



OSHA INSPECTION CHECKLIST

16 KEY ITEMS: CONSTRUCTION SAFETY IS AN OSHA PRIORITY

Out of 4,693 worker fatalities in private industry in calendar year 2016, 991 or 21.1% were in construction — that is, one in five worker deaths were in construction.



As a company leader, you may ask “How do you handle the situation when an OSHA Inspector arrives and wants to walk our site?” Here are some key thoughts to take into consideration before, during and after an OSHA inspection:

1 in **5**
WORKER DEATHS
WERE IN
CONSTRUCTION

1. Verify the person is an OSHA Inspector. Ask to see their official OSHA credentials.
2. Designate one company representative to speak with OSHA.
3. As this is the opening conference, OSHA should allow you time to contact the corporate safety office. If practical, restrict site admittance until appropriate safety management personnel are available.
4. Meanwhile, also contact your foremen to make them aware an OSHA Inspector is on-site and to notify other foremen and subcontractors.
5. Ask if the inspection is a complaint, hazard or programmed inspection:
 - a. If a Complaint: OSHA must inform you of the specific complaint. Obtain a copy of the complaint. If so, take them directly to the complaint’s specific area and no other areas. Pick the route with the least work activity.
 - b. If OSHA has observed a Hazard: Take them to where they saw the hazard and follow the same format as if it were a complaint.
 - c. If a Programmed Inspection: OSHA should allow you time to gather all the foremen or subcontractor supervisors to participate in the opening conference.
6. Remember an employer has a right to refuse to allow an inspection without a search warrant. Typically, OSHA can readily obtain a warrant and will have a warrant every time they return to the site.
7. During the opening conference, only answer questions asked of you. Do not volunteer information.
8. Never lie to an OSHA inspector. Answer questions honestly and with confidence. However, be aware OSHA Inspectors may ask leading questions.

9. As with any visitor and if a normal standard for your company, the Inspector must complete site specific safety training prior to entering the site.
10. During the inspection, only answer what is asked of you. Do not elaborate or give opinions.
11. Have a camera ready. Make sure your batteries are good and your camera's data card has plenty of available storage for pictures.
12. If the OSHA inspector takes a picture, confirm what they are taking a picture of and you take the same photograph or video for your records.
13. If the inspector finds a deficiency, immediately have someone correct it or take out of service. If a safety rule violation, correct it immediately. Take a picture of any corrective action taken. You want to document any information you think will help in a later conference.
14. The OSHA Inspector may ask for private interviews with employees. This is an employee right guaranteed by federal law (OSHA 1926 1903.8). The inspector will probably ask this be one-on-one and typically will not allow you to be present.
15. OSHA Inspectors are required to conduct a closing conference that typically immediately follow an inspection. This time is also when the OSHA Inspector will want to review files of training, safety meetings, weekly job walks, emergency action plan, OSHA 300 log etc. Typically, the information sought is for the current year and three years prior. Know where this information is located beforehand.
16. The closing conference is an opportunity to promote the company's safety programs and commitment to safety and health. These factors OSHA considers in establishing penalty amounts. Be a good listener and take notes on all specific alleged violations identified by the OSHA Inspector. Initial fines can be \$12,675 per penalty in 2018, so effective communication is essential!

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Please note: The OSHA Inspector's written report and any citations may take up to six months to publish. Six months can pass quickly, but things and personnel change. Compile a written personal record of everything observed and performed – conversations, comments, corrections implemented, etc. while still fresh in everyone's memory. Keep the file handy.

Use this time to review and correct any physical or program issues discussed during the OSHA inspection. Document (written and/or photos) the issue addressed, the names of persons performing the correction and date completed.



IMA is ready to help our clients interface with carriers throughout the claims process, ensuring our clients' interests are kept front-and-center

References:

- http://www.ehstoday.com/safety/ehs_imp_78870
- <http://www.augustmack.com/Newsletter/2014/February/Article0428.html>
- <https://www.osha.gov/oshstats/commonstats.html>