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OVERVIEW

LCO-39

WHAT TO EXPECT FROM AN OSHA INSPECTION

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How You Can Be Chosen for An Inspection

A reported fatality, an event which hospitalizes three or more employees, or a series of several multiple injuries will automatically trigger an OSHA compliance inspection. Your job site could also be visited if an employee or employee representative registers a safety complaint with OSHA, if you are selected in a random drawing program, or if there is an official special emphasis program.

An OSHA Inspector's Credentials

When an OSHA compliance officer arrives at the establishment or inspection site, he or she will display official credentials. The compliance officer will ask to meet with the employer or an appropriate employer representative. Employers should always ask to see the compliance officer's credentials. The employer has a right to refuse entry to the job site, at which time OSHA may opt to leave and later produce a warrant issued by a local magistrate.

Opening Conference

In the opening conference, the compliance officer will explain how and why the establishment or site was selected for an inspection. The officer will instruct whether the inspection will be comprehensive or partial. The officer will determine whether the establishment or site is undergoing consultation from an OSHA-funded consultant program or whether an inspection exemption is being pursued or has been received. If so, the inspection may be terminated. The compliance officer should also specify the following:

- Purpose of the visit
- Scope of the inspection and the applicable standards
- Ascertain the correct mailing address, telephone number, number of employees, etc.
- Preview the accident and injury records (OSHA form 300) and written safety and health program.
- Determine whether there are any trade secrets at the establishment or site as a result of questioning the employer or employer's representative. Trade secrets are treated confidentially.

The employer will be asked to select an employer representative to accompany the compliance officer during the inspection. This selection process may include a bargaining agency representative, safety committee selection or selected employee.

The Inspection Process

The inspection tour will start at the beginning of the work process to the finished product. The compliance officer will observe safety and health conditions and practices. The officer will interview employees privately and make every effort to minimize any work interruptions. The compliance officer will typically take photos. He or she may also examine maintenance and other records, collect samples and monitor employee exposure to noise levels and air quality. The

Please follow equipment manufacturers' recommendations for safe operation and maintenance procedures.

business owner should consider taking notes on the process and also taking photographs of notable situations that could be cited.

Closing Conference

At the conclusion of inspection, the compliance officer will conduct a closing conference with the employer and the employee representatives. An open discussion will take place of the alleged violations of the OSHA standards that were observed during the inspection. Additional problems and needs may be discussed.

The compliance officer typically will not indicate any specific proposed penalties but will discuss the seriousness of the discrepancies. The employer is informed of appeal rights and can request an informal conference or file a notice of contestment. The employer has a pre-determined time from the date of the citation to petition for a conference or hearing.

Contact your state or federally administered program through your state department of labor or visit www.osha.gov.

Prepared by the Southwide Safety Committee, Forest Resources Association Inc.