

OHS Inspection Response Policy



Here's a Model Policy you can adapt for your own workplace in accordance with your compliance policies and procedures and the OHS inspection rules of your particular jurisdiction.

1. PURPOSE

Under [*province name*] Occupational Health and Safety (OHS) laws, government officers have the right to perform onsite workplace inspections to verify ABC Company's compliance with OHS requirements. ABC Company has adopted this Policy to set out the procedures that ABC Company personnel must follow if they encounter a government inspector.

2. SCOPE

This Policy applies to any ABC Company workers, receptionists, clerical staff, supervisors, forepersons, line managers and other staffers that an OHS inspector may encounter when arriving at an ABC Company workplace to carry out an inspection.

3. POLICY STATEMENT

OHS laws require ABC Company and personnel to cooperate with inspectors and refrain from obstructing their work. At the same time, ABC Company and its personnel also have legal rights that must be protected in the course of the inspection process. Drawing the line between cooperation and protection of rights is the responsibility of ABC Company's legal

counsel. The responsibility of personnel is to be courteous, cordial and polite to the inspectors and follow the procedures and principles set out in this Policy.

4. ABC COMPANY REPRESENTATIVE

ABC Company will designate a member of management, counsel or other individual to serve as its Representative and accompany the OHS inspector during the inspection. One or members of the ABC Company joint health and safety committee (JHSC) or, if there is no JHSC, the health and safety representative for the worksite, may also be allowed or required to accompany the inspector in accordance with OHS laws.

5. NOTIFICATION

5.1. Initial Notification of Inspector's Arrival

If an OHS inspector comes to the worksite, receptionist or other personnel he/she encounters shall **immediately** notify ABC Company's Safety Coordinator.

5.2. Summoning of ABC Company Representative

Upon receiving such notification, the Safety Coordinator shall summon the ABC Company Representative to meet with the inspector and accompany him/her during the inspection. Where applicable, such notice will also be sent to the JHSC member(s) or workplace health and safety representative.

5.3. Stand-In if ABC Company Representative Is Not Available

If the ABC Company Representative is not present, the Safety Coordinator shall call in the highest ranking person that is available who will serve as a Stand-in representative until the ABC Company Representative arrives.

6. INSPECTION PROCEDURES

6.1. Guidelines for Stand-in Representatives

Employees pressed into Stand-in duty shall meet with the inspector and follow these procedures during the initial meeting.

6.2. Request for Delay

The Stand-in will ask the inspector to refrain from beginning the inspection for up to 30 minutes until the ABC Company Representative arrives. But if the ABC Company Representative fails to arrive within 30 minutes, or the inspector refuses the request to wait, the Stand-in will have to accompany the inspector throughout the inspection in accordance with the following procedures.

6.3. Request for Credentials

The Stand-in shall request the inspector to provide credentials such as an identification badge indicating that the inspector is an OSHA representative before allowing him/her to gain entrance to the jobsite. No one will be allowed to enter a jobsite without proper credentials.

6.4. Request for Clarification of Scope of Inspection

Before the inspection takes place, the Stand-in will seek to determine:

- The scope of the inspection;
- The basis of the inspection, i.e., whether it is random, scheduled or the result of a complaint or imminent hazard.

6.5. Request for Warrant

The Stand-in shall ask if the inspector has a warrant:

- If the inspector does have a warrant, the Stand-in shall examine the warrant to determine whether the inspection is limited to a particular area of the jobsite. The Stand-in shall direct the inspector to the areas listed

in the warrant;

- **[Optional]** If the inspector does not have a warrant, the Stand-in shall respectfully ask the inspector to obtain one and return at a later date.

6.6. Accompanying Inspector

The Stand-in shall accompany the inspector at all times during the inspection and try to ensure that the inspector limits the inspection to the purpose he/she states is the purpose of the inspection and remains in the areas listed on the warrant, if there is one. If the inspector asks to inspect any other areas, the Stand-in shall not object but simply state to the inspector that the area he/she is inspecting is not listed on the warrant and that the search may not be permissible.

6.7. Interviews

The Stand-in shall allow the inspector to interview other workers recognizing that all workers have the right to be accompanied by a lawyer and an ABC Company representative must be present at all interviews. The Stand-in shall take notes of all conversations the inspector has with the representative and other workers.

6.8 Records

The Stand-in shall keep a detailed record of all documents turned over to the inspector. The Stand-in may not give the inspector free access to document storage. Instead, he/she will provide only those documents that the inspector requests and make a copy of each document before turning it over.

6.9. Courtesy and Cooperation

The Stand-in shall remain as calm and polite as possible. The Stand-in shall be courteous and answer questions truthfully but be careful not to:

- Make guesses when responding to questions to which

- he/she does not know the answer;
- Offer information that the inspector does not ask for;
- Make any statements that could be construed as an admission of violating any laws or regulations;
- Speculate as to how any incidents, injuries or violations occurred.

6.10. Correct Hazards

If possible, the Stand-in shall immediately correct any hazards that are found during the inspection before the inspection ends.

6.11. Closing Conference

After the inspection ends, the Stand-in shall meet with the inspector for a closing conference. The Stand-in shall take careful notes of what the inspector says including about alleged violations and requirements for corrective action. The Stand-in will ask whether there will be a follow-up inspection and, if so, when it is expected to take place.