating to health problems, in recognition of the fact that occupational health standards present problems often different from those involved in occupational safety;

(7) by providing medical criteria which will assure insofar as practicable that no employee will suffer diminished health, functional capacity, or life expectancy as a result of his work experience;

(8) by providing for training programs to increase the number and competence of personnel engaged in the field of occupational safety and health;

(9) by providing for the development and promulgation of occupational safety and health standards;

(10) by providing an effective enforcement program which shall include a prohibition against giving advance notice of any inspection and sanctions for any individual violating this prohibition;

(11) by encouraging the States to assume the fullest responsibility for the administration and enforcement of their occupational safety and health laws by providing grants to the States to assist in identifying their needs and responsibilities in the area of occupational safety and health, to develop plans in accordance with the provisions of this chapter, to improve the administration and enforcement of State occupational safety and health laws, and to conduct experimental and demonstration projects in connection therewith;

(12) by providing for appropriate reporting procedures with respect to occupational safety and health which procedures will help achieve the objectives of this chapter and accurately describe the nature of the occupational safety and health problem;

(13) by encouraging joint labor-management efforts to reduce injuries and disease arising out of employment.

(Pub. L. 91-596, § 2, Dec. 29, 1970, 84 Stat. 1590.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (b)(3), (11), and (12), was in the original "this Act", meaning Pub. L. 91-596, Dec. 29, 1970, 84 Stat. 1590, as amended. For complete classification of this Act to the Code, see Short Title note set out under this section and Tables.

EFFECTIVE DATE

Section 34 of Pub. L. 91-596 provided that: "This Act [enacting this chapter and section 3142-1 of Title 42,

The Public Health and Welfare, amending section 553 of this title, sections 5108, 5314, 5315, and 7902 of Title 5, Government Organization and Employees, sections 633 and 636 of Title 15, Commerce and Trade, section 1114 of Title 18, Crimes and Criminal Procedure, and section 1421 of former Title 49, Transportation, and enacting provisions set out as notes under this section and section 1114 of Title 18] shall take effect one hundred and twenty days after the date of its enactment [Dec. 29, 1970]."

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-197, § 1, July 16, 1998, 112 Stat. 638, provided that: "This Act [amending section 670 of this title] may be cited as the 'Occupational Safety and Health Administration Compliance Assistance Authorization Act of 1998'."

SHORT TITLE

Section 1 of Pub. L. 91-596 provided: "That this Act [enacting this chapter and section 3142-1 of Title 42, The Public Health and Welfare, amending section 553 of this title, sections 5108, 5314, 5315, and 7902 of Title 5, Government Organization and Employees, sections 633 and 636 of Title 15, Commerce and Trade, section 1114 of Title 18, Crimes and Criminal Procedure, and section 1421 of former Title 49, Transportation, and enacting provisions set out as notes under this section and section 1114 of Title 18] may be cited as the 'Occupational Safety and Health Act of 1970'."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 671 of this title.

§ 652. Definitions

For the purposes of this chapter—

(1) The term "Secretary" mean¹ the Secretary of Labor.

(2) The term "Commission" means the Occupational Safety and Health Review Commission established under this chapter.

(3) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between a State and any place outside thereof, or within the District of Columbia, or a possession of the United States (other than the Trust Territory of the Pacific Islands), or between points in the same State but through a point outside thereof.

(4) The term "person" means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized group of persons.

(5) The term "employer" means a person engaged in a business affecting commerce who has employees, but does not include the United States (not including the United States Postal Service) or any State or political subdivision of a State.

(6) The term "employee" means an employee of an employer who is employed in a business of his employer which affects commerce.

(7) The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands.

(8) The term "occupational safety and health standard" means a standard which requires conditions, or the adoption or use of one or more practices, means, methods, oper-

¹ So in original. Probably should be "means".