

## October 2019 Safety Topic

The GAWDA Safety Committee has put together sample safety policies. Here is a recent one that has been completed. This is an example of one of the many available stored on the member resources portion of the GAWDA.org.



### Regulatory Agency Visit Guidelines

(Insert Company Name Here)

<b>PURPOSE</b>	<b>To provide a set of proposed guidelines for an on-site visit by regulatory agencies</b>
<b>RESPONSIBILITY</b>	<b>All pertinent personnel</b>
<b>AUTHORITY</b>	<b>General manager</b>

Site visits by regulatory agencies such as, but not limited to, Occupational Safety and Health Administration (OSHA), Federal Drug & Administration (FDA), Environmental Protection Agency (EPA), and Fire Marshal, are common. Site visits typically are a result of a report of routine inspection program or a complaint. It is of great importance to ensure locations are prepared for expected and unexpected site inspections by regulatory agencies. Listed below are some, but not all, guidelines to assist in an on-site visit.

#### General Information:

1. Designate and train applicable personnel to accompany an inspector
2. Ensure proper housekeeping
3. Ensure pedestrian pathways are identified and clearly marked
4. Ensure compliance records are current and maintained per required retention timeframes.
5. Ensure employee training records are current

#### Before the Inspection – Pre-Planning:

The least painful and most effective measures you can take are to assure that you are in compliance **before** the inspection. Similar to all other critical parts of your business, you need a plan for compliance and then you execute the plan. Your compliance plan should include the following elements:

6. **Consider Prior Inspections** – The agencies have a record of your prior inspections. They expect that prior inspectional observations are permanently corrected. Agencies have taken severe compliance action when violations have recurred.
7. **Well-Written Procedures** – Assure that you have clear, well-written procedures. Consider GAWDA sample procedures.
8. **Training** – Assure that your personnel are qualified before working. Be sure the qualification is documented.

9. **Calibrations** – Assure your gauges, thermometers, scales, etc. are within calibration date and that you have a record of the calibration.
10. **Records** – Incomplete records are a source of violations. Be sure each required record has been properly completed and approved.

#### **Greeting Inspector:**

11. Be honest, courteous and cordial.
12. **Verify inspector credentials.** Ask for a business card and/or governmental identification. It is advisable to contact inspector's office to confirm site inspection.
13. **Workspace** – Take the investigator to a convenient work area (e.g. conference room, office, etc.). Be sure the compliance records are not in the room. When the investigator asks for records, bring in the specific records he/she requests.
14. **Determine the reason for inspection.** If the inspection is due to a complaint, request a copy of the complaint.
15. If assigned and trained personnel for regulatory inspections are not on-site or otherwise unavailable, ask the inspector if there is a possibility of delaying inspection until appropriate company representation arrives.
16. Never leave the inspector unattended.
17. **Review site visitor rules**, such as, required PPE, emergency response procedures, smoking policy, photograph policy, etc.
18. Request inspector to conduct an opening conference to explain purpose and expectations.
19. Request inspector to conduct a closing conference to review findings and next steps.

#### **During the Inspection and Walk-Around**

20. Do not volunteer unsolicited information.
21. Have relevant records available, surrendering only those requested.
22. Agree to the scope of an inspection before the walkthrough.
23. Escort the regulatory representative to areas of location that are of importance to the investigation. Determine most direct route to these areas. Try to avoid deviating from direct path. This could change the scope of initial inspection.
24. Take notes and photographs on all observations an inspector makes and pictures that inspector takes.
25. Duplicate all pictures inspector takes during inspection.
26. List any violations that the inspector noted during the inspection.
27. Keep records of documents provided inspector during visit.
28. Correct small items identified, immediately demonstrating good faith.
29. **Clarify** – There are times when the inspector simply misunderstands our vocabulary or even misinterprets the agency's own enforcement interpretations. Seek to have any misunderstandings corrected before the final report is delivered.

#### **Closing Conference**

30. Reinforce the company's commitment to safety and compliance.
31. Confirm with inspector that the scope of inspection was met.
32. Have inspector review findings and next steps.
33. Take all potential violations under advisement. Do not agree to any violations or corrective actions. In addition, do not become confrontational about any potential violations listed.

34. Advise the inspector of any items that may have been addressed during the inspection along with any proof/evidence.
35. Request copy of any notes/draft report prior to inspector leaving site.
36. If the inspector asks you to sign an affidavit, politely explain that it is company policy that you are not authorized to sign affidavits without permission from the company counsel. Ask to have a copy of the affidavit to forward to top management and company counsel.
37. The inspection may require a written response. Be certain to understand the time limits for responding to the inspection.

Again, the purpose of this sample policy is to give suggested guidance on how to handle regulatory agency visits.

Feel free to contact me if you have any questions.

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