

Top 10 Safety Violations

OSHA Citations Bring a 41% Increase in Fine Revenues

I'll cut right to the chase: the Occupational Safety & Health Administration (OSHA) is on the warpath. They're out to cite every possible violation they can find and when they find one (or two, or three), you'll pay big bucks. You might as well put OSHA fines in your budget for next year, because every time your crew goes out on a job, you're spinning that roulette wheel, and eventually, your number will come up.

Just how active is OSHA? Well, construction is still down nationwide, so it would stand to reason that with fewer construction projects there would naturally be fewer OSHA fines and citations, right? Well, yes and no. While the actual number of visits and citations are down, fines are up... way up! Since there are fewer construction jobs going on, there are fewer OSHA inspections taking place, but these inspectors are handing out huge fines.

From October 2010 through September 2011, OSHA made 10,612 inspections on construction sites, down substantially from 13,796 inspections for the same period last year. These visits resulted in 29,567 violation citations, also down from 40,904 the previous year. However, these fewer citations resulted in \$63,045,522 in fines, up from \$44,759,571, a whopping 41% increase in fine revenues. It looks like OSHA has borrowed a move from the basic business playbook: when business is down, find a way to increase revenue with fewer resources. Let's recap: fewer inspections; fewer citations; yet a 41% increase in revenue. Less work, more money... don't you wish you could do that?

A visit to the OSHA website shows you how many violations they've issued in the past year, for which infraction, and how much they've collected in fines. OSHA spends quite a bit of time visiting jobsites and writing citations, and for the purposes of this article, we'll look at only the top ten,

since that's where they place the majority of their emphasis. If you want to check my figures, you'll find the exact website link at the bottom of the violations list.

Averaging this out statistically, when OSHA comes knocking you'll probably get cited for at about three violations, and each one will cost you \$2,132.29, which is up from \$1,094.26 last year. The average fine has doubled. The total cost of an average OSHA visit: \$5,040.97, again, up substantially from \$3,282.78 last year. Of course, if this is OSHA's second or third visit for the same offense, those fines can increase dramatically, depending on the violation.

The OSHA inspectors are concentrating their efforts on what they consider the most dangerous violations, and letting the minor violations slide. They're not being as nit-picky about minor violations, but when they cite you, you'll get hit hard. Is OSHA trying to make up for lost tax revenues? That can be debated, but it really doesn't matter. Your best protection is to take a look at your operation and make sure you're squeaky clean before the inevitable visitor arrives.

The number one violation cited by far is "Fall Protection Scope/Applications/Definitions." This item was ranked number two in actual number of violations last year. OSHA is spending more time inspecting this one standard than any other for possible violations on the construction site, more than double the number two item, "Scaffolding" which also involves fall protection.

For every item in the Top 10 list, the number inspected went down, the number of citations issued went down, but the fines went way up. The only exception was number eight. The fines actually went down for Hazard Communication. It seems even OSHA has a hard time finding fault with the way contractors now keep records and hold their crew safety meetings.

Be forewarned... like it or not, the roofing industry is an easy target. One of OSHA's main concerns is fall protection. That means workers on, getting on, or leaving roof decks. Be prepared and protect your workers, and yourself, at all times.

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