

# OSHA Inspections for Construction and Multi-Employer Worksites

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## Employer Categories

OSHA uses four categories of employers to determine who to cite for hazards and exposures:

- **Creating Employers** creates or cause a hazardous condition that violates an OSHA Standard and exposes any employee to it
- **Exposing Employers** are those whose own employees are exposed to a hazard
- **Controlling Employers** have general supervisory authority over the worksite and must exercise reasonable care to prevent and detect violations for ALL jobsite employees, regardless of company affiliation
- **Correcting Employers** are responsible for using reasonable care and correcting hazards

A single employer may fall into multiple OSHA employer categories.

## Citable Entities

When OSHA identifies an issue on a multi-employer worksite, they:

1. Identify the categories that apply to the offending employer.
2. Determine who met or did not meet relevant safety obligations.

**Regardless of whom is citable, EVERYONE is responsible for worksite safety.**

More than one employer on a multi-employer worksite can be cited for the same violation.

## Best Practices

Employers should work together to prevent, detect and resolve safety issues. EVERYONE should report safety issues. Employers must communicate to resolve issues and take steps to protect people. At multi-employer worksites:

- Ensure contractors and subcontractors have proper safety policies
- Check for history of incidents/violations
- Follow the site-specific safety plan
- Collaborate to ensure everyone understands mutual responsibilities and how to avoid hazards
- Prepare for OSHA inspections

## OSHA Inspection Process

At multi-employer worksites, employers have rights and steps at each phase of the process.

1. **Arrival.** Alert all employers at the worksite when an inspector arrives.
2. **Opening Conference.** All employers should attend the opening conference. At the conference, ask questions and establish ground rules.
3. **Tour.** All employers have a right to have a representative present during the OSHA inspection tour. Employers may correct problems during the tour. Inspectors may ask employers for permission to expand the inspection, based on findings.
4. **Closing Conference.** At the closing conference, all employers should:
  - Review inspector observations
  - Discuss violations
  - Learn appeal rights
  - Ask questions