

# Successful Dealer Operations

## When OSHA Comes Knocking



Being prepared can help you survive an inspection.

By Denise L. Rondini, Executive Editor

**R**egulatory interference is a fact of life in most businesses. Truck dealerships are no exception. Perhaps no agency makes dealers more nervous than the Occupational Health & Safety Administration. OSHA inspectors can show up at your door without warning and can leave you with a list of things that need to be fixed, as well as some hefty fines.

According to Janet Wimmer, EHS engineer for KPA, speaking at a recent Webinar, handling an OSHA inspection properly can save your dealership money. The best thing you can do is have an OSHA inspection response plan in place, Wimmer says. Having a plan in place makes it easy for you and your team to know what to do and how to react when an OSHA inspector knocks on your door.

When an inspector arrives, greet him, invite him into your office, ask to see his credentials and ask him the purpose of his visit.

Wimmer explains that inspectors show up for three reasons: following up on an employee complaint, for a targeted inspection or for a complete inspection. A targeted inspection is one that centers around a specific area, for example respiratory protection. Inspectors will focus only on that area during their visit.

If the inspector is there following up on an employee complaint, take him to the complaint

Week of July 28, 2011

### Economic Update

- Net orders for U.S. and Canadian Class 8 trucks fell for the second consecutive month in June to 17,038 units, according to FTR Associates. Although the numbers are weaker than in recent months, orders are still up 28 percent from June 2010.

- The pace of sales of new single-family houses in June was one percent below the revised May rate but 1.6 percent above the June 2010 estimate.

- Diesel prices rose 2.6 cents to \$3.949 during the week ended July 25. Prices are \$1.03 higher than the same week a year ago.

- U.S. freight railroads' carloads were up 1.4 percent for the week ended July 23 compared to the same week last year. Intermodal traffic was up 0.8 percent.

- First-time claims for unemployment insurance decreased by 24,000 on a seasonally adjusted basis to 398,000 for the week ended July 23 from the previous week's revised figure. The four-week moving average was 413,750, a decrease of 8,500 from the previous week's revised average.

For more on these and other economic indicators, go to [www.successfuldealer.com](http://www.successfuldealer.com)

A large advertisement for Karmak. On the left is the 30-year anniversary logo, identical to the one in the top left. On the right, a white heavy-duty truck is shown driving on a highway at night. The text 'HEAVY DUTY TECHNOLOGY SOLUTIONS' is written in large, bold, orange letters above the truck. At the bottom right, the website 'www.karmak.com' is displayed in white.

area. If he is there for a targeting inspection, provide him with the information he needs about that area only.

While the inspector is in your office, your managers should get your inspection response plan in motion. This is especially critical for a complete inspection. “Have the designated employee go through your facility and inspect for obvious things that go wrong in your shop,” Wimmer says. This includes slip hazards, trip hazards, personal protection, housekeeping, fire safety, evacuation, etc.

Basically, your employees should make sure there is no water on the floor that could cause someone to slip, hoses are in their proper place and not stretched across a walkway, shop employees are wearing safety goggles, trash and debris are in their proper place, fire extinguishers are accessible and exit doors are not blocked.

If an inspector sees any violations in any of these areas, you can be fined for them.

Do not leave the inspector free to wander through your dealership alone. “Follow him. You want to see what the inspector sees,” Wimmer says. Take notes about what he does and says and ask questions.

Once the inspector has completed his inspection, ask for an exit meeting. See if he found any items that will result in fines and ask him about the small business reduction.

After the inspector leaves, review your notes and add any comments. If you have an environmental health and safety consultant, call him to let him know what has occurred and develop a plan for following up.

If you receive a citation, review it paying close attention to time deadlines. If fines have been assessed, request an informal meeting, again being mindful of the time



constraints. According to Wimmer, “You often can get fines reduced by as much as 25 percent because of actions you have taken to correct problems.”

Make sure you document and if possible photograph the actions you have taken as proof of what you are doing to make your workplace compliant.

“Don’t assume that if there is not a fine that you are home free,” Wimmer says. “The citation still needs to be addressed as soon as possible.” Again, have documentation of every action you take concerning the citation.

“A good attitude and good faith efforts on your part are helpful in getting fines reduced,” she says. It is important to be polite and courteous throughout the inspection process, pay close attention to what the inspector says and does and take action quickly to fix any areas where there have been violations.

Assume the inspector has the best intentions when he comes knocking on your door and that what he wants is for your business to be safe. However, being prepared and having an inspection response plan in place can help you get through the inspection more smoothly regardless of the inspector’s motivation. ■

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