

 CITY OF TUCSON	City of Tucson Central Safety Services Number: S-028 Subject:	Page 1 of 5
		Effective Date: April 9, 2010
	ADOSH Inspections	Reviewed/ Revised: January 1, 2013

1.0 PUPOSE

This directive will give information and guidance to departments and divisions for providing a coordinated and professional response to Arizona Department of Occupational Safety and Health (ADOSH) Inspections.

ADOSH enforces the standards and regulations set forth by the Occupational Safety and Health Administration (OSHA) at the State level.

2.0 SCOPE

This Directive will establish a communication hierarchy and command chain for response to ADOSH inspections that are:

- A. Imminent Danger
- B. Catastrophic and Fatal Accidents
- C. Employee Complaints
- D. Programmed High Hazard
- E. Follow-up Inspection

3.0 DEFINITIONS

ADOSH Compliance Officer: A credentialed inspector employed by the State of Arizona, authorized to inspect the workplace and issue Notices of Violation.

ADOSH Consulting Officer: A credentialed officer employed by the State of Arizona, authorized to conduct training and consult with employers regarding ADOSH (OSHA) compliance questions and work practices. A Consulting Officer shall not report potential violations observed during a consulting visit to a Compliance Officer.

Catastrophic or Fatal Accidents: An accident that causes a fatality or an incident that results in the hospitalization of two (2) or more employees.

Citations and Penalties: ADOSH citations range between non-serious, no penalty up to \$70,000 for willful or repeated violations. Failure to Abate a violation within a specified time period may bring additional penalties of \$7000 per day for up to thirty (30) days. There are additional penalties assigned for civil and criminal infractions that are discovered during any ADOSH inspection. Payment of penalties is normally the responsibility of the Department.

Closing Conference: A meeting convened at the end of the inspection to summarize and informally discuss the results of the inspection. Potential

Subject: ADOSH Inspections	Number: S-028	Rev. January 1, 2013	Effective Date: April 9, 2010	Page 2 of 5
--------------------------------------	------------------	-------------------------	----------------------------------	----------------

citations may/may not be revealed, but a general sense of the inspection and further direction that may be taken by ADOSH is normally conveyed.

Credentials: Official identification carried by ADOSH Officers

Employee Complaints: Every employee has the right to request an ADOSH inspection (anonymously or by name) when the employee feels that he or she is in imminent danger from a hazard or when he or she feels that there is a violation of an OSHA standard that threatens physical harm.

Imminent Danger: Any conditions where there is a 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.

Opening Conference: A meeting convened prior to the initiation of any inspection where the ADOSH Officer will present their credentials, distribute required preliminary materials and identify the purpose of the inspection.

Posting of Violation: Posting of a Notice of Violation in the workplace as the result of an ADOSH Inspection is required for a minimum of three (3) days.

Programmed or High Hazard: ADOSH establishes inspections aimed at specific high hazard industries, occupations, or health hazards. Workplaces are selected for inspection on the basis of fatality, illness and injury rates

Re-inspection: When cited for alleged serious violations, the City of Tucson may be re-inspected to determine whether the hazards have been abated.

4.0 RESPONSIBILITIES

A. Department/Division Managers

1. The Department or Division will communicate to each affected employee the contents of this policy. In the event of ADOSH the Department/Division shall **immediately** contact Central Safety Services to provide guidance and assistance during any ADOSH inspection.
2. In the event a complaint is delivered by Phone/Fax, the Department/Division shall immediately forward the complaint to Central Safety Services. Central Safety Services shall take responsibility for complaint response, with assistance from the Department/Division.

B. Supervision

1. Supervision shall **immediately** comply with the request of an ADOSH Officer when directed to stop work and/or remove an employee from an Imminent Danger situation.

Subject: ADOSH Inspections	Number: S-028	Rev. January 1, 2013	Effective Date: April 9, 2010	Page 3 of 5
--------------------------------------	------------------	-------------------------	----------------------------------	----------------

2. Supervision shall **immediately** report any notification of Imminent Danger inspection conveyed by an ADOSH Compliance Officer to Central Safety Services. Central Safety Services shall respond to the site and in conjunction with the Department/Division, coordinate the appropriate response to the inspection.

C. Employees

1. Employees shall **immediately** comply with the request of an ADOSH Officer when directed to stop work and/or remove a fellow employee from an Imminent Danger situation.
2. Employees are strongly encouraged to report hazards to their chain of command and may utilize the Employees Report of Hazard or Unsafe Condition (S-002) to document the report either anonymously or by name to the Department and Central Safety Services. If after reporting the hazard, and if the hazard is not addressed by the employer, the employee has the right to contact ADOSH with a complaint.

D. Central Safety Services

1. Central Safety Services (CSS) shall coordinate response to any request from ADOSH for inspection, records, employee interviews or other information in conjunction and with direct consultation of the Department or Division in attempt to define the scope of any ADOSH inspection and limit potential citations to the Department.

5.0 EDUCATION AND TRAINING

- A. Central Safety Services shall provide awareness training for all Safety Representatives and affected employees in how the City of Tucson Departments and/or Divisions shall professionally respond to ADOSH Inspection.

6.0 GENERAL

- A. In the event of ADOSH Inspection, Compliance Officers are authorized under the OSH Act to enter without delay and at reasonable times any City facility.
- B. When presented with a Request for Inspection or Conduct and Investigation by an ADOSH Compliance Officer, the Department shall:
 1. Request identification and obtain the name of the ADOSH Compliance Officer.
 2. Comfortably isolate the Officer in an Office or Conference Room. ADOSH will wait a reasonable amount of time, normally defined as up to one (1) hour.
 3. Immediately Contact Central Safety Services (CSS):
Brandy Kadous – Safety Manager @ 837-4308 or 850-6008

Subject: ADOSH Inspections	Number: S-028	Rev. January 1, 2013	Effective Date: April 9, 2010	Page 4 of 5
--------------------------------------	------------------	-------------------------	----------------------------------	----------------

Ed Hansen – Risk Management Specialist @ 837-4309 or 419-3045

4. CSS will provide an estimated arrival time for CSS staff to the site of the inspection.
 5. Immediately contact the Department Director and/or other Department Designate and/or Safety Officer(s).
 6. Inform the ADOSH Officer regarding the estimated time of arrival for Department representation and CSS.
 7. Do not initiate the Opening Conference without the presence of CSS unless directly requested to proceed by the ADOSH Officer. While the ADOSH Compliance Officer is isolated, do not initiate or direct any changes to the workplace, as this make prompt the immediate start of the ADOSH inspection process.
- C.** CSS will assist Departments in producing any training reports, injury/illness logs or other data requested by the ADOSH Officer in the requested time frame.
- D.** CSS representative(s) will accompany the ADOSH Officer on the inspection, as the designated representative of the City (employer). Additional department representation may be permitted. Employee (Union) representatives may accompany the inspection. The ADOSH Compliance Officer retains the final authority regarding employer/employee representation during the inspection process.
- E.** ADOSH retains the right to interview employees and management regarding conditions in the workplace, safety training and any injury/illness event. Employee interviews shall be conducted by the ADOSH Office and shall be held in private from the employer representatives. Employees (union/union eligible) are entitled to union representation during the interview process and management employees (lead and above) are entitled to legal representation during the interview process.
- F.** CSS will duplicate photographs obtained by the ADOSH Officer for the inspection record.
- G.** At the Closing Conference, CSS will represent the department and request a summary of the inspection. Departments shall understand that ADOSH is not compelled to release final decisions on the inspection or specific recommendations for citation and penalty until the report is finalized, but will point out areas of concern, potential for citations and the classification as to serious or non-serious violations.
- H.** CSS will request that the file ADOSH report is addressed and filed with Central Safety Services. CSS shall share results of the inspection with the department.

Subject: ADOSH Inspections	Number: S-028	Rev. January 1, 2013	Effective Date: April 9, 2010	Page 5 of 5
--------------------------------------	------------------	-------------------------	----------------------------------	----------------

- I. Departments are required by ADOSH to comply with any posting requirements regarding citation and penalties, in the location (area) of the citation.
- J. CSS will interact with the department on contesting citations, appeals or legal representation with intent to challenge to an ADOSH Citation

7.0 ADVICE AND COUNCIL

Central Safety Services shall annually review and revise this document.