



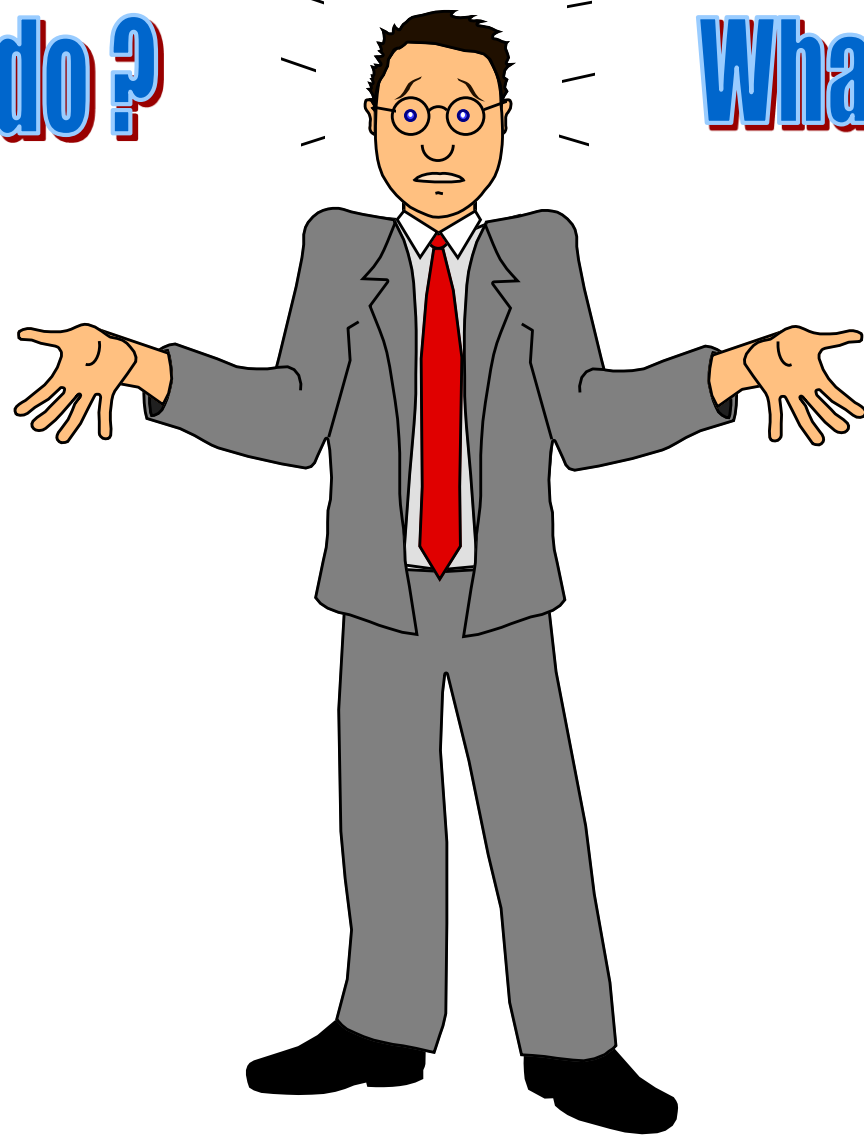
How to Handle an OSHA Inspection

Safety Training Session

How to Handle an OSHA Inspection

- Emergencies
- Bathrooms
- Breaks / Lunch
- Cell Phones
- Classroom “Ground Rules”
- Any Questions ?

What do I do?



What do I say?

**Knowledge, confidence and
professionalism are the keys to
success**

First Things to Do ...

- Be calm and professional !
- Request three things before the inspection begins ...
 - OSHA Inspector credentials / I.D. ?
 - What “triggered” the inspection ?
 - What type of inspection is scheduled ?

**WHY does OSHA
“show-up”
at YOUR jobsite ?**

Reasons why OSHA “shows-up” on YOUR jobsite

- Imminent Danger
- Fatality
- In-Patient Hospitalization
- Call-In Complaint
- Written Complaint
- Random Inspection
- Re-Inspection



INSPECTIONS

Imminent Danger

- OSHA Compliance Officer sees a hazard on the way to work, out for lunch, on the way home, etc.
 - Trenches ... Less than 1 ½ to 1
 - “Down” Guardrails / Fall Protection
 - Scaffolding, Bad Housekeeping, No Hard Hats, etc.

Fatality

1904.39

(a) Basic requirement

(a)(1)

Within eight (8) hours after the death of any employee as a result of a work-related incident, you must report the fatality to the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor.

In-Patient Hospitalization

1904.39

(a)(2)

Within twenty-four (24) hours after the in-patient hospitalization of one or more employees or an employee's amputation or an employee's loss of an eye, as a result of a work-related incident, you must report the in-patient hospitalization, amputation, or loss of an eye to OSHA.

Electronic Recordkeeping

If your company has less than 20 employees, then no changes apply

With 20-249 employees, you will have to send in copies of your OSHA 300A form by March 2 of the following year.

With 250 or more employees, you must send in your 300A, 300 and all 301's by March 2 of the following year.

Call-In Complaint

- Individual calls-in a violation
- If you have a good record & relationship with OSHA ... it might be able to be resolved over the telephone

Written Complaint

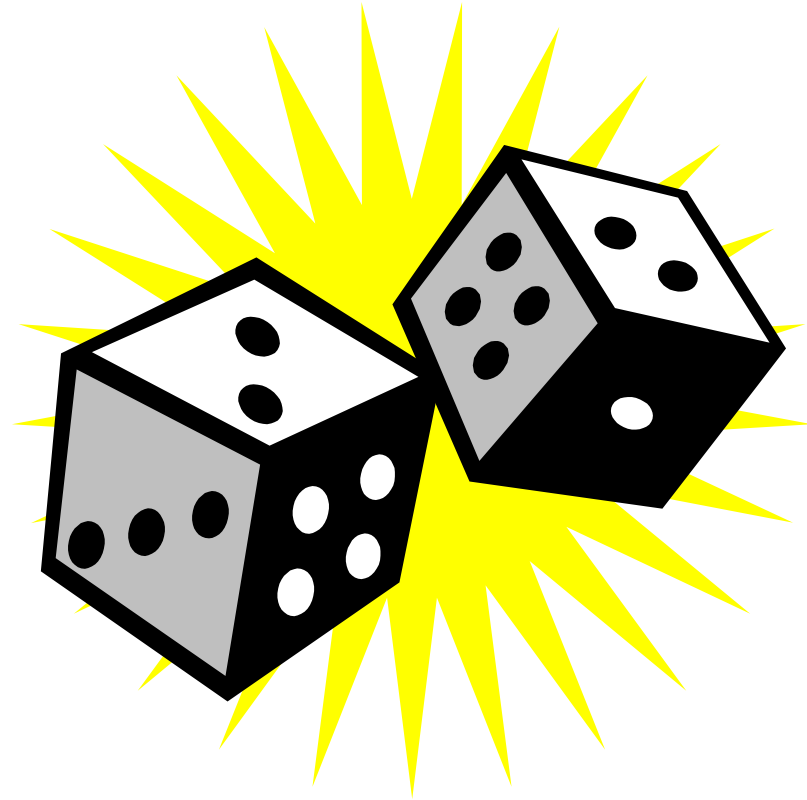
- OSHA Inspector will visit site within 7-working days
- Can only inspect area noted in written complaint ... But could see imminent danger !

**Watch out for the
“Whistle-Blower”
page on the OSHA webpage !**

www.osha.gov

Random Inspection

Names of MANY companies are “put in a hat”, and if you get yours picked ... you win !



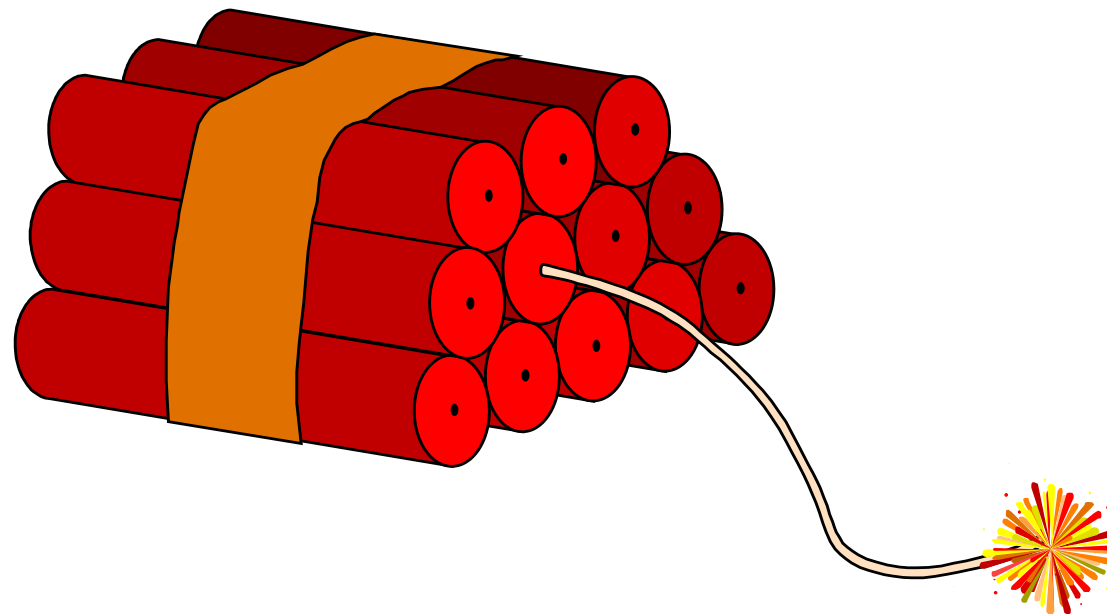
Re-Inspection

- Follow-up Inspection to verify abatement / correction of previous violations or infractions
- Watch out for the BIG OSHA fine for failure to abate / correct the violation !

Types of OSHA Inspections

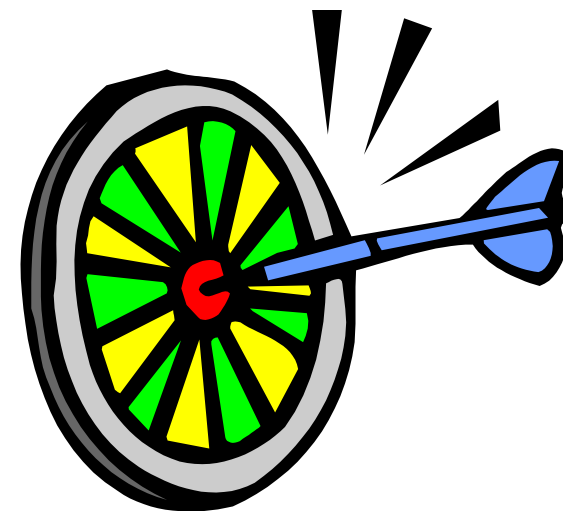
- Imminent Danger Inspection
- Target Inspection
- Comprehensive Inspection
- Focused Inspection

Imminent Danger Inspection



Target Inspection

- Target a specific Industry
- Target a specific Activity
- Target a specific Company



Comprehensive Inspection

- Entire Company
- Entire Jobsite
- All activities, areas, sub-contractors, etc.

Focused Inspection

- Have to request and qualify for a Focused Inspection
- Must have a Competent Person on site
- Safety Program must be in place and enforced in all places and at all times
- If granted ... OSHA will only “look-at” the (4) big killers in construction ...

Falls

Electricals

Struck-bys

Caught-in-betweens

Opening Conference

- Assist Superintendents, Foremen, Lead Persons, Sub-Contractors, etc.
- Introduce Inspector
- Show your “support” for the Inspector

OSHA INSPECTION REPORT



Compliance
Officer may
“Request”
some
Information

DATE: _____ WEATHER: _____ TEMPERATURE: _____

NAME OF COMPANY: _____

COMPANY ADDRESS: _____

PHONE NUMBERS; OFFICE: _____ FIELD: _____

TYPE OF WORK: _____

LEVEL OF WORK; OWNER: ___ ARCHITECT: ___ ENGINEER: ___ PRIME CONTR: ___
SUB-CONTR: ___ 2ND TIER SUB: ___ CONSULTANT: ___

NO. OF EMPLOYEES; TOTAL: ___ FOREMEN: ___ OPERATORS: ___
JOURNEYMEN: ___ LABORERS: ___ OFFICE: ___

UNION? YES ___ NO ___

FOREMEN NAMES: _____

LENGTH OF EMPLOYMENT; FOR THIS COMPANY: _____ IN THIS POSITION: _____

COMPETENT PERSON(S) NAME(S): _____

WHERE TRAINING RECEIVED: _____ WHEN: _____

IN WHICH FIELD: _____

WRITTEN SAFETY PROGRAM PRESENTED?	YES ___ NO ___
WRITTEN HAZARDOUS COMMUNICATION PLAN PRESENTED?	YES ___ NO ___
MATERIAL SAFETY DATA SHEETS PRESENTED?	YES ___ NO ___
OSHA 101 FORMS PRESENTED?	YES ___ NO ___
OSHA 200 FORMS PRESENTED?	YES ___ NO ___
EMERGENCY PHONE NUMBERS POSTED?	YES ___ NO ___
JOB DIARIES PRESENTED?	YES ___ NO ___ LAST DATE: _____
INSPECTION REPORTS PRESENTED?	YES ___ NO ___ LAST DATE: _____
SOILS CLASSIFICATION PRESENTED?	YES ___ NO ___ LAST DATE: _____

LOCATION OF NEAREST HOSPITAL: _____

DATE OF LAST SAFETY MEETING: _____

TOPICS DISCUSSED: _____

**Compliance
Officer may
“Request”
some
Information**

Documentation Requested	Date: / /	Date Required: / /
General Information		Bloodborn Pathogens (if any)
Copies of the last 3 yrs & current OSHA / 300, 300A, 301 Logs (Include all salaried hourly, part-time & temporary)		Written exposure control plan
Tax ID Number		Exposure Determination
Floor plans of facility buildings if needed		Hepatitis B Vaccination & Post Exposure Eval & Follow-up
Companies written safety & Health program (if any)		Medical records
Written ergonomics program (if any)		Training records
Safety committee meeting minutes for past 6 months (if any)		Respirator Program (if applicable)
Safety inspection documentation for past year (if any)		Written operating procedures for selection and use of respirators including normal and emergency use
Emergency action plans		
List of Personal Protective Equipment (PPE) required/provided		Inspection records of respirators used for emergency use
Written PPE assessment certification to determine needed PPE		Qualitative fit test records & Employee training records
General Training		Air sampling results
Lists of all safety training provided		Hearing Conservation (HC) (if applicable)
Copies of certification/attendance of employee attending training		Hearing Conservation Program
Copies of safety training course outlines		List of employees affected by HC Program
Copies of safety meeting minutes		Noise Monitoring results for the past 2 years
Lock-out/Tag-out (if applicable)		Audiometric test records or employees
Written Lock-out/Tag-out policy/program		Employee training materials
Written Lock-out/Tag-out procedures		Employee training records
Employee Training Records		List of employees suffering standard threshold shift for the past year
Confined Space (if applicable)		Additional Documentation (if applicable)
Written confined space entry program		Crane manual, inspection & employee training records
List of identified confined spaces		
List of permit required confined spaces		Forklift/Rough Terrain manual, inspection & employee training records
Names of trained entry supervisors, attendants, entrants		Aerial/Power Lift manual, inspection & employee training records
Training records		Employees trained on fire extinguisher, dates & type of training
General procedures for entry into permit required spaces		Mechanical power press/press brake training & daily/weekly/monthly inspection records
Specific entry conditions for Permit Required Spaces		
Documentation Procedures for rescue operations		
Canceled permits for permit required confined spaces (6 months)		
Alternative entry procedures for permit required confined spaces		
Hazardous Communication		
Written hazardous communication program		
Any written policy, or program procedures		
Master chemical list		
Material Safety Data Sheets (MSDS)		
Employee Training Records		

Information / Document Request

- ONLY give information or documentation that you KNOW ... do not guess or assume
- ONLY give information or documentation that you are AUTHORIZED to give
- You do NOT have to sign anything you do NOT want to sign

Information / Document Request

- Never admit to any safety violations, they are all alleged or possible violations at the time
- Do not say “No Comment” ... but, say as least as you can, any questions with short answers
- You have (4) business hours to produce OSHA required documentation

Site Walk / Inspection

- Take a worker with you to address and/or correct items ... on the spot !
- Take a camera (date imposed) and take pictures of everything the Inspector does
- Take a note pad - log notes, comments, where you walk, who the Inspector interviews and talks to, and ALL alleged violations noted for all contractors

Closing Conference

- Same Assist Superintendents, Foremen, Lead Persons, Subcontractors, etc.
- Inspector will review all alleged violations

Other than Serious

Serious

Repeat

Willful

Ways to Handle the OSHA Inspection

- Handle the Inspection yourself ... walk with the Inspector yourself
- Ask the Inspector to wait on a official company representative to handle the Inspection with you
- Require a warrant to proceed any further with the Inspection

Ways to Handle the OSHA Inspection

Best way is to ...handle the Inspection yourself ... walk with the Inspector yourself

But you have to have two things to handle a OSHA Inspection ...

KNOWLEDGE and DIPLOMACY

Safety Attitude / Safety Culture

- Have a good, “agree-with” safety attitude
- Show your safety knowledge and “excitement”
- Express your belief in a safe workplace for ALL employees
- Professionalism
 - Respect
 - Politeness
 - Build a relationship
 - Inspector “just doing his/her job”
- Accept outside, 3rd party site safety inspections.

“Public Safety Library”

- What ? - One field location, where all safety information is stored
- Where ? - Shelf in office trailer or a “Port-A-File” in the truck or “gang box”
- Why ? - Reference, convenience and easy access for employees



OSHA[®]
Occupational Safety
and Health Administration

Job Safety and Health IT'S THE LAW!



All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

FREE ASSISTANCE to identify and correct hazards is available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

OSHA Multi-Employer Policy

- Exposing
 - Creating
 - Controlling
 - Correcting

Citation Types

- Other than Serious
- Serious
- Repeat
- Willful
- Failure to Abate

OSHA Penalties

Willful

-Maximum \$156,259

Repeated

-Maximum \$156,259

Serious, Other-than-Serious

-Maximum \$15,625

OSHA Notice \$15,625

Posting of OSHA 300 Summary \$15,625

Posting of Citation \$15,625

Most Frequently Cited Serious Violations in Construction FY 2022

29 CFR 1926.

1926 Overall MFC

M	.501(b)(13)	FALL PROTECTION – RESIDENTIAL CONSTRUCTION	4,171
E	.102(a)(1)	EYE & FACE PROTECTION – USE OF APPROPRIATE PROTECTION	1,551
X	.1053(b)(1)	LADDERS – NOT EXTENDED 3 FEET ABOVE LANDING	1,540
M	.503(a)(1)	FALL PROTECTION – TRAINING FOR THOSE EXPOSED TO FALL HAZARDS	1,228
E	.100(a)	HEAD PROTECTION – USE OF PROTECTION	856
M	.501(b)(1)	FALL PROTECTION – UNPROTECTED SIDES & EDGES	706
L	.453(b)(2)(v)	AERIAL LIFTS – FALL PROTECTION WHILE IN BASKET	591
C	.20(b)(2)	GENERAL SAFETY & HEALTH PROVISION – INSPECTION BY A COMPETENT PERSON	442
M	.501(b)(10)	FALL PROTECTION – ROOFING WORK ON LOW-SLOPED ROOFS	406
C	.21(b)(2)	GENERAL SAFETY & HEALTH PROVISION – RECOGNITION & AVOIDANCE OF UNSAFE HAZARDS	401

Final Items

- OSHA has 6 months to issue citations from day of inspection
- You have 15 business days to discuss alleged citations at an informal conference
- Citation must be posted at site of violation for at least 3 days or until abated

How to Handle an OSHA Inspection

Questions ???