

The OSHA Inspection: Why You May Be Chosen . . .

The Occupational Safety and Health Act is usually enforced via OSHA on-site inspections.

OSHA Compliance Officers inspect a facility based on an accident, an employee complaint, or as part of a random program of inspections.

Here's What To Expect During An OSHA Inspection . . .

1. The inspection begins with an opening conference. This is where the purpose of the inspection is explained.
2. As part of every inspection, the Compliance Officer will check to make sure that the employer has the mandatory OSHA posting displayed in the workplace.
3. At the end of the inspection, the inspector will conduct a closing conference. Any actual or potential safety violations will be discussed here.

Any citations or penalties your company receives during this inspection may be challenged and appealed.

The Top 3 "Problem Areas" That Result In Penalties:

1. Recordkeeping, Notices, Documentation and Warnings
2. Written Compliance Programs
3. Training and Employee Qualification

The 5 Categories of OSHA Violations: (From Least To Worst)

1. De Minimis: least serious – generally no penalty assessed
2. Other than serious
3. Serious
4. Willful
5. Repeat

F.Y.I.

Whenever an Inspector takes samples or photographs, or conducts interviews, make sure you have duplicates of everything. Do not rely on OSHA to provide these.

Risk OSHA Violations At Your Own Cost!

OSHA Violations could reach as high as \$70,000 for each willful or repeat violation! Penalties of up to \$7,000 per day could also be assessed for each day the violation remains uncorrected.

Did You Know You Can Refuse An Inspection?

If a visiting OSHA Inspector does not have a search warrant, you are allowed by law to refuse him/her entry to your facility.

However, this may not be your best choice under certain circumstances. If a knowledgeable, safety-conscious manager or supervisor is present, there may be advantages to allowing an inspector access – even without a warrant.

It could show good faith that you want to create a safe workplace and prevent an adversarial relationship.

All Information taken from "Your Guide To OSHA" by Fisher and Phillips

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What Is OSHA – And How Does It Affect Me As An Employer?

OSHA (the Occupational Safety and Health Act) imposes a duty on employers to provide a workplace free from "recognized hazards."

There are two general goals within the Act:

1. The elimination of both obvious and non-obvious hazards.
2. A requirement that employers keep various written records regarding safety in their workplace for the benefit of employees and OSHA investigators.

Are You Subject To OSHA laws?

If you are engaged in business and employ at least one individual, you are subject to OSHA laws.

Certain businesses are exempt because they are governed by separate federal agencies. These include railroads, airlines, mines, and motor carriers, as well as the federal government, state and political subdivisions.

F.Y.I.

Keep all of your OSHA records for at least 5 years!

Beware! Your State May Have Its Own OSHA Program Too!

Each of the states and U.S. Territories below have their own state-specific OSHA requirements:

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

F.Y.I.

If you have 10 or more employees you must keep specific records on every workplace injury or illness – no matter how minor, as required by OSHA laws.

Here are the 5 OSHA Questions Every Employer Should Ask:

1. Do we know all the potential OSHA rules and violations that apply to our business?
2. Are we in compliance with all of these applicable rules?
3. Do we have procedures in place to help recognize potential OSHA violations before it's too late?
4. Is this facility prepared for an OSHA inspection?
5. Do we know which manager or employee is authorized to talk to OSHA personnel, in the event of a surprise inspection?

The 3 Places Each Recordable Accident Must Be Documented:

1. The OSHA 200 Log
2. The Supplemental Report
3. The Annual Summary