

Employment Law Primer for New Businesses: What Are the Obligations Regarding Employee & Workplace Safety

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Worker Safety

The Occupational Safety and Health (OSH) Act is administered by the [Occupational Safety and Health Administration \(OSHA\)](#). Safety and health conditions in most private companies are regulated by OSHA or OSHA-approved state programs. Employers covered by the OSH Act must comply with the regulations and the safety and health standards promulgated by OSHA. Employers also have a general duty under the OSH Act to provide their employees with work and a workplace free from recognized, serious hazards.

Worker's Compensation

Employers are required to purchase worker's compensation insurance that provides benefits to employees who suffer work-related injuries and illnesses. The worker's compensation system offers something for employees and employers: Employees receive benefits regardless of who was at fault. In return, employers are protected from lawsuits by injured employees who may seek costly damages for pain and suffering or mental anguish.

The workers' compensation system generally provides:

- Replacement income when employees cannot work
- Payments for medical expenses, including doctors' visits, surgeries, and prescription drugs
- Vocational rehabilitation benefits, such as on-the-job training, education, or job placement assistance

Workers' compensation is governed by state law, and each state's system differs slightly. Therefore, it is important to be familiar with the specific requirements for your state.

Tip for Employers

Employee safety issues can be tricky especially when coupled with obligations under the Americans with Disabilities Act or the Family Medical Leave Act. Therefore, it is best to consult with an experienced employment attorney.

About Beth Lincow Cole

Employment Law Attorney Beth Lincow Cole has skillfully helped business owners and managers head off the unwanted and unnecessary lawsuits that can arise in the workplace. Drawing on her successful legal experiences both in and outside the courtroom, Beth Lincow Cole understands how to protect employers. By developing solid pre- and post-employment procedures for her clients, she assures that they are legally protected.

Beth Lincow Cole has worked for large regional and national law firms, focusing solely on employment issues, on behalf of management within a wide range of industries. Whether you are a start up company with basic questions about personnel files or a larger company with questions about an employee's Family Medical Leave, Beth Lincow Cole can help. Drawing on her experiences, she counsel's companies in the following practice areas:

- Defense in administrative agency matters such as before the DOL, EEOC, PHRC or NJDCR
- Department of Labor Audits
- Discrimination
- Downsizing/Reduction in Force
- Drug Testing
- Employment Contracts and Severance Agreements
- Employment Law Compliance
- FMLA and other family leave laws
- Independent Contractors/Contingent Workforce

To learn more about Beth Lincow Cole and the services her firm provides visit us at <http://www.blclegal.com/>