CLIENT ALERTS & INSIGHTS

OSHA to Increase Inspections in the Warehousing, Transportation and Healthcare Industries

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The Occupational Safety and Health Administration (OSHA) recently updated the industries it will focus on, increasing the likelihood of on-site inspections for employers in the warehousing, transportation, and healthcare industries.

The U.S. Department of Labor then issued a press release updating OSHA's Site-Specific Targeting (SST) inspection program, which OSHA uses to schedule inspections of non-construction workplaces with 20 or more employees.

Employers with 10 or more employees must submit to OSHA the total number of injuries and illnesses that occurred at their workplaces during the previous calendar year. OSHA then selects workplaces for inspection using that injury and illness data. The updated guidance specifies that OSHA may inspect selected employers based on:

- High Days Away, Restricted, or Transferred (DART) rates from the 2023 data;
- Upward trending DART rates based on 2021-2023 data at or above twice the 2022 private sector average;
- DART rates markedly below industry averages, selected randomly; and
- Failure to submit the required data in 2023, selecting randomly to encourage employers to comply with their reporting duties.

OSHA guidance provides that the SST inspections are to be "comprehensive" in scope. The guidance instructs Compliance Safety and Health Officers (CSHOs) to conduct their health or safety inspections based on the "workplace's potential hazards." CSHOs are empowered, however, to expand the scope of the inspection according to OSHA's Field Operations Manual's specifications.

Due to the increased likelihood and breadth of SST inspections, employers in the warehousing, transportation, and healthcare industries should especially assess their health and safety programs and ensure that they are timely reporting their injury and illness data if required.

If you have any questions, we encourage you to reach out to your Benesch contact or one of the attorneys below.

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