

Inspection Overview

Knowing what to expect from an OSHA inspection can make the experience less stressful. Here is a brief overview:

Arrival. An inspector arrives at your facility during normal business hours, unless you are contacted prior to the visit. The inspector shows you his/ her credentials issued by the U.S. Department of Labor, which authorize the inspection.

Preliminary conference. The inspector tells you why OSHA selected your company, explains why the inspection is taking place, and reviews with you the standards which apply to your industry. You must then select an employee to accompany the officer during the inspection. Having an assigned guide selected prior to an inspection will help make the inspection process more efficient and will also help avoid unnecessary delays.

Tour. The officer will then inspect your workplace. The agenda for the inspection and its length is at the discretion of the officer, although most compliance officers cause as little interruption to your workday as possible.

During the inspection, the officer will investigate working conditions and ask questions of employees. He or she may: take photographs or record instrument readings relating to safety and health hazards; take environmental samples; request files recording deaths, injuries, and illnesses, or instances of possible exposure to toxic solutions or harmful agents.

If the officer points out an easily correctable hazard - like a puddle of oil on a walkway - correct it right away to demonstrate your concern and your cooperation. Your action may or may not avoid an official notation.

Closing conference. The officer will discuss findings, identifying any possible violations. Penalties cannot be discussed at this conference since only the OSHA Area Director sets penalties. Later, the officer will file a report with the Area Director. Any citations or penalties will be delivered to you via certified mail.

Inspections are stressful situations. But if you have done your homework, inspected your company regularly and taken steps to eliminate hazards, you have greatly increased the possibility of a good review.

Even if you never are officially inspected, self-evaluations may prevent accidents that will save you frustrating downtime, costly overtime, workers' compensation claim costs, or even a potential lawsuit.

Are you prepared for an OSHA visit? If not, call Ed Westermann at 201-435-4500 to learn more about self-inspections and OSHA inspection criteria.

BCG Advisors, Inc.
One Evertrust Plaza, 11th Fl
Jersey City, NJ 07302
Tel: 201-435-4500
<http://www.bcgadvisors.com>

This brochure is for informational purposes only, and is not intended as legal advice. For further information please consult an insurance professional. © 2008-2012 Zywave, Inc.

OSHA

**OSHA Inspections
Proper Planning Helps
Avoid Risks**

BCG ADVISORS^{INC}
INSURANCE | EMPLOYEE BENEFITS | HUMAN RESOURCES

Designed to eliminate hazards from the workplace, OSHA's Occupational Safety and Health Act protects employers as much as it does workers, ultimately saving companies the many expenses caused by work-related injuries.

Non-Compliance is Costly

As a federal regulator, OSHA has come under fire by employers for the usual reasons people criticize federal mandates: mounds of paperwork and an obsession with endless detail. Yet an accident on the job can cost an employer millions, beginning a complicated cycle that piles expense upon expense.

For example: Clark Jones, your best machine operator, seriously cuts himself because his machine lacks a guard. Clark's arm injury prevents him from working for six weeks. As a result of Clark's absence, productivity declines.

To stay on schedule, you pay other employees overtime. And despite the fact that you are paying top dollar for their work, these employees are less productive because they are fatigued. Tired employees are also prime candidates for work-related injuries.

Since Clark's injury is serious, the problem compounds itself with the addition of workers' compensation payments.

Furthermore, in the face of what appears to be serious nerve damage, Clark brings suit against the manufacturer of the machine that caused the injury. The manufacturer retaliates and sues you for negligence.

Clark's injury becomes an apparently never-ending financial nightmare. As this example demonstrates, non-compliance with OSHA standards can become a costly and unnecessary risk.

Planning to Avoid Risks

You can guard against accidents and OSHA citations by creating a self-inspection procedure. Here's how:

- Educate your staff. Your people should have a working knowledge of OSHA standards and regulations within your field.
- Appoint a company "inspector" who will routinely evaluate your workplace to conduct "self-audits."

During your self-audit inspections, keep these questions in mind: What is your current situation? If an OSHA inspector appeared at your door today, how would you fare? What areas need to improve equipment? Employee/management attitudes? Training?

Here's a brief checklist of general areas to examine in your self-audit.

- Required employer postings
- Recordkeeping
- Medical services and first aid
- Fire protection
- Personal protective equipment
- General work safety environment
- Floor and wall openings
- Evacuation plan
- Tools and equipment
- Environmental controls
- Electrical safety
- Accident investigation

Who Can Be Inspected & Why

OSHA regulations state that OSHA can inspect any factory, plant, construction site, establishment or other workplace to investigate all pertinent conditions, structures, machines, equipment and materials without notice.

OSHA inspectors, sometimes called compliance officers, prioritize inspections in the following order:

1. **Imminent danger situations** – top priority is given to hazards that could cause death or serious physical harm. Employers must immediately correct or remove employees from the facility.
2. **Fatalities and catastrophes**— incidents where three or more employees die or are hospitalized. Employers are required to report such incidents within eight hours.
3. **Complaints**—allegations of hazards or violations by employees.
4. **Referrals** – reports of hazard information from federal, state or local agencies, individuals, organizations or the media.
5. **Follow-ups**—verification by compliance officers that previously cited violations are corrected.
6. **Planned or programmed investigations**—inspections of high-hazard industries or workplaces with high rates of injuries and/or illnesses.
7. **Random audits** – even employers with clean safety records may be subject to OSHA inspection.