

OSHA INSPECTIONS

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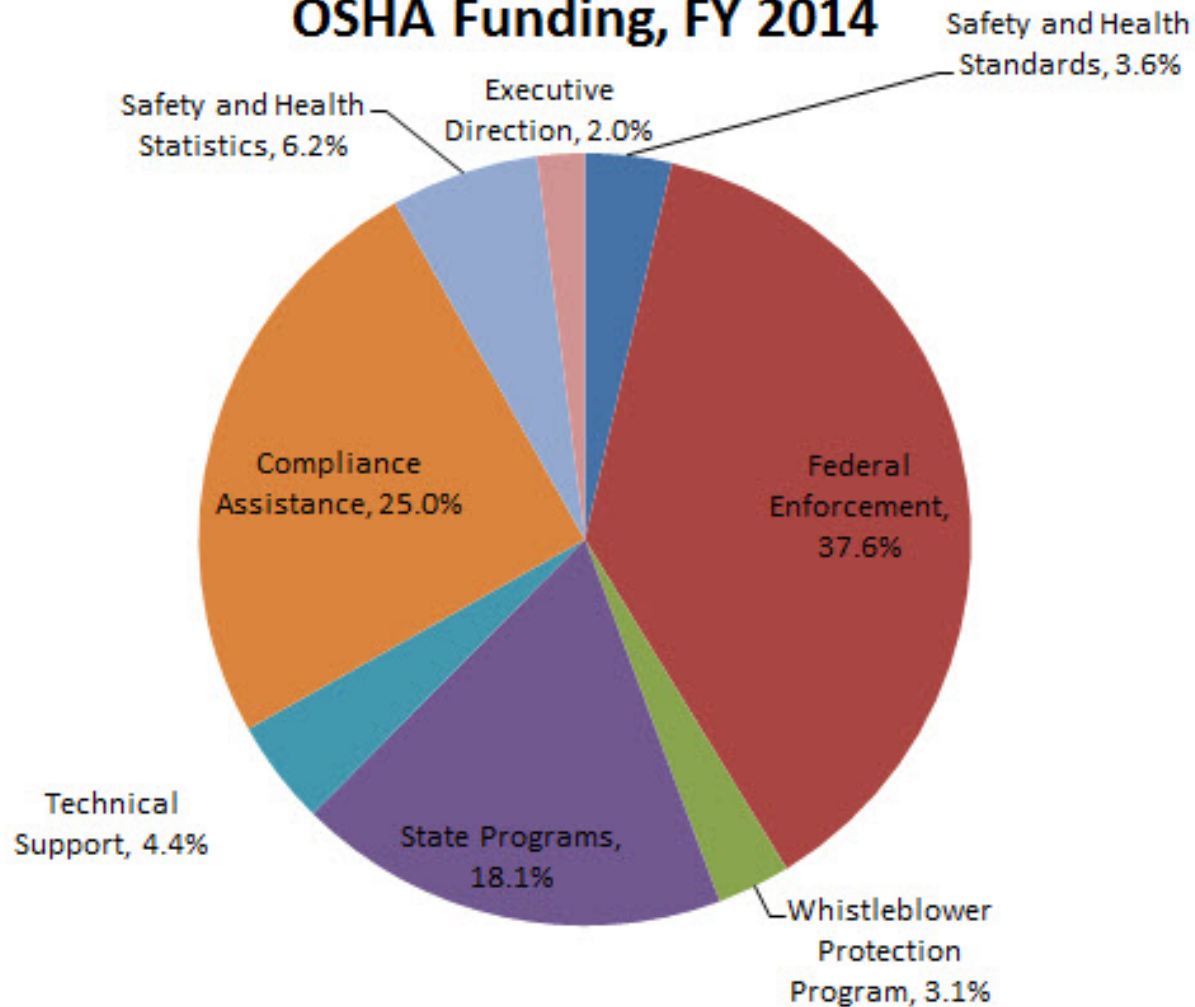


Objectives

- When Can I Expect an OSHA Inspection?
- How Can I Prepare for an OSHA Inspection?
- How Should I Handle an OSHA Inspection?
- How Do I Close an OSHA Inspection?
- 2016 OSHA Citation Structure

Who is OSHA?

OSHA Funding, FY 2014



\$592MM in 2016

7.3% Increase

37,785

Chemical Facilities

Why Would OSHA Inspect?

- Catastrophe
- Employee complaint
- Programmed inspections
 - http://www.osha.gov/as/opa/foia/hot_11.html
- Invitation

Preparing Your Organization

- Written program
- Drills
- Know your rights!

What Are My Employees' Rights?

- Representation at opening and closing conference
- Representation during the inspection
- Private interviews
- Whistleblowers protection

Managing the Inspection

- Warm welcome or demand a warrant?
- Identification
- What is the purpose of the inspection?
- Offer a beverage and a comfortable work space
- Kill them with kindness

The Opening Conference

- Who should be involved?
- Designate a scribe
- Listen
- Listen
- Listen
- Answer direct questions
- Documentation – know what's required

The Physical Inspection

- Assemble your best team
- Plan a route of travel
- Take photos
- Fix it ASAP
- Employee interviews



Physical Conditions

- Housekeeping
- Guarding
- Fall protection
- Illumination
- Sanitation
- Signage
- Safety equipment

Documentation

- OSHA logs
- Exposure records
- Written programs, SOPs, JHAs, etc.
- Training records
- Medical records
- Discipline log

Written Programs – Not All-Inclusive

- Hazard Communications
- Respiratory Protection
- Hearing Conservation
- Lockout / Tagout
- Confined Space
- Blood Borne Pathogens
- PPE
- Excavation Safety
- Fire and Emergency Evacuation
- Access to Employee Medical Records
- Fall Protection
- Electrical Safety
- Ladder Safety
- Scaffold Safety
- Crane Safety

The Closing Conference

- Designate a scribe
- Listen
- Listen
- Listen
- Ask but don't argue
- Don't make promises
- Thank you

The Citation

- Review
- Document corrective actions, if any and post
- Request an informal conference
 - Formal letter
- File a Notice of Intent to Contest
 - 15 business days
 - Step 1 – Administrative Law Judge
 - Step 2 – Full OSHRC
 - Step 3 – US Circuit Court of Appeals

Penalties

- Dependent upon how likely the violation is to result in serious harm to employees
- Other-than-serious
 - \$0 - \$7,000
- Serious
 - \$0 - 7,000
- Repeat and Willful
 - \$0 - \$70,000

August 1, 2016 Penalties

- Dependent upon how likely the violation is to result in serious harm to employees
- Other-than-serious
 - \$0 - \$12,000
- Serious
 - \$0 - 12,000
- Repeat and Willful
 - \$0 - \$125,000

THANK YOU

Questions?

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