

My Supervisor Violated the OSHA Standard. What Do I Do Now?

Publication

4.07.14

Supervisors are supposed to set the tone, provide on-the-job training and consistently enforce safety processes. What happens when the supervisor is the one who breaks the rules? OSHA decisions and OSHA compliance officer training expressly state that the employer's entire safety program is suspect when its supervisors violate the standards. The higher up the supervisor, the bigger the problem. Not only does the supervisor's bad conduct negatively frame the inspection and OSHA's ultimate decisions, but the supervisor's involvement has legal consequences.

- OSHA will argue that the supervisor's involvement makes it a near "open and shut" case because OSHA will claim that the supervisor's violation also proves that the corporation had notice or knowledge of the violation. OSHA has the burden to prove that a standard was violated, a hazard exists, employees were exposed and that the employer knew or "should have known of the violation with the exercise of due diligence."

Related People



Howard A. Mavity

Partner

404.240.4204

[Email](#)