

OSHA Inspection

Purpose:

To establish the policy for all managers to follow if an OSHA Compliance inspection will be conducted.

Overview:

OSHA is authorized to conduct workplace inspections to determine whether employees are complying with standards issued by the agency for safe and healthful workplaces. States have their own occupational safety and health programs, and regularly inspect workplaces. Inspections are usually conducted without advance notice and can be conducted for one or more of the following reasons:

Imminent Danger Situations- Any condition where there is reasonable danger that a danger exists that can be expected to immediately cause death or serious harm.

Catastrophes and Fatal Accidents- Investigation of fatalities and accidents resulting in the hospitalization of 5 or more employees. Such catastrophes must be reported to OSHA within 48 hours.

Employee Complaints

Programmed Inspections- Based on injury rates, previous citation history, and employee exposure to toxic substances or random computerized selection.

This policy details the phases of an OSHA compliance inspection, the response and attitude of management to an inspection and steps to insure completion of the appropriate follow-up corrective action.

Policy:

Lightning Electric Inc. policy is to demonstrate “good faith” effort to comply with all OSHA standards and any health and safety issues raised in an OSHA compliance inspection.

Management is responsible for implementing this policy and correcting all health and safety deficiencies revealed during compliance inspections. The Safety and Health Manager will provide technical assistance and coordination of corrective action, as required.

Admitting an OSHA Compliance Officer:

If an OSHA compliance inspector requests to conduct an inspection, the senior management member is to ask to see the officers credentials. An OSHA inspector carries either U.S. or the states Department of Labor credentials bearing their photograph and a serial number. In every case, verify the authenticity of the compliance inspectors identification by calling the nearest OSHA office.

Do not refuse the compliance officer admittance!

The senior management member is to contact the Safety and Health Manager immediately.

If Lightning Electric Inc. requires a Search warrant, inform the OSHA compliance officer before the opening conference begins. Lightning Electric Inc.'s right to challenge a warrant may be lost if it permits the inspection to proceed.

OSHA Facts:

An OSHA Inspection is divided into three parts:

1. The Opening Conference
2. The Walk Around Inspection
3. The Closing Conference

There are no time limits specifying how long an inspector may remain on the premises.

Violations are considered to be "alleged violations" until they become a final order of the OSHA Review Commission.

1. Lightning Electric Inc. may contest in writing any part of the citation within 15 working days after it has been received.
2. The citation must be posted in the work place for three days following its receipt or until the condition creating the alleged violation is corrected.
3. Management will ask for clarification about any point(s) an inspector raises that they don't understand
4. Management and employees will not admit to violating any safety standard.

If Lightning Electric Inc. contests (appeals) an alleged violation, copies of the appeal will be posted at the work site.

Opening Conference:

Before inspecting the premises, the OSHA compliance officer will conduct an opening conference at which they will explain:

The reason for the inspection (e.g. employee or individual complaint)

Purpose of the visit

Scope of the inspection

OSHA Standards that apply

The below are listings of all OSHA Standards

OSHA Standards-

1904. Recording and Reporting Occupational Injuries and Illnesses

1904. Table of Contents/Authority for 1904

1904.1 Purpose and scope

1904.2 Log and summary of occupational injuries and illnesses

1904.3 Period covered

1904.4 Supplementary records

1904.5 Annual summary
1904.6 Retention of records
1904.7 Access to records
1904.8 Reporting of fatality or multiple hospitalization incidents.
1904.9 Falsification or failure to keep records or reports
1904.10 Record keeping under approved State plans
1904.11 Change of ownership
1904.12 Definitions
1904.13 Petitions for record keeping exceptions
1904.14 Employees not in fixed establishments
1904.15 Small employers
1904.16 Establishments classified in Standard Industrial Classification Codes (SIC) 52-89, (EXCEPT 52-54, 70, 75, 76, 79, and 80)
1904.17 Annual OSHA injury and Illness Survey of Ten or more Employers
1904.20 Description of statistical program
1904.21 Duties of employers
1904.22 Effect of State plans
1904.30 OMB control numbers under the Paperwork Reduction Act.

Other OSHA Standards with Recordkeeping Requirements

1910.95 Occupational noise exposure
1910.120 Hazardous waste operations and emergency response
1910.440 Recordkeeping requirements
1910.1000 Toxic %'s Hazardous Substances
1910.1001 Asbestos
1910.1018 Inorganic arsenic
1910.1025 Lead
1910.1027 Cadmium
1910.1028 Benzene
1910.1029 Coke oven emissions
1910.1030 Bloodborne pathogens
1910.1043 Cotton dust
1910.1044 1,2-dibromo-3-chloropropane
1910.1045 Acrylonitrile
1910.1047 Ethylene oxide
1910.1048 Formaldehyde
1910.1050 Methylenedianiline
1910.1051 1.3-Butadiene
1910.1052 Methylene Chloride
1910.1450 Occupational exposure to hazardous chemicals in laboratories
1913.10 Rules of agency practice and procedure concerning OSHA access to employee medical records
1915.7 Competent person
1915.1001 Asbestos

1919.11 Record keeping and related procedures concerning records in custody
1919.12 Record keeping and related procedures concerning records in custody of the vessel
1925.3 Records
1926.60 Methylenedianiline
1926.62 Lead
1926.65 Hazardous waste operations and emergency response
1926.800 Underground Construction
1926.1091 Record keeping requirements
1926.1101 Asbestos
1926.1127 Cadmium
1960 Federal employees
1960.66 Purpose, scope and general provisions
1960.67 Log of occupational injuries and illnesses
1960.68 Supplementary record of occupational injuries and illnesses
1960.70 reporting of serious accidents
1960.71 Locations and utilization of records and reports
1960.72 Access to records by Secretary
1960.73 Retention of records
1960.74 Agency annual reports
Preambles to OSHA Standards
Reporting of Fatality or Multiple Hospitalization Incidents
OSHA Directives
CPL 2.80 Handling of Cases to be Proposed for Violation-by-Violation Penalties, 1990, Oct.21,
15 pages. Includes procedures for record keeping violations
CPL 2.91 Enhanced Verification of Records, 1990, May 13, 6 pages
CPL 2-2.46, 29 CFR 1913.10(b)6, Authorization and Procedures for Reviewing Medical Records, 1989,
Jan. 5, 5 pages
CPL 2-2.33, 29 CFR 1913.10, Rules of Agency Practice and Procedure Concerning OSHA Access to
Employee Medical Records- Procedures Governing Enforcement Activities, 1982, Feb.8, 12 pages
CPL 2-2.32, 29 CFR 1913.10 (b) 6, Authorization of Review of Specific Medical Info., 1981, Jan. 19, 5
pages.
CPL 2-2.30, 29 CFR 1913.10(b)6, Authorization of Review of Medical Opinions, 1980, Nov. 14, 2 pages
CPL 2.113, Fatality Inspection Procedures, 1996, April 1, 5 pages.
Review Commission Decisions
81-2135, 1985, April 17, 5 pages Failure to make records available during an inspection
82-630, 1991, Feb. 15, 9 pages Making medical records available when a Workers Compensation claim is
pending.
82-1016, 1987 March 18, 7 pages Privacy of OSHA 200 and related records
89-2614, 1993, Feb.3, 8 pages Recording of elevated blood lead levels on the OSHA 200
90-552, 1992, Feb. 21, 2 pages OSHA 200 must be maintained at each location
89-433, 1993, April 27, 9 pages
90-2179, 1993, April 1, 3 pages Assessing separate penalties for multiple errors on the OSHA 200
87-0922, 1993 Feb.5, 25 pages
88-237, 1994, May 23, 6 pages

91-0110, 1996, Jan. 19, 6 pages

Standard Interpretations and compliance Letters

There are several hundred Standard Interpretations and compliance Letters relating directly to the topic of Recordkeeping. Please refer to the Search Page on the <http://www.OSHA.gov> web site. From here you can access these documents either by the specific regulation, or by conducting a search. You can also contact OSHA at one of their regional offices. They will provide you with forms and answers to any questions you may have. Don't hesitate to use them as a valuable resource.

Senior Management must arrange for the following to attend the opening conference:

The President of Lightning Electric Inc.

Other Personnel as directed

Management must request copies of all applicable safety and health standards as well as a copy of any employee complaint.

The Walk Around Inspection:

After the opening conference, the OSHA compliance officer will go through the facility to inspect for safety and health hazards. At a minimum, the OSHA officer will likely ask for documentation of the following:

Compliance with the hazard communication standard

Compliance with the lockout/tagout standard

Record keeping for employee training

The employee written safety and health management program

When senior management members and other Lightning Electric Inc. employees accompany an OSHA officer on an inspection, they should be respectful while firmly standing up for Lightning Electric Inc. rights and viewpoints. The conduct of Lightning Electric Inc. personnel shall be in accordance with the following guidelines:

Do not physically interfere with the OSHA compliance officer when they are making the inspection

Do not give false or misleading information.

Accompany the OSHA officer at all times during the inspection.

Answers to an OSHA officers questions are to be responsive to the questions asked. Do not offer any information beyond the scope of the questions. Avoid making any statement that could be construed as an admission of a violation of any health standard.

Do not discuss with the OSHA officer any previous safety inspections.

The conduct of Lightning Electric Inc. personnel shall be in accordance with the following guidelines continued:

If the OSHA compliance officer wants to take photographs, senior management must request copies of the photographs. Senior management will also take photos of the area from the same and different angle.

Watch and take notes regarding all activities of the OSHA officer. Notes should be detailed and should include such pertinent information as to the name(s) of the OSHA compliance officer, time of arrival, activities of OSHA compliance officer, amount of time spent at each location, comments about violations and potential citations, who was interviewed, what was said, etc.

Immediately correct minor but apparent safety problems in order to help establish Lightning Electric Inc. "good faith" effort to comply with all OSHA health and safety standards.

The OSHA compliance officer cannot and will not act in a consultative capacity. If they see or if Lightning Electric Inc. personnel points out a violation, the OSHA officer must issue a citation.

Closing Conference:

After the walk around inspection, a closing conference is held with the OSHA officer, senior manager, and any employee representative. The OSHA compliance officer will discuss all unsafe and unhealthy situations observed and will identify all applicable sections of the standards which may have been violated. Management will insure that all violations are understood. When appropriate, management will produce records to show compliance efforts and fully explain any difficulties that will be encountered in the correction of safety hazards. Management and employees will not admit violations or indicate how long it will take to correct a potential violation.

Post Inspection Activities:

Time limits to correct violations generally range from 5-30 days, unless an extension is requested. Time limits will be given in person at the closing conference or mailed within 30 days in a written report of the inspection findings. Follow-up action will be documented in writing, by senior management, listing specific action steps, the individual accountable, and the target date for completion. Management is responsible for completing all corrective action.

OSHA inspection reports Lightning Electric Inc. response and all correspondence to and from OSHA will be retained permanently by the Safety and Health Manager.