

ARRIVAL OF THE COMPLIANCE OFFICER

- Verify the Compliance Officer's credentials—look at ID and business card.
- Determine why the Compliance Officer wants to inspect the project, i.e. complaint, accident, programmed, imminent danger, follow-up.
 - If a complaint inspection, ask to have a copy of the complaint.
- If a programmed inspection, ask for a focused inspection, where an OSHA inspector may choose to conduct only a partial inspection of a construction jobsite, focusing on the hazards known to cause the most deaths (falls, electrocutions, struck-by, and caught-in). Tell OSHA that your company policy is to contact your upper management prior to starting the inspection. Have OSHA wait in the construction office while you are making phone calls.

Upper management is ultimately responsible for giving permission for OSHA to inspect. It is not advisable to tell OSHA they cannot inspect your site. OSHA should wait a reasonable amount of time onsite prior to starting the inspection to allow your upper management or their representatives to arrive onsite.

The following is to be done when the OSHA inspector conducts the inspection.

- Request an opening conference if the Compliance Officer does not call for one.
- Have the project superintendent and/or the project manager present.
- Take detailed notes of everything discussed.
- Keep all publications and documents given to you by the Compliance Officer and note who gave it to you and the date of its receipt.
- If more than one Compliance Officer is involved, find out if they plan to make the inspection in one group or split into two or more groups to make the inspection. If they want to divide into two or more groups, tell the Compliance Officer you will have an employer representative with each group.
- Be cooperative with the Compliance Officer. At all times prior to, during and after the inspection act in a professional businesslike manner. Never enter into personal arguments with the Compliance Officer.
- Tell the Compliance Officer that you expect him/her to advise the company of all suspected violations and the standard involved. Tell the Compliance Officer that you will be taking notes of all the suspected violations he/she informs you of so that there will be no dispute as to whether the company was informed.

RECORDS REVIEW

- Allow the Compliance Officer to look only at your Site Specific Safety & Health Program.
- Do not volunteer to give or let the Compliance Officer look at any safety inspection reports, other than those reports required by OSHA (such as scaffolding inspection forms). This includes not giving or letting the Compliance Officer look at any such reports that have been made on subcontractor's activities.

WALK AROUND INSPECTION

General

- Have the company representative accompany the Compliance Officer at all times. Never leave the Compliance Officer to have free and unlimited access to your work without the company representative.
- Control the inspection. Treat the Compliance Officer as you would a guest in your house; they are there with permission and will be expected to follow all instructions given to them and will be required to conduct the inspection in such a manner that it does not disrupt the scheduled work. Remember, it is the company's construction project, not OSHA's. The Compliance Officer is to be treated as any other visitor—under your control while on our project. Tell them that you need to take your own notes, pictures, and gather information at the same time.
- Refer all questions the Compliance Officer asks to the Subcontractors Representative when possible.
- Take detailed notes of everything seen, discussed, and done by the Compliance Officer.
- Take photographs of everything the Compliance Officer photographs. If the equipment, work area, etc., can be photographed from a more favorable position (different angle, greater distance, etc.) photograph it from the different position.
- Do not allow any employee to perform demonstrations for the Compliance Officer. Example—if a truck is idle and the Compliance Officer asks you or an employee to operate it so he can see if the horn or backup alarm is working, refuse to do it. Allow the Compliance Officer to see the work as it is normally being done only.
- Do not volunteer any information. Refer all questions the Compliance Officer asks to the Subcontractors Representative when possible. The Compliance Officer is trained to obtain admissions from companies. Be careful answering questions. When in doubt, ask them to restate the question. Do not admit to a violation. State the facts only, not your opinion. Do not lie to the Compliance Officer at any time.
- Do not issue orders, such as "clean up the trash", during the inspection to have conditions corrected that have not been noticed by the Compliance Officer. The immediate abatement of an alleged violation will not preclude being cited by the Compliance Officer and may alert them to the condition.
- Make sure you fully understand everything the Compliance Officer does or comments on. If you do not understand everything they say and do, ask questions. Insist on having time to record all facts, even if the inspection is slowed down.

OSHA INTERVIEWS

OSHA may want to interview multiple individuals during the inspection. The following rules should be followed when being interviewed by OSHA.

Rules for Being Interviewed

1. Tell the Truth
2. Make sure you understand the question
3. Just answer the question, nothing else
4. Answer based on your knowledge only ...don't guess or speculate

Employee Interviews

- The Compliance Officer may interview any employee privately.
- For interviews held with employees in our presence, record the names and companies of all employees interviewed. Record the content of the conversations with the employees.
- We have the right to be in attendance with management personnel.

CLOSING CONFERENCE

- Have the designated company representative present for the closing conference.
- Take notes of everything discussed and record what documents were distributed by the Compliance Officer.
- Make sure that no questions you have concerning the inspection go unanswered. If the Compliance Officer feels that violations exist on the project, find out exactly why they feel that way. Tell them that you are noting every potential violation that they advise may exist so there will be no dispute at a later conference or hearing. Hand the list back and ask if that is everything, ask what other items may exist. If they are unsure or do not list any others, tell them that you are noting that no additional items were included in response to your questions.
- Don't give any estimates of abatement time needed to correct any alleged violations.

AFTER THE CLOSING CONFERENCE

- Prepare a detailed report of your inspect notes. Include photos and any other relevant information. Send report to your management. A sample report is found in the next section of this program.
- Keep all notes and pictures taken on file.