



OSHA INSPECTION GUIDELINES

Professional Cooperation, Accurate Documentation and Prompt Correction

COMPANY STANDARD

Treat every OSHA representative professionally. Verify credentials, promptly notify authorized management, cooperate with a lawful inspection, preserve employee rights, provide accurate information and correct hazards immediately without concealing, altering or destroying evidence.

PHEIFER BROTHERS CONSTRUCTION CO., INC.

Effective August 24, 2026 | Revision 1

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MANAGEMENT RESOURCE

This guideline is intended for management, project managers, foremen and office staff who may receive or support an inspection. It is not a substitute for situation-specific advice from qualified OSHA counsel.

Primary References

- Occupational Safety and Health Act, Sections 8 and 11(c)
- 29 CFR Part 1903 - Inspections, citations and proposed penalties
- OSHA Field Operations Manual, Chapter 3 - Inspection Procedures
- OSHA Inspection Fact Sheet and employee walkaround-representation requirements

1. Purpose, Scope and Responsibilities

Purpose and Scope

This guideline establishes a consistent response when an OSHA compliance safety and health officer (CSHO) visits a Pheifer Brothers office, shop, yard or project. It applies to programmed, complaint, referral, fatality/catastrophe, severe-injury, follow-up and imminent-danger inspections.

Designated Roles

- Management designates an Inspection Coordinator by job title and one or more alternates. A safety-director title is not required.
- The Inspection Coordinator leads communications, confirms the company representative, contacts counsel when appropriate, coordinates records and maintains the inspection log.
- The project manager or foreman keeps the site safe, notifies management immediately and accompanies the inspection only when designated.
- The records custodian coordinates document production. Employees cooperate truthfully and retain their protected rights.

Core Rules

- Never obstruct, delay unreasonably, threaten, coach, retaliate, falsify, backdate, conceal, alter or destroy records/evidence.
- Correct imminent or readily correctable hazards promptly while protecting employees and documenting the action.
- Be truthful, concise and professional. Do not speculate; say when you do not know and identify who may have the information.
- Keep normal safety requirements in effect for everyone, including required PPE, traffic control and escort rules.

Emergency and Fatality Inspections

- Protect life, call emergency services, report severe events within applicable deadlines and preserve the scene as required.
- Coordinate with law enforcement, owner/controlling contractor, insurer and counsel without interfering with OSHA authority.
- Do not move material or equipment except for rescue, preventing further injury or when authorized; document necessary changes.

2. Arrival, Credentials and Initial Notification

Reception or Gate Response

- Be courteous; ask the visitor to wait in a safe location that does not expose them or others to hazards.
- Request and examine official credentials. Record the CSHO's name, office, phone/email, arrival time and accompanying persons.
- Do not photocopy federal credentials if prohibited; verify through the OSHA Area Office using independently obtained contact information when legitimacy is uncertain.
- Immediately contact the Inspection Coordinator, alternate, project manager and counsel according to the contact list.
- Do not grant or deny consent, argue scope or begin substantive discussion unless authorized.

While the Coordinator Responds

- A reasonable brief wait to assemble appropriate representatives and PPE may be requested, but do not create an unreasonable delay.
- Continue normal safe operations. Do not stage, clean up, shut down or move items solely to hide conditions.
- If an imminent hazard exists, protect employees immediately and accurately explain the corrective action.

Initial Information to Obtain

- Inspection basis and intended scope; whether a warrant exists; standards/program emphasis involved if stated.
- Requested employer and employee representatives; need for union/employee walkaround representative.
- Immediate document requests, sampling plans or equipment/PPE needs.
- Whether other employers at the multi-employer project are included.

RECEPTION SCRIPT

'Welcome. May I see your credentials? I will contact our designated management representative. Please wait here while I reach them and arrange required site PPE.'

3. Consent, Warrant and Scope Decisions

Authorized Decision Only

- Only authorized senior management decides whether to consent to a warrantless inspection or request that OSHA obtain a warrant.
- The receptionist, foreman and ordinary project staff do not make or announce that decision.
- Contact qualified counsel promptly when considering a warrant request, limiting consent, responding to a subpoena or asserting privilege/trade-secret protection.

If the Company Consents

- Clarify and document the inspection's stated basis and reasonable scope at the opening conference.
- Consent does not authorize obstruction or selective concealment and does not waive the right to raise reasonable scope, burden, privilege, trade-secret or safety concerns.
- If scope expands, politely ask the CSHO to explain the basis and contact the Inspection Coordinator/counsel.

If a Warrant Is Presented

- Do not obstruct service or execution. Obtain a copy and promptly send it to authorized management/counsel.
- Review the premises, hazards, records, timeframe and methods described; cooperate within its lawful scope.
- Direct any objection through counsel and appropriate legal procedures, not confrontation at the site.

Subpoenas and Compulsory Requests

- Immediately route subpoenas or formal demands to counsel and the records custodian.
- Preserve potentially responsive records. Do not alter normal retention or delete relevant electronic or paper information.
- Meet legally required deadlines or seek relief/clarification through authorized channels.

NO FIELD LEGAL ARGUMENTS

Remain respectful. Document the issue, preserve rights and elevate it. The project gate is not the place to litigate jurisdiction, scope or privilege.

4. Opening Conference

Company Attendees

- Inspection Coordinator/designee; project manager or foreman; records custodian or technical specialist as needed; counsel when appropriate.
- Keep the group focused. Designate one primary company spokesperson and one note taker.

Clarify the Inspection

- Ask the CSHO to explain purpose, basis, scope, anticipated route, records, interviews, sampling, photographs/video and estimated duration.
- Confirm the worksite/employer(s), work areas, complaint items or emphasis program involved to the extent OSHA may disclose.
- Identify employer and authorized employee walkaround representatives. Employee representation is determined under current OSHA rules.
- Discuss site-specific hazards and required orientation/PPE without using safety rules to interfere with the inspection.

Administrative Matters

- Provide a safe meeting space and requested posting/injury-record information as applicable.
- Ask that document requests be made in writing or confirmed in the inspection log, including desired format and deadline.
- Identify trade-secret or confidential business areas/documents before disclosure and request appropriate OSHA handling.
- Agree on daily check-ins when an inspection spans multiple days and a method for receiving exposure-monitoring results.

Multi-Employer Projects

- Notify the controlling contractor/owner as required without delaying OSHA.
- Do not speak for another employer unless authorized; accurately explain Pheifer Brothers' role, employees and control of the condition.
- Coordinate access so other employers do not create hazards during the inspection.

OPENING-CONFERENCE RECORD

Document who attended, stated scope/basis, requested records, employee representative, sampling plans, disputed points and commitments.

5. Walkaround Inspection

Company Representative

- A knowledgeable designated representative accompanies the CSHO where permitted and keeps contemporaneous factual notes.
- Follow the same route and take corresponding photographs, video, measurements or samples when safe and lawful; identify time, location and subject.
- Do not interfere with the CSHO's observation, photography, testing or private employee contact.
- Ask respectful clarifying questions and note the standard/hazard discussed; do not argue or make unnecessary admissions.

Site Safety

- Provide required PPE and orientation. The CSHO and representatives follow neutral, consistently enforced safety rules.
- Maintain traffic control, fall protection, equipment clearances and escorts. Stop nearby work only when needed for safety or requested.
- Immediately protect employees from an imminent danger. Record the original condition and correction without altering evidence improperly.

Photographs, Video and Trade Secrets

- Identify legitimate trade-secret processes/areas before entry and request confidential treatment under applicable law.
- Do not broadly label ordinary construction conditions as trade secret or attempt to prohibit lawful documentation.
- Company documentation is factual and for authorized review; preserve originals and metadata.

Sampling and Monitoring

- Record equipment, location, employee/job, start/stop time, task, controls, weather and PPE.
- Request split/parallel sampling when practical and lawful; do not tamper with OSHA equipment.
- Ask when results will be provided and immediately address alarms or apparent dangerous exposure.

**CORRECT - DO
NOT CONCEAL**

Prompt correction is expected. Never destroy, move or modify evidence merely to prevent OSHA from documenting the condition.

6. Employee and Management Interviews

Employee Rights

- OSHA may privately interview employees. Employees may speak truthfully, raise concerns and participate without retaliation.
- Do not direct employees what to say, sit in on a private interview without a lawful basis/invitation, ask employees to reveal protected communications or pressure them to decline.
- Employees may request an interview in their preferred language and may ask OSHA about representation rights applicable to their interview.

Before an Interview

- The company may provide neutral information: tell the truth, listen carefully, ask for clarification, do not guess and correct any misunderstanding.
- Do not rehearse answers or reward/discipline based on cooperation with OSHA.
- Supervisors/managers immediately notify the Inspection Coordinator of an interview request because their statements may bind the company and representation issues differ from rank-and-file interviews.

During and After

- Answer only from personal knowledge. Distinguish what was seen from what was heard.
- Review any written statement carefully; correct inaccuracies before signing. Do not sign a statement not understood.
- Employees may voluntarily report topics discussed, but the company will not demand protected details or retaliate.
- Management interviewees promptly document questions, answers and requests for authorized company/counsel review.

Non-Retaliation

- No discharge, discipline, threat, intimidation, reduction in hours, undesirable reassignment or other adverse action for an employee complaint, OSHA contact, interview, record request or exercise of protected rights.
- Route any performance issue involving a participant through HR and counsel to ensure legitimate, consistently documented reasons.

7. Records, Documents and Information Requests

Controlled Production

- Send all requests to the Inspection Coordinator/records custodian. Keep a request-and-production log with request, requester, deadline, source, custodian and exact items produced.
- Provide accurate, responsive records; do not create or backdate a record to appear contemporaneous.
- Where clarification is needed, communicate promptly and document any agreed scope or extension.
- Preserve a complete copy of every document, photo, video, data export or written response supplied.

Common Requests

- OSHA 300/301/300A records and severe-event reports where applicable; safety programs and training.
- Daily reports, JHAs/pre-task plans, inspection forms, equipment records, SDSs and exposure/medical-surveillance program records.
- Contracts, project plans/specifications, competent-person designations and multi-employer communications.
- Personnel/time records relevant to exposure or employment; incident photos, witness information and corrective actions.

Privilege, Medical and Personal Information

- Do not voluntarily produce attorney-client communications or attorney work product without counsel review.
- Protect medical, personally identifiable and confidential business information; provide through lawful processes with appropriate designation/redaction when permitted.
- Do not withhold required records merely by labeling them confidential or privileged. Counsel resolves disputed claims.

Electronic Records

- Preserve relevant texts, emails, Raken logs, photos, videos, telematics and cloud files when an inspection/claim makes them relevant.
- Maintain native files and metadata where appropriate. Do not edit screenshots or export only favorable portions.
- Suspend routine deletion when directed by management/counsel.

ONE SOURCE OF TRUTH

The production log and retained copy must show exactly what the company provided and when.

8. Closing Conference and Immediate Follow-Up

Closing Conference

- Attend with the Inspection Coordinator and relevant managers/counsel. Take detailed notes.
- Ask the CSHO to identify apparent violations, standards, classifications, affected employees, proposed abatement concepts and documentation still needed.
- Provide concise factual corrections or missing information; do not argue extensively or make unsupported admissions.
- Ask about anticipated citations, abatement verification, informal-conference rights and OSHA contact information.

After OSHA Leaves

- Immediately communicate unresolved hazards and assign interim/permanent controls with owners and deadlines.
- Preserve the inspection file: credentials/contact, notes, photos, sampling, interviews, requests/productions, permits/warrants and corrections.
- Conduct a privileged review through counsel when appropriate; identify root causes and similar conditions at other projects.
- Do not discipline employees for hazards raised or statements made. Continue normal, consistent safety accountability for verified conduct with HR/counsel review.

Correction and Documentation

- Correct hazards as soon as possible regardless of whether a citation is expected.
- Record dates, responsible person, photographs, purchase/work orders, training and verification that the correction is effective.
- A correction does not erase the observed condition but may protect employees and support good-faith/abatement considerations.
- For conditions requiring engineering or owner action, implement protective interim measures and document coordination.

Internal Notification

- Notify executive management, insurer and project stakeholders as authorized.
- Direct media/public inquiries to the designated spokesperson. Employees should not release confidential inspection materials externally on the company's behalf.

9. Citations, Informal Conference and Contest

Upon Receipt

- Date-stamp the citation immediately and send it to senior management, Inspection Coordinator and counsel the same day.
- Calendar the 15-working-day deadline to contest the citation, proposed penalty and/or abatement date. Do not assume an informal-conference request extends the deadline.
- Post the citation, or an unedited copy, at or near the cited location as required for 3 working days or until abated, whichever is longer; protect employee names where required.

Evaluate Each Item

- Review standard applicability, alleged facts, employee exposure, employer knowledge, classification, penalty, abatement feasibility/date and defenses.
- Compare OSHA evidence with company notes, photos, documents and witness information.
- Decide with counsel whether to accept, seek an informal conference, request modification of abatement or file a notice of contest.

Informal Conference

- Request promptly within the contest period; prepare a factual written position and settlement objectives.
- Bring completed/corrective-action documentation and explain technical or multi-employer issues accurately.
- Obtain any settlement terms in writing. Never miss the contest deadline while negotiations are pending.

Abatement

- Complete by the final abatement date unless stayed or modified through lawful process.
- Submit required abatement certification, documentation, plans or progress reports and inform affected employees as required.
- Maintain interim protection until permanent correction is complete and verified.

15 WORKING DAYS

The contest period is short and jurisdictional in practice. Route every citation immediately; never leave it in a job trailer or inbox.

10. Anti-Retaliation, Confidentiality and Conduct

Protected Activity

- Reporting injuries, illnesses, hazards or safety concerns internally or to OSHA.
- Filing or participating in a complaint, inspection, interview, proceeding or testimony.
- Requesting access to required exposure/injury records or exercising other OSHA rights.

Prohibited Conduct

- Threats, intimidation, surveillance, interrogation about a confidential complaint, discipline or adverse scheduling/assignment because of protected activity.
- Offering benefits for favorable statements or directing employees to provide false/incomplete information.
- Deleting, changing, fabricating or concealing records or physical/electronic evidence.
- Obstructing access, tampering with samples, impersonating officials or giving advance warning for an unlawful purpose.

Confidentiality and Communications

- Limit internal inspection information to personnel with a business need, while respecting employee rights and required postings/communications.
- Do not promise confidentiality the company cannot guarantee. Explain that information may be shared with OSHA, counsel, insurers or others as legally required.
- Only the designated spokesperson communicates externally on behalf of the company.

Good-Faith Culture

- Employees are expected to point out hazards and participate honestly. Management focuses on correction and learning.
- Blameless reporting does not prevent fair accountability for intentional unsafe conduct, dishonesty or policy violations, but decisions must be consistent and unrelated to protected activity.
- Anyone concerned about retaliation reports it immediately to HR, management or another available reporting channel.

**TELL THE TRUTH
- FIX THE
HAZARD**

The goal is employee protection and an accurate process, not managing appearances.

11. Inspection Response Checklist

STAGE	ACTION
Arrival	Verify credentials; safe waiting area; record contact/time; notify Coordinator/alternate.
Authority	Authorized management/counsel decides consent, warrant, subpoena, scope and privilege issues.
Opening	Document basis/scope, representatives, records, interviews, sampling, route and site safety.
Walkaround	Designated escort/note taker; mirror documentation; correct hazards; do not interfere.
Interviews	Respect private employee interviews and representation rights; no coaching or retaliation.
Documents	Central log; written request; accurate responsive copies; preserve privilege/confidentiality.
Closing	Record apparent findings, standards, requested information, corrections and OSHA contact.
Follow-up	Assign controls, preserve file/evidence, review similar sites and document abatement.
Citation	Date-stamp; notify counsel; post properly; calendar 15 working days; decide response.
Abatement	Protect employees, complete/verify correction and submit required certification.

CSHO / AREA OFFICE:	
INSPECTION BASIS / SCOPE:	
COMPANY COORDINATOR:	
ARRIVAL / CLOSING DATE:	
OPEN ITEMS / DEADLINES:	

12. Test Your Knowledge

Circle the best answer. This check is intended for managers, foremen and staff who may receive an OSHA inspection.

1. What should reception do first? A. Deny entry B. Verify credentials and notify the Coordinator C. Answer all questions	2. Who decides whether to request a warrant? A. Authorized senior management with counsel as appropriate B. Any foreman C. The receptionist
3. May the company correct a hazard during the inspection? A. No B. Only after citation C. Yes; protect employees and document it without concealing evidence	4. May OSHA privately interview employees? A. No B. Yes C. Only managers
5. What should an employee do when unsure of an answer? A. State they do not know rather than guess B. Make a reasonable guess C. Ask what answer OSHA wants	6. What should happen to each document produced? A. Delete the source B. Send without a record C. Log it and retain an exact copy
7. Does requesting an informal conference extend the contest deadline? A. Always B. No - do not assume it does C. For 30 days	8. How long is the citation contest period? A. 15 working days B. 30 calendar days C. One year
9. May a supervisor coach employees before interviews? A. Yes B. If answers are true C. No	10. What is the core response to an identified hazard? A. Hide it B. Protect employees, correct and document C. Wait for a penalty

EMPLOYEE: _____

DATE: _____

ANSWER KEY: 1-B | 2-A | 3-C | 4-B | 5-A | 6-C | 7-B | 8-A | 9-C | 10-B