

**LETTER OF ARRANGEMENT
BETWEEN
THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
OF THE
DEPARTMENT OF LABOR OF THE UNITED STATES OF AMERICA
AND
THE MINISTRY OF FOREIGN AFFAIRS OF THE REPUBLIC OF EL SALVADOR
CONCERNING WORKPLACE SAFETY AND HEALTH PROTECTIONS
APPLICABLE TO SALVADORAN WORKERS IN THE UNITED STATES**

The Occupational Safety and Health Administration (OSHA) of the Department of Labor of the United States of America, and the Ministry of Foreign Affairs of the Republic of El Salvador, through its Embassy and Consulates in the United States of America, hereinafter "the Participants";

CONSIDERING the commitment to protect the well-being of Salvadoran workers in the United States of America;

CONSIDERING the desire to establish programs of cooperation to educate and inform Salvadoran workers in the United States of America as to their workplace rights and responsibilities, to encourage them to exercise their rights under occupational safety and health laws, and to educate them about the proper channels to do so;

CONSIDERING the importance of promoting and encouraging training programs for Salvadoran workers to continue to reduce injuries and illnesses in the workplace; and

CONSIDERING the intention of the Participants, through the U.S.-El Salvador Joint Declaration between the Department of Labor of the United States of America and the Ministry of Foreign Affairs of the Republic of El Salvador, signed at Antiguo Cuscatlán, El Salvador, on March 22, 2011 to work together to inform Salvadoran workers in the United States of America about their labor rights,

Intend to collaborate as follows:

SECTION 1

Objective

To promote the workplace rights and well-being of Salvadoran workers in the United States of America through joint efforts between the Participants and with other relevant governmental agencies and private organizations in the United States of America, as appropriate and as mutually consented to by the Participants.

SECTION 2

Areas of Collaboration

In furtherance of this objective, the Participants intend to pursue the following initiatives to the extent funds are available:

1. Develop a joint pilot program to enable the Embassy and Consulates of El Salvador to file OSHA complaints on behalf of workers.

2. Improve awareness of Salvadoran workers of workplace laws and regulations, including efforts to:

a. heighten awareness of availability of information regarding workplace inspection findings, corrective actions ordered, fines, and other enforcement and compliance efforts;

b. develop, translate, and disseminate informational materials, utilizing print and electronic media, addressing occupational safety and health concerns of Salvadoran workers in the United States of America, including:

- Public Service Announcements to publicize occupational safety and health issues and who to contact for help in the United States of America;
- videos and posters to illustrate worker safety and health hazards to reach populations that may not be literate in Spanish; and

- video to help workers understand how to file an OSHA complaint.
 - c. distribute and publicize the availability (where applicable) of Spanish language brochures, pamphlets, and other informational materials for Salvadoran workers regarding their occupational safety and health rights in the workplace;
 - d. publicize the OSHA toll-free telephone number and resources available on OSHA's Web site including the OSHA en Español Web page that provides information in Spanish about worker rights and responsibilities related to workplace safety and health; and
 - e. develop a process for Embassy and Consulate officials of El Salvador to share feedback with OSHA regarding concerns received from Salvadoran workers employed in the United States of America.
3. Jointly develop, promote and conduct training programs, including:
- a. development and implementation of joint training programs in the United States of America targeting industry sectors and workplaces with a high concentration of Salvadoran workers, in an effort to help workers understand and protect themselves from common workplace safety and health hazards;
 - b. formation of a bilateral working group of OSHA representatives to include National, Regional and State officials, as appropriate, and Consulate representatives to develop and conduct cross-cultural training sessions. The training would aim to help increase awareness of OSHA's Federal and State inspectors, compliance assistance specialists, consultants and trainers to the cultural sensitivities of Salvadoran workers and to enhance the ability of OSHA's staff to conduct inspections, consultative visits, and education and outreach efforts in workplaces with a high concentration of Salvadoran workers;

c. development of a Construction Hazard Awareness Training Program to introduce Salvadoran workers employed in the United States of America to their occupational safety and health rights and responsibilities and to common hazards and controls on construction worksites; and

d. heighten awareness of OSHA's Federal and State field staffs' compliance assistance efforts, the OSHA Training Institute's Education Centers, Susan B. Harwood Grants, State Plans, and State Consultation programs.

SECTION 3

Process of Consultation

The Participants intend to collaborate through joint efforts at the national level between OSHA and the Embassy of El Salvador in Washington, D.C. and at the regional level between OSHA regional and area offices and the Consulates of El Salvador. The Participants intend to identify points of contact for formal communication at the national and regional levels, which would be responsible for developing joint efforts within the areas of cooperation as may be decided. Representatives of the Participants intend to meet on a periodic basis to assure that these functions are carried out. The Participants have exchanged lists of national and regional representatives, who would serve as contact points to support these efforts.

SECTION 4

Expenses and Costs

Each Participant intends to finance its participation in any areas of cooperation undertaken pursuant to this Letter of Arrangement and subject to the availability of funds in each Participant's respective budget.

SECTION 5
Final Provisions

This Arrangement becomes operative on the date of signing and is intended to cease after a period of three years. It may be modified by written consent of the Participants. This Arrangement may be continued by written consent of the Participants. Either Participant should endeavor to provide three months written notification of its intent to discontinue this Arrangement to the other Participant.

Signed at Washington, D.C., in duplicate, in English and in Spanish, on the twenty ninth day of August, two thousand eleven.

**FOR THE OCCUPATIONAL SAFETY AND
HEALTH ADMINISTRATION OF THE
DEPARTMENT OF LABOR OF THE
UNITED STATES OF AMERICA:**



David Michaels, PhD, MPH
Assistant Secretary

**FOR THE MINISTRY OF FOREIGN AFFAIRS
OF THE REPUBLIC OF EL SALVADOR:**



Francisco Altschul
Ambassador of the Republic of El Salvador
to the United States of America