

# MARIPOSA COUNTY'S Cal-OSHA INSPECTION POLICY

If Cal-OSHA arrives at your site:

1. Immediately contact the County Risk Manager at (209) 966-3222.
2. Immediately alert your supervisor to meet the Cal-OSHA representative at your site.

## 1.0 PURPOSE

This policy explains the steps that Mariposa County employees shall follow in the unlikely event a Cal-OSHA inspection is conducted at your site. This policy has been developed to assist you during the inspection process. Cal-OSHA may arrive at your site for a routine inspection, to investigate an accident, or in response to an employee complaint and may do so at any time and without prior notice.

When working with Cal-OSHA during the inspection/investigation process, Mariposa County staff should always:

- Display a positive and professional image
- Demonstrate the value that safety & health holds at Mariposa County

## 2.0 CONTACT THE OFFICE

As soon as you become aware of a Cal-OSHA inspection at your site, immediately contact the County Risk Manager at (209) 966-3222 to notify him of the inspection. Delaying the notification process and/or asking a Cal-OSHA Inspector to wait longer than is truly necessary can result in Cal-OSHA obtaining a warrant to conduct an inspection. A supervisor will respond to your site to assist the Cal-OSHA representative. If a supervisor is not immediately available, you will be advised that you, or another site administrator, should proceed with the inspection.

## 3.0 THE DO'S AND DON'TS

If you are the person interacting with the Cal-OSHA Inspector, keep these things in mind.

### 3.1 The Do's

You may and should:

- Ask the Inspector for their name and photo ID
- Take notes
- Be polite, professional & honest (understand that being honest sometimes means politely opting not to answer a question)
- Understand that you are NOT required to answer questions
- You may have a representative with you
- Employees have a right to participate in an interview with Cal-OSHA

### 3.2 The Don'ts

You should not do the following:

- Admit guilt or responsibility for an alleged violation
- Lie or deliberately deceive the Inspector
- Volunteer information (keep any answers short & concise)
- Leave the Inspector to wander your work area by themselves
- Interfere with the Inspector or the inspection process

## 4.0 PARTICIPATE IN THE OPENING CONFERENCE

Upon arrival at the site, the Cal-OSHA Inspector should ask to meet with the Site Administrator (if one is present); however, they may ask for any person in charge at the site. At that time you can explain that Mariposa County has an Inspection Policy which requires you to notify the Risk Manager. At this time you should ask the Inspector to wait in the main office and place a call to the County Risk Manager.

After introductions, the Inspector will hold an Opening Conference. The Opening Conference is held to explain the purpose of the visit and the scope of the inspection. While the Cal-OSHA Inspector cannot reveal employee names or sensitive information which would identify an employee, the Inspector MUST state the purpose and the scope of the inspection.

It is imperative that the County Risk Manager attend this Opening Conference to discuss the nature and scope of the visit and possible inspection.

## 5.0 THE INSPECTION TOUR

In the event that the Risk Manager cannot attend the inspection, you may be asked to lead the Cal-OSHA Inspector to various areas of the site. Show the Inspector only what they want to see in your area as it relates to the purpose and scope of the inspection. If they are only interested in surveying a particular area, operation, piece of equipment or process, take the Inspector directly to that area. If they are there for a specific reason, stay focused on that reason and direct the Inspector only to areas that have to do with that purpose and scope of their inspection.

*For example, if a chemical incident has occurred in the shop, the Inspector should have no reason or purpose to visit the office, warehouse, or auto yard – take them directly to the shop.*

Whenever possible, you should accompany the Cal-OSHA Inspector wherever they go on the County grounds or in facilities. If a second Mariposa County staff member is available, ask them to walk with you also. You should also take a pen, paper, and a camera (if available) to document the inspection process and any potential hazards or dangerous conditions the Inspector points out.

There are certain areas (such as confined spaces) which require specific safety training. Neither you nor the Inspector should enter these areas unless you have been trained to do so and have the appropriate safety equipment with you. If the Inspector identifies a hazard or dangerous condition, you should attempt to immediately correct any problems or hazards that you are qualified to correct. This can include anything that the Inspector may point out. When correcting a hazard or dangerous condition do so without admitting guilt or taking responsibility for the hazard.

Remember that you are not required to make any statements to the Cal-OSHA Inspector; however, any statements you do make will become part of the inspection documentation and could be used in the Cal-OSHA Hearing. If you do make statements, consider using general statements like, “I understand your concern” or “I hear what you are saying” or “I will make a note of it and report it to my supervisor.” If you do not understand something the Inspector has pointed out, or a question, politely ask the Inspector to further explain the question or information.

Please note that Mariposa County can still be cited for alleged hazards that you correct during the inspection process, but the monetary penalty may be reduced where your “good faith” is shown. Do try to explain any efforts that have been made to control, correct, or eliminate the alleged hazards and dangerous conditions.

## 6.0 CLOSING CONFERENCE

Following the inspection, the Inspector should conduct a Closing Conference to discuss the results of the inspection and any next steps. If you assisted the Cal-OSHA Inspector with the inspection, make sure that you are in attendance for the closing conference. This will be the last time to document and verify statements that were made to the Inspector during the inspection process. Cal-OSHA has up to 6 months to issue citations and generally will not inform you beforehand if a citation will or will not be issued. Assume that a citation will be issued and refrain from admitting guilt or that a condition is a true hazard.

At this time the Inspector may issue you a “Request of Documents” form. This form lists out any documents that the Cal-OSHA Inspector wants to review. This form should be immediately forwarded to the County Risk Manager as Mariposa County only has 10 days to respond to the document. Failure to respond to the document within the timeframe will result in a citation being issued against Mariposa County.

## 7.0 FOLLOWING THE INSPECTION

Following the inspection, you should document everything that occurred and make any additional notes that you would like to at that time. You can use the Cal-OSHA Inspection Information form attached below. Your documentation will assist Mariposa County in correcting any hazards and dangerous conditions, and in its response to Cal-OSHA. You should make copies of your inspection notes, photographs and any documents you received from the Inspector and send it immediately to the County Risk Manager.

## REFERENCES

<b><u>Agency</u></b>	<b><u>Section</u></b>	<b><u>Link</u></b>
Cal-OSHA	Title 8	<a href="https://www.dir.ca.gov/samples/search/query.htm">https://www.dir.ca.gov/samples/search/query.htm</a>
Cal-OSHA	3203	<a href="https://www.dir.ca.gov/title8/3203.html">https://www.dir.ca.gov/title8/3203.html</a>
Cal-OSHA	1509	<a href="https://www.dir.ca.gov/title8/1509.html">https://www.dir.ca.gov/title8/1509.html</a>

# CAL-OSHA INSPECTION INFORMATION FORM

Employee Name: \_\_\_\_\_ Site Name: \_\_\_\_\_

2<sup>nd</sup> Employee Name (if applicable): \_\_\_\_\_

Inspector Name and Badge Number: \_\_\_\_\_

Date of Inspection: \_\_\_\_\_ Time of Inspection: \_\_\_\_\_

Did the Inspector leave a "Request for Documents" form: Yes or No

Reason for Inspection:

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What areas did the Inspector visit:

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What alleged hazards were identified by the Inspector:

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Were any of the alleged hazards corrected at the time of the inspection:

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Did you document the inspection with photographs:

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Additional Comments or Information:

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**[Send form immediately to the County Risk Manager](#)**