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## An OSHA Inspection in the Laboratory




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### Objectives

- ▶ Review the steps in OSHA's inspection process.
- ▶ Discuss areas in the laboratory where potential OSHA violations are likely.
- ▶ Calculate possible fines and walk through responses to OSHA violations.



### My Story...



Occupational Safety  
and Health Administration



### OSHA

- ▶ History
  - ▶ 1970
  - ▶ Estimated 14,000 employees killed on the job
  - ▶ Williams-Steiger OSH Act

### OSHA

- ▶ Major Accomplishments
  - ▶ 1971-72: First Standards
  - ▶ 1972: OSHA training Institute
  - ▶ 1972: First State plans
  - ▶ 1982: Voluntary Protection programs
  - ▶ <https://www.osha.gov/osha40/OSHATimeline.pdf>

### OSHA

- ▶ Regulations that affect laboratory
  - ▶ 1981: Hearing Conservation
  - ▶ 1983: Hazard Communication
  - ▶ 1990: Chemical Hygiene
  - ▶ 1991: Bloodborne Pathogens
  - ▶ 2007: Payment for PPE
  - ▶ 2009: Adoption of GHS

## OSHA Inspectors

- ▶ Training
- ▶ Focus
- ▶ Personality traits



## OSHA Inspections

- ▶ Investigation
- ▶ Imminent danger
- ▶ Complaint
- ▶ Scheduled
  - ▶ High-hazard



## OSHA Inspections

- ▶ Inspection Priority
  - 1
    - ▶ 1st priority
      - ▶ Investigations of immediate danger- unannounced
  - 2
    - ▶ 2nd priority
      - ▶ Work fatalities/catastrophes
  - 3
    - ▶ 3rd priority
      - ▶ Employee/patient complaints

## First Steps

- ▶ Arrival
- ▶ Proper identification
- ▶ Impersonators
- ▶ Escort
- ▶ Administration



## Opening Conference

- ▶ Details
- ▶ Scope
- ▶ Communication
- ▶ Document review



## The Inspection

- ▶ Escort
- ▶ Walk-through
  - ▶ Visual inspection
  - ▶ Staff interviews



## The Inspection

### ► Topics of Discussion

- Safety issues
- Employee training
- Employee records
- No discussion of fines or penalties

## The Inspection



### ► Safety Violations

## OSHA Violations

- Bloodborne Pathogens
- Documents and Records
- Engineering/Work Practice controls
- PPE- use and training
- Hand hygiene
- Sharps safety
- Housekeeping
- Safe work practices



## OSHA Violations

- Chemical Hygiene/Hazard Communication
  - Documents and Records
  - Chemical inventory
  - Safety Data Sheets
  - Chemical labeling
  - Chemical storage
  - Spill handling



## OSHA Violations

- Chemical Hygiene
  - Emergency Eyewash
  - Safety Shower



## OSHA Violations

- Respiratory Protection
  - Medical Evaluations
  - Training
  - Fit Testing
  - Written Program

## OSHA Violations

- ▶ Emergency Action Plans
  - ▶ Reporting fires/other emergencies
  - ▶ Evacuation routes/muster points
  - ▶ First Aid



## OSHA Violations

- ▶ Fire Safety
  - ▶ Fire Extinguishers



## OSHA Violations

- ▶ Electrical Safety
  - ▶ Frayed cords
  - ▶ Outlet checks for voltages and grounding
  - ▶ Wiring- trip hazards
  - ▶ Three-pronged medical equipment
  - ▶ Extension cords
  - ▶ Access to electrical panels

## OSHA Violations

- ▶ General Duty Clause
  - ▶ “Each employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees.”

## Roll The Dice...



## OSHA Top 10 2017

- ▶ Which one of the following violation categories do you think was cited most by OSHA in 2017?
  - ▶ Bloodborne Pathogens
  - ▶ General Duty Clause
  - ▶ Respiratory Protection
  - ▶ Hazard Communication

## OSHA Top 10 2017

- ▶ 1. 1926.501 - Fall Protection
- ▶ 2. 1910.1200 - Hazard Communication
- ▶ 3. 1926.451 - Scaffolding
- ▶ 4. 1910.134 - Respiratory Protection
- ▶ 5. 1910.147 - Lockout/Tagout
- ▶ 6. 1926.1053 - Ladders
- ▶ 7. 1910.178 - Powered Industrial Trucks
- ▶ 8. 1910.212 - Machine Guarding
- ▶ 9. 1926.503 Fall Protection-Training Requirements
- ▶ 10. 1910.305 - Electrical, Wiring Methods

## Closing Session

- ▶ Observations
- ▶ Information
- ▶ Citations
- ▶ Right to Appeal
- ▶ Questions



## Fines

- ▶ \$12,675 per violation per day
- ▶ Willful = multiply by 10
- ▶ \$126,749 per violation per day

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## Fines

- ▶ Example:
- ▶ A phlebotomist is witnessed throwing a needle assembly out into a trash can rather than into a sharps container.
- ▶ Records show that the employee was trained in proper needle disposal.

**FINE = \$126,749**



## Fines

- ▶ Example:
- ▶ A phlebotomist processes specimens in the lab and is called to draw a patient on the unit. He does not remove his lab coat when leaving the laboratory.
- ▶ Record review shows he has been trained in proper PPE use.

**FINE = \$126,749**



## Fines

- ▶ Example:
- ▶ The inspector notices a secondary container of methanol has been inadequately labeled for two weeks.
- ▶ A review of the employee records indicate training on chemical labeling. ❌

**FINE = \$177,450**

**FINE = \$1,774,486**



## Fines

### ► Factors affecting fines:

- Seriousness
- Size of business
- History with OSHA



## OSHA Written Warning

- Anonymous complaint
- Mail or fax (phone call)
- List complaint/allegations
- Request written response

## OSHA Written Warning

- Follow-up
  - Describe your investigation
  - Include any documentation
- If the complaint is valid:
  - Provide description of issues discovered
  - Describe corrective action taken and planned

## Responses

- In order for OSHA to Cite the laboratory:
  - The standard applies to your lab working conditions
  - The standard's requirements were not met
  - Employees had access to the hazardous conditions
  - The employer was aware of hazardous conditions or reasonably could have known of them

## Responses

### ► Written response

- Notes
- Photographs
- Documents



## Responses

### ► Categories of violations:

- Other Than Serious
- Serious
- Willful
- Repeated
- Failure to Abate
- De Minimis

## Responses

- ▶ Post citations for three days or until corrected
- ▶ Correct the cited hazard
- ▶ Notify OSHA
- ▶ Notify employees
- ▶ Pay any fines

## Responses

- ▶ Citation Challenge:
  - ▶ 15 days
  - ▶ Contest one, some, or all citations
  - ▶ OSHRC

## OSHA Inspections

- ▶ Be ready
- ▶ Act professionally
- ▶ Be honest
- ▶ Respond quickly
- ▶ Communicate with staff



## What Did You Learn?



# QUESTIONS?

