

Discrimination prohibited for employees raising safety, health concerns

Employees are protected from retaliation by their employers for raising health and safety concerns at work and for reporting work-related accidents and injuries.

You have the right to a safe working environment. If you believe any of your working conditions are unsafe or unhealthful, you have the right to:

- call the situation to your employer's attention and request a correction; and
- contact Minnesota OSHA (MNOSHA) to discuss or report the situation and request a correction.

If the unsafe condition is not corrected, you may, in good faith, refuse to expose yourself to a dangerous situation and request to be reassigned to other duties. MNOSHA recommends you remain on your worksite after you have filed a complaint.

You are protected from retaliation by an employer for making your concerns known. You are protected when you:

- raise a safety or health concern that was communicated verbally or in writing with management;
- ask questions about safety concerns;
- request information about safety and health, such as required safety data sheets and OSHA regulations;
- file a health or safety complaint with MNOSHA;
- participate in a MNOSHA inspection; or
- report a work-related injury or illness.

Your employer might have violated MNOSHA statutes if it takes any of the following adverse employment actions against you and one of the protected activities can be shown to have motivated your employer to do so:

- firing you or laying you off;
- reducing your pay or hours;
- denying you overtime;
- denying you benefits;
- giving you an assignment that affects your ability to be promoted;
- denying you a promotion;
- disciplining you;
- making threats or trying to intimidate you; or
- failing to hire you or rehire you.

If you believe your employer has discriminated against you because you participated in a protected activity related to workplace safety and health, you may file a complaint with MNOSHA at:

- 651-284-5051 or 877-470-6742;
- discrimination.dli@state.mn.us; or
- MNOSHA Discrimination, 443 Lafayette Road N., St. Paul, MN 55155.

Complaints must be filed with Minnesota OSHA within 30 days of the date the adverse employment action took place or when you were notified of the adverse employment action.

MNOSHA investigators will review your complaint to determine if it is timely and is covered by its discrimination statutes. If your complaint is covered, it will be investigated following all statutory requirements, including interviews and contact with your employer. You will be notified of the status of your complaint, as well as the final outcome.

Legal references

- Minnesota Statutes § 182.654, subd. 9 and 11
- Minnesota Statutes § 182.669

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