



presents

OSHA Enforcement on the Rise

Preparing for Workplace Safety Investigations, Responding to Citations, and Negotiating Penalties

A Live 90-Minute Teleconference/Webinar with Interactive Q&A

Today's panel features:

James A. Lastowka, Partner, **McDermott Will & Emery**, Washington, D.C.

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Tuesday, February 16, 2010

The conference begins at:

1 pm Eastern

12 pm Central

11 am Mountain

10 am Pacific

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OSHA Enforcement on the Rise: Preparing for Workplace Safety Investigations, Responding to Citations and Negotiating Penalties

James A. Lastowka

Washington, DC

February 16, 2010

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Brief Background

- The Occupational Safety and Health Act of 1970, 29 U.S.C. § 651 *et seq.*
- **Federal OSHA:** Covers 29 states, and DC, Virgin Islands, American Samoa, Guam, Trust Territory of the Pacific Islands, Wake Island, Outer Continental Shelf Lands, Johnston Island, the Canal Zone, and certain workplaces within State Plan jurisdictions
- **State Plans:** There are 22 “State Plans” regulating the private sector: Alaska, Arizona, California, Hawaii, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Nevada, New Mexico, North Carolina, Oregon, Puerto Rico, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, Wyoming
 - Connecticut, Illinois, New Jersey, New York and the Virgin Islands have State Plans covering public sector (State & local government) employment only

Liability: Civil Penalties

Federal Civil Penalties

- “Willful” or “repeat” violations: Up to \$70,000
- “Serious” or “other-than-serious”: Up to \$7,000
- “Egregious”, “per employee” or “per instance” penalties. E.g., \$70,000 times number of employees not trained
- “Failure to abate”: Up to \$7,000 per day

State Plans have their own penalty structures, many same as Federal, some (e.g., California) significantly different

Liability: Criminal Penalties

Federal:

- Willful violation causing or contributing to fatality
- False statements in documents or oral statements
- Assaulting, resisting, intimidating, or impeding OSHA inspectors

State/local:

- Murder, manslaughter, reckless endangerment, assault/battery, etc.

The “New” OSHA’s #1 Priority: Aggressive Enforcement

- *“There is a new Sheriff in town.... Make no mistake about it, the Department of Labor is back in the enforcement business. We are serious, very serious.”* **Secretary of Labor, Hilda Solis**
- *“Under this Administration, OSHA is returning to the original intent of the OSH Act. We're a regulatory and enforcement agency and we're going to act like it. ... Make no mistake. In addition to sending a message to these companies that we will not tolerate neglect of worker safety and health, we also want the entire industry to hear that OSHA will reactive swiftly and strongly when workers are put at risk. ”* **Assistant Secretary David Michaels**
- *“You are not alone. We have your back and your fight is our fight ... there’s a new sheriff in town.”* **Jordon Barab, Deputy Asst. Secretary**

Stronger Enforcement

- An increased budget, more inspectors (100), more inspections, more citations, higher penalties
 - “With a renewed emphasis on enforcement, look for more - and bigger - citations to make sure that employers follow the rules and take worker protection seriously.” **Jordon Barab**
- In October 2009 issued to BP the highest penalty in OSHA history – \$87.4 million!
- January 2010: \$1.4 million – CES Environmental Services
- November 2009: \$1.6 million - Tempel Grain Elevators
- June 2009: \$1.1 million – Milk Co. (combustible dust and other alleged hazards)

Stronger Enforcement

“In the last fiscal year we filed four egregious cases; in the last quarter, we initiated seven,” David Michaels, 1/22/10

- Use of OSHA inspection SWAT Teams to “react swiftly to troubling trends”
 - E.g., in response to “a spike in construction fatalities” in Texas, OSHA launched a construction safety sweep bringing in inspectors from across the country, conducting about 900 inspections, issuing 1,500 citations and proposing about \$2 million in penalties

Stronger Enforcement

- Working more closely with the Department of Justice to increase the number of criminal prosecutions for workplace fatalities
- Implementing a “Severe Violators Inspection Program” focusing on large employers whose histories of OSHA violations demonstrate to OSHA that they do not take their compliance obligations seriously. They will be targeted for aggressive enforcement to make sure they “get the message”
- Supporting legislative OSHA reform efforts to substantial increase penalties, both criminal and civil

Stronger Enforcement

- Deemphasizing Voluntary Protection Programs, partnerships, and alliances in order to free up more resources for enforcement
- Focusing on specific enforcement issues through National Emphasis Programs including NEPs for:
 - Process Safety Management (PSM) compliance at refineries
 - PSM compliance at chemical plants
 - Combustible dust hazards
 - Auditing compliance with OSHA's injury and illness recordkeeping requirements

Recordkeeping National Emphasis Program

- One OSHA enforcement agenda priority is a new National Emphasis Program on Injury & Illness Recordkeeping effective 9/30/09
 - *To confront recordkeeping problems & underreporting problems*
 - *To take a closer look at behavior-based incentive programs that punish workers for reporting workplace injuries or encourage a non-reporting workplace culture*



**HIDDEN TRAGEDY:
Underreporting of Workplace Injuries and
Illnesses**

**A MAJORITY STAFF REPORT BY
THE COMMITTEE ON EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES**

**THE HONORABLE GEORGE MILLER
CHAIRMAN**

June 2008



Department of Justice

United States Attorney James R. Dedrick
Eastern District of Tennessee

FOR IMMEDIATE RELEASE
THURSDAY, JANUARY 22, 2009

TVA CONTRACTOR STONE & WEBSTER PAYS \$6.2 MILLION TO RESOLVE CONTRACT FRAUD INVESTIGATION

Knoxville, TN - United States Attorney James R. Dedrick announced today that the United States, on behalf of the Tennessee Valley Authority (TVA), has reached a settlement with Stone & Webster Construction, Inc., a subsidiary of The Shaw Group, as a result of a lengthy investigation conducted by the TVA Office of Inspector General into alleged false claims and contract fraud. As part of the settlement, Stone & Webster has paid \$6.2 million to the United States.

Stone & Webster has a 10 year billion dollar plus contract to provide modification and maintenance services for TVA's nuclear power plants in East Tennessee and Alabama. The contract provides for compensation for Stone & Webster as reimbursement for its costs as well as payment of periodic bonuses or performance fees based on meeting certain goals including those tied to personnel safety. Under the contract Stone & Webster is required to maintain accurate logs of injuries and to provide reports of all such injuries to TVA, consistent with Occupational Safety and Health Administration regulation. The United States alleged that during the period from 2003 through 2006, Stone & Webster failed to maintain the required logs and provided false reports to TVA that mis-classified and understated the number and severity of employee injuries in support of its claims for safety-related performance fees. TVA paid Stone & Webster based on those reports and statements.

In addition to payment of the \$6.2 million, Stone & Webster has entered into a comprehensive two-year Corporate Integrity and Monitoring Agreement with the TVA Office of Inspector General to ensure that Stone & Webster implements a Compliance and Ethics Program applicable to all work or services provided by it to TVA and that it fully complies with TVA's policies and directives related to its contracts. This is the first corporate integrity and monitoring agreement in TVA history between the Office of Inspector General and a TVA contractor.

"Today's settlement is an example of the Justice Department's determination to recover money lost due to contract fraud and other misconduct against the United States government," United States Attorney Russ Dedrick said, "and is consistent with the mission of the National Procurement Fraud Task Force created in October 2006 to promote the prevention, early detection and prosecution of government contract fraud." For more information about successful civil and criminal procurement fraud prosecutions, see the task force website at <http://www.usdoj.gov/criminal/npftf/>.

United States Attorney Dedrick further noted that this settlement resulted from a comprehensive, ongoing parallel criminal and civil investigation which was initiated by the TVA Office of Inspector General during 2004. A search warrant was executed on Stone & Webster's premises on the Browns Ferry nuclear site in July 2006. The United States Attorney's office joined the investigation at that time.

The \$6.2 million settlement and the Corporate Integrity and Monitoring Agreement resolve all allegations

OSHA's Suspicions About Recordkeeping

The New DOL and OSHA leadership:

- Suspects that under-recording/reporting of workplace injuries/illnesses may be widespread
- Is skeptical about reported downward trends in injury/illness data
- Suspects that employers have incentives to under-report:
 - To avoid being targeted by OSHA for inspections based on high incidence rates
 - To qualify to be awarded contracts
 - To enhance their safety reputation and standing for business development, purposes
 - To lower workers compensation and related medical costs
 - To achieve safety performance goals to qualify for bonuses and other incentives
- Suspects that employees are pressured to not report and doctors are pressured to under treat work-related injuries and illnesses



OSHA NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER 09-08 (CPL 02)

EFFECTIVE DATE: September 30, 2009

SUBJECT: Injury and Illness Recordkeeping National Emphasis Program (RK NEP)

ABSTRACT

Purpose: This Directive establishes enforcement procedures to inspect the accuracy of the Occupational Injury and Illness Recording and Reporting Requirements for low rate establishments in selected industries.

Scope: OSHA-wide.

References: OSHA Instruction CPL 02-00-135, Recordkeeping Policies and Procedures Manual (RKM), December 30, 2004; CPL 02-00-148, Field Operations Manual (FOM), March 26, 2009.

Cancellations: None.

Expiration Date: One year from the effective date.

State Program: Notice of Intent required. See paragraph VII.

Action Offices: National, Regional, and Area Offices.

Originating Office: Directorate of Evaluation and Analysis

Recordkeeping NEP

- Federal NEP effective 9-30-09 through 9-30-10 although it could be extended or a modified recordkeeping inspection program adopted
 - NEP basically is a test program to learn how to best conduct systematic recordkeeping inspections, and to see what the results are
 - Certain high incident rate industries
- Includes pilot inspection program in construction industry
- State Plan jurisdictions are encouraged to adopt a similar program
- Most recordkeeping inspections have resulted from complaints & referrals – these likely will continue
- If regular inspections reveal recordkeeping problems, the inspection can be expanded

Problems

- Widespread confusion & ignorance concerning actual requirements
- Inconsistent OSHA approach to enforcement:
 - A “nonserious” paperwork issue?
 - A significant safety and health issue?
 - “Egregious” violations: “instance-by-instance” penalties for willful failures to properly record each injury or illness
- Inconsistent employer compliance – the better you do, the worse you look
- Inconsistent worksite compliance at establishments within the same company?
- Widespread use of OSHA recordable injuries as safety performance benchmarks

Recurring Recordkeeping Mistakes

- Recurring mistakes:
 - Failing to correctly apply the OSHA definition of “work-related” for Section 1904 purposes
 - Did an injury occur at work?
 - Confusion of “work relatedness” *for workers compensation purposes* with “work relatedness” *for OSHA recordkeeping purposes*
 - Confusion of “aggravation” criteria for workers compensation purposes with “significant aggravation” criteria for OSHA recordkeeping purposes
 - Failing to properly apply the definitions of “medical treatment” and “first aid” (and too aggressive use of first aid to avoid medical treatment)
 - Failing to properly apply the OSHA definition of “restricted work”
 - Failing to continue to properly track later events in cases – such as medical treatment including prescriptions or physical therapy, restrictions imposed on later visits, lost work days, etc.

Post-Citation Strategies

- To address citations and proposed penalties, consider scheduling an Informal Conference
 - Must be held within the 15 working-day period (Federal; check specific State plan procedures)
 - Setting informal settlement goals and objectives is necessary
 - If an “Informal Settlement Agreement” (ISA) is reached, it must be finalized within this 15 working-day period; a notice of contest must be filed before the expiration of the 15 working-day period or else the citations, penalties and abatement requirements become final orders
 - Usually some progress can be made at an Informal Conferences depending on the situation, the citations, the penalties, and the goals

Post-Citation Strategies

- Major citations are very unlikely to be resolved satisfactorily at the informal stage
- Filing of a notice of contest or appeal triggers an administrative discovery and hearing process
 - In the Federal scheme appeals are to an independent adjudicatory agency, the Occupational Safety & Health Review Commission
 - Evidentiary hearings before an ALJ with appeals to the three member Review Commission which can decide whether to take the appeal or not
 - Cases can be settled during the prehearing stage
 - Mandatory Settlement Judge proceedings for significant federal cases
 - From federal Review Commission final orders, federal appeals are to the U.S. Courts of Appeals

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Jim Lastowka is a partner in the law firm of McDermott Will & Emery LLP based in the Washington, D.C. office and is a member of the Firm's OSHA & MSHA & Catastrophe Response Group. Jim has practiced exclusively in the field of occupational safety and health for 35 years. He is a former Commissioner and General Counsel of the Federal Mine Safety & Health Review Commission, and a former Assistant General Counsel of the U.S. Occupational Safety & Health Review Commission. He is a recognized authority on OSHA and MSHA law and has a nationwide safety and health practice.

Jim's practice includes responding onsite to catastrophic industrial and construction workplace accidents, including explosions, chemical releases and collapses of buildings, tunnels, scaffolds, and cranes, conducting internal investigations of fatal and other workplace accidents, managing investigations by OSHA, MSHA, CSB, EPA, ATF, and state and local agencies, and structuring industrial hygiene surveys and exposure assessments concerning potential employee exposures to toxic chemicals and mold. In addition, Jim's practice includes providing compliance counseling, conducting safety and health audits and due diligence reviews, handling the full range of OSHA and MSHA litigation, including appeals of citations, penalties and withdrawal orders, investigating and defending discrimination and whistleblower complaints, and participating in rulemaking proceedings.

Jim is a member of the American Bar Association, including its Labor and Employment Law Section, Occupational Safety and Health Law committee, and its Forum on the Construction Industry. He is a frequent speaker and writer on OSHA and MSHA compliance issues, workplace catastrophes, and accident investigations.

PREPARING FOR OSHA INVESTIGATIONS

Strafford Webinar
February 16, 2010
Patricia Poole, Esq.
ppoole@bakerlaw.com

PRELIMINARY ISSUES

- Federal v. State Plan State
- Field Operations Manual (FOM) is OSHA's inspection and enforcement manual.
Available at <http://www.osha.gov>.

INVESTIGATIONS

- Two general types of investigations:
 - Whistleblower
 - Compliance

WHISTLEBLOWER INVESTIGATIONS

- The OSH Act contains an anti-retaliation provision—Section 11(c)
 - Prohibits discharge or discrimination against employees for filing complaints “under or related to” the OSH Act:
 - Employee requests to OSHA for an inspection
 - Complaints to another state or federal agency regarding safety and health
 - Complaints to a labor union
 - Complaints to another employer at the job site

WHISTLEBLOWER INVESTIGATIONS

- OSHA enforces the anti-retaliation provisions of the OSH Act and 16 other federal statutes including:
 - Sarbanes-Oxley Act (SOX)
 - Consumer Product Safety Improvement Act of 2008 (CPSIA)
 - Many environmental statutes
 - Aviation, trucking, rail statutes

WHISTLEBLOWER INVESTIGATIONS

- Whistleblower complaints must be filed within 30 days of the adverse action, or if the alleged discrimination is ongoing, within 30 days of the last act of discrimination.
- Section 11(c) complaints to OSHA may be verbal or in writing.
- *Whistleblower Investigation Manual* DIS 0-0.9 found at <http://www.OSHA.gov>

COMPLIANCE INVESTIGATIONS

- Section 4(b)(1) prevents the OSH Act from applying to working conditions over which other federal agencies exercise statutory responsibility for safety and health (for example):
 - United States Coast Guard
 - Mine Safety and Health Administration
 - Federal Railroad Administration

COMPLIANCE INVESTIGATIONS

- OSHA attempts to prioritize inspections:
 - First Priority: Imminent Danger
 - Second Priority: Fatality/Catastrophe
 - Third Priority: Complaints/Referrals
 - Fourth Priority: Programmed

FIRST PRIORITY-IMMINENT DANGER

- Imminent Danger investigations address conditions which could reasonably be expected to immediately cause death or serious physical harm.
- OSHA can preclude anyone from entering the area of alleged imminent danger, except those persons necessary to remedy the hazard.

FIRST PRIORITY-IMMINENT DANGER

- OSHA will not institute legal proceedings when an employer voluntarily abates an alleged imminent danger.
- OSHA will likely issue a citation, but will indicate “abated during inspection.”
- If the alleged imminent danger is not immediately abated, OSHA may obtain a Temporary Restraining Order.

SECOND PRIORITY- FATALITY/CATASTROPHE

- Death of one employee from incident or exposure
- In-patient hospitalization of three or more workers
- Incident requiring coordinated federal response (massive toxic exposures, media interest)
- Frequently triggered by a call to the OSHA hotline (800.321.OSHA)

SECOND PRIORITY- FATALITY/CATASTROPHE

- All fatalities are investigated to determine:
 - Cause of the event
 - Whether any OSHA violations occurred
 - Effect of a violation on the incident
- OSHA will speak with family of fatally-injured worker(s)
- OSHA will likely issue a press release
- Criminal penalties may be issued

THIRD PRIORITY-COMPLAINTS AND REFERRALS

- Complaint—notice of an alleged safety or health hazard over which OSHA has jurisdiction, or an alleged violation of the OSH Act submitted by a current employee or representative.
- Referral—allegation of potential hazard or violation received from compliance officer, a safety/health or other agency referral, an 11(c) referral, the media, an employer.

THIRD PRIORITY-COMPLAINTS AND REFERRALS

- Formal complaints are made by a current employee or representative and:
 - Assert an imminent danger, a violation of the Act, or a violation of an OSHA standard that exposes employees to a potential risk
 - Are reduced to writing
 - Are signed by at least one current employee or representative

THIRD PRIORITY-COMPLAINTS AND REFERRALS

- Non-formal complaints do not meet all of the requirements of a formal complaint and do not arise from a compliance officer, a safety/health agency, an 11(c) investigator, the media, or an employer.

THIRD PRIORITY—COMPLAINTS AND REFERRALS

- When will OSHA conduct an inspection vs. simply make an inquiry?
- An inspection will be conducted by OSHA if at least one of the following conditions is met:
 - A valid, formal complaint is submitted and there are reasonable grounds to suspect a violation
 - The information alleges that a permanently disabling injury or illness has occurred and there is reason to believe the hazard still exists

THIRD PRIORITY-COMPLAINTS AND REFERRALS

- The information alleges an imminent hazard
- The workplace and the hazard are covered by a local, regional or national emphasis program, the Site-Specific Targeting Plan
- The employer fails to supply an adequate response to an OSHA inquiry, or the individual who complained provides evidence that the employer provided false information to OSHA

THIRD PRIORITY-COMPLAINTS AND REFERRALS

- The workplace has a history of egregious, willful, failure-to-abate, or repeated citations within the past 3 years, or the workplace is in or related to a workplace in the Enhanced Enforcement Program.
- A whistleblower investigator or a regional supervisory investigator requests an investigation.

THIRD PRIORITY-COMPLAINTS AND REFERRALS

- An investigation is ongoing or about to begin and OSHA receives a complaint.
- OSHA reasonably believes someone under 18 years of age is exposed to a serious violation.
- Written complaint from a current employee or representative alleging a recordkeeping violation that shows the existence of a serious safety or health violation.

THIRD PRIORITY-COMPLAINTS AND REFERRALS

- On the other hand, OSHA will conduct an inquiry in response to a complaint or referral that does not meet one of the inspection criteria (just enumerated).
- Inquiries do not involve onsite inspections, rather the employer is notified of the allegations by fax, phone, mail, email. The employer is requested to submit a response.

FOURTH PRIORITY: PROGRAMMED INSPECTIONS

- Programmed inspections are scheduled on the basis of objective or neutral selection criteria. The worksites are selected according to national scheduling plans for safety, health or special emphasis programs.

SAFETY COMPLIANCE

- What can employers do to keep OSHA away?
 - Conduct safety audits
 - Have in place an effective safety and health program
 - Ensure appropriate management of records
 - Train employees and managers
 - Have in place an effective safety committee

SAFETY AUDITS

- An audit is a systematic critical examination of safety and health programs (like a report card).
- May be performed by internal staff or by an outside consultant.
- Should address recordkeeping, employee training, procedures and facility compliance.

SAFETY AUDITS

- OSHA frequently requests results of safety audits during inspections and can use the results to support a “willful” citation.
- Courts have allowed OSHA to obtain audit results other than attorney-client privileged information.
- Auditor should prioritize items to be addressed (e.g., A, B, C) in an action plan.
- Action plan items will need to be addressed.

Safety and Health Programs

- Empirical studies appear to support the concept that effective safety and health programs reduce injuries and costs.
- Low injury rates may make it less likely that OSHA will inspect.
- OSHA has issued voluntary guidelines: FR 54:3904-3916.

Recordkeeping

- During inspections, OSHA will always review injury and illness records (300 logs) for prior 3 years.
- 29 CFR 1910.1020(d) outlines record retention requirements for employee medical records and exposure records. Many need to be kept for the duration of employment plus 30 years.

Training

- Many regulations require training (e.g., hazard communication, lockout/tagout).
- Employers should keep an accurate record of training that was done, who attended, the date of training and the content of the session.
- Good recordkeeping may help prevent an OSHA citation.

Training

- A well-trained workforce is arguably a safer workforce.
- OSHA looks favorably on workplaces in which employees have undergone OSHA's 10-hour and 30-hour safety courses.

SAFETY COMMITTEES

- Supported by OSHA
- May help reduce employee injuries and improve operational efficiency
- Management and labor participate
- Generally hold monthly meetings and conduct periodic inspections
- Conduct education sessions
- Make advisory recommendations to management



»Questions?

*OSHA Enforcement on the Rise: Preparing for
Workplace Safety Investigations, Responding to
Citations and Negotiating Penalties*

Tuesday, February 16, 2010
1:00 p.m. Eastern

Participating in OSHA Inspections

Peter Spanos
Partner
Burr & Forman LLP
Atlanta

Response and Inspection Team

- Designate a management representative
- Advance training for representative
- Assisted by other person(s) with taking notes, photography, measurement and observing
- Refer all questions to the designated representative

Search Warrant

- You can require that inspector produce a search warrant
- However, be aware of the impression it will make on the inspector, who can probably get one easily
- Search warrant standard: not 6th Amendment “probable cause”

Scope of Investigation

- You have a right to know about any complaint, but not to know the name of the employee who complained
- You may identify areas containing trade secrets and deny admission unless there is an agreement for confidentiality
- You may deny access to personnel records, except for those relevant to any employee claiming retaliation

Inspector and Purpose

- Check credentials of inspector
 - Get business card and ID number
- Ask inspector to state purpose and areas or operations covered
- May limit access if outside stated scope
- Employee representative (union) may participate

Wall to Wall Inspection Criteria

- An employee complaint
- Business or industry has a high injury rate
- Employer has high lost workday or injury rate
- No inspection within two years

Right to Accompany the Inspector

- The inspector must permit you to be present during the inspection
- If more than one, assign management representatives to each
- Never permit inspector to roam unaccompanied
- Limit access per scope of inspection

Make a Full Record of the Inspection

- Take photographs of the inspector in the areas he inspects
- Take photos of the areas inspected
 - Especially photos similar ones the inspector takes
- Take complete notes of everything inspector does and says
- And of what is said to the inspector
- Take notes and measurements of relevant conditions

Guideline

Remember the “elements” of a possible citation:

- A recognized hazard
- Employee exposure
- Employer knowledge or that the employer “should have known”

Professionalism

- State your general intention to comply in good faith with the inspection process
- Be cooperative but do not volunteer information
- Do not make statements about issues, matters or conditions not covered by the question

Employee Interviews

- You have no right to be present at interviews with employees, but each employee has the personal right to refuse to talk to the inspector
- Inform employees that they have the right to a copy of their statement, and that, if possible, you would appreciate a copy
- Make it clear that there will be no retaliation if they refuse

Avoid Commentary or Defense

- Say little, if anything, about company policies or practices
 - This can be used against you in case of a citation
 - Inspectors take notes of comments made to them
- Listen carefully to the inspector
- Be careful about making promises or commitments (express or implied)

Abatement

- In general, abatement should only be addressed after the inspection
- Some issues can be cleaned up at the time of inspection
 - Limited scope
 - Easy fix
 - May show good faith

Have Documents Available

- The Log, Annual Summary, MSDS forms, fit test reports and medical reports
- Copies of written safety program, training materials, regular safety meeting reports (with attendance list and summary of the subject of the meeting)
- Be prepared to furnish employee acknowledgement of receipt of safety and health materials
- Contract requirements placing the primary burden for compliance on other employers; and
- Any correspondence giving notice of hazards

Request Closing Conference

- Always ask for an immediate closing conference
- Take notes
- Try to correct misinformation or errors
- Ask for specific citations that inspector may consider
- Make no abatement date promises

OSHA's Perspective

- See “OSHA Inspection Fact Sheet” at:
http://www.osha.gov/OshDoc/data_General_Facts/factsheet-inspections.pdf
- Older publication “What to Expect During OSHA’s Visit” at:
<http://www.osha.gov/Publications/what2expect.pdf>

Questions?

Thanks for participating!

