



Health & Safety

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OSHA Establishment Search

The U.S. Department of Labor Occupational Safety and Health Administration (OSHA) is quickly dispelling the myth that the government is behind the times. In fact, the OSHA web page is one of the more interesting sites to explore on the Internet. Even though we may not like it, laws such as the Freedom of Information Act and Community Right to Know give the government the authority to publish the informa-

tion concerning OSHA inspections. Individual searchers can now ferret out even the smallest infraction a company commits. "Net surfers" can access all this information about OSHA inspections, violations and other information by using the new Establishment Search.

What is Establishment Search? The Establishment Search is a new tool located at the OSHA website **www.osha.gov**. It is located under *what's new*, or it can be accessed directly at the following web address: **http://www.osha.gov/oshstats/estl.shtml**. This feature enables the user to search for OSHA enforcement inspections by the name of the establishment. The OSHA database has entries that are current as of 1997. Alternatively, information may be obtained for a specified inspection or for inspections with a specified Standard Industrial Code (SIC).

All you have to do is enter the company name and a search will begin, covering all establishments that even closely resemble the name entered. It's easy. Then, just check the boxes beside the facilities you would like to view. Some of the basic facility information provided includes:

- Number of employees at the location
- Union status
- Lost workday injury rate
- Inspection type, including local or national emphasis
- Amount of time the OSHA inspector spent at the facility

Information on violations and the outcome is also plentiful, and includes specific violation, penalty amount, failure to abate during the specified time, and violation type. The type of

violations cited are classified according to the degree of severity, such as:

- Imminent danger violations are those that can cause death or serious physical or health harm. Failure to provide respiratory protection for persons working in toxic atmospheres, for example, could constitute an imminent danger violation.
- Willful violations are those in which an employer willfully and knowingly violates a standard and makes no effort to correct a hazardous situation found to be in violation.
- Repeated violations are less severe than willful. An employer who violates a standard twice can be cited for repeat violations.
- Serious violations are issues when the opinion of the inspecting compliance officer warrants it. If a substantial probability for death or serious injury could result from a given situation, then a serious violation could be cited.
- Non-serious violations are those in which a standard is violated, but the possible consequences are not death or serious injury.

It should be noted that, besides civil penalties, criminal charges could be brought against employers and employees in certain situations:

- An employer who willfully violates a standard that results in the death of an employee, could be fined \$10,000 or get six months in prison.

*Hamid Kavarianian & Charles A. Wentz, Jr., *Occupational and Environmental Safety Engineering and Management*, Von Nostrand Reinhold, NY (1990) pp. 16-17.

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- An employee who files a “false document” can be fined up to \$10,000 or receive six months in prison, or both.
- Assaulting, or hampering the work of an inspector carries a fine of up to \$5,000 or a sentence of three years in prison, or both.*

If the inspection involves an accident, then complete information concerning the accident, injuries and outcome is also listed.

Just to test it out, I entered in the names of several metal finishing companies, as well as manufacturers. The search tool generated a surplus of inspection data for all the establishments queried.

Companies no longer have anonymity from outsiders, and one can only speculate to what use the information might be put. It is conceivable that lenders or vendors might be interested in compliance histories of companies with whom they do business. Or the information may serve those who provide services

in these areas. College students could research a prospective employer to find out what kind of compliance record the company has.

Even though this information is a matter of public record, it is now more easily accessed on the Internet. This tool, therefore, could be viewed as a learning experience, because each company is afforded an opportunity to review its OSHA compliance efforts. If OSHA compliance needs more than a little review, then it might be time to consider additional staffing in the area of health and safety.

Most Common Violations

Some of the most frequently cited violations that were discovered while using the Establishment Search tool are as follows:

- General machine guarding
- Noise exposure
- Respiratory protection
- Exposure of live electrical parts
- Illness & Injury Log not maintained (OSHA 200)

- No written fire/emergency plan
- Permanent path to ground
- No “lockout/tagout” program
- No written HAZCOM program
- Markings on electrical equipment missing or illegible
- No floor load limit signs
- No hazard assessment for PPE
- Containers of hazardous materials not labeled
- Exits not marked
- Fire hoses not inspected monthly
- Flexible cord used as a substitute for fixed wiring
- Compressed air >30 psi used without PPE
- Grounding conductors with reversed polarity
- No railings or toeboards on open-sided floors or platforms >4 ft high

If you are interested in finding out what has been posted on the Internet concerning your company, then you might want to access the OSHA site directly—or perhaps find someone who can do it for you. **P&SF**