



Top Three Safety Concerns Facing Entrepreneurs When Purchasing Or Renting Their First Office Space

Insights

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When beginning a new venture and purchasing or renting an office or building space, many small business owners assume there are no safety or health issues or that those issues are handled by the seller or rental management agent. Such an assumption is wrong and, in many cases, could result in the small business owner being faced with significant OSHA penalties for safety and health violations. Every entrepreneur needs to realize that once he or she starts their new venture and hire their first employee, they are automatically covered under the Occupational Safety and Health Act of 1970 and subject to safety and health inspections by Compliance Officers with OSHA. In addition, depending on the state in which the new business is started, there may be additional safety and health laws which have been promulgated by that particular state or local government entity. Thus, all entrepreneurs must determine, as part of any start-up operation, to review the OSHA safety and health standards, as well as the state and local safety and health standards, that might be applicable to their particular operation or work site.

There are three broad areas of safety and health concerns that all entrepreneurs must examine when setting up their first office space. The first concern involves the physical structure to be purchased or rented. It is critical that the entrepreneur receive written assurances that the space being purchased or rented complies fully with the state and local building codes, the life safety codes and all OSHA safety and health standards. Specifically, from an OSHA perspective, the small business owner must determine if there are any physical safety and health hazards to which employees may be exposed. Those physical hazards may include electrical hazards, walking and working surface issues, sanitation, exit routes, ventilation, noise exposure, hazardous materials, fire protection, and machine guarding. The owner must also closely examine whether there are any other health hazards, including mold, hazardous chemicals or substances in the walls, ceilings and carpeting and, if the building is built before 1980, that either all the asbestos in the space has been removed or is in a non-friable state, thus not exposing any employees to asbestos fibers.

The second major concern involves the selection of equipment and office furniture. Clearly the set up of the office furniture must be examined to ensure that no exit routes are being blocked and that there is free access to all exits for emergency use. In addition, the business owner must review ergonomic issues associated with the selection of office furniture and equipment, particularly the placement of computer keyboards. The entrepreneur also needs to ensure there are no electrical hazards associated with improper wiring or use of extension cords in lieu of permanent wiring.

Finally, the business owner should also examine the work site to ensure that the use of office equipment, and particularly electrical cords, does not present a tripping hazard for the employees.

The final concern facing involves other safety and health issues of which the small business owner must be aware. These issues can include state and local safety regulations not covered under the two concerns set forth above. In addition, the entrepreneur must determine (1) if there are any safety and health hazards that would necessitate the use of personal protective equipment at the work site; and (2) if any safety training will be necessary to meet the requirements of either OSHA safety and health standards or the use of protective equipment. Lastly, every entrepreneur or small business owner needs to be aware that if their employees are present while the office space is being set and outside contractors are being utilized, OSHA's multi-employer citation policy could be applicable. If outside vendors and contractors are working on or in the entrepreneur's space, the entrepreneur becomes the "controlling" employer of the site and thus is responsible for any safety and health violations caused by the contractor or vendor where employees are exposed to a safety or health hazard. In this scenario, the entrepreneur or small business owner may be cited by OSHA and receive penalties for safety and health violations that have been created by their contractors or vendors.

It is clear that there are many safety and health issues to which small business owners could be exposed when starting up and purchasing or renting their first office space. These issues can be easily addressed, but it is critical that the small business owner realizes and addresses those issues before they become potential OSHA violations.