



FRAMER SUMMIT
AT BCMC



Regulations, Compliance, and OSHA Reality

Sean Kennedy, Assistant Area Director, OSHA

Nina Wertz, Compliance Safety and Health Officer, OSHA

BCMC|FS EDUCATION SESSION DISCLAIMER: This presentation is for educational purposes only. Any opinion or point of view expressed represent the view of the presenter(s) and not the Building Components Manufacturers Conference|Framer Summit ("BCMC|FS"), the Structural Building Components Association (SBCA), or the National Framers Council (collectively the "BCMC Group"). The BCMC Group neither represents the accuracy or reliability of the information provided nor that such information complies with applicable law and the policies and procedures of the BCMC Group including its Anti-Trust and Conflict of Interest policies.

BCMC

PRESENTED BY: **SBCA**



FRAMER SUMMIT

AT **BCMC**



BCMC

PRESENTED BY: **SBCA**

FRAMER SUMMIT

AT **BCMC**



FRAMER SUMMIT
AT BCMC



Regulations, Compliance, and OSHA Reality

Sean Kennedy, Assistant Area Director, OSHA

Nina Wertz, Compliance Safety and Health Officer, OSHA

OSHA TALKING POINTS

Sean Kennedy

OSHA Columbus Assistant Area Director

Nina Wertz

OSHA Columbus Safety Compliance Officer

ABOUT OSHA

- Congress enacted the Occupational Safety and Health Act of 1970 (OSH Act).
- OSHA's mission is to assure safe and healthful working conditions.
- Employees have rights and employers have responsibilities to protect them.
- Most fatalities, injuries and illnesses can be prevented.
- Even one preventable accident is one too many.

AGENCY FOCUS

- Working more with small businesses.
- Listening to our stakeholders – We want to hear from you to know how we can be most effective for you.
- Greater collaboration.
- Increased use of compliance assistance.

OSHA JURISDICTION

- OSHA covers most private sector workers in all 50 states, the District of Columbia, and other U.S. jurisdictions through Federal OSHA or an OSHA-approved state plan. State programs must be at least as effective as the Federal OSHA program.
- State and Local Government Workers are not covered by Federal OSHA but do have OSH Act protections if they work in a state or territory with an OSHA-approved state program.
- OSHA's protection applies to all federal agencies. Federal agencies must have a safety and health program that meet the same standards as private employers.

CURRENT INITIATIVES

- Meeting employers where they are.
- Collaboration through cooperative programs.
- Engaging with workplaces at all stages.

COMPLIANCE ASSISTANCE & COOPERATIVE PROGRAMS

- Making real progress by working together.
- Excellent ways to work with OSHA on meaningful safety and health initiatives.
- Programs:
 - On-Site Consultation Program
 - Safety and Health Achievement Recognition Program (SHARP)
 - Alliance Program
 - Strategic Partnership Program
 - Voluntary Protection Programs
 - Safety Champions Program

VOLUNTARY PROTECTION PROGRAMS

OSHA's new Pathway to Safety and Health Success:

- Increase outreach to more employers, especially small businesses;
- Reimagine OSHA Challenge into Safety Champions Program;
- Expand use of safety mentors;
- Incorporate leading indicators;
- Create VPP Elite level of distinction for VPP sites → 15+ years of VPP status;
- Create VPP Emeritus designation for VPP sites → 25+ years of VPP status;
- Expand VPP SHMS from four to seven elements.

OSHA SAFETY CHAMPIONS PROGRAM

- A new program for employers to improve their safety and health programs.
- Based on seven core elements of OSHA's Recommended Practices for Safety and Health Programs.
- Three steps: Introductory, Intermediate and Advanced
- Safety mentors given tools to work with participants as they progress through program.
- Participants will receive recognition letter upon completion of each step.

ON-SITE CONSULTATION PROGRAM & COMPLIANCE ASSISTANCE SPECIALISTS

- Offers small businesses confidential occupational safety and health services.
 - Separate from enforcement.
- Onsite Consultants and OSHA Training Institute Education Centers work with employers to:
 - find and fix workplace hazards,
 - give advise for complying with OSHA standards,
 - help establish and improve safety and health programs, and
 - train employees.
- Find a CAS near you; <https://www.osha.gov/complianceassistance/cas>.

ENFORCEMENT

- Set enforcement policy and targeted inspection programs.
- Respond to fatalities, catastrophes and complaints.
- Emphasis Programs at the national, regional and local levels.
 - National Emphasis Programs:
 - Heat
 - Amputations
 - Falls

INSPECTIONS

- Focus inspection resources on the most hazardous workplaces.
 - Imminent danger situations
 - Workplace Fatalities
 - Severe injuries and illnesses
 - Complaints
 - Referrals
 - Targeted inspections
 - Follow-up inspections

Reporting Fatalities and Severe Injuries

- All employers are required to notify OSHA when an employee dies on the job or suffers a work-related hospitalization, amputation, or loss of an eye.
- A fatality must be reported within 8 hours.
- An in-patient hospitalization, amputation, or eye loss must be reported within 24 hours.

INSPECTION PROCESS

- Four phases:
 - Presentation of credentials
 - Opening Conference
 - Walkaround
 - Closing Conference

Opening Conference

- Purpose of the visit
- Scope of the inspection
- Copy of employee complaint, if applicable
- Employer representative for walkthrough

Employer Representative

- Representative may walk around with the Compliance Officer
- Compliance Officers will wait a reasonable amount of time for a company's safety or management representative to arrive (usually 45 mins.)
- Follow your company policy about who is authorized to be the company representative

Inspection Walk-around

- Compliance Officer and accompanying representatives (employer and employee) inspect the establishment for potentially hazardous working conditions
- Observes safety and health practices
- CSHO may consult, at times privately, with employees
- Employee interviews are conducted privately
- Will take photographs, video, and instrument readings as needed...
- Discusses possible corrective actions with the employer
- Examines written records

Record Review

The following records should always be available onsite and may be requested by the Compliance Officer.

- Company's written safety and health program(s)
- All applicable Safety Data Sheets
- Individual employee training records
- OSHA's "It's the Law" Poster
- OSHA 300 log and 301's
- 300A Summary Sheet (Feb. 1-April 30)

Closing Conference

OSHA Compliance Officer

- Discuss all unsafe conditions observed during walkthrough
- Indicate violations for which a citation **may or may not** be issued
- Will not indicate proposed penalties
- Inform the employer of their right to contest

Employer

- Produce any documents to support employer's case
- Provide information on how much time it might take to abate an alleged violation

What Happens After an OSHA Inspection

- OSHA may or may not issue citations
- Citations inform employer and employees of the regulations and standards allegedly violated and of the proposed time for abatement
- Employer must post a copy of each citation at or near place where violation occurred, for 3 days or until violation is corrected, whichever is longer
- Prioritize any abatement needed

If You Receive Citations

- Decision in 15 government working days
 - Schedule and attend informal conference
 - Pay citations
 - Contest citations

*Citations can be contested if no agreement reached during the informal conference.

Informal Conference

- “Last chance” to settle before litigation
- Employer must call and request
- Must be held before notice of contest deadline (within 15 working days)
- State any concerns from inspection

CIVIL PENALTY ADJUSTMENTS

- Federal Civil Penalties Inflation Adjustment Act Improvements Act (2015).
- Annual adjustments for inflation no later than January 15.
- 2025 adjustments:
 - Maximum penalties:
 - For serious and other-than-serious violations from \$16,550 per violation.
 - For willful or repeated violations from \$165,514 per violation.

PENALTY REDUCTIONS

- Updated procedures intends to minimize burden on small businesses and increase prompt hazard abatement.
- Employers can benefit if they:
 - Immediately address or correct hazard,
 - Have never been inspected by federal/state OSHA,
 - No history of serious, repeat or failure-to-abate violations, or
 - Were inspected in previous five years but had no serious, willful or failure-to-abate violations.
- Effective July 14, 2025.

FY25 OSHA'S TOP 10 MOST CITED STANDARDS - LIST

1. Fall Protection – General Requirements
2. Hazard Communication
3. Ladders
4. Control of Hazardous Energy (Lockout/Tagout)
5. Respiratory Protection
6. Scaffolding
7. Fall Protection – Training Requirements
8. Powered Industrial Trucks
9. Personal Protective and Lifesaving Equipment – Eye and Face Protection
10. Machine Guarding

Final Thoughts

1. Do you have well defined work rules, programs and systems in place?
2. Are they communicated in a way employees and managers can understand and demonstrate that they are understood?
3. Is there a system in place for detecting hazards and discovering shortfalls in safety programs/training?
4. When hazards or shortfalls are discovered, are they corrected in a timely manner?
5. Are work rules effectively enforced?

OSHA QUICKTAKES & MORE

- **QuickTakes:** Stay up-to-date with OSHA news, initiatives and actions
- Let us know if you have a safety story you would like to share for our upcoming newsletter at osha.quicktakes@dol.gov
- **Información Rápida:** Spanish language version of the newsletter.
- **This Just In:** breaking updates
- **DYK?:** Short, informative spotlights on topics and resources



Sign up today!
osha.gov/QuickTakes

SOCIAL MEDIA

- Follow OSHA on:
 - Instagram: @OSHA_DOL
 - LinkedIn: @OccupationalSafetyandHealthAdministration
 - X:@OSHA_DOL
 - Facebook: @OccupationalSafetyandHealthAdministration

QUESTIONS?

Education Session
Evaluation



[OSHA.GOV](https://www.osha.gov)



We want every worker to go home safe

[osha.gov](https://www.osha.gov)

800-321-OSHA (6742)

OSHA.GOV



BCMC

PRESENTED BY: **SBCA**

FRAMER SUMMIT

AT **BCMC**