

OSHA inspection process

OSHA may conduct a workplace or job site inspection for a variety of different reasons, but the most common include:

- Fatalities or serious injuries such as in-patient hospitalizations, amputations or the loss of an eye
- “Imminent danger” situations that could result in the death of or a serious injury to a worker
- Complaints and referrals concerning potentially hazardous working conditions
- Follow-up visits from previous citations
- National or local emphasis programs undertaken by OSHA, such as Heat Illness or Fall Prevention
- Randomly selected or scheduled routine inspections

If a Compliance Safety & Health Officer (CSHO) arrives at your workplace for an inspection, what do you do? It helps by being prepared and having a plan in place, and key personnel designated to assist with the inspection process. This will help ensure an unexpected OSHA visit will go as smoothly as possible.

When the Compliance Officer arrives on site, they will go to the main entrance, office or job trailer and will:

- announce who they are and provide proper photo ID and credentials
- explain the purpose of their visit
- ask permission to complete an inspection

At this point, a good approach is to offer them a seat in a conference room or waiting area until the appropriate management personnel are notified. Feel free to offer them water or coffee while they wait. The wait should not last longer than an hour. It is important to note that the employer can refuse to let them in, but generally speaking, it is in the company’s best interest to cooperate and work with them in a positive way. These options should be discussed ahead of time with senior management officials and possibly legal counsel.

The first step in the inspection process is an opening meeting to explain the purpose of the inspection and for the compliance officer to gather basic information about the company, key personnel and their safety program. During this time, it can be beneficial to have designated personnel walk-through the facility or job site to look for any housekeeping concerns or non-compliant issues and have them corrected. During the opening meeting, the CSHO may:

- Discuss the scope and purpose of the inspection
- Explain the inspection process and that a walk-through and employee interviews may be conducted
- Ask for and review specific paperwork or records, such as:
 - OSHA Logs for the current year and up to five previous calendar years
 - Incident investigation report (if the reason for the inspection is due to an injury)
 - Written safety programs, policies, procedures or work instructions
 - Worker safety training records
 - PPE Hazard Assessments
 - Air and noise testing results, fit testing reports and medical evaluations

The next step is typically a facility or job site walk-through. The scope will be based on the reason for the inspection. It could be a full ‘wall-to-wall’ walk-through or be limited to a specific area, machine, process line, department, etc. The CSHO may take pictures or video and may interview employees during the walk-through. Take the compliance officer to the area(s) of concern via the most direct route possible to minimize the potential for the CSHO to expand the scope of the inspection if they observe any unsafe acts, processes or equipment. A focused inspection can turn into a full inspection if they notice something concerning or

non-compliant conditions along the way. If any violations are observed during the walk-through, have them abated as soon as possible. This shows good faith and can help reduce potential penalties.

If worker interviews are conducted, they are generally done in private, although the employee has the right to ask an employer or union representative to be present. It is important for employees to always answer honestly and completely. Questions may include:

- How long have you worked for the company?
- Have you or anyone else ever been injured on the job or had a close call?
- What types of personal protective equipment are you required to use for your job?
- What safety training have you had and when was it?
- Is there anything you would change to make working conditions safer?
- Do you know where the Safety Data Sheets (SDS) are located?

Lastly, a closing meeting will be held to discuss the CSHO's findings. They may also ask for additional paperwork or training records to review. If any violations are believed to have occurred, they will explain that citations may be issued but will not discuss proposed penalty amounts. The closing meeting is also a time for the employer to ask any questions they may have regarding the findings, the regulations, the citation process, types of corrective actions, etc. The closing meeting may be postponed until a later date if the inspection has not been completed or if air or noise testing needs to be conducted.

If citations are to be issued, OSHA has up to six months to do so and they will be delivered by certified mail. When they arrive, the citations must be posted in a prominent area near where the violations occurred until the violations have been abated or for three days, whichever is longer. Additionally, the employer will have the following three options:

1. Accept the citations as is, pay the penalty amount and complete any required corrective actions by the dates indicated.
2. Request an Informal Conference with the OSHA Area Director to 'plead your case' and possibly have citations removed or downgraded, penalty amounts reduced or abatement dates extended.
3. Formally contest the citations.

A response to OSHA is required within 15 working days from receipt of the citations, and if an informal conference is requested, that must also be scheduled and conducted within the same 15-day period.

Additional information can be found here: <https://www.osha.gov/abatement> and a video from OSHA about the inspection process here: <https://www.youtube.com/watch?v=HA6bixDzeLY>