

**HUSCH BLACKWELL**



## Occupational Safety & Health

# OBTAINING A HISTORY OF YOUR COMPANY'S OSHA CITATIONS

## Why bother?

OSHA enters information about its citations (and the citations issued by state OSHA programs) into a database that it keeps for five years. When new inspections are conducted, Compliance Safety and Health Officers (CSHOs) may examine an employer's historical citation information for at least two reasons. First, the CSHOs may wish to focus on the same issues for which the employer was previously cited. Second, the CSHOs may use the prior citations as the basis for Repeat citations, which is permissible within five years of the prior citation under certain circumstances.

OSHA publishes the citations entered into its database. Employers that know their citation history will be better equipped for future inspections and better able to avoid Repeat citations.

## How to find your company's OSHA citations history

1. Go to [osha.gov](http://osha.gov)
2. On the home page, near the top, hover over the heading "Data and Statistics," then click on "Establishment Search."
3. On the next screen, enter your company's name in the "Establishment" box. On this screen, you may customize your search to include only certain states, all states or only federal OSHA citations. For your company's full five-year history across the country, select "All States" in the States field and choose "All Offices" in the OSHA Office field. (Normally, these are the default choices.)
4. The resulting screen should contain a list of all citations issued to the designated establishment in the last five years.
5. To obtain greater detail on each set of citations, click on the box under the heading "Get Detail."

The screenshot shows the OSHA Establishment Search interface. At the top, there is a red header with the United States Department of Labor logo and navigation links. Below the header, there is a search bar and a navigation menu. The main content area is titled "Establishment Search" and includes a sub-heading "Reflects inspection data through 03/22/2016". A note below the sub-heading reads: "This page enables the user to search for OSHA enforcement inspections by the name of the establishment. Information may also be obtained for a specified inspection or inspections within a specified SIC." A warning note follows: "Note: Please read important information below regarding interpreting search results before using." The search form includes a "Search By:" section with a text input field for "Establishment". Below this are several dropdown menus: "State" (set to "All States"), "OSHA Office" (set to "All Offices"), "Case Status" (radio buttons for "All", "Closed", "Open"), "Violation Status" (radio buttons for "All", "With Violations", "Without Violations"), "Inspection Date" (radio buttons for "Start Date" and "End Date"), "Start Date" (set to "March 24, 2011"), and "End Date" (set to "March 24, 2016"). At the bottom of the form are "Submit" and "Reset" buttons. A "Can't find it?" section at the bottom left provides links for "Wildcard use %", "Basic Establishment Search Instructions", and "Advanced Search Syntax".

# OBTAINING A LIST OF THE STANDARDS MOST FREQUENTLY CITED BY OSHA IN YOUR INDUSTRY

## Why bother?

OSHA publishes statistical data each year based on the citations it issues to employers. The agency categorizes its data by industry sectors using Standard Industrial Classification Codes (SIC Codes). Within each sector, OSHA lists up to 10 of the most frequently cited standards, prioritizing them from the highest to the lowest citation frequency.

An employer may access the standards that OSHA cites most frequently during inspections of other employers in its same SIC Code (which are likely to be competitors). These sector-specific lists often provide an excellent means of predicting the standards with which employers in your sector encounter the most compliance challenges. In addition, these lists may provide a useful roadmap of the areas which a Compliance Safety and Health Officer is most likely to examine during an inspection at your facility.

## How to find your industry's top 10 most frequently cited list

1. Go to [osha.gov](https://www.osha.gov)
2. On the home page, near the top, hover over the heading "Data and Statistics," then click on "Frequently Cited OSHA Standards."
3. On the next screen, enter your company's four-digit North American Industry Classification System (NAICS) code<sup>1</sup> and click on "Submit."
4. The next screen will list the 10 standards most frequently cited by OSHA during inspections conducted within your selected NAICS code during the previous fiscal year (and may list more than 10 standards).
5. Each standard will be displayed as an eight-digit number, which designates a section in volume 29 of the Code of Federal Regulations. For example, the number 19100157 relates to 29 CFR §1910.157 (OSHA's standard on portable fire extinguishers).
6. To find a specific OSHA standard, type the CFR citation in a Google search. For example, 29cfr1910.157 will yield several links to OSHA's portable fire extinguishers standard.

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<sup>1</sup>If you do not know your company's NAICS code, contact a representative of your accounting department. Also, on the screen on which you enter the NAICS code, there is a link to a keyword search mechanism.