

OSHA Update: Heads Up, High-Hazard Employers

Employers considered by the Occupational Safety & Health Administration (OSHA) to be "high hazard" should be aware that they may be the focus of OSHA inspections. OSHA recently issued an enforcement directive targeting thousands of high hazard work sites for unannounced comprehensive safety and health inspections.

OSHA is sending letters to approximately 12,000 high injury rate work sites. The letters will inform the recipients that they have high injury rates and that OSHA intends to inspect selected sites. According to OSHA's directive, the agency will initially focus on sites with a lost workday illness and injury rate ("LWDII") at or above 14 per 100 workers.

An employer's LWDII rate is calculated by adding columns 2 (injury) and 9 (illness) from the OSHA 200 log, multiplying that sum by 200,000 and dividing the result by the total hours worked by all employees at the facility. OSHA collected LWDII rates from approximately 80,000 employers nationwide, including dairy farms, trucking and courier services (except air), trucking terminal facilities, lumber and other building materials, department stores, nursing and personal care facilities and hospitals.

Despite the fact that department stores and hospitals had an injury rate at 5 or below, OSHA included both in its data survey "because of the large number of injuries and illnesses in these industries." Moreover, OSHA intends to inspect nursing homes with an LWDII rate of 14 or higher.

The purpose of OSHA's new site-specific targeting directive is to focus inspection efforts on those employers the agency believes most need to improve. Employers that are subject to OSHA's new enforcement focus should prepare to be inspected. Taking proactive steps to ensure compliance status now could save companies money in the long run. Once the OSHA inspector knocks on your door, areas of noncompliance can turn quickly into penalties.

If you would like us to help you confidentially assess your OSHA compliance status for a flat fee, please call a member of our OSHA Practice Group.

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