The New York State Public Employee Safety and Health Act of 1980 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

**Employers**

Employers must provide employees with a workplace that is:
- free from recognized hazards,
- in compliance with the safety and health standards that apply to the workplace, and
- in compliance with any other regulations issued under the PESH Act by the Commissioner of Labor.

**Employees**

Employees must comply with all safety and health standards that apply to their actions on the job. Employees must also comply with any regulations issued under the PESH Act that apply to their job.

**Enforcement**

The New York State Department of Labor administers and enforces the PESH Act. The Commissioner of Labor issues safety and health standards. The Department's Division of Safety and Health (DOSH) has Inspectors and Hygienists who inspect workplaces to make sure they are following the PESH Act.

**Inspection**

When DOSH staff inspect a workplace, a representative of the employer and a representative approved by the employees must be allowed to help with the inspection. When there is no employee-approved representative, DOSH staff must speak with a fair number of employees about the safety and health conditions in the workplace.

**Order to Comply**

If the Department believes an employer has violated the PESH Act, we will issue an order to comply notice to the employer. The order will list dates by which each violation must be fixed. If violations are not fixed by those dates, the employer may be fined.

The order to comply must be posted at or near the place of violation, where it can be easily seen. This is to warn employees that a danger may exist.

**Complaint**

Any interested person may file a complaint if they believe there are unsafe or unhealthful conditions in a public workplace. This includes:
- An employee
- A representative of an employee
- Groups of employees
- A representative of a group of employees

Make this complaint in writing to the nearest DOSH office or by email to: Ask.SHNYPESH@labor.ny.gov. On request, DOSH will not release the names of any employees who file a complaint. The Department of Labor will evaluate each complaint. The Department will notify the person who made the complaint of the results of the investigation.

These complaints may also be made to the United States Department of Labor, Occupational Safety and Health Administration online at: www.osha.gov

**Discrimination**

Employees may not be fired or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

If an employee believes that they have been discriminated against, he or she may file a complaint with the nearest DOSH office. File this complaint within 30 days of the discrimination incident.

**Voluntary Activity**

The Department of Labor encourages employers and employees to voluntarily:
- reduce workplace hazards, and
- develop and improve safety and health programs in all workplaces.

The Division of Safety and Health can provide free help with identifying and correcting job site hazards. Employers may request this assistance on a voluntary basis by emailing: Ask.SHNYPESH@labor.ny.gov

Additional information may be obtained from the nearest DOSH District Office below:

- **Albany District**
  State Office Campus
  Bldg. 12, Rm. 158
  Albany, NY 12240
  Tel: (518) 457-5508

- **Binghamton District**
  44 Hawley St., Rm. 901
  Binghamton, NY 13901
  Tel: (607) 721-8211

- **Buffalo District**
  65 Court Street
  Buffalo, NY 14202
  Tel: (716) 847-7133

- **Garden City District**
  400 Oak Street
  Garden City, NY 11550
  Tel: (516) 228-3970

- **New York City District**
  75 Varick St., 7th Floor
  New York, NY 10013
  Tel: (212) 775-3554

- **Rochester District**
  109 S. Union St., Rm. 402
  Rochester, NY 14607
  Tel: (585) 258-8806

- **Syracuse District**
  450 South Salina Street
  Syracuse, NY 13202
  Tel: (315) 479-3212

- **Utica District**
  207 Genesee Street
  Utica, NY 13501
  Tel: (315) 793-2258

- **White Plains District**
  120 Bloomingdale Road
  White Plains, NY 10605
  Tel: (914) 997-9514

**Post Conspicuously**

A Division of the New York State Department of Labor