

Cal/OSHA Inspections

901.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and responsibilities for Fresno County Fire Protection District members to follow in the event that a California Division of Occupational Safety and Health (Cal/OSHA) inspector requests access to District property or work operations (Labor Code § 6314).

This policy does not address those inspections requested by the Fresno County Fire Protection District as part of a consultation service by Cal/OSHA.

901.2 POLICY

It is the policy of the Fresno County Fire Protection District for the Fire Chief or the authorized designee to designate one or more District representatives who will be responsible for facilitating a Cal/OSHA inspection. An adequate number of representatives shall be designated to accommodate the needs of the Cal/OSHA inspector without excessive delays. Designated representatives shall make every reasonable effort to promptly meet with the Cal/OSHA inspector once he/she has arrived (Labor Code § 6314(d)).

District members should work cooperatively with any Cal/OSHA inspector to provide access to all necessary areas, equipment and records to facilitate a cohesive inspection process. Failure on the part of the District to begin the inspection in a timely manner could result in the Cal/OSHA inspector obtaining an inspection warrant to enter District property. This could unnecessarily create an adversarial relationship and should be avoided if at all possible.

901.3 PROCEDURE

Cal/OSHA inspections may be unannounced (Labor Code § 6321). Typically inspections occur when there has been a serious accident, serious injury, occupational fatality, when a member has charged that a serious safety violation exists or at a worksite where an imminent danger has been identified.

Upon entering the District worksite, the inspector will present his/her identification and will ask to meet with the District representative. There will usually be an initial meeting during which the inspector will:

- Explain the nature and scope of the inspection.
- Request that a member/representative accompany the inspector.
- Ask to review appropriate safety records, plans and documentation.

Cal/OSHA inspectors are, by law, permitted to interview members in private, take photographs, conduct tests and collect environmental samples. District representatives should make reasonable accommodations to provide inspectors access to available members and materials required to complete the inspection. Any statements made to inspectors are admissible in judicial hearings.

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Questions of a sensitive nature or to which the member is unsure of how to respond may be referred to the person at the District who is the subject matter expert on the topic (Labor Code § 6314(a)).

At the conclusion of the inspection, the Cal/OSHA inspector will hold a closing meeting with the District representative to discuss any alleged safety standard violations and any requirements for abatement.

Any time there is a Cal/OSHA inspection, violation and/or citation, the Fire Chief shall ensure that notifications are made to the District 's Safety and Health Officer, risk manager and legal counsel, and that the District conducts an appropriate internal investigation and adequately addresses all Cal/OSHA findings.