



Is It Hot In Here, Or Is It Just Me?

HOW TO PREPARE YOUR DEALERSHIP FOR AN OSHA INVESTIGATION

Insights

8.01.19

Have you ever heard the expression “a good craftsman never blames his tools”? Well, that doesn’t apply to Buzz Kutt, one of your technicians who continually blames others for his own inability to turn hours. Now that summer is here, Buzz has come to you for the umpteenth time to complain about the heat in the shop. You believe Buzz has others stirred up about this issue as well.

The way you see it, it’s just summertime and heat is part of the job. You don’t need a pot-stirrer, especially one that is the lowest producer in the shop, someone who should be focused on work and work only. This most recent complaint is the last straw, you decide, so you let Buzz go for performance reasons. You have never written him up, though, because his performance issues date back several years and the numbers speak for themselves.

The next thing you know, you receive a letter from the Occupational Safety and Health Administration (OSHA). The agency is asking you to investigate the heat in your shop and submit to it a written summary of your findings, as well as any steps that you took to correct the issue. OSHA is also investigating a potential whistleblower action on behalf of Buzz, who was terminated just days after he raised his complaint with the Service Manager.

OSHA says it may even conduct an onsite investigation, which would include a review of injury and illness records, hazard communication, personal protective equipment, emergency action or response plans, and related safety and health issues for the entire dealership. The onsite also likely will include a tour of the entire facility. All of a sudden, Buzz isn’t the only one feeling the heat!

3 Areas Of Focus

These issues highlight the need for dealerships to have a great safety program in place, in addition to mechanisms for employees to voice their concerns about health- and safety-related issues in a manner that does not subject them to retaliation. Critical aspects of a great safety program can be classified into three simple categories: people, processes, and paperwork.

The **people** category will require such things as employee training, personal protective equipment, and the dealership’s safety culture. The **process** category is a review of the exposure to hazards in the process of doing the work of the dealership. Are the processes in place to protect your workers from injury? Are those processes being followed? The **paperwork** category provides the necessary

records often required by OSHA. You are required to keep records such as Safety Data Sheets (SDS) for any chemicals, records of employee training, and required equipment inspections. As long as you have 10 or more employees, you're required to maintain written policies and procedures, detailed employee training curriculum, and employee illness and injury logs (OSHA 300 series).

The Heat Is On

As temperatures rise this summer, the best way for your dealership to keep cool is to consider and respond to your employees' health and safety needs in advance. Only by preparing in advance can you limit the negative impact an OSHA investigation can have on your dealership.

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Industry Focus

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