



---

---

---

---

---

---

---

### Learning Objectives

- Understand OSHA inspection and enforcement programs and practices.

---

---

---

---

---

---

---

### Inspections

Without advanced notice (normally)  
Conducted by OSHA compliance safety and health officers (trained in safety and/or industrial hygiene)

Source: OSHA

---

---

---

---

---

---

---

## Who determines who is inspected

Unprogrammed - Area Director (AD)

Programmed - Industry identified by national office. Sites within area selected by AD.



---

---

---

---

---

---

---

---

## OSHA Structure

President of the United States (POTUS)

Secretary of Labor

Assistant Secretary for Occupational Safety and Health

Deputy Assistant Secretary of Labor for Occupational Safety and Health

Regional Administrator

Area Director

Assistant Area Director

Compliance Safety and Health Officer (CSHO)



---

---

---

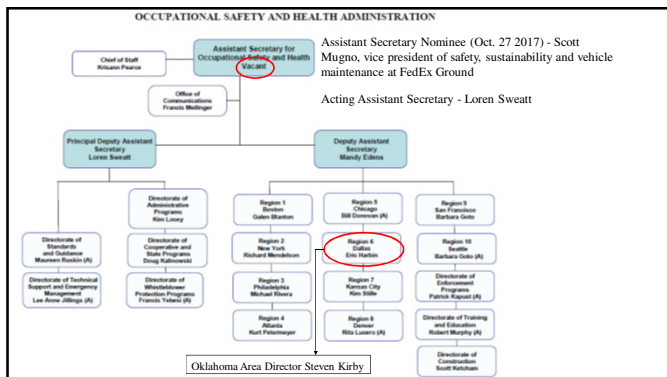
---

---

---

---

---



---

---

---

---

---

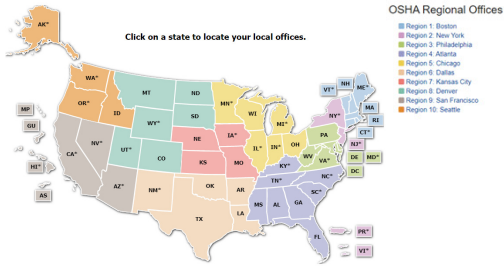
---

---

---

## OSHA Regions

OSHA Offices by State




---

---

---

---

---

---

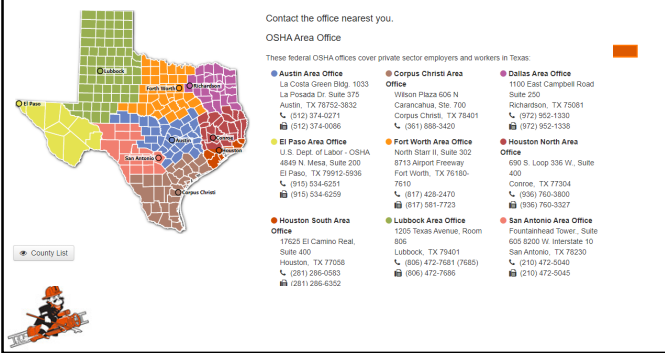
---

---

---

---

Texas




---

---

---

---

---

---

---

---

---

---

Oklahoma




---

---

---

---

---

---

---

---

---

---

### Inspection Priority

1. Imminent danger
2. Fatality/catastrophes
3. Complaints/Referrals
4. Programmed inspections



---

---

---

---

---

---

---

### Complaints and Referrals

#### What is a complaint?

Notice of an alleged hazards given by past or present employee, a representative of the employee, or a concerned citizen.

#### What is a referral?

Notice of alleged hazard or violation of the Act given by any source not included above (can include media reports).



---

---

---

---

---

---

---

### Complaints

#### Formal

meets criteria above and files an OSHA-7 form  
serious complaints must be inspected within 30 days  
other-than-serious must be inspected within 120 days

#### Nonformal



---

---

---

---

---

---

---

## Unprogrammed Activity

Imminent danger  
Fatality /catastrophes  
Emergency Response  
Complaints/Referrals  
Whistleblower Complaints  
Follow-ups and Monitoring



---

---

---

---

---

---

---

## Programmed Inspections

Site-Specific Targeting (SST) Program  
Construction Inspections  
Special Emphasis Programs (SEPs)  
Sever Violator Enforcement Program (SVEP)



**Special Emphasis Program on Trenching and Excavation:** Quick action by the OSHA inspector prevents possible death from this trench cave-in  
Source: OSHA



---

---

---

---

---

---

---

## Inspection Procedures

Arrival and introduction (unannounced)  
Opening conference  
    compulsory process if necessary (1903.4)  
    review inspection procedures  
    review safety and health records



---

---

---

---

---

---

---

### Inspection Procedures (cont.)

Walk through, interviews with employees  
Sampling (industrial hygiene inspections)  
Evaluation of safety and health program  
Closing conference  
    discuss apparent violations and abatement



---

---

---

---

---

---

---

### Citations

Standard violated

Abatement dates

    can be adjusted by a Petition to Modify an  
    Abatement date (PMA)

Penalties



Source: OSHA



---

---

---

---

---

---

---

### Violations—Types

*De minimus*

Other-than-serious

Serious

Willful

Repeat

Failure-to-Abate

Criminal negligence is referred to the DOJ



---

---

---

---

---

---

---

## General Duty Clause Violations

- 1) The employer failed to keep the workplace free of a hazard to which employees of that employer were exposed.
- 2) The hazard was recognized.
- 3) The hazard was causing or was likely to cause death or serious physical harm
- 4) There was a feasible and useful method to correct the hazard
- 5) OSHA does not have a specific standard to address the hazard e.g. heat stress



---

---

---

---

---

---

---

## OSHA Citations and Penalties

For current penalty amounts, see:

<https://www.osha.gov/penalties/>

CSHO writes the inspection report

Area Administrator issues citations

OSHA Penalties  
Below are the maximum penalty amounts, with the annual adjustment for inflation, that may be assessed after Jan. 15, 2020. (See [OSHA Memo, Jan. 10, 2020](#).)

Type of Violation	Penalty
Serious Other-Than-Serious Posting Requirements	\$13,494 per violation
Failure to Abate	\$13,494 per day beyond the abatement date
Willful or Repeated	\$134,937 per violation



---

---

---

---

---

---

---

## Issuance of citation

Employer decision

Accept findings

Request informal conference

Notice of contest (within 15 working days)

OSHRC (independent commission) hearing

Commission (on appeal)

U.S. Court of Appeals

Supreme Court



---

---

---

---

---

---

---

## Employer Responsibilities

Find and correct hazards following all relevant OSHA standards

Notify OSHA of fatalities within 8 hours

Within 24 hours

- Amputation
- Hospitalization for treatment (not diagnosis or observation)
- Loss of an eye



---

---

---

---

---

---

---

## Employer Responsibilities (cont.)

Inform and train employees

Provide necessary PPE

Post citations and OSHA Job Safety and Health Poster



---

---

---

---

---

---

---

## Employee Rights

Employees can not be discriminated against for:

- asking OSHA to inspect their workplace or participating in the inspection
- participating in safety and health activities

Workers have the right to

- receive information about hazards in their workplace
- obtain copies of
  - test results (hygiene sampling)
  - their medical record
  - OSHA injury and illness log of their workplace



---

---

---

---

---

---

---



### OSHA Whistleblower Program Covers

Occupational Safety and Health Act  
Surface Transportation Assistance Act  
Asbestos Hazard Emergency Response Act  
International Safe Container Act  
Clean Air Act  
Comprehensive Environ. Response,  
Compensation and Liability Act  
Energy Reorganization Act  
Federal Water Pollution Control Act  
Pipeline Safety Improvement Act  
Safe Drinking Water Act  
Sarbanes-Oxley Act  
Solid Waste Disposal Act  
Toxic Substances Control Act  
Wendell H. Ford Aviation Investment and  
Reform Act for the 21st Century  
The Federal Rail Safety Act (FRSA)  
National Transit Systems Security Act  
(NTSSA)

Consumer product safety Improvement Act  
Affordable Care Act (ACA)  
Dodd-Frank Wall Street Reform and  
Consumer Protection Act of 2010  
Seaman's Protection Act  
FDA Food Safety Moderation Act (FSMA)



---

---

---

---

---

---

---

---

### Compliance Assistance and Resources

Compliance Assistance Specialist  
OSHA Training Institute and Educational Centers  
OSHA Website ([www.osha.gov](http://www.osha.gov))  
Consultation program (free on-site)  
Voluntary Protection Programs (VPP)



---

---

---

---

---

---

---

---

### OSHA Field Operations Manual (FOM)

DIRECTIVE NUMBER: CPL-02-00-160

*This instruction provides current information and guidance to the Occupational Safety and Health Administration (OSHA) national, regional, and area offices concerning OSHA's policy and procedures for implementing inspections, issuing citations and proposing penalties.*



---

---

---

---

---

---

---

---

## **OSHA Field Operations Manual (FOM)**

Considered OSHA's "playbook" for conducting inspections  
Used in Lab 1  
Has general applicability to Industrial Hygiene inspections  
OSHA Technical Manual (OTM) has detailed IH procedures  
(used in Lab 7)



---

---

---

---

---

---

---

**Have a great day!**



---

---

---

---

---

---

---