

Discuss and explain situations where osha would be able to enter and inspect a WO...

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OSHA Inspections OSHA Inspections The Occupational Safety and Health Administration (OSHA) has been acknowledged and reported to possess the authority to “conduct workplace inspections and investigations to determine whether employers are complying with standards issued by the agency for safe and healthful workplaces” (Occupational Safety & Health Administration, 2002, p. 1). As disclosed, the standard procedure therefore is that employers must be aware that inspections are regularly conducted without the need for advance notice or any presentation of warrant to inspect. Only when instances where the employer expressly refused inspection would the OSHA, by virtue to “Section 5(a)(1) of the Act, known as the “General Duty Clause,” which requires that every working man and woman must be provided with a safe and healthful workplace” (Occupational Safety & Health Administration, 2002, p. 1), obtain a warrant to inspect. Therefore, the instances or situations where OSHA would be able to enter and inspect a worksite without obtaining a warrant or the employer’s express consent include the following: (1) imminent danger situations that required immediate corrective actions (where the definition of imminent danger is explicitly stated as “any condition where there is reasonable certainty that a danger exists that can be expected to cause death or serious physical harm immediately or before the danger can be eliminated through normal enforcement procedures” (Occupational Safety & Health Administration, 2002, p. 3); (2) accident investigations, especially when more than three employees have been injured, become hospitalized or caused unfortunate deaths; and (3) when there are complaints for unsafe or unhealthy working conditions were apparently received from any member of

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the organization or its stakeholders (Occupational Safety & Health Administration, 2002).

Reference

Occupational Safety & Health Administration. (2002). OSHA Inspections. Retrieved June 25, 2012, from osha. gov: <http://www.osha.gov/Publications/osh2098.pdf>