

How to Respond to an OSHA Inspection SAFETY

Top 10 OSHA Violations

ING 2018 ANNUAL SUMMIT

SEPTEMBER - OCTOBER 2018

FRI	SAT	SUN	MON	TUE
28	29	30	1	2





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How Do You Respond to an OSHA Inspection?

PREVENTION!

An ounce of prevention is worth a pound of cure.

Benjamin Franklin

Implement a Comprehensive and Effective Environmental, Health and Safety Program Endorsed by the top brass-from the top down.

Preamble of the US Constitution

September 17, 1787

* We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, **promote the general Welfare**, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

OSHA Act of December 29, 1970

- * To assure safe and healthful working conditions for working men and women; by authorizing enforcement of the standards developed under the Act; by assisting and encouraging the States in their efforts to assure safe and healthful working conditions; by providing for research, information, education, and training in the field of occupational safety and health; and for other purposes.

General Duty Clause

29 USC 654

* **SEC. 5. Duties**

(a) Each employer --

(1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;

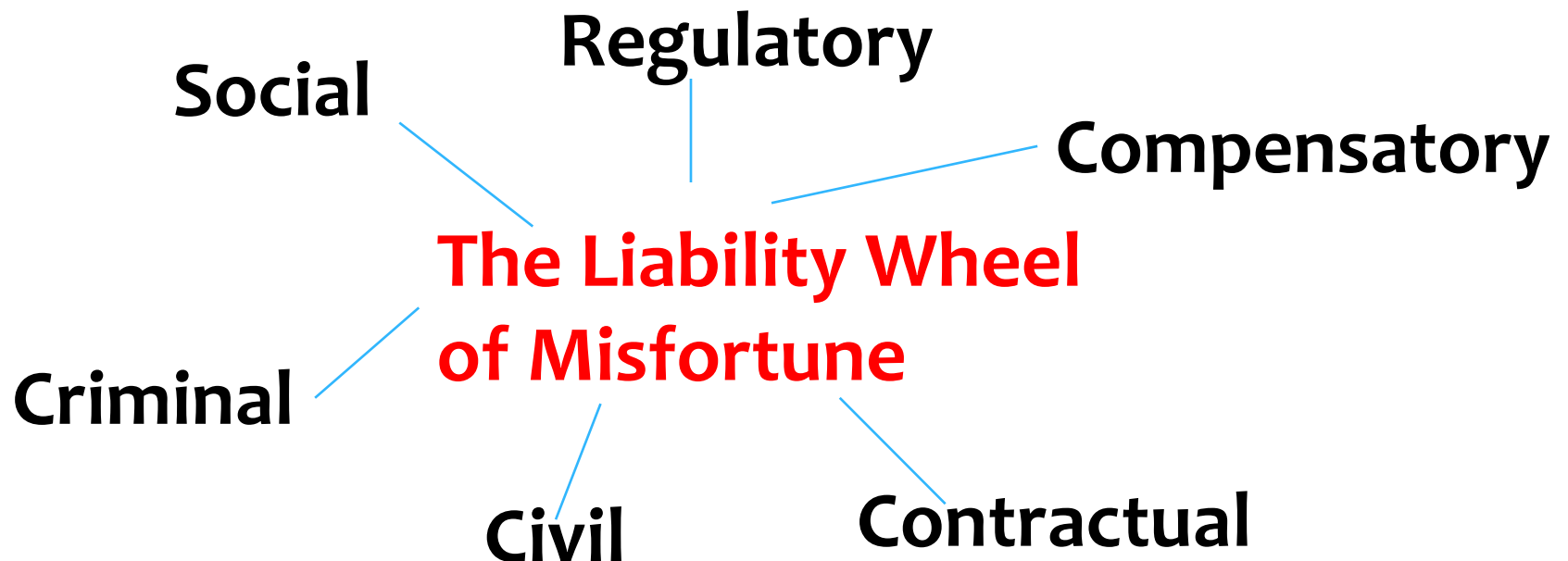
(2) shall comply with occupational safety and health standards promulgated under this Act.

(b) Each employee –

(1) shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

Liability

- * The stakes are high for Complacency and Poor Management.



The Multi-employer Citation Policy (CPL)

- * More than one employer may be citable for a hazardous condition that violates an OSHA standard. A two-step process must be followed in determining whether more than one employer is to be cited:
 - 1.) determine whether the employer is a creating, exposing, correcting, or controlling employer; and
 - 2.) determine if the employer's actions were sufficient to meet those obligations.

Multi-employer Types

- * **Creating** - The employer that caused a hazardous condition that violates an OSHA standard;
- * **Exposing** - An employer whose own employees are exposed to the hazard;
- * **Correcting** - An employer who is engaged in a common undertaking, on the same worksite, as the exposing employer and is responsible for correcting a hazard; and
- * **Controlling** - An employer who has general supervisory authority over the worksite, including the power to correct safety and health violations itself or require others to correct them.

OSHA 2017 Top 10 List

1. Fall Protection – General Requirements (1926.501): 6,072 violations
2. Hazard Communication (1910.1200): 4,176 violations
3. Scaffolding (1926.451): 3,288
4. Respiratory Protection (1910.134): 3,097 violations
5. Lockout/Tagout (1910.147): 2,877 violations
6. Ladders (1926.1053): 2,241 violations
7. Powered Industrial Trucks (1910.178): 2,162 violations
8. Machine Guarding (1910.212): 1,933 violations
9. Fall Protection – Training Requirements: 1,523 violations
10. Electrical – Wiring Methods (1910.305): 1,405 violations



Cost

* <https://www.osha.gov/dcsp/smallbusiness/safetypays/estimator.html>

Injury Type	Instances	Direct Cost	Indirect Cost	Total Cost	Additional Sale (Indirect)	Additional Sale (Total)
Amputation	1	\$ 77,995	\$ 85,794	\$ 163,789	\$ 2,859,816	\$ 5,459,633

Injury Type	Instances	Direct Cost	Indirect Cost	Total Cost	Additional Sale (Indirect)	Additional Sale (Total)
Dust Disease, NOC (all other pneumoconiosis)	1	\$ 31,342	\$ 34,476	\$ 65,818	\$ 1,149,206	\$ 2,193,933

Summary

- * Implementing an effective EHS program where all employees own “IT” is the key to preventing accidents;
- * Not doing so is costly; loss of life, productivity and revenue;
- * The liability is mind boggling so why risk it?