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AGRISPHERETM
REACH HIGHER



When OSHA Visits

What to Expect and How to Prepare

Cindy Pauley, All-Safe Manager

Cindy Pauley



- ▶ All-Safe Manager for AgriSphere, LLC
- ▶ Certified Occupational Safety Specialist (COSS)
- ▶ Certified Occupational Hearing Conservationist (COHC)
- ▶ 10+ years of Safety experience in the following:
 - ▶ Chemical Industry
 - ▶ General Industry / Manufacturing
 - ▶ Oil and Gas
 - ▶ Agriculture – *NEW!*
- ▶ 9 years in Emergency Services
- ▶ 25 years as Disaster Action Team Member

CINDY PAULEY
All-Safe Manager



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Who is AgriSphere, LLC



AgriSphere, LLC



- ▶ Professional Consulting
- ▶ Customized Virtual Client Portals
- ▶ Cloud-based Solutions and Content
- ▶ Advanced Training and Records Management





Objectives



- ▶ Purpose of OSHA Visits
- ▶ The Inspection Process
- ▶ Preparing for an OSHA Visit
- ▶ What to Expect During the Unexpected
- ▶ Top OSHA Citations



Purpose of OSHA Visits



- ▶ Imminent Danger – *Priority 1*
- ▶ Fatality/Catastrophe – *Priority 2*
- ▶ Complaints/Referrals – *Priority 3*
- ▶ Programmed Inspections – *Priority 4*
- ▶ Follow-Up Inspections



The Inspection Process



- Identification and Introductions
- Opening Conference
- Onsite Review
 - Documentation Review
 - Site Tour
 - Employee Interviews
- Preparation of Findings
- Closing Conference
 - Presentation of Findings and Recommendations



Identifications and Introductions



- ▶ Identification and Introductions
 - ▶ CSHO must show credentials
 - ▶ Introduce yourself
 - ▶ Identify Company Management representative
- ▶ Follow Company Policies and Procedures
- ▶ Employee Representation
 - ▶ Presentation of Findings and Recommendations
- ▶ Employee Rights
 - ▶ Walk-around, ask questions, discuss issues, etc.



Opening Conference



- ▶ Purpose of the Visit
 - ▶ Type of Inspection, Complaint, etc.
- ▶ Basic Company Information
 - ▶ Leadership or management structure
 - ▶ Number of employees
 - ▶ Type of work
- ▶ Documentation
- ▶ Scope of the Visit
 - ▶ Machines, guarding, procedures, etc.



Onsite Review



- ▶ Document Review
 - ▶ Procedures, Policies, Reports, Inspections
- ▶ On Site Tour
 - ▶ Focused
 - ▶ Abide by Facility Rules
- ▶ Employee Interviews
 - ▶ Plan Ahead
 - ▶ What to Expect



Preparation of Findings



- ▶ Prior to Leaving Facility
 - ▶ Apparent Violations
 - ▶ Estimated Time for Corrections
 - ▶ No Citations Given
- ▶ Post-Facility Visit
 - ▶ Following Visit
 - ▶ Reviewed by Area Director
 - ▶ Final Decisions regarding Citations



Closing Conference



- ▶ Review of General Findings
- ▶ Requests for Clarification
- ▶ Statute of Limitations



Types of Violations



VIOLATION TYPE	PENALTY
WILLFUL A violation that the employer intentionally and knowingly commits or a violation that the employer commits with plain indifference to the law.	OSHA may propose penalties of up to \$132,598 for each willful violation, with a typical minimum penalty of \$5,000 for each willful violation.
SERIOUS A violation where there is substantial probability that death or serious physical harm could result and that the employer knew, or should have known, of the hazard.	There is a mandatory penalty for serious violations which may be up to \$13,260.
OTHER THAN SERIOUS A violation that has a direct relationship to safety and health, but probably would not cause death or serious physical harm.	OSHA may propose a penalty of up to \$13,260 for each other-than-serious violation.
REPEATED A violation that is the same or similar to a previous violation.	OSHA may propose penalties of up to \$132,598 for each repeated violation.



Preparing for an OSHA Visit



- ▶ Like any good plan, be proactive!
 - ▶ Review your culture, your programs and your site
- ▶ Audit your own program
 - ▶ Perform a mock OSHA visit
- ▶ Manage program effectiveness
- ▶ Continuous improvement
- ▶ OSHA Response Plan
 - ▶ Have an OSHA SOP



Managing an OSHA Visit



- Provide and Send Documentation
- Handle any Citations Appropriately
- SPECIAL CASES
- Media Responses



Appeal Process



- ▶ Company Legal Department
- ▶ Three General Outcomes
 - ▶ Notice of No Violation
 - ▶ One or More Citations via Mail
 - ▶ Criminal Complaint
- ▶ Informal Conference before Appeal
- ▶ Additional Options





Top OSHA Citations

► Most Cited Violations of 2018:

1. Fall Protection (1926.501)
2. Hazard Communication (1910.1200)
3. Scaffolding - General Requirements (1926.451)
4. Respiratory Protection (1910.134)
5. Control of Hazardous Energy - Lockout/Tagout (1910.147)
6. Ladders (1926.1053)
7. Powered Industrial Trucks (1910.178)
8. Fall Protection – Training Requirements (1926.503)
9. Machine Guarding– General Requirement (1910.212)
10. Personal Protective and Lifesaving Equipment – Eye and Face Protection (1926.102)





Summary

- ▶ Who AgriSphere is and What We Offer
- ▶ Purpose of OSHA Visits
- ▶ The Inspection Process
- ▶ Preparing for an OSHA Visit
- ▶ Managing an OSHA Visit
- ▶ Top OSHA Citations





OSHA Quick Video



<https://www.youtube.com/watch?v=HA6bixDzeLY>





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- Professional Consulting Services
- Safety Programs
[program development, auditing, training, technical tools]
- Maintenance Programs
- Food Safety / Defense (FSMA) Compliance Programs
- Management Software Solutions





Thank You!