

HR101: OSHA

LANCASTER SHRM | HR HUBRIC RESOURCES

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Vision, Core Values, & Mission

VISION
Advancing human resources in our community

VALUES
Passion
Integrity
Collaboration
Growth
Respect

MISSION
Lancaster SHRM serves and elevates Human Resources by developing our members, connecting people, and strengthening our community.

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Upcoming Events

2025 Programs & Events hosted by Lancaster SHRM:

- April 25th: [Spring Professional Development Conference*](#)
Registration closes April 21st!
- April 30th: [Inclusive Leadership Workshop*](#)
- May 13th: [LSHRM Breakfast Program*](#)
Emotional Trauma 101 for HR, speaker Ruby Nolt
- May 14th: [New Member Orientation](#)
- May 28th: [Virtual Lunch and Learn](#)
Immigration Investigations Under the New Federal Administration
- June 10th: [LSHRM Breakfast Program*](#)
Workforce Advocacy, speaker Mike Lewis

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Upcoming Events

2025 Programs & Events hosted by our partners:

- **May 8th:** PA SHRM [Legal and Legislative Conference*](#)
- **May 9th:** [Lancaster Chamber HR Roundtable*](#)
- **May 9th:** [Pathways Training*](#) by Career Ready Lancaster at Workforce Development Board
- **June 13th:** [Pathways Training*](#) by Career Ready Lancaster at Workforce Development Board
- **June 29-July 2:** [SHRM 2025*](#)

* Provides SHRM and HRCI credits
+ Hosted by the Government Affairs Committee



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Early Bird Registration through March 14 ONLY \$225

Join us for our **2025 LEGAL & LEGISLATIVE CONFERENCE**

SHRM Pennsylvania
REGISTRATION OPEN

Register Now



PA SHRM's Legal & Legislative Conference is a first-in-class event for Pennsylvania's Human Resources Professionals and anyone seeking to stay on top of labor and employment law updates.

THURSDAY
May 8, 2025
7 AM-4 PM
Penn Harris Hotel
Camp Hill, PA
(Evening Welcome Reception May 7)

www.pashrm.org/legislative-legal-conference.php

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SAN DIEGO SUNSHINE MEETS SHRM25

JOIN US AT THE WORLD'S LARGEST HR CONFERENCE!

SAVE YOUR SEAT

SHRM25
SAN DIEGO
JUNE 29 - JULY 2, 2025

SAN DIEGO
SAN DIEGO



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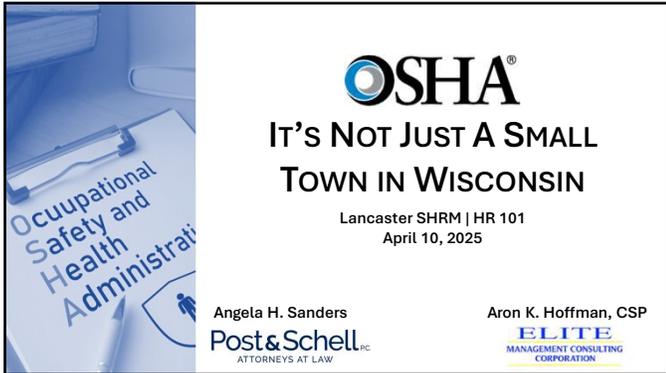
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OCCUPATIONAL SAFETY AND HEALTH ACT

DUTIES OF ALL EMPLOYERS

- Provide workplace free from serious hazards
- Comply with standards issued under OSH Act
- Post OSHA poster
- Examine workplace conditions
- Communicate potential hazards to employees
- Establish safety policies/procedures
- Provide safety training

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Job Safety and Health IT'S THE LAW!

All workers have the right to:

- Receive a safety or health consultation with your employer or OSHA, or report a workplace hazard or illness, without being considered retaliated against.
- Receive information and training on job hazards, including hazardous substances in your workplace.
- Receive an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. You have the right to have a representative represent OSHA on your behalf.
- Participate in how your representative participates in an OSHA inspection and report in private to the inspector.
- File a complaint with OSHA within 30 days by phone, online or by mail if you have been retaliated against for using your rights.
- See any OSHA citations issued for your employer.
- Receive copies of your medical records, tests that measure hazards in the workplace, and the workplace report and OSHA log.

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including reporting a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Report to OSHA all work-related fatalities within 30 days, and all serious injuries, illnesses and losses of an employee's body part.
- Provide required training to all workers in a language and vocabulary they can understand.
- Post warning signs in the workplace.
- Post OSHA citations or near the post or at the alleged violation.

OSHA's assistance to health and safety professionals is available to small and medium-sized employers, without restriction or penalty, through OSHA-supported consultation programs in every state.

Contact OSHA. We can help.

1-800-325-OSHA (4162) • TTY: 1-877-889-6827 • www.osha.gov

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OCCUPATIONAL SAFETY AND HEALTH ACT

RIGHTS OF ALL EMPLOYEES

- Workplace that does not pose risk of serious harm
- File a complaint with OSHA to have workplace inspected
- Receive information and training about workplace hazards, methods to prevent harm and OSHA standards applicable to workplace
- Receive copies of injury and illness records, workplace testing results, and their own workplace medical records
- Participate in OSHA inspection
- File a complaint with OSHA if they have been retaliated against or punished for making a complaint

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INJURY REPORTING

EMPLOYEE INVOLVEMENT

- Employees have the right to report work-related injuries and illnesses
- Employers **must** inform employees how they are to report work-related injuries and illnesses
 - Post OSHA poster
 - Accident/Injury Reporting Policy and Procedure in Handbook
 - Accident/Injury Reporting Policy and Procedure in Safety Manual
 - Training on Injury Reporting

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SEVERE INJURY REPORTING

REQUIRED BY ALL EMPLOYERS

- What to Report
 - Work-related incidents that result in fatality, inpatient hospitalization, amputation, or loss of an eye
 - Work-related: An event or exposure in the work environment caused/contributed to the resulting condition or significantly aggravated a pre-existing injury/illness
- When to Report
 - Death – Within 8 hours
 - Inpatient hospitalization, amputation, loss of eye – Within 24 hours
- How to Report
 - Telephone to nearest area office – Harrisburg: 717-782-3902
 - Telephone to 1-800-321-OSHA (6742)
 - Electronic submission via OSHA website (www.osha.gov)

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ANTI-RETALIATION OBLIGATIONS

DISCRIMINATION AND WHISTLEBLOWER PROTECTIONS

- OSH Act Section 11(c) (29 U.S.C. § 660)
 - Prohibits discrimination/retaliation against employee that files a complaint, institutes a proceeding under OSH Act, testifies or is about to testify in proceeding, or exercises rights under OSH Act
- 2016 Amended Injury & Illness Reporting Regulations (29 C.F.R. § 1904)
 - Section 1904.35: Employers are prohibited from discharging or in any manner discriminating against employees for reporting work-related injuries and illnesses
 - Section 1904.36: Employers are prohibited from discriminating against employees for reporting work-related fatalities, injuries or illnesses
- Whistleblower Protections
 - OSHA has authority to enforce whistleblower protections arising under 21 additional federal safety laws

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ANTI-RETALIATION OBLIGATIONS

DRUG AND ALCOHOL POLICIES

- Preamble to 2016 Amended Injury and Illness Reporting Regs
 - Drug testing policies should limit post-incident testing to situations in which employee drug use is likely to have contributed to the incident, and for which the drug test can accurately identify impairment caused by drug use
 - Employers need not specifically suspect drug use before testing, but there should be a reasonable probability that drug use was a contributing fact

PROBABLE CAUSE

- Employer Action
 - Review and update drug testing policies – post-accident testing should not be mandatory/blanket*
 - Review and update arrangement with occupational health providers – employees should not be automatically tested

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OSHA

REQUIREMENTS FOR SOME EMPLOYERS

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RECORDING WORK-RELATED INCIDENTS

EMPLOYERS WITH MORE THAN 10 EMPLOYEES

- Who must record
 - Employers with 10 or fewer employees during prior calendar year do not need to keep OSHA injury and illness records unless required by OSHA or BLS
 - Employers in certain industries do not need to keep injury and illness records unless required by OSHA or BLS
- Must record work-related incidents that result in:

Death	Days Away from Work	Restricted Work or Transfer	Medical Treatment Beyond 1 st Aid	Loss of Consciousness	Significant Injury/Illness Diagnosed
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ELECTRONIC INJURY SUBMISSION
INJURY TRACKING APPLICATION – MARCH 2ND

EMPLOYEES	COVERED INDUSTRIES	ITA
250 or more	<ul style="list-style-type: none"> All Industries unless listed as exempt in 1904, Subpart B, Appendix A Exempt Industries: https://www.osha.gov/recordkeeping/presentations/exempttable 	300A data
20-249	<ul style="list-style-type: none"> Industries listed in 1904, Subpart E, Appendix A Includes agriculture, construction, manufacturing, utilities, wholesale, retail, trucking, healthcare facilities Covered Industries: https://www.osha.gov/recordkeeping/naics-codes-electronic-submission 	300A data
100 or more	<ul style="list-style-type: none"> Industries listed in 1904, Subpart E, Appendix B Includes agriculture, construction, manufacturing, utilities, wholesale, retail, trucking, healthcare facilities Covered Industries: https://www.osha.gov/sites/default/files/appendix_b_to_subpart_e_of_part_1904.pdf 	300/301 data

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OSHA COMPLIANCE

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COMPLIANCE TIPS
ALL EMPLOYERS

- Conduct job hazard analysis
 - Identify hazards in the workplace based on job tasks
 - Identify and implement hazard controls to reduce/eliminate risk of injury/illness
 - Hazard controls: personal protective equipment (PPE), safety devices, engineering controls, practical approaches to job tasks, training
 - Job Hazard Analysis – OSHA 3071 (<https://www.osha.gov/sites/default/files/publications/osha3071.pdf>)
- Update handbook to include safety reporting policy
- Provide and document regular safety training, maintenance
- Form a safety committee
- Consider OSHA Consultation Program or safety consultant

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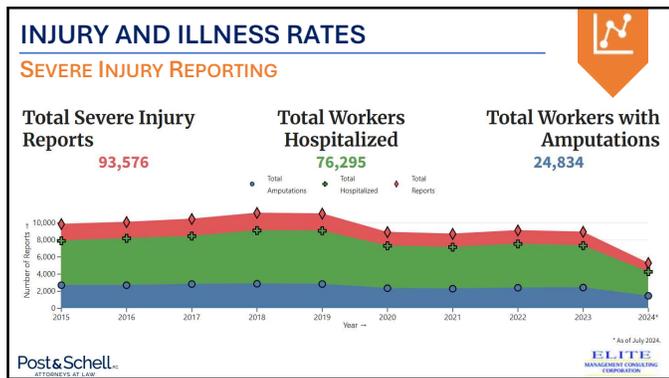
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INJURY AND ILLNESS RATES

FY 2023 DATA (PAGE 1 OF 37)



TABLE 1. Incidence rates⁽¹⁾ of nonfatal occupational injuries and illnesses by industry and case types, 2023

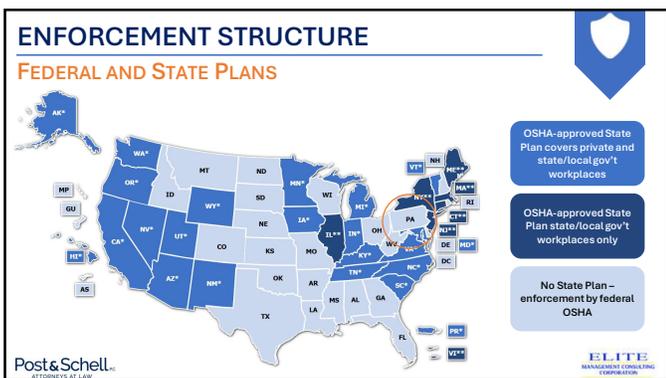
Industry ⁽²⁾	NAICS code ⁽³⁾	TRK ⁽⁴⁾		LWCR ⁽⁵⁾		
		Total recordable cases	Total	Cases with days away from work, job restriction, or Cases with days away from work ⁽⁶⁾	Cases with days of job transfer or restriction	Other recordable cases
All industries including private, state and local government ⁽⁷⁾		2.7	1.5	1.0	0.6	1.1
Private industry ⁽⁸⁾		2.4	1.5	0.9	0.6	1.0
Goods-producing ⁽⁹⁾		2.7	1.7	1.0	0.7	1.0
Natural resources and mining ⁽¹⁰⁾		3.0	1.9	1.2	0.7	1.1
Agriculture, forestry, fishing and hunting ⁽¹¹⁾	11	4.2	2.7	1.6	1.1	1.5
Crop production ⁽¹²⁾	111	4.6	2.6	1.4	1.2	1.9
Oilseed and grain farming ⁽¹³⁾	1111	2.8	1.8	1.1	0.6	1.0
Vegetable and melon farming ⁽¹⁴⁾	1112	4.4	2.6	1.5	1.1	1.8
Fruit and tree nut farming ⁽¹⁵⁾	1113	8.2	3.3	1.6	1.7	1.9
Greenhouse, nursery, and floriculture production ⁽¹⁶⁾	1114	4.1	2.2	1.4	0.9	1.9
Animal production and aquaculture ⁽¹⁷⁾	112	4.1	2.7	1.9	0.8	1.4
Cattle ranching and farming ⁽¹⁸⁾	1121	3.5	2.4	1.9	0.5	1.0
Beef cattle ranching and farming, including feedlots ⁽¹⁹⁾	11211	4.7	3.3	2.4	0.9	1.5
Dairy cattle and milk production ⁽²⁰⁾	11212	3.1	2.2	1.8	0.4	0.9
Hog and pig farming ⁽²¹⁾	1122	8.7	5.3	3.2	2.0	3.5
Poultry and egg production ⁽²²⁾	1123	3.6	2.2	1.3	0.8	1.8
Other animal production ⁽²³⁾	1129	5.0	3.5	2.4	1.1	1.5
Forestry and logging ⁽²⁴⁾	113	3.1	2.2	2.1	—	0.8
Logging ⁽²⁵⁾	1133	3.6	2.1	2.1	—	0.8

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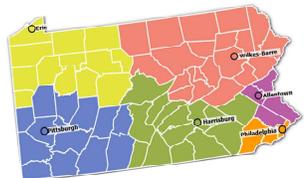
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ENFORCEMENT STRUCTURE

PENNSYLVANIA (REGION 3)



Harrisburg Area Office
4050 Crums Mill Road, Suite 102
Harrisburg, PA 17112-2827
☎ (717) 782-3902
📠 (717) 782-3746



Kevin T. Chambers
Area Director

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OSHA INSPECTIONS

INSPECTION PRIORITIES

- Unprogrammed Inspections
 - Imminent Danger:** OSHA responds *immediately* to reports of conditions or practices that pose an imminent danger to workers
 - Fatalities and Catastrophes:** Incidents resulting in fatality or the hospitalization of an employee due to a work-related event
 - Complaints:** Inspections in response to complaints filed by workers or their representatives regarding unsafe or unhealthy working conditions
 - Referrals:** Inspections may be initiated based on referrals from other agencies, individuals, or organizations
- Programmed Inspections
 - Special Emphasis Programs:** National, regional, and local
 - Site Specific Targeting:** Random inspection of high-hazard workplaces
- Follow-up Inspections

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OSHA INSPECTIONS

INSPECTION STATISTICS

OSHA Inspection Statistics	FY 2018	FY 2019	FY 2020*	FY 2021*	FY 2022	FY 2023
Total Inspections	32,023	33,393	21,710	24,333	31,820	34,221
Total Programmed Inspections	13,956	14,900	8,729	10,584	14,081	15,844
Total Unprogrammed Inspections	18,067	18,493	12,981	13,749	17,739	18,377
- Fatality/Catastrophe Inspections	941	919	1,498	1,386	1,119	952
- Complaints Inspection	7,489	7,391	4,592	4,955	6,789	8,221
- Referrals	6,463	6,718	4,810	5,310	6,091	6,419
- Other Unprogrammed Inspections	3,174	3,465	2,081	2,098	3,740	2,785

*This period represents the height of the COVID-19 pandemic.

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OSHA INSPECTIONS

INSPECTION PROCEDURES

- **NO** advance notice
- Presentation of Credentials
- Opening Conference
- Walk Around
 - Employee interviews
 - May come more than once
- Closing Conference

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CITATIONS AND PENALTIES

2025 PENALTIES

TYPE	EXPLANATION	PENALTY
Posting	Failure to post required OSHA poster	Not to exceed \$16,550
Other-Than-Serious (OTS)	A violation that has a direct relationship to job safety and health, but probably would not cause death or serious physical harm	Not to exceed \$16,550
Serious	The workplace hazard could cause an accident or illness that would most likely result in death or serious physical harm, unless the employer did not know or could not have known of the violation	Not to exceed \$16,550
Willful	A violation in which the employer either knowingly failed to comply with a legal requirement (purposeful disregard) or acted with plain indifference to employee safety	Not to exceed \$165,514
Repeated	The employer has previously been cited for the same or substantially similar condition	Not to exceed \$165,514
Failure to Abate	Failure take corrective action to resolve unsafe condition resulting in issuance of citation	Not to exceed \$16,550 per day

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CITATIONS AND PENALTIES

NAICS CODE SPECIFIC PENALTIES

Frequently Cited OSHA Standards Results

NAICS Code: 2371 Utility System Construction
Establishment Size: ALL sizes

Listed below are the standards which were cited by Federal OSHA for the 2021 NAICS Code for establishments with ALL size employees, that were issued during the period October 2023 through September 2024. Penalties shown reflect current rather than final amounts. For more information, see website.

Standard	Citations	Inspections	Penalty	Description
Total	863	338	\$7,827,686	All Standards cited for Utility System Construction
1800001	244	181	\$2,100,117	Specific Excavation Requirements
1900012	227	187	\$1,863,682	Requirements for protective systems
1900113	48	17	\$136,854	--- No Description Found ---
1900021	34	27	\$191,332	Safety training and education
19081101	30	3	\$291,877	Asbestos
1900103	28	27	\$80,791	Ladders
19100134	27	11	\$73,369	Respiratory Protection
1900021	19	10	\$44,738	Rigging equipment for material handling
1900100	18	16	\$136,828	Head protection
190001	15	15	\$130,618	OSHA Act General Duty Paragraph
19100101	13	8	\$51,289	Heat Communication
1910039	10	10	\$36,011	--- No Description Found ---
1900001	9	7	\$86,699	Duty to have fall protection

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PENALTY ADJUSTMENTS

INFORMAL CONFERENCE

REASON FOR ADJUSTMENT	ADJUSTMENT
Clean History Must have been inspected in past 5 years and not issued serious citation	10%
Good Faith Employer has safety and health plan, training, worksite analysis, employee involvement, records, enforcement of safety requirements	25%
Size	
1-10 Employees	70%
11-25 Employees	60%
26-100 Employees	30%
101-250 Employees	10%
251 or more	0%
Quick Fix Employer abates violation within 24 hours	15%
Enhanced Abatement	Discretionary

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INFORMAL SETTLEMENT AGREEMENT

- Employer's agreement to correct violations
- Amendment of penalties
- Amendment of abatement deadlines
- Enhanced abatement requirements
- Payment plan terms
- Waiver of right to contest Citation
- Anti-discrimination provision
- Consequences of employer's breach/default

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ABATEMENT

- Action by the employer to comply with a cited standard/regulation or eliminate a hazard identified by OSHA
- Common Examples
 - Implementing (or updating) safety programs (lockout/tagout, hazard communication, respiratory protection, bloodborne pathogens)
 - Installing machine guarding
 - Employee medical evaluation/fit testing
 - Conducting employee training (including updates on safety programs)
 - Developing orientation and annual training
 - Implementing new engineering controls

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