

DO'S AND DON'TS OF UNDERGOING AN OSHA INSPECTION

All the preparation in the world cannot spare you from an OSHA Inspection. Thus, it's helpful to review what to do – and what not to do – during an inspection.

DO . . .

...appoint a competent staff person to represent the company during the inspection. A trained alternate should be chosen, as well. These are the only two people authorized to deal with an OSHA compliance officer.

... mention right away if you are taking advantage of OSHA's free consultative services.

... be absolutely sure of your response before answering any questions. Remember that you may unintentionally provide false information to OSHA, which is a criminal offense, or you may wrongfully convict your company of an OSHA violation. If you are unsure how to answer, take a "time-out" to find the right answer. You may take as many of these as needed throughout the inspection.

... have your OSHA Log 300 up-to-date and available for the officer. Non-maintenance or falsification of this record is the most frequently cited OSHA regulation.

... stay with the compliance officer at all times.

... take your own measurements and photos in addition to those being taken by the officer. Should a court case occur, the compliance officer will use these measurements if asked to testify. Having your own measurements and photos may give you the information needed to refute the compliance officers' data.

DON'T . . .

... be overly friendly. Obviously, common courtesy should be afforded, but don't engage the officer in idle "chit-chat".

... volunteer information.

... conduct demonstrations for the compliance officers' benefit. In an attempt to gather evidence that a machine is in violation, the compliance officer may ask that the machine be started and operated. Many citations have been based on nothing more than an employer's willingness to conduct such a demonstration.

... refuse any brochures or documents offered by the compliance officer. Even if you have copies, accept the new ones, keep them and note the date they were given to you and by whom.

... admit your guilt. For example, in the closing conference an employer might respond to a compliance officer's description of a condition by saying, "Well, we have been trying to get that changed, but can't do it." This is evidence of knowledge that a substandard situation has been allowed to exist and could generate a "willful" violation.

... agree to a closing conference if you lack the confidence or the skills to avoid unexpected admissions. You are not required to have one.

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