



OKLAHOMA STATE COURTS NETWORK



Title 40. Labor

Oklahoma Statutes Citationized

Title 40. Labor

Chapter 10 - Oklahoma Occupational Health And Safety Standards Act of 1970

Section 414 - Occupational Safety and Health Consultation Program for Private Employers

Cite as: O.S. §, __ __

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- A. The Commissioner shall not assert enforcement jurisdiction pursuant to Section 401 et seq. of this title over any occupational safety or health issue with respect to which a federal standard has been issued pursuant to Section (6) of Public Law 91-596, also known as the Williams-Steiger Occupational Safety and Health Act of 1970.
- B. The Commissioner shall provide competent occupational safety and health consultation, education and training for private and public employers in coordination with the Oklahoma Department of Career and Technology Education and other available community resources.
- C. Such consultation shall be provided on a priority basis to those private employers which, based on their certification, have occupational injury and illness rates exceeding the national average incidence rate for private employers of similar character.
- D. No such consultation shall be provided except upon written request by the private employer.
- E. Except when a condition of "imminent danger" exists, no reports, communication, or other information regarding safety and health hazards discovered by the Commissioner, pursuant to the administration of Section 401 et seq. of this title, or his representative in the workplaces of private employers, shall be reported to any enforcement authority whatsoever without the prior approval of the employer.
- F. The Commissioner may, in providing services to private employers upon request, refer private employers for participation in other safety and health consultation, education and training programs including but not limited to the programs authorized by Section 7(C)1 of Public Law 91-596.
- G. The Commissioner may, upon request, refer qualifying private employers to programs operated by the U.S. Department of Labor for recognition or for exemption from inspection by the U.S. Department of Labor Occupational Safety and Health Administration.
- H. The Commissioner shall certify successful participation in the occupational safety and health consultation, education and training program pursuant to the provisions of Section 924.2 of Title 36 of the Oklahoma Statutes.
- I. The Commissioner may promulgate such rules and regulations as may be necessary to implement the provisions of this section.
- J. As used in this section:
1. "Private employer" means a person engaged in a business affecting commerce who has employees, but does not include the United States or any state or political subdivision of a state; and

2. "Imminent danger" means any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death, or serious physical harm immediately.

Historical Data

Laws 1970, HB 1702, c. 287, § 14, emerg. eff. July 1, 1970; Amended by Laws 1986, SB 496, c. 222, § 1, eff. November 1, 1986; Amended by Laws 1988, SB 485, c. 317, § 3, eff. November 1, 1988; Amended by Laws 1992, HB 2189, c. 305, § 6, emerg. eff. May 27, 1992; Amended by Laws 2001, HB 1214, c. 33, § 35, emerg. eff. July 1, 2001 ([superseded document available](#)).

Citationizer® Summary of Documents Citing This Document

Cite Name	Level
Oklahoma Attorney General's Opinions	
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1998 OK AG 44,	Question Submitted by: The Honorable Brad Henry, State Senator, District 17, Cited
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	statutory cites. Effective date. Emergency.
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	Employers - Annual Education and Training - Certification - Annual Report

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40 O.S. 414,	Occupational Safety And Health Consultation Program For Private Employers Cited