



**OSHA INSPECTOR SHOWS UP  
NOW WHAT!**



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**Bottom Line... Be Prepared!**

- Proactive hazard identification and abatement

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**Written Safety Programs**

OSHA inspectors will ask to see your written safety programs, such as:

- Your Injury and Illness Prevention Program, or IIPP
- Your MSDS binder
- Your Emergency Response Plan and any other pertinent written safety plans, such as LOTO

They may also ask to see written records of safety training.

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OK...  
You're Prepared  
but...You're Still  
Nervous

- ▣ What triggers an OSHA inspection?
- ▣ What are the primary areas of concern?
- ▣ How can you participate in an inspection...and survive?

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What triggers an  
OSHA inspection?

or

Why are you  
inspecting me and  
not the guy  
down the street?



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Inspection Priorities

- ▣ Imminent Danger
- ▣ Fatality or Catastrophe
  - 3 or more hospitalized
    - ▣ In-patient
- ▣ Complaint or Referral
- ▣ Programmed Inspections



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## Programmed Inspections



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## Site Specific Targeting (SST)

- General Industry
- OSHA Data Initiative
  - Collect OSHA 300 logs
  - 80,000 employers
  - 40 or more employees
- LWDCR
  - High = 8.0 or higher
    - Letter
  - Inspect list = 14.0 or higher
  - Supplemental inspection list
    - 8.0 or higher



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## Mechanical Power Press - Amputations

- General Industry
- National Emphasis Program
- Mechanical Power Presses
- Amputations
  - 4 S's and a P
  - Saws, Shears
  - Slicers, Slitters
  - Power Presses (All)
- SIC's with highest number of violations



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## Lead

- National Emphasis Program
- Potential exposure to lead
- General Industry
  - Complaints & referrals
  - List of sites
- Construction
  - Complaints & referrals
  - List of sites



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## Silicosis – Silica Exposure

- Special Emphasis Program
- General Industry
  - SIC's with history of overexposure to Si
- Construction
  - SIC's with known Si hazard operations
  - Observation
    - Abrasive blasting
    - Dry-cutting concrete



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## Excavation & Trenching

- Construction
- National Emphasis Program
- Hazards
  - No shoring or other cave-in protection over 5'
  - No shoring or other protection if cave-in indicators
  - Water accumulation
  - Lack of safe egress (Ladder, 25' travel)
  - Spoil pile less than 2' from the edge
  - No inspection by a competent person
- Complaint/Referral
- Observation



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## Fall Protection in Construction

- Regional Emphasis Program
  - Fall Hazards
    - Open-sided floors or floor openings
    - Steel erection-iron workers
    - Scaffolds or work platforms
    - Commercial roofs
- Complaint or Referral
- Observation



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## Construction Inspection System

- Programmed Inspection List Permits
  - Construction Resource Analysis Group
  - F.W. Dodge Reports
- Neutrally selected sites
- 30% to 60% complete



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## Focused Construction Inspections

- Safety and Health Program
  - Per 29 CFR 1926 Subpart C
  - Designated person responsible for and capable of implementing
- Focus
  - 4 leading hazards
  - Any other serious hazards observed
- If S&H program not effectively implemented
  - Comprehensive inspection



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### Who Gets the Citations? Multi-Employer Worksite Policy

- ❑ **Creating**
  - Employer who caused the hazard
- ❑ **Exposing**
  - Employer whose employees were exposed to the hazard
- ❑ **Correcting**
  - Employer who was responsible for correcting the hazard
- ❑ **Controlling**
  - Employer with general supervisory authority over the worksite with the power to correct violations directly or indirectly



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### What are the Primary Areas of Concern in Construction & General Industry?



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### 4 Leading Construction Hazards 90% of Injuries & Fatalities

- ❑ **Falls**
  - floors, platforms, roofs, scaffolds
- ❑ **Struck by**
  - falling objects, vehicles
- ❑ **Caught in**
  - cave-ins, unguarded machinery/equipment
- ❑ **Electrical**
  - overhead power lines, power tools/cords, outlets, temporary wiring



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## Most Frequently Cited Serious Violations

Construction – FY 2010

OSHA Federal Standards  
October 1, 2009 – September 30, 2010

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### Most Frequently Cited Serious Violations in Construction

Standard & Subpart - 1926.	Violation Description	Number of Serious Violations - FY 2010
501(b)(13) - M	Fall protection - Residential construction 6' or more	3010
1053(b)(1) - X	Portable ladders 3 feet above landing surface	1914
501(b)(1) - M	Fall protection - Unprotected sides & edges	1913
100(a) - E	Head protection	1779
503(a)(1) - M	Fall hazards training program	1648
102(a)(1) - E	Eye & face protection	1331
453(b)(2)(v) - L	Aerial Lifts - Body belt and lanyard	1246
451(g)(1) - L	Scaffolds - Fall protection	1160
451(e)(1) - L	Scaffolds - Access	1108
451(b)(1) - L	Scaffolds - Platform construction	1029

Number of Serious Violations - FY 2010

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### Subpart C - General Safety & Health (1926.20 - 35)

Standard - 1926.	Violation Description	Number of Serious Violations - FY 2010
20(b)(2)	Inspections by competent person	875
21(b)(2)	Employee training programs	877
20(b)(1)	Initiate and maintain accident prevention programs	659
25(a)	Housekeeping	233
28(a)	Personal protective equipment - Employer responsibility	113

Number of Serious Violations - FY 2010

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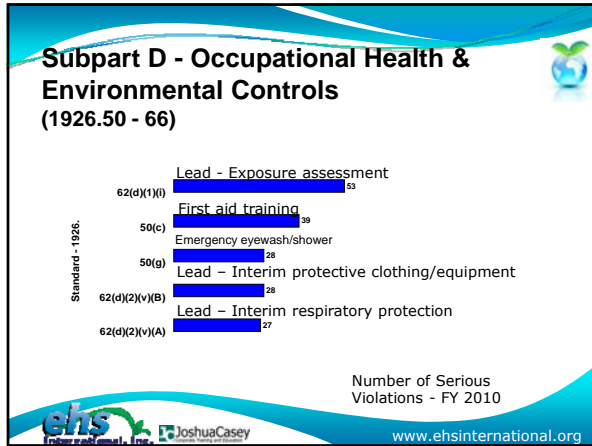
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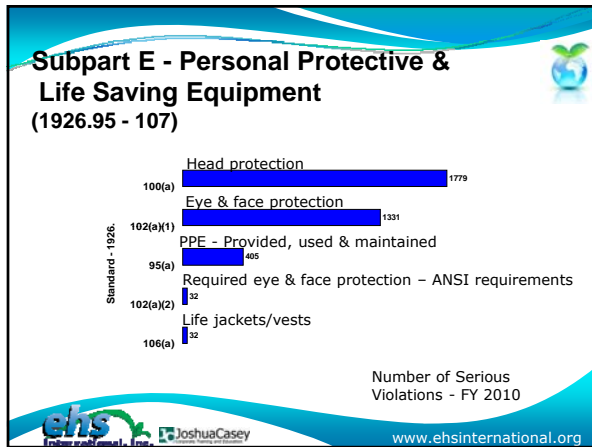
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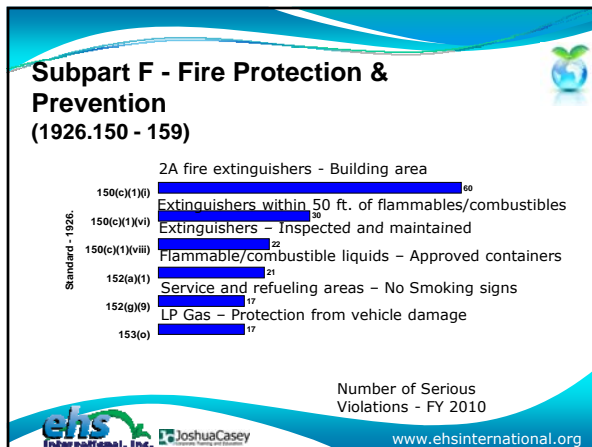
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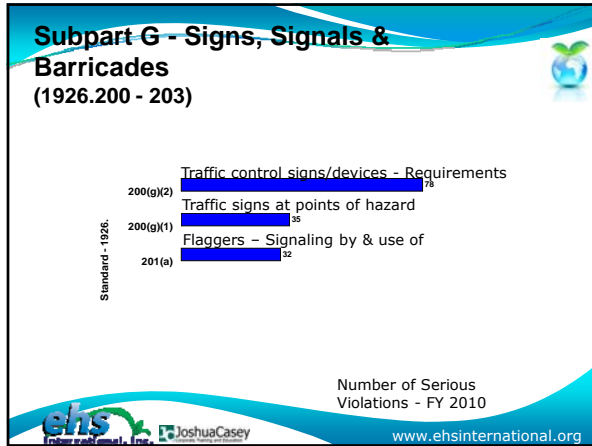
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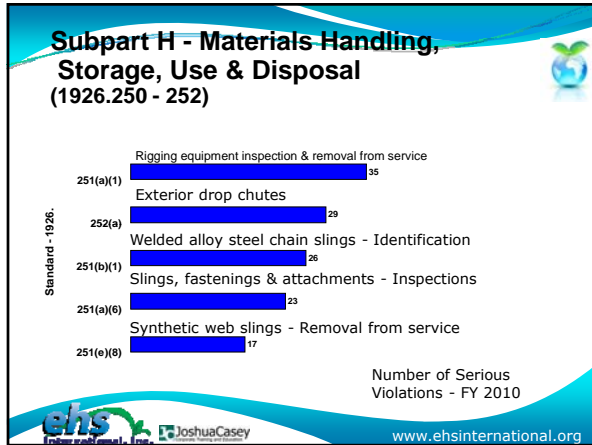
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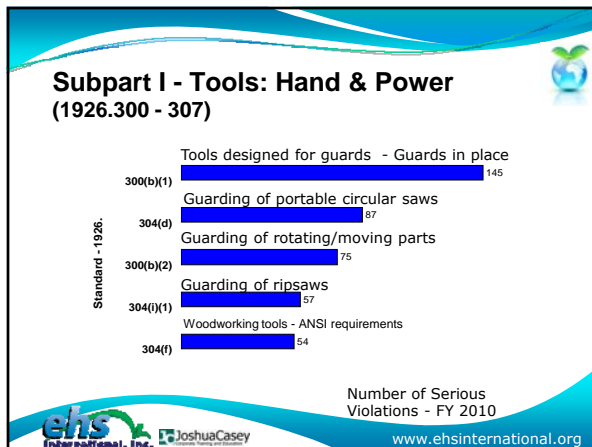
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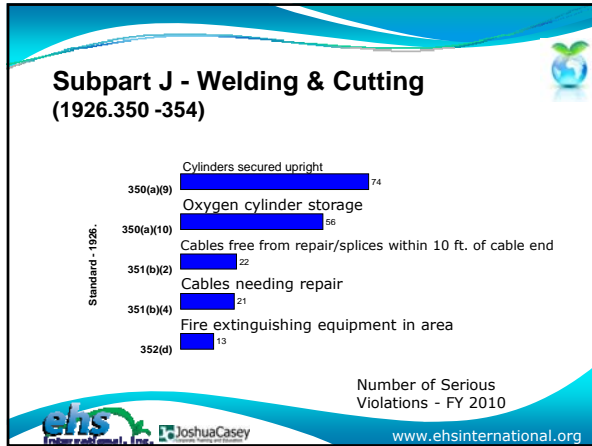
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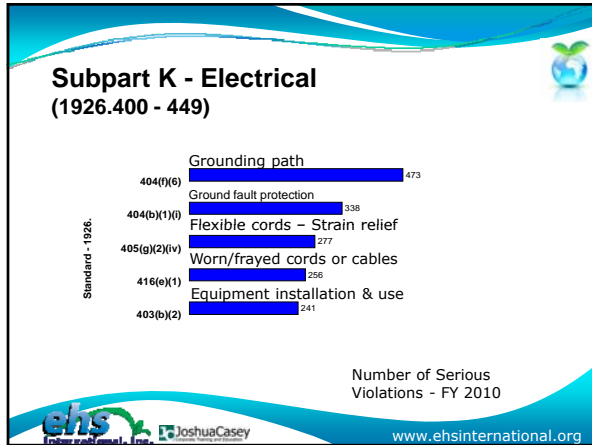
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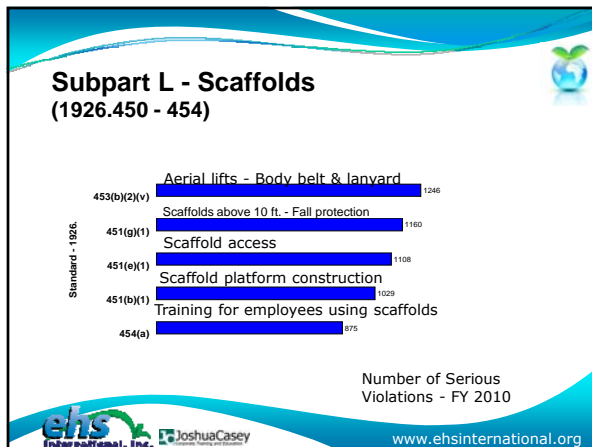
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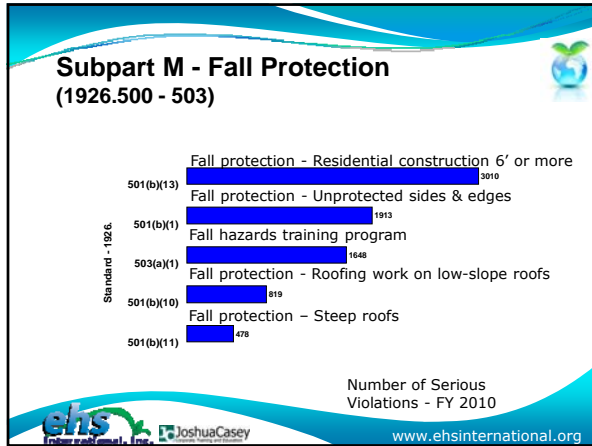
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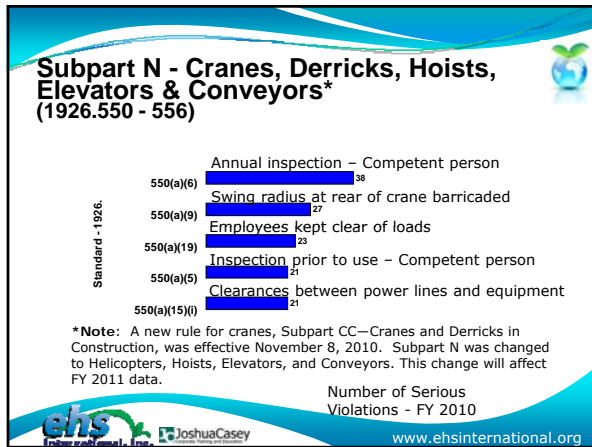
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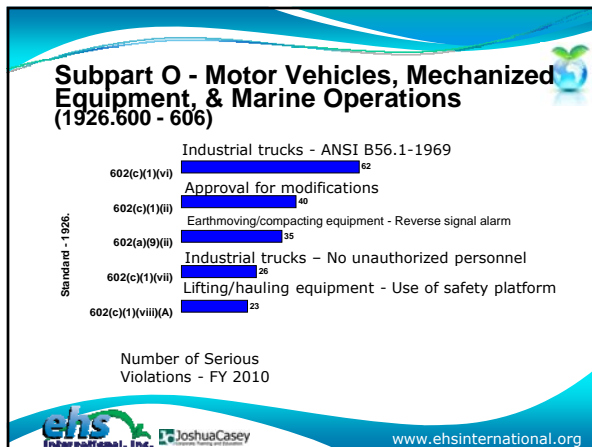
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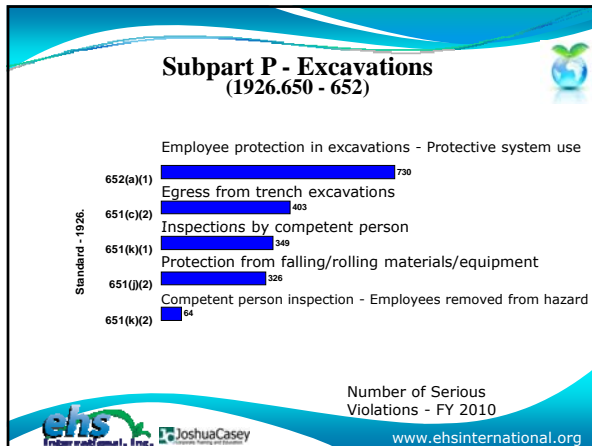
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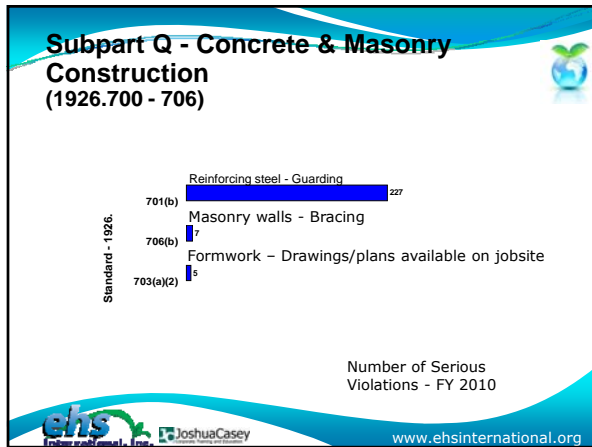
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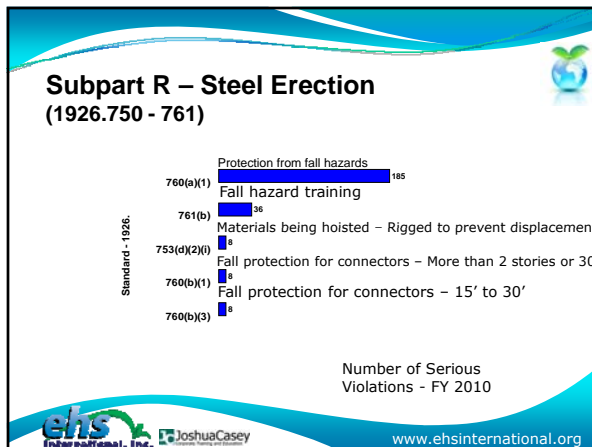
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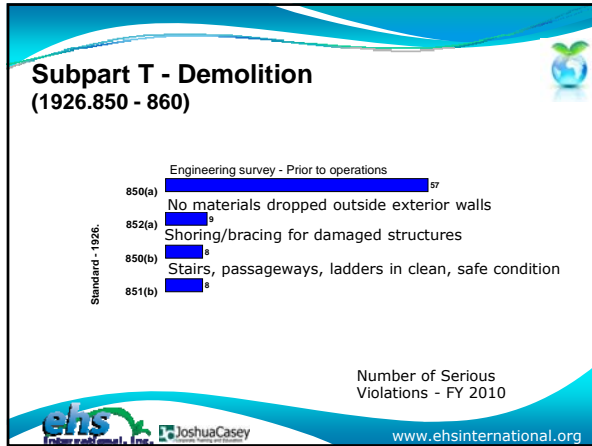
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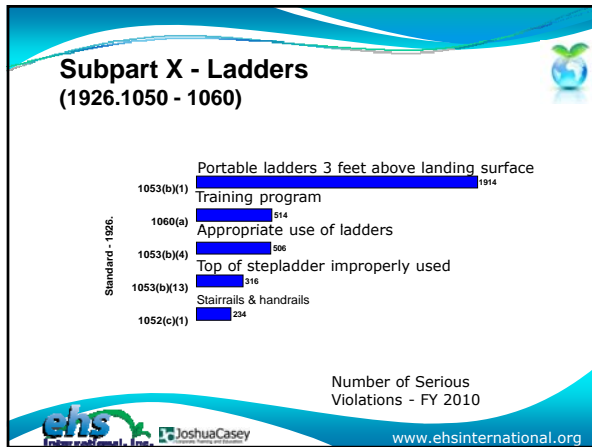
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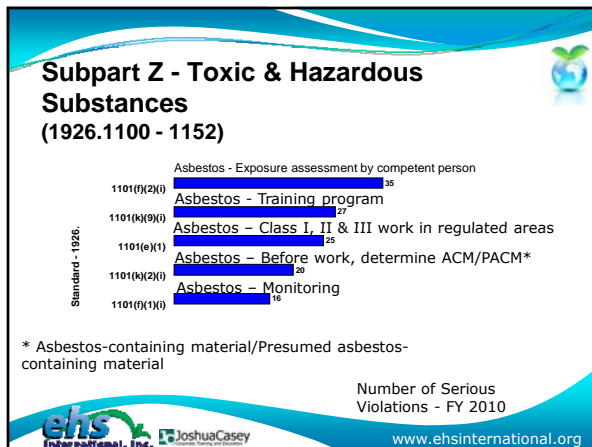
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### Leading Hazards in General Industry

- Most frequently cited
  - Manufacturing
    - HAZCOM
    - Lockout/tagout
    - Machine guarding
    - Respiratory Protection
    - Electrical wiring
    - Mechanical power press
    - Mechanical power transmission equipment
    - Electrical Systems
    - Noise exposure
    - PPE
    - Guarding floor & wall openings & holes



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### Words to the Wise



- Despite rumors to the contrary...the compliance officer is human too
- The compliance officer will be professional...you should be too
- The compliance officer is permitted to use quite a bit of professional discretion
- You catch more flies with honey

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### Greeting the Compliance Officer



You usually set the tone for the inspection

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## The Inspection Process



- Opening Conference
- Walk Around
  - Photographs and/or Videotape
  - Sampling
  - Interviews
- Closing Conference
- Informal Conference
- Contest

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## Opening Conference



- Present Credentials
- Explain
  - Purpose
  - Scope

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## Permitting the Inspection



- To refuse or not to refuse - that is the question?

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## Be Honest !

- The compliance officer will notice the slight elongation of your nose



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## Consequences of being dishonest

- Construction...your activity may have been under surveillance for hours/days/weeks
- General Industry...will everyone else's story match yours?
- Once you lose your credibility...the compliance officer is not going to lend much credence to anything else you say
- You just lost the "benefit of the doubt"



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## Walkaround Tip

- Take someone with you that can correct any deficiencies noted



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### Photographs and/or Video Recording

- The compliance officer will document what he/she sees
  - Warn the compliance officer if it is a Trade Secret
  - Not everything is a Trade Secret
- You may also photograph or videotape

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### Interviews

- Employees
  - Private
  - Without management present
  - Employee may request union rep
- Management
- Compliance officer decides who participates



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### Sampling

- Employee exposures
  - Dosimeters
  - Pumps
  - Badges
  - Other devices



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## The Closing Conference

- Take notes
- Violations and corrective actions
- Penalties
- Contest rights
- Informal Conference



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## Informal Conference

- AD or AAD
- Your side of the story
- Penalty reduction
  - Offer something in return
  - Not just abatement of the hazard...because you are already required to abate the hazard
  - Think improvements to safety & health program and additional training



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## The Appeal

- Notice of contest must be in writing - 15 working days after citation receipt
- You can contest violations, penalties or time to correct.
- Hearing before Review Commission Judge



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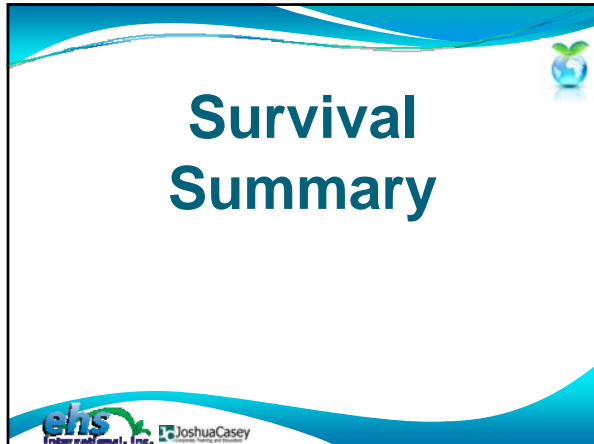
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**Survival Summary**

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**Be Prepared**  
Proactive hazard identification and abatement

**Be Professional**  
You set the tone for the inspection

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