



Wolyniec Construction Inc. CONTRACTORS

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OSHA INSPECTION POLICY

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OSHA Inspection Policy

1.0 Purpose & Scope

1.1 Purpose.

This program explains protocol that WCI employees shall follow before, during and after an OSHA inspection. This policy has been developed to help us efficiently and uniformly address OSHA inspections by:

- Displaying a positive, professional image.
- Demonstrating the value that safety & health plays in our work culture.
- Aiding in the defense of any citations issued as a result of an inspection.
- Taking full advantage of our rights under the OSHAct.
- Limiting company liability.

1.2 Scope.

The provisions of this policy apply to all WCI workplaces and to all WCI employees.

1.3 Limitations.

This policy is not intended to interfere with or otherwise hamper the OSHA inspection process. In no way is this program meant to limit, alter, replace, hamper or supersede employee rights granted under the OSHAct or OSHA regulations.

2.0 Preparing For OSHA Inspections

2.1 Familiarize yourself with this policy.

Review this policy periodically so that you remain familiar with key provisions. Also, keep a copy handy on site for reference as needed.

2.2 Where applicable, communicate with site general contractor.

On the first day, inform the site controlling contractor that we have formal procedures in place for you to follow in the event of an OSHA inspection. Specifically, ask the site superintendent to alert you as soon as s/he becomes aware of an OSHA visit. If the site controlling contractor is unaware of our policy, you may never be informed of an inspection until after the fact.

2.3 Be proactive.

Don't wait for OSHA to identify hazards on the jobsite. Take initiative to identify hazards on your own and either correct them yourself or seek corrective action through the site GC, other subcontractors or Steve Schenck. Know what OSHA will be looking for/at in your work area and focus on (but don't limit yourself to) these items. Be familiar with OSHA's most frequently cited citations for our trade.

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2.4 **Be vigilant.**

Understand that in most cases, OSHA will see you before you become aware of their presence. Always remember that you may be under surveillance (& may be videotaped) from up/across the street, another site, a public area, woods, etc. OSHA does NOT give advance inspection notice.

2.5 **Know what you can & can't control.**

2.5.1 Things you can (at least somewhat) control:

- The first impression that you give the inspector
- Importance that you & the company place on safety
- Mood during the inspection
- Time spent describing company safety efforts
- Impression of yourself as a competent person
- Hazard identification & correction
- Amount and type of information your give out

2.5.2 Things you have limited or no control over:

- Route taken by the inspector on jobsite
- Employees that inspector interviews
- What inspector videos, photographs, samples, etc.
- Identified alleged violations
- The system, OSHA & our government

3.0 *Managing an OSHA Inspection*

3.1 **Contact the office.**

As soon as you become aware of an OSHA inspection on your jobsite, immediately contact the office.

3.2 **DO's and DON'Ts.**

3.2.1 Do's.

- Ask inspector for photo ID
- Participate in the opening conference
- Be polite, professional & honest (understand that being honest sometimes means politely opting not to answer a question)
- Understand that you are not required to answer questions
- Immediately correct any hazards identified by the inspector
- Explain efforts made to control or eliminate identified hazards
- Take notes & photos
- Ask inspector how to correct alleged violation, if not obvious
- Know what a competent person is & his/her responsibilities



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You are our site competent person based on your experience, familiarity of OSHA regulations applicable to our work and authority to take prompt corrective action to eliminate hazards.

3.2.2 Don'ts.

- Admit guilt or responsibility for an alleged violation
- Panic or lose control of your emotions
- Argue or become belligerent with the inspector
- Lie or deliberately deceive the inspector
- Volunteer information (keep any answers short & concise)
- Leave the inspector to wander your work area by him/herself
- Hamper or interfere with the inspector or inspection process

3.3 Participate in the opening conference.

Upon formal arrival at the jobsite, the OSHA inspector should ask to meet with the site controlling contractor representative (if one is present). Once the inspector identifies him/herself, an opening conference is held to explain the purpose of the visit and the scope of the inspection.

As a subcontractor, we have the right to attend this opening conference to see if the inspection will involve us in any way and if so, why. It is for this reason that the controlling contractor must be aware of our policy so that we can be included in this aspect of the inspection. At that time you can explain that WCI has an OSHA Inspection Policy which requires you to notify the office.

3.4 Keep the inspection focused.

Show the inspector only what s/he wants to see in your area. If s/he is only interested in surveying a particular area, operation, piece of equipment or process, take him/her directly to it. If s/he is there for a specific reason, stay focused on that reason and direct the inspector only to areas that have to do with that reason. A direct route exposes the inspector to less of our work area, thus decreasing our overall exposure to the possibility of citation.

3.5 Walk with the inspector.

Take an employee with you. Whenever possible, immediately correct any problems or hazards that the inspector may point out – but do so without admitting guilt or responsibility for the hazard. You can use general statements like, *“I can see what you are saying.”* or *“I understand that concern.”*

We can still be cited for alleged hazards that you correct, but the monetary penalty can be reduced where “good faith” is shown. Demonstrate or explain any efforts that you have made to control or eliminate the alleged hazard(s). Note that an inspector does not have the right to open or inspect your vehicle or job trailer without permission, unless it is left open and in plain view.



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3.6 Take pictures & notes.

Keep a digital or disposable camera handy. Pictures can provide strong evidence to support defense of an OSHA citation. If the inspector takes photos, try to take similar photos at the same time and vantage point. Take photos AS IS – do not “doctor” them. Also, take accurate notes during the inspection (use page 6 of this policy). These too can help us defend against citations.

3.7 Closing conference.

When the inspection is complete, the inspector should conduct a closing conference to discuss the results of the inspection. Make sure that you are in attendance, unless you have been informed that we are not being cited. If you find that we are being cited, provide any details, information or other material that may help to show that the alleged hazard did not exist or that we were not responsible for or exposed to it. Again, refrain from admitting guilt to anything.

4.0 *Following the Inspection*

4.1 Submit inspection documentation.

There is a good possibility that your documentation of the inspection will be valuable in building a citation defense if citations are issued for alleged hazards. If you do not understand something, politely ask the inspector to thoroughly explain so that you can provide a reasonable amount of detail in your documentation.

Use the next page of this Policy to document any inspection that results in potential citations. Return the completed sheet to the office or the safety committee ASAP.



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Your name: _____	OSHA Inspector: _____	
Date: _____	Time: Start _____	End _____
Jobsite: _____		
Reason for inspection: _____		

For each alleged violation identified by the inspector, make notes to answer the following questions. We will use this valuable information when negotiating with OSHA.

Alleged violation: _____

Who was involved and what were they doing?

Why did the alleged violation exist?

Were there any extenuating circumstances or steps that you took to minimize exposure to danger?

Fixed immediately (& inspector witnessed)? Y N

Did you get a picture of the alleged violation? Y N

When was your last safety inspection of the area? _____

Was the alleged violation present then? Y N

If yes, who was designated to correct & when?

Was another contractor responsible for this alleged violation? If so, who?

Any other information that you feel may be valuable?