

Fact Sheet:

IOSHA Inspections

The Indiana Occupational Safety and Health Administration (IOSHA) performs inspections of Hoosier businesses which are subject to the Occupational Safety and Health Act (OSH Act). These inspections ensure that Hoosier employers are in compliance with safety and health standards.

IOSHA Inspections can originate in many different ways: as a result of a reported workplace fatality or catastrophe, as a random inspection, as the result of a referral or as the result of a complaint.

Fatalities or catastrophes are received and assigned immediately by the appropriate IOSHA division supervisor. Random, referral and complaint inspections are generally less urgent but follow the same basic guidelines. (A workplace catastrophe is defined as the hospitalization of three or more employees resulting from a workplace incident or exposure; in general, from an accident or an illness caused by a workplace hazard.)

Workplace fatalities or catastrophes must be reported to IOSHA within eight (8) hours of the incident. To report a workplace fatality or catastrophe during normal business hours, 8-4:30 p.m., Monday through Friday, phone (317) 232-2693. If calling after hours, on a holiday or weekend, phone 1 (800) 321-6742. Callers should have the following information available: *establishment name, location of the incident, time of the incident, number of fatalities or hospitalized employees, names of injured employee(s), employer contact person as well as phone number and a brief description of the incident.* Reporting fatalities or catastrophes in any other manner (e.g. fax, mail, email, etc.) is strictly prohibited.

Once assigned, the Compliance Safety and Health Officer (CSHO) will arrive on-site and conduct an opening conference with the employer. If needed, photographic evidence is taken. The CSHO then conducts interviews with company management, employees, contractors, witnesses, etc. If necessary, industrial hygiene sampling is conducted. Employee interviews are conducted privately and independently from one another.

Upon completion of the inspection, the CSHO will hold a closing conference with the company representative(s). The CSHO exits the facility and returns to complete the necessary paperwork, if applicable, sends any sampling for analysis, and writes any citations. The completed file is submitted to the CSHO's supervisor for review. Once satisfied with the file, the supervisor will print the safety orders for the IOSHA division director's review. If approved by the director, the citations are issued and sent via certified mail to the employer. If no citations are issued, a letter is sent to the employer informing them that the file has been closed without citation.

In the event citations are issued, the employer can do one of three things. Employers may (1) request an informal review, and potentially settle any citations through negotiation with the IOSHA division director, (2) contest the penalty/citation or (3) pay the original penalty and correct the violations. Employers have 15 business days from the date of receipt of the citation(s)

to request an informal review or to contest the citations. If the employer does not request an informal review or file for contest, they are required to pay the original penalty and correct the violations.

If an informal review is requested, the review is held with the respective division within 15 days. If a settlement is reached during the informal review, it is processed and the file is closed, if there is no open activity. If a settlement is not reached, the employer must either file for contest or pay the original penalty and correct the violations.

If an employer files for contest, the citations are forwarded to the Indiana Board of Safety Review for administrative review. Once the Board has made its final determination on the matter, the employer must pay the penalties and correct the violations.

If penalties are not paid or a notice of corrections is not received, a letter requesting proof of correction is sent to the employer. Citations with an unpaid monetary penalty may be sent to the county clerk or sheriff in the county where the employer is located. This action will create a lien against the employer's assets. IOSHA will request the sheriff levy against assets if an employer continues to refuse payment.