

# Workplace Safety Lawyer Discusses Proposed OSHA Rule That Would Allow Union Walkthroughs of Nonunion Worksites

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In an interview with *SHRM*, **Micah Dickie** shares his insight on a forthcoming proposed rule from the Occupational Safety and Health Administration (OSHA) that would allow a union representative to accompany an OSHA inspector during a walkaround at a nonunion worksite, even if the union representative is not an employee at the organization. Micah predicts that employers will likely argue that such a rule would exceed OSHA's authority to mandate that employers must allow third parties on their worksites. But he urges employers to be prepared and “....have a plan in place before OSHA shows up, so HR professionals know whom to call and the play-by-play of what to consider.”

Micah goes on to explain that employers can refuse to allow a union representative to accompany OSHA during a walkthrough at any time, unless OSHA has a warrant. And he adds that “until OSHA issues its new proposed rule and has it go into effect, an employer can and should refuse to allow any nonemployee to accompany OSHA.”

To read the article visit [\*SHRM\*](#) (subscription required).

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