

How to Avoid an OSHA Inspection and Paying the Price

An OSHA inspection can be a costly and disruptive experience for any employer, especially if that employer has not dealt with the Agency or does not have an in-house safety professional or attorney. An OSHA inspection that goes badly essentially says the employer has a defective safety program. This type of employer is not sufficiently focused on the safety and health of its employees.

Did you know that the OSHA penalties increased by over 78% on August 1, 2016? That is a big jump. Serious types of violations increased from \$7,000 to \$12,471 per violation (Maximum Penalty). Willful or Repeated violations increased from \$70,000 to \$124,000 per violation (Maximum Penalty). Now is a great time for you to review your safety program, update worker training and renew your commitment to accident free workplace.

OSHA typically prioritizes inspections in the following order:

1. **Imminent danger situations** - hazards that could cause death or serious physical harm.
2. **Fatalities and catastrophes** - incidents where three or more employees die or are hospitalized.
3. **Complaints** - allegations of hazards or violations by employees.
4. **Referrals** - reports of hazard information from various sources
5. **Follow-ups** - verification by compliance officers that previously cited violations are corrected.
6. **High hazard industries** - inspections of high-hazard industries with high accident rates
7. **Random audits** - even employers with clean safety records may be subject to OSHA inspection.

In most cases, OSHA won't show up without a reason. Possible reasons for a visit to your jobsite include: a fatality or serious accident, employee complaint or unsafe conditions. If you are unsure if your facility is in compliance with any OSHA standards, OSHA's website has a variety of materials, supplies, handbooks and articles that will help you to avoid violations during an inspection.

Safety managers should consider the fact that most OSHA visitations are accident/complaint-driven. In fact, some 60 - 70 percent of inspections are triggered by employee complaints alone. Knowing this, employers should focus their efforts on getting employees to approach their Supervisors for safety support, not OSHA. This can be achieved by building employee confidence in your response to safety concerns.

What can you do? The following items are a good start to reducing the likelihood of an OSHA Inspection:

1. Conduct a comprehensive audit to ensure the company is in full compliance with OSHA
2. Review and make sure all safety and health documentation is current and communicated
3. Provide comprehensive training to employees on all applicable OSHA standards
4. Develop a strong safety culture at all levels of the organization

Audit for compliance on a daily basis. Make all your employees hazard hunters. Train employees to look for unsafe acts and conditions. Empower your employees to participate in creating a safety culture of compliance. Everyone needs to contribute. Provide effective training at all levels of the organization. Know the OSHA regulations. Get help if needed. The OSHA website can be very helpful. The Refractory Institute can be a source of information. There are numerous consulting firms out there that can provide expertise when needed. Strive to be 100% safe when it comes to Safety and Health compliance.

