

Federal OSHA vs. State OSHA

If you operate a business, you're probably familiar with OSHA, or the Occupational Safety and Health Administration. OSHA is the federal agency responsible for enforcing the provisions of the Occupational Safety and Health (OSH) Act, which aims to ensure that employers provide a safe working environment to their employees. It accomplishes this through creating and enforcing regulations, conducting inspections, providing educational information, and offering outreach to employers and workers around the country.

But did you know that OSHA's jurisdiction varies by state? Federal OSHA has authorized 25 states, Puerto Rico, and the Virgin Islands to operate their own occupational safety and health agencies. In these so-called state-plan states, the program is state-run but jointly funded by the state and the federal government. State plans must be at least as effective as federal OSHA, but some states, such as California, have chosen to adopt stricter standards.

In four of these locations (Connecticut, Illinois, New Jersey, New York, and the Virgin Islands), the state plan covers public-sector workers only; private-sector employers are still covered by federal OSHA. In the remaining state plan states, the state has jurisdiction over both public and private employers.

The jurisdictions that have established state plans are:

Alaska	Maryland	Puerto Rico
Arizona	Michigan	South Carolina
California	Minnesota	Tennessee
Connecticut *	Nevada	Utah
Hawaii	New Jersey *	Vermont
Illinois *	New Mexico	Virgin Islands *
Indiana	New York *	Virginia
Iowa	North Carolina	Washington
Kentucky	Oregon	Wyoming

* State plan covers the public sector only.

If you reside in one of the above locations, you can't assume that complying with federal OSHA regulations will suffice. Although the federal OSHA regulations set a minimum standard for all state plans, some states have added additional requirements or adopted different approaches to enforcement and fines. In addition, state programs often implement unique emphasis programs, outreach efforts, and training opportunities.