

Risk management hra 330

[Business](#), [Employment](#)



Risk Management / HRA 330 March 24, 2013 According to OSHA's confined space standards, employers are required to develop an in-house program under which employees must have a permit to enter confined spaces (Goetsch, 2010). These standards apply to spaces with limited openings for entry or exit, poor natural ventilation, and a design not intended to accommodate continuous human occupancy (Goetsch, 2010). The automobile dealership where Joe worked had an inventory space without climate control. Joe was required to frequently visit this space to take oil filters into the room with temperatures of over 100 degrees. It is the dealership's responsibility to provide a workplace free from hazards and to comply with standards, rules, and regulations issued under the OSHA Act (Goetsch, 2010). They are also responsible for continuing to examine workplace conditions to ensure that they conform to standards (Goetsch, 2010). The company failed to do this. Even though Joe was not constantly working in this space, experiencing the unbearable temperatures, the company still had an obligation to ensure that Joe was free from any health hazards, regardless of how long he was in the space. Joe felt that he cannot continue to carry the oil filters to the storage warehouse because of the heat and the pain to his joints. As an employee, Joe had the right to complain to his employer about his job safety and health hazards. He also has a right to file a safety and/or health grievance. If the company decides to fire Joe for refusing to work under these conditions, the dealership could be held liable for their and Joe could sue for illegal termination. The dealership has a duty to exercise reasonable care and safety for all employees. The term negligence comes to mind when reading this case study. According to

Goetsch (2010), negligence is the failure to take reasonable care or failure to perform duties in ways that prevent harm to humans. If Joe continues to work under those conditions, he could also sue for damages if he is injured or suffers a heat stroke. Management is intentionally neglecting their responsibility to exercise reasonable care. References Goetsch, D. L. (2010). The Basics of Occupational Safety. Upper Saddle River, New Jersey: Pearson Education Inc.