

# **WA State's OSHA Program Overview**

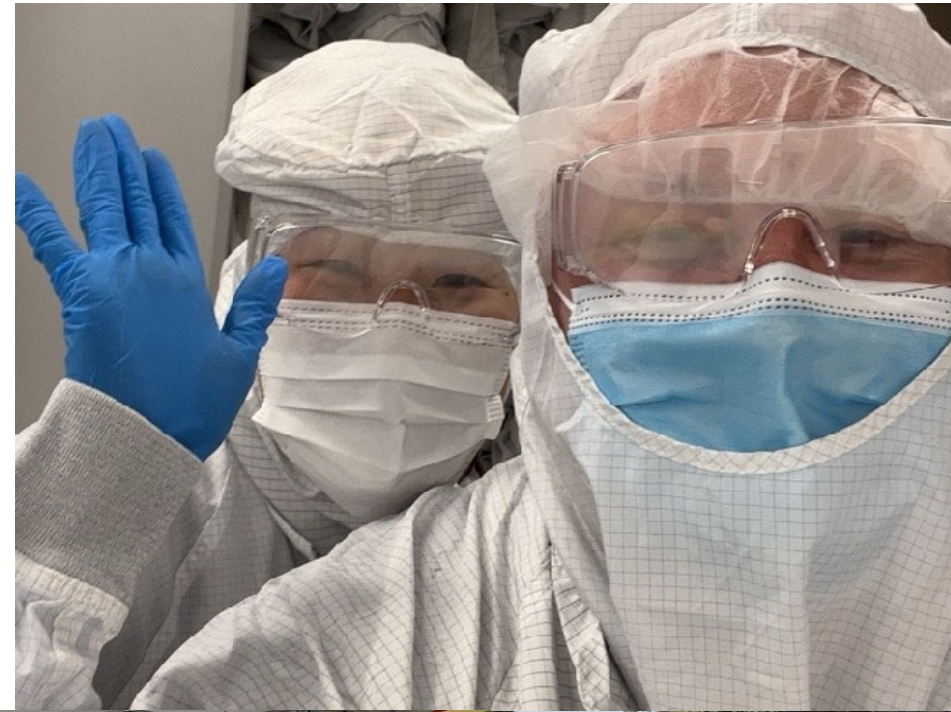
## **Division of Occupational Safety & Health (DOSH)**

Karen Michael CIH, MPH, PhD  
Region 2 (King County) IH Compliance Manager



# All about DOSH/L&I

- 420+ DOSH employees
- Working for a mission that saves lives
- Enforce WISHA regulations
- Develop safety & health rules
- Provide free training, safety & health programs, as well as other resources



Washington State Department of Labor & Industries

# Inspection Process Overview

- Elements and scope can vary
- **Advanced notice is prohibited**
- Onsite inspection for imminent danger, serious alleged hazards, history of non-compliance, or inadequate phone/fax response.
- Preliminary investigation (aka phone/fax) phone call and email sent to employer requesting information.



# What initiates an inspection?

- Complaints and referrals
  - 1-800-423-7233
  - Online report of hazard form
- Accidents and fatalities
  - Fatal pager (rotates)
  - After hours operator service; on call staff
- Scheduled inspections



# Entering the Worksite

- Inspector (CSHO) must:
  - Enter at reasonable point of access
  - Present credentials
  - Obtain the employers consent to enter
  - Employer has an hour to assemble team
  - Denial of entry may lead to warrant
  - Can be abbreviated



# Opening Conference

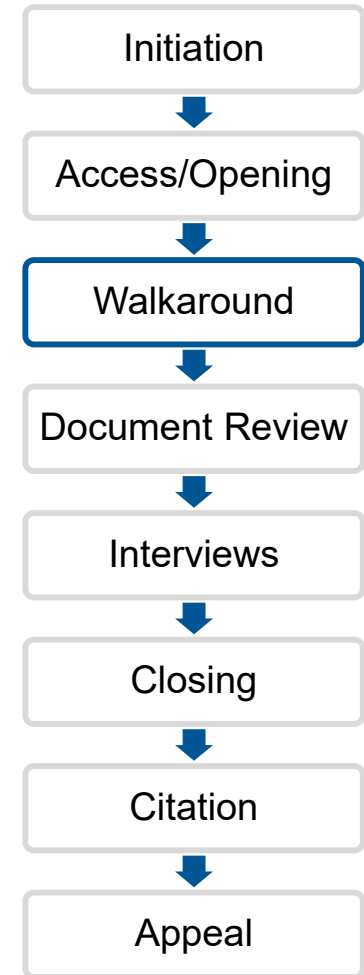
Opening Conference – Date:	Time :
<input type="checkbox"/> Explain WISH Act and DOSH	
<input type="checkbox"/> Department can provide standards, posters, logs	
<input type="checkbox"/> Confidentiality of trade secrets	
<input type="checkbox"/> Request written programs	
<input type="checkbox"/> Request copy of OSHA 300/300A	
<input type="checkbox"/> Explain walk around procedure	
<input type="checkbox"/> Interview employees in private	
<input type="checkbox"/> Discrimination against EEs	
<input type="checkbox"/> Walk around pay	
<input type="checkbox"/> Closing conference will be held	
<input type="checkbox"/> Do you have minors (17 or under) working for you?	
<input type="checkbox"/> Explain violations/penalties may result	
<input type="checkbox"/> Inquire of other PPE/safety requirements for inspector (list below)	





# Walkaround

- Inspect site and understand processes
- Document hazards
- Observe employee activities
- Ask employees and management questions
- Review postings and programs
- Photographs and videos
- Discuss hazards/mitigation with employer



# Document Request

- Written programs
  - Required documents
  - Relevant to inspection/hazards
  - May be reviewed onsite and/or requested electronically after opening conference





# Employee Interviews

- Representative number of employees
- Typically in-person, on day of opening
  - Scheduled at later date due to workflow or availability
- Statements are documented
- Conducted in private, paid time
  - Confidentiality is available
- Explanation of why the inspector is there



# Closing Conference

Closing Conference – Date:	Time :
<input type="checkbox"/> Discuss hazards observed	
<input type="checkbox"/> Proposed violations and their severity	
<input type="checkbox"/> Penalties may be assessed (explain calculation)	
<input type="checkbox"/> Subject to further review	
<input type="checkbox"/> Set reasonable abatement periods	
<input type="checkbox"/> Explain extension of abatement	
<input type="checkbox"/> Advise results will be issued	
<input type="checkbox"/> Post citation/results	
<input type="checkbox"/> Explain proof of correction requirements	
<input type="checkbox"/> Results of failure to correct	
<input type="checkbox"/> Availability of consultation and risk management services after abatement period	
<input type="checkbox"/> Variance (if applicable)	
<input type="checkbox"/> Appeal rights (15 working days after receipt)	
<input type="checkbox"/> Stay of abatement	



# Citation and Notice

- Received in the mail ~2-3 weeks after closing conference
  - Digital version available
- Includes information on:
  - Abatement (if required)
  - Penalty (if applicable)
  - Appeal information



# Appeal

- Must be filed within 15 days of receiving the Citation and Notice
- Can request a stay of abatement
- Can appeal any and all aspects of the inspection
  - Penalty amount
  - Documentation



# No cost resources

- Written programs [templates](#)
- Safety topics/[toolbox talks](#)
- Training [kits](#)
- Health and Safety [Consultation](#)
  - Risk management
  - [Voluntary Protection Program \(VPP\)](#)
  - [Safety Through Achieving Recognition Together \(START\)](#)

# Top 10 rule violations

- All industries

1. Safety meetings	6. Fire extinguishers
2. PPE	7. First-Aid
3. Hazard Communication	8. Asbestos
4. Accident Prevention Program	9. Emergency exits
5. Basic electrical rules	10. Fall protection $\geq$ 4ft

# Top 10 rule violations

- Construction only

1. Accident Prevention Program	6. Portable ladder use
2. Fall protection $\geq$ 10ft	7. Asbestos
3. Fall protection $\geq$ 4ft	8. Hand and power tools
4. First-aid	9. Excavation/trenching/shoring
5. Specific fall protection req's	10. Protective systems



# How to report a hazard to DOSH?

- Call: 1-800-423-7233
- Email: [rtsdosh@Lni.wa.gov](mailto:rtsdosh@Lni.wa.gov)
- Upload referral form [here](#)
- Additional information available on the DOSH [Safety Complaints](#) page

## Focused Inspections

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# What is a focused inspection?

- An inspector drives by and sees a hazard or was assigned the inspection off of the SHIMS list
  - Safety and Health Integrated Management System (SHIMS)
- May include review of site-specific plans
  - May be expanded to entire written program based on hazards observed on site
- General violations are not cited\*, if abated

# What is included in a focused inspection?

- Safety
  - Falls, electrocution, excavation and trenching, overhead and struck-by, traffic control, motor vehicle hazards
- Hygiene
  - Respiratory hazards, hearing loss, confined spaces, dermal and eye exposure to corrosives

# What is NOT a focused inspection?

- Accidents, Complaints, or Referrals
  - Within scope, the inspector will ask for written programs, proceed as usual
  - Beyond this scope, the inspector will treat the inspection as a focused inspection

# What is NOT a focused inspection?

- Other groups of employees not covered in the recognition program
- General and Upper-Tier Contractors
- Employers at worksites which require site-specific programs that make them ineligible

# What should you do?

- Verification of participation
- Communicate with the inspector
- Contact Steve Heist with questions
  - [heiu235@lni.wa.gov](mailto:heiu235@lni.wa.gov)



# Thank you! Any questions?

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