

Best Practices for Handling an OSHA Audit and Contesting OSHA Citations

Location

Huntington Convention Center of Cleveland
300 Lakeside Ave E
Cleveland, OH 44113

Date & Time

Start Date: 10/19/2022
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Not all OSHA investigations should be treated identically. Many factors need to be considered in implementing a strategy when OSHA comes knocking. These factors might include whether an injury or fatality triggered the audit, the company's prior citation history, whether the business has multiple facilities, and related considerations. Likewise, resolving OSHA citations often requires careful consideration of issues outside of OSHA, including but not limited to third-party lawsuits, workers' compensation claims, product liability issues, and contractual issues on multi-employer worksites. In many cases, these collateral issues have significantly greater liability than the OSHA penalties. In addition, before resolving OSHA citations, a business needs to consider factors other than the amount of the penalties. These factors include whether abatement would create operational issues in the future, the likelihood of repeat or willful citations, particularly for multi-facility businesses, and whether the alleged violation description and the citations could be used as evidence in collateral litigation. This presentation will discuss the many considerations safety professionals and HR should discuss when handling OSHA investigations and best practices when contesting citations.

Key Takeaways:

- Understanding who should be involved in an OSHA investigation.
- Understanding how OSHA citations and settlements can be used as evidence

ATTORNEYS



John S. Ho
Co-Chair, OSHA-Workplace
Safety Practice

✉ jho@cozen.com

📞 (212) 883-4927

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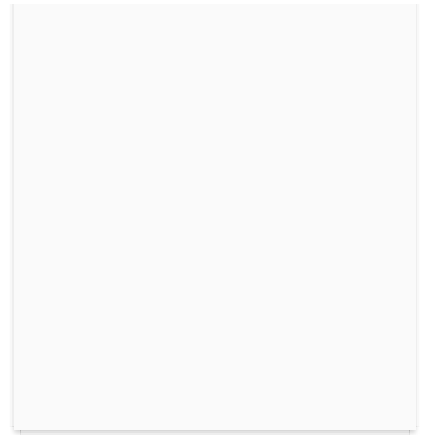
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in collateral litigation.

- Understanding how OSHA settlements and agreed-upon abatement can be used to classify additional citations as repeat or willful.
- Understanding how OSHA settlements and abatement could potentially impact operations.

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