



Risk Management

by Mike Cazel

Will you survive an inspection when the OSHA inspector comes knocking?

*Another great article from The Rooms Chronicle, the #1 journal for hotel rooms management! ***Important notice: This article may not be reproduced without permission of the publisher or the author.*** College of Hospitality and Tourism Management, Niagara University, P.O. Box 2036, Niagara University, NY 14109-2036. Phone: 866-Read TRC. E-mail: editor@roomschronicle.com*

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It is a routine day at your hotel...or so it seems. While you are making your rounds, you pass the kitchen and notice the Executive Chef and several members of his culinary team visiting with an individual who you do not recognize.

You call the Chef to the side and he explains that the individual said he was a Safety & Health Compliance Officer with OSHA – the Occupational Safety and Health Administration. The Chef also explains that he and his culinary team have given the Compliance Officer a complete tour of all of the kitchens. Additionally, the Chef explains that this meeting has been going on for over two hours.

You ask yourself a perplexing question. How could I as the General Manager not know about something like this occurring in my hotel and why wasn't I notified immediately?

Obviously the story I just related sometimes occurs, but there are ways to prevent this. Additionally, there are several tips on how you can survive the OSHA inspection if your property is faced with a similar situation.

Basic survival guidelines

To assist you with this inspection process, which could indeed traumatize many general managers and their staff members, some basic guidelines that you should adopt are as follows:

1. **Establish protocols** – The Compliance Officer in the scenario above stopped the bellman and asked for directions to the kitchen as he needed to speak with the Executive Chef. The bellman, in an attempt to provide excellent service, sent the Compliance Officer to the location without asking who he was and why he needed to speak with the Chef. This scene can be prevented if you train your front of the house staff to ask for identification before they send an individual on an unescorted tour of the hotel. If the Guest Services, Front Office, Valet or Concierge staff members are told by the person in question that they are with OSHA, then the General Manager, Director of Human Resources and Director of Engineering should be contacted immediately. The Compliance Officer should be asked to have a seat in the lobby until one of the aforementioned individuals arrives to meet and greet the OSHA representative.
2. **Verify credentials** – When you make contact with the Compliance Officer, ask for their credentials. If there is some doubt about the validity of their identification, contact the area OSHA office.
3. **Determine the reason for the visit** – Ask the Compliance Officer the purpose of the visit and be sure to contact your corporate offices to inform them an OSHA inspection is underway. Your corporate offices may also provide you with some additional direction on how to handle this inspection.
4. **An opening conference must occur** – One of the requirements from OSHA is that the Compliance Officer conduct an opening conference to inform you as to what has prompted their visit. Also, the Compliance Officer should provide you with an overview of what they would like to accomplish. This is an excellent opportunity for you to ask pertinent questions about the process and clarify any matter you don't understand.
5. **The records review** – Typically, the Compliance Officer will begin the inspection by reviewing the following records. Previous articles in TRC should have helped you prepare the documentation necessary to handle this review.

- *OSHA LOG*
 - *ACCIDENT INVESTIGATION REPORTS*
 - *PROGRESSIVE DISCIPLINE FOR UNSAFE ACTS*
 - *SAFETY COMMITTEE ACTIVITIES*
 - *HAZARD COMMUNICATION PROGRAM*
 - *BLOODBORNE PATHOGENS DIRECTIVE*
 - *PERSONAL PROTECTIVE EQUIPMENT PROGRAM*
 - *LOCK OUT/TAG OUT PROGRAM*
 - *RESPIRATOR PROGRAM*
 - *CONFINED SPACE DIRECTIVE*
 - *ORIENTATION PROGRAM*
 - *GENERAL & SPECIFIC TRAINING*
6. **The inspection** – Once the records review is complete, the Compliance Officer will want to conduct an inspection of the facility. You should try to limit this inspection to the area in question. Additionally, the route of inspection should be the most direct path to the area that is to be reviewed.
7. **Employee interviews** – The Compliance Officer may interview staff members in private about safety and health related matters. Would your employees be able to answer the following questions?
- *Describe your safety orientation.*
 - *What specific job training have you had?*
 - *How often do you have safety meetings?*
 - *What safety rules apply to your job?*
 - *What do you do if there is an accident or an emergency?*
 - *Do you feel your job and the hotel is safe?*

Since these are the typical questions a Compliance Officer would ask, you must ask yourself if your staff has been fully trained on these issues.

8. **The closing conference** – After completing the inspection, the review of records and any employee interviews, OSHA is again obligated to conduct a closing conference with you. At this time the Compliance Officer will review the conditions and practices that he/she believes may constitute a safety and health violation. The General Manager, Director of Engineering, Director of Human Resources and any other key members of management should be present at this meeting. If the Compliance Officer refers to certain safety orders or regulations that allegedly were violated, you should request a copy of such regulations. Further, you should request a detailed explanation of the basis for the citation and an explanation of the proposed method and time required for abatement. If citations result, they must be posted as required and a copy should be sent to your corporate offices. Based on the citations and penalties that may be assessed, you may wish to ask for an informal conference with the OSHA area director or file a formal appeal. These options will be explained in the OSHA letter that you receive after the inspection.
9. **Final thoughts** – During the entire inspection process, it is critical for you to be honest and straightforward with your responses. Your ability to influence the decision making process of the Compliance Officer will depend a great deal on your candor about the matters in question. More importantly, during the inspection, your ability to immediately correct any deficiencies shows a good faith effort towards compliance, which is essential. Additionally, the development of an action plan to address any other issues identified will clearly show the Compliance Officer your sincere commitment to safety.

Most frequently cited standards

Although I mentioned some of the records that the Compliance Officer would want to review, the following list obtained from the OSHA website (www.osha.gov) will show you the most frequently cited standards in the hotel industry during the past year:

Finally, some additional tools from the OSHA website that you may find useful are found under OSHA Fact Sheets & OSHA Publications. The topics are as follows:

Standards Cited for SIC 7011; All sizes; Federal

7011 Hotels and Motels

Listed below are the standards which were cited by **Federal OSHA** for the specified SIC during the period October 2005 through September 2006. Penalties shown reflect current rather than initial amounts.

Standard	#Cited	#Insp	\$Penalty	Description
Total	330	77	165799	
19101200	53	20	8295	Hazard Communication.
19100303	24	11	5990	General requirements.
19100305	21	12	6475	Wiring methods, components, and equipment for general use.
19101030	21	5	5025	Bloodborne pathogens.
19100134	19	8	4163	Respiratory Protection.
19100215	18	8	7550	Abrasive wheel machinery.
19260062	13	1	8400	Lead
19100132	12	7	8438	General requirements.
19100151	12	11	5522	Medical services and first aid.
19100157	11	7	2565	Portable fire extinguishers.
19261101	11	3	17250	Asbestos
19100023	8	6	3995	Guarding floor and wall openings and holes.
19100037	8	6	6981	Maintenance, safeguards, and operational features for exit routes.
19100213	8	4	4556	Woodworking machinery requirements.
19100178	6	5	0	Powered industrial trucks.
19100253	6	3	2350	Oxygen-fuel gas welding and cutting.
19101001	6	4	6875	Asbestos.
19260451	6	3	4288	General requirements.
19100036	5	4	3900	Design and construction requirements for exit routes.
19100304	5	5	3200	Wiring design and protection.
5A0001	5	5	10025	
19040029	4	4	1700	Forms.
19100067	4	3	2398	Vehicle-mounted elevating and rotating work platforms.
19100212	3	3	2113	General requirements for all machines.
19040030	2	2	0	Multiple business establishments.
19040039	2	2	5000	
19040041	2	2	1060	
19100022	2	1	350	General requirements.
19100026	2	1	375	Portable metal ladders.
19100110	2	1	0	Storage and handling of liquefied petroleum gases.
19100133	2	2	0	Eye and face protection.
19100147	2	2	375	The control of hazardous energy (lockout/tagout).
19101000	2	1	2100	Air contaminants.
19101025	2	1	0	Lead.
19260020	2	2	1400	General safety and health provisions.
19260404	2	1	0	Wiring design and protection.
19260454	2	2	1962	Training requirements.
19260501	2	2	4550	Duty to have fall protection.
19040032	1	1	0	Annual summary.
19100024	1	1	750	Fixed industrial stairs.

19100038	1	1	0	Emergency action plans.
19100101	1	1	0	Compressed gases (general requirements).
19100141	1	1	0	Sanitation.
19100160	1	1	0	Fixed extinguishing systems, general.
19100176	1	1	6300	Handling materials - general.
19100334	1	1	525	Use of equipment.
19260100	1	1	2000	Head protection.
19260403	1	1	600	General requirements.
19260452	1	1	1400	Additional requirements applicable to specific types of scaffolds.
19260453	1	1	1500	Aerial lifts.
19260503	1	1	3500	Training requirements.

1. *OSHA Inspections*
2. *OSHA Requirements When a Worker Experiences a Job-Related Injury or Illness*
3. *OSHA's Role When a Worker Dies on the Job*
4. *OSHA Inspections*
5. *Employer Rights and Responsibilities – Following an OSHA Inspection*

Remember the OSHA inspection is not something to be feared if you are prepared. ✧

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