

Plan What to Do When an OSHA Inspector Arrives

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John Ho was quoted in a SHRM article discussing the new OSHA "walkaround rule" effective May 31. Unless blocked by a court, employers must comply with the rule, which permits a third-party individual to accompany an OSHA inspector during onsite inspections. This change grants union organizers access to previously restricted jobsites, potentially allowing them to ask questions that could negatively reflect on the employer.

John advises that safety concerns arise when third parties join OSHA inspectors. Employers should require these individuals to follow safety protocols, such as wearing hard hats. To protect their trade secrets, employers should also consider requiring third parties to sign nondisclosure agreements or designating prohibited areas for these individuals. Property rights should also be considered before agreeing to an inspector's requests without a warrant, consent, or an understanding of the inspection's scope. Additionally, employers should prepare for OSHA inspections by establishing procedures for an inspector's arrival and ensuring attention to any disruptive behavior by third parties that could lead to their suspension or exclusion from the inspection.

To read more, [click here](#). (subscription required)

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