



INDEPENDENT ELECTRICAL
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OSHA Regulatory Inspections

General

The Occupational Safety and Health Act allow OSHA to enter any workplace for the purpose of investigating to determining if violations to the OSHA standards exist. However, OSHA may only do so with the consent of the employer or by authority of a search warrant issued by a US District Judge or Magistrate. Inspections by OSHA Compliance Officers may be initiated for many reasons including Employee complaints, serious or fatal accidents, special emphasis programs, or planned audits.

It is the policy of (COMPANY) to comply with any OSHA inspection request for a specific project or location. The regulatory inspection protocol contained herein applies specifically to OSHA inspections. If OSHA visits a project accompanied by a non-employee representative, contact the (COMPANY) Safety Manager immediately.

Inspection Procedure

The following procedure must be adhered to in the event of an impending OSHA inspection to an (COMPANY) location, jobsite or project.

1. When the Compliance Officer arrives at the project office or location to be inspected, he/she should be taken immediately to the General Contractor or the General Contractor's Site Safety Representative.
2. If we are the only contractor on the site, the Compliance Officer is to be taken to the Field Manager and/or Project Manager (if the Division Safety Manager is not available) and they will represent the construction site. If there is a General Contractor on site, they will represent the construction site. We would be involved only as needed by the General Contractor. When the General Contractor involves us, the documentation would be identical as if we were representing the construction site.
3. When (COMPANY) represents the construction site, the Field Manager will inquire of the Compliance Officer as to the nature of his/her visit. The Compliance Officer is required to state the purpose of his/her visit (i.e., general compliance, special emphasis, Employee complaint, etc.). Upon determining the purpose of the visit, the Field Manager will notify all sub-subcontractors of the inspection and opening conference.
4. Field Manager is to immediately notify the Safety Manager as soon as he/she is aware the Compliance Officer is on the site and accompany the Division Safety Manager during the inspection.
5. If it is geographically impossible for the Safety Manager to attend (further than 1 hour away), the Field Manager will attend the opening conference and adheres to the following guidelines:
 - a. If the Division Safety Manager is in route ask for the compliance officer to delay the inspection until the Division safety Manager arrives. Most compliance officers will accommodate the request and wait 1 hour.
 - b. Request to see the formal credentials of the Compliance Officer and obtain the name and identification number of the Compliance Officer.
 - c. Contact the Safety Manager immediately if not present and converse during the inspection.
 - d. Document your conversation with the Compliance Officer. Note all conversations with the Compliance Officer and any actions taken.
 - e. Show the Compliance Officer professional courtesy and respect at all times. You can be firm without being discourteous or rude.
 - f. The Field Manager will serve as the primary contact with the Compliance Officer for (COMPANY), throughout the inspection process and must accompany the Compliance Officer at all times.



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6. During the course of the inspection, the Compliance Officer may request some written safety programs, procedures and documentations. Note all documents the Compliance Officer requests. Provide the Division Safety Manager a list of all programs, procedures and documentation requested and/or reviewed by the Compliance Officer.
7. It is usual practice for the Compliance Officer to take photographs, or ask permission to do so, of various conditions found on the project. **Take the same pictures the Compliance Officer takes.** Take pictures from the same and then from different angles.
8. In some cases, the Compliance Officer will want to interview some of the employees privately and are allowed to do so by law. Employees may request a representative to be present.
9. In the event an in-depth OSHA inspection occurs, where more than one (1) Compliance Officer is conducting the inspection, an adequate number of Support Personnel should be utilized to assist in the inspection.
10. In all phases of the inspection, it is imperative that extensive notes be kept by the Field Manager. A description of alleged violations, Employee names, employee numbers and addresses of Employees who were exposed to the alleged violations and equipment used or not used by the Compliance Officer (i.e. tape measure, industrial hygiene instrumentation, etc.).
11. At the completion of the inspection the Compliance Officer will conduct a closing conference. During the closing conference, extensive notes should be taken since the Compliance Officer will review the results of the inspection, violations identified and any expected citations to be issued.
12. All notes and photos taken are to be sent to the Safety Manager immediately following the inspection

**DO NOT ADMIT TO ANY ALLEGED VIOLATION AT ANY TIME DURING THE
INSPECTION OR CLOSING CONFERENCE.**

13. At the conclusion of the closing conference, the Division Safety Manager / Field Manager must complete the (COMPANY) OSHA Inspection Report form (18.2). The report, all notes and the following pertinent information shall be sent immediately to the Safety Manager:
 - a. Name and location of the facility of jobsite inspected.
 - b. Date and time of inspection.
 - c. Name and identification number of the Compliance Officer.
 - d. Reason for inspection.
 - e. Names of opening conference participants.
 - f. Description of Safety Programs and material presented to the Compliance Officer.
 - g. Project safety and security restrictions such as photographs.
 - h. Names of inspection party participants listing job functions or title.
 - i. A general description of the area or items inspected and findings.
 - j. Names of Employees or witnesses interviewed by the Compliance Officer.
 - k. Description of photographs taken.
 - l. Industrial hygiene measurements taken such as air sampling for toxic substances and preliminary results if available.
 - m. Names of closing conference participants.
 - n. Compliance Officer's remarks and comments during the closing conference.
 - o. Citations alleged and proposed abatement dates.
 - p. Action taken to correct alleged violation.
 - q. Any additional information pertinent to the inspection.
 - r. Names, addresses and telephone numbers of all Employees with knowledge of anything the Compliance Officer looked at during the inspection.



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Types of Inspection

There are several types of and reasons for inspections:

1. **Imminent Danger** – Any condition where there is reasonable certainty a danger exists that can be expected to cause danger or serious physical harm immediately or before the danger can be eliminated through normal enforcement procedures. This is often referred to as a Drive-By inspection. Any project with scaffolding, cranes or work on roofs or from elevations has a greater chance of encountering this type of inspection.
2. **Catastrophic or Fatal Accidents** – Investigation of fatalities and accidents resulting in a death or hospitalization of one or more employees to determine the cause and whether any existing OSHA standard violations were violated.
3. **Complaints and Referrals** – Formal employee complaints of unsafe or unhealthy working conditions. Each employee has the right to request an OSHA inspection when the employee believes he or she is in imminent danger from a hazard or when he or she thinks there is a violation of an OSHA standard that threatens physical harm.
4. **Programmed Inspection** – Inspections selected that are high hazard industries (which includes construction), workplaces, occupations, or health substance or other industries identified in OSHA's current inspection process. This inspection is the most common type and results from a random selection from the Dodge Report data base.
5. **Focused Inspection** – The goal of focused inspections is to reduce injuries, illnesses, and fatalities by concentrating OSHA's enforcement on those projects that do not have effective safety & health programs/plans and limiting OSHA's time spent on projects with effective programs/plans. This type of inspection is more common in residential construction. The 4 areas focused on are usually (1) Falls, e.g. floors, platforms, roofs; (2) Struck By e.g. falling objects, vehicles; (3) Caught In/Between e.g. cave ins, unguarded machines, equipment and (4) Electrical e.g. overhead power lines, power tools & cords, outlets and temporary wiring.
6. **Follow Up** – Occurs after a citation has been issued to determine if the employer has abated or corrected previously cited violations. Failure to do so results in daily penalties until abatement or correction has been completed/

Post Inspection Review

Immediately following an OSHA inspection a OSHA Investigation Review Call is required and the OSHA Inspection Report form will be submitted for review along with all information available from the inspection. The Safety Manager will schedule a call or meeting with the company management to review the results of the investigation. See Safety policy 18.3 OSHA Investigation Review for the details and procedures of this call.

Informal and Formal Conferences

All Informal and formal conference requests for any citation will be made by the Safety Manager or designated manager that has authority to make a settlement agreement.



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OSHA Inspection Report Form

All OSHA Inspections must be reported on this form.
If additional space is required please attach a separate sheet.

Employees are reminded to be courteous and polite to OSHA personnel.

Project Name: _____
Project Number: _____
Employee Completing Form: _____
Inspection Date: _____

- 1. Opening Conference Date and Time: _____
- 2. Closing Conference Date and Time: _____
- 3. Duration of Field Inspection: _____
- 4. a. Name(s) of OSHA Inspector(s): _____

- b. Title(s) of OSHA Inspector(s): _____

5. Verified OSHA Inspector's credentials: Yes No

6. Type, Scope & Reason for Inspection:

<input type="checkbox"/> Programmed	Explanation:
<input type="checkbox"/> Focused <input type="checkbox"/> Targeted	
<input type="checkbox"/> Un-programmed	
<input type="checkbox"/> Formal <input type="checkbox"/> Informal	
<input type="checkbox"/> Result of Complaint	
<input type="checkbox"/> Result of Death	
<input type="checkbox"/> Serious Injury	
<input type="checkbox"/> Three or more hospitalized.	
<input type="checkbox"/> "Roll By" Inspection	

7. Date of complaint/Injury/Accident: _____ N/A

8. Was the company aware of the complaint/Injury/Accident prior to the inspection? Yes No N/A

9. a. Did the scope of the inspection exceed that of the complaint/Injury/Accident? Yes No N/A

b. If Yes, Explain: _____



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10. a. Were photographs taken? Yes No

b. If Yes, who took the photos? _____

*If the OSHA Inspector takes photos, the company representative participating in the inspection must take photos of the same subjects from **a position beneficial to the company** as well.*

11. Did we take or secure duplicate photographs? Yes No

12. Names and titles of employees attending inspection:

13. a. Did the OSHA inspector request to see any Safety or Health records? Yes No

b. If Yes, what was reviewed? _____

14. a. Was any other documentation requested by the inspector? Yes No

b. If Yes, what was supplied to the inspector? _____

15. a. Was the documentation requested readily available? Yes No

b. If No, what was not available? _____

16. a. Did an employee representative accompany the inspector? Yes No

b. If Yes, who accompanied the inspector? _____

17. a. Did the inspector interview individual employees? Yes No

b. If Yes, who did the inspector interview? _____

18. Summary of closing conference: _____

19. a. Did the inspector imply that citations would be issued? Yes No

b. If Yes, what violations are forthcoming? _____

Attach all supplemental notes and documentation supplied by the OSHA inspector to this report and forward to the Safety Manager immediately following the OSHA inspection. If there are violations the Field Manager is to prepare a report explaining why the violations existed and submit it with this form.



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OSHA Investigation Review

Policy Statement

This policy establishes protocol and procedures to review all OSHA inspections to discuss the results, findings, corrective or further actions if needed.

Procedure

1. Within 48 hours after an OSHA inspection has occurred the Safety Manager will coordinate a meeting with management and provide the following:
 - a. Completed copy of the OSHA Inspection Report (18.2)
 - b. An electronic copy of all pictures taken
 - c. All written statements from witnesses or those interviewed by OSHA
 - d. Copy of previous 3 months of this project's Jobsite Safety Inspection Checklists
 - e. Copy of Daily Pre-Task Huddle
 - f. Any pertinent documents, evidence or information
2. During the call all Participants will review all items submitted.
3. If a violation was identified corrective and abatement actions that have been taken or will need to be taken will be discussed.
4. The participants on the call will discuss why the exposure was present and any disciplinary actions if warranted.
5. If a violation was identified a discussion will begin on steps necessary to appeal any citations the participants feel are unwarranted and to start preparing our defense.

Participation

Safety Manager and Management