

OSHA Inspection Response Checklist



Federal OSHA covers private employers in Texas. An inspection can begin with no notice, after a complaint, a referral, an accident or as part of a program. What your team does in the first hour shapes everything that follows.

THE FIRST HOUR

- ☐ Ask for the compliance officer's credentials. Write down the name, the area office and the time of arrival.
- ☐ Ask the reason for the inspection and its scope. A complaint inspection is limited to the complaint unless the officer sees hazards in plain view.
- ☐ Call your OSHA counsel and your safety lead. Designate one company representative to handle the inspection.
- ☐ Decide whether to consent or to require a warrant. Requiring a warrant is lawful and delays the inspection; it does not prevent it.
- ☐ Hold the opening conference. Provide the records requested that are within scope: OSHA 300 logs, 301 forms, 300A summaries, written safety programs and training records.

DURING THE WALKAROUND

- ☐ Stay with the officer the entire time and keep the inspection to the stated scope.
- ☐ Take the same photographs and measurements the officer takes. Note every statement made and every document reviewed.
- ☐ Correct hazards that can be fixed on the spot, and document the correction. Immediate abatement helps with penalties.
- ☐ Employees may be interviewed privately and may have a representative present. Do not coach employees or interfere with interviews. Managers may have counsel present.
- ☐ Answer what is asked. Do not volunteer documents, opinions or explanations beyond the question.

CLOSING CONFERENCE

- ☐ Get the list of apparent violations and the officer's abatement expectations in writing where possible.
- ☐ Ask when citations are expected. OSHA has six months from the inspection to issue them.

AFTER A CITATION ARRIVES: 15 WORKING DAYS

- ☐ Calendar the contest deadline from the date the citation was received, not the date on the letter.

- ☐ Request an informal conference with the area director. Penalties and classifications are often reduced here.
- ☐ Decide, with counsel, whether to contest in writing, settle or pay and abate. A missed deadline makes the citation a final order.
- ☐ Post the citation at or near each violation location for three working days or until the hazard is abated, whichever is longer.
- ☐ Track abatement dates and certification requirements for each item.
- ☐ Preserve the full file. A citation on the record raises penalties for any repeat finding in the next five years.

The firms that handle inspections well have decided in advance who speaks, what is produced and who gets called. Put this list where the front desk and the site supervisor can find it.

General information about Texas law from Hanshaw Kennedy Hafen, LLP, not legal advice for your situation. Reading it does not create an attorney-client relationship. More resources: hanshawkennedy.com/resources/