

OSHA[®] FactSheet

The OSHA Consultation Program

Using a free consultation service funded by the Occupational Safety and Health Administration (OSHA), employers can find out about potential hazards at their worksites, improve their occupational safety and health management systems, and even qualify for a one-year exemption from routine OSHA inspection.

The service is delivered by state governments using well-trained professional staff. Consultations take place on-site, though limited services away from the worksite are available. However, consultations cannot take place during an enforcement inspection, and may not take place until citations, if any, have been issued and become final orders.

Primarily targeted for smaller, high-hazard businesses, OSHA's safety and health consultation program is completely separate from the OSHA inspection effort. In addition, no citations are issued or penalties proposed.

Confidentiality will be strictly maintained during the consultation process. The consultant will only report hazard information to OSHA if the employer fails to correct an imminent danger or serious hazards.

The employer's only obligation will be to commit to correcting serious job safety and health hazards – a commitment which is expected to be made prior to the actual visit and carried out in a timely manner.

Getting Started

Since consultation is a voluntary activity, employers must request it. A telephone call or letter sets the consulting machinery in motion. The consultant will discuss specific needs with the employer and set up a visit based on the priority assigned to the request, the employer's work schedule, and the time needed for the consultant to prepare for the visit. OSHA encourages a complete review of a firm's safety and health situation; however, an employer may limit the visit to specific problems.

Certain obligations must be met, including agreeing to correct all serious hazards found during the visit in an agreed-upon time frame.

The On-Site Consultants Will

- Meet with the employer and, at times, employees or employee representatives;
- Walk-through the worksite with the employer and employees;
- Review company injury and illness rates;
- Help identify hazards in the workplace;
- Identify kinds of help available for further assistance;
- Give detailed findings in a closing conference;
- Provide a written report summarizing findings;
- Assist the development or maintenance of an effective safety and health program;
- Provide training and education for the employer and employees;
- Recommend the site for a one-year exemption from OSHA programmed inspections, when SHARP criteria are met.

In rare instances, the consultant may find an "imminent danger" situation during the walk-through. If so, the employer must take immediate action to protect all employees. Other situations – those which would be judged a serious violation under OSHA criteria – require the employer and the consultant to develop a plan and schedule to eliminate or control the hazard.

The On-Site Consultants Will Not

- Issue citations or propose penalties for violations of OSHA standards;
- Report possible violations to OSHA enforcement staff;
- Guarantee that your workplace will "pass" an OSHA inspection.

Hazard Correction and Follow-Through

The consultant will send to the company a detailed written report about 20 days after the closing conference that explains the findings and confirms agreed upon correction periods. A list of hazards is included in the report and must be posted electronically or in an easily observable area by employees for three days or until the listed hazards are corrected. Consultants may also contact the business from time to time to check progress, and employers may always contact them for assistance. Employers using the consultation service are deferred from OSHA's scheduled inspections while the consultation remains "in progress." This period encompasses the time between the onset of the consultation and the final correction dates, including any extensions.

Ultimately, OSHA does require hazard correction so that each consultation visit achieves its objective – effective employee protection. If there is a failure to eliminate or control identified serious hazards (or an imminent danger) according to the plan and within the limits agreed upon, the situation is referred from consultation to an OSHA enforcement office for appropriate action.

Benefits

Knowledge of workplace hazards and ways to eliminate them can only improve the company's operations – and the management of the firm. Employers receive professional advice and assistance on eliminating or preventing workplace

hazards via the on-site hazard survey or the on-site training from the consultant. The consultant can help establish or strengthen an employee safety and health program, making safety and health activities routine considerations rather than crisis-oriented responses. Improving workplace safety and health also brings fewer accidents, lower injury and illness rates, decreased workers' compensation costs, and limits product losses. Consultations will also help the entire company comply with OSHA standards.

SHARP

Employers may participate in OSHA's Safety and Health Achievement Recognition Program (SHARP) or a similar state program. This program is designed to provide incentives and support to employers to develop, implement and continuously improve effective safety and health programs at their worksite(s). SHARP provides for recognition of employers who have demonstrated exemplary achievements in workplace safety and health by receiving a comprehensive safety and health consultation visit, correcting all workplace safety and health hazards, adopting and implementing effective safety and health management systems, and agreeing to request further consultative visits if major changes in working conditions or processes occur which may introduce new hazards. Employers who meet these specific SHARP requirements may be exempted from OSHA programmed inspections for a period not less than one year.

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: (877) 889-5627.

For more complete information:



U.S. Department of Labor

www.osha.gov

(800) 321-OSHA