

OSHA Enforcement of Construction Safety and Health Regulations: Inspections

Since its establishment in 1970, the U.S. Occupational Safety and Health Administration (OSHA) has been responsible for the enforcement of workplace safety and health standards in the United States. OSHA also allows states to develop and operate their own job safety and health programs. Currently, there are 27 states and jurisdictions with OSHA-approved state-plans¹ that must promulgate standards “at least as effective” as federal OSHA.

Between 2001 and 2010, OSHA conducted nearly a quarter million (247,997) federal inspections in construction. The proportion of construction establishments inspected by federal OSHA fluctuated, but generally showed a small upward trend (chart 51a). Even so, the proportion of construction companies inspected by OSHA is still low. OSHA has approximately 2,200 inspectors, including state-plan inspectors, for 8 million worksites and 130 million workers in all industries nationwide;² this is equivalent to one OSHA inspector for every 3,600 worksites or 59,000 workers. Moreover, the number of construction worksites visited can be much lower than the number of inspections since multiple employers are usually working at one construction worksite. In addition, only 7% of the inspections in construction were health inspections, which is significantly lower than 20% of inspections for all industries.³

The number of OSHA inspections varied by construction subsector. In 2010, the majority (62%) of inspections occurred among Specialty Trade Contractors (SIC 17, *see* page 1 for industrial classifications and codes) while 26% were conducted among General Contractors (SIC 15) and 13% in Heavy Construction (SIC 16; chart 51b). Although the number of inspections was small in Heavy Construction, the proportion of establishments inspected in this sector was higher than the other two construction subsectors, considering that establishments in Heavy Construction only accounted for about 5% of the construction establishments with payroll (*see* page 2).

OSHA construction inspections also differed among states. In 2010, the six most frequently inspected states by federal OSHA were Texas, New York, Pennsylvania, Illinois, Florida, and Ohio. In the same year, 24,537 inspections were conducted by 27 state-plan states and jurisdictions. The six state-plan states with the highest number of state inspections were Michigan, California, Washington, Virginia, Indiana, and North Carolina. Combining both federal and state-plan inspections, the most frequently inspected states in 2010 were Michigan, Texas, California, New York, Washington, and Pennsylvania. Michigan was also the state with the highest inspection rate (20.3%) in construction that year, followed by South Carolina (15.6%), Oregon (13.2%), Indiana (12.3%), Nevada (11.3%), and Kansas (11.1%; chart 51c).

In 1994, OSHA started the Focused Inspection Initiative, which completely changed the inspection approach.⁴ This initiative allowed compliance officers to spend more time on projects where greater hazards may exist, rather than complete full inspections at all worksites visited. Following this adjustment, the share of *complete inspections* (or comprehensive inspections, *see* Glossary; also *see partial inspections* in Glossary) was reduced. From 2001 to 2010, the proportion of complete inspections mildly decreased from 42.5% to 37.8% (chart 51d).

Along with enforcement, OSHA has been working to encourage voluntary compliance by employers. The OSHA Training Institute (OTI) and OTI Education Centers offer training courses on safety and health, and in 2011, approximately 530,000 construction workers completed the 10- or 30-hour training.⁵ OSHA also awarded grants to train hard-to-reach construction workers and those at high risk of incurring work-related injuries and illnesses, as well as to expand capacity for training in Spanish.⁶

1. Occupational Safety and Health Administration. <http://www.osha.gov/dccsp/osp/index.html> (Accessed February 2012).

2. Occupational Safety and Health Administration. *Commonly Used Statistics*. <http://www.osha.gov/oshstats/commonstats.html> (Accessed March 2012).

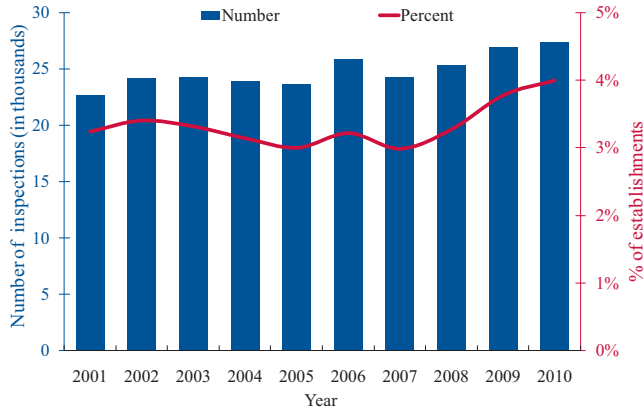
3. Except those with special notes, all numbers in the text were tabulated by CPWR Data Center using the OSHA database. http://ogesdw.dol.gov/raw_data_summary.php (Accessed June 2012). The OSHA Integrated Management Information System (IMIS) – an OSHA Automated Information System – includes information about every inspection conducted by federal OSHA. The IMIS was initiated in 1984 and will be replaced by the Occupational Safety and Health Information System (OIS) – a single comprehensive system for all OSHA programs and regulations.

4. Occupational Safety and Health Administration. 1996. *Construction Safety and Health Outreach Program*. <http://www.osha.gov/doc/outreachtraining/htmlfiles/focused.html> (Accessed August 2012).

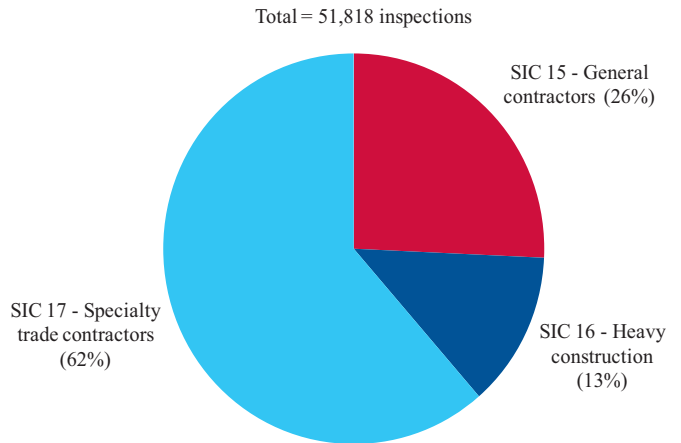
5. Occupational Safety and Health Administration. 2011. *Outreach Training Program Growth*. http://www.osha.gov/dte/outreach/outreach_growth.html (Accessed September 2012).

6. U.S. Department of Labor. 2010. U.S. Department of Labor’s OSHA awards \$10.7 million in Susan Harwood safety and health training grants. News Release #11-1342-NAT. http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=20670 (Accessed August 2012).

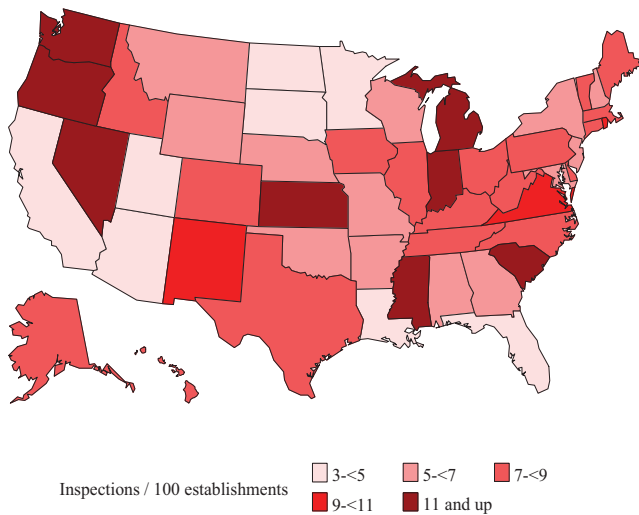
51a. Number and percentage of construction establishments inspected by federal OSHA, 2001-2010



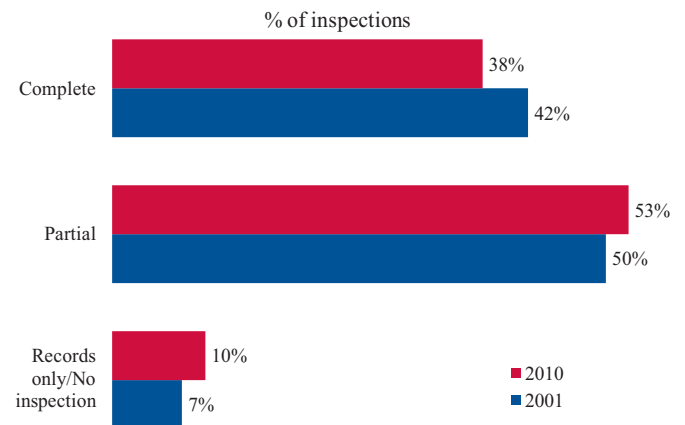
51b. OSHA federal and state-plan inspections, by construction sector, 2010



51c. Rate of construction establishments inspected by OSHA federal and state-plans, by state, 2010



51d. OSHA federal inspections in construction, by inspection scope, 2001 vs. 2010



Note: All charts – OSHA inspects payroll establishments only. Tabulations were based on calendar years and the Standard Industrial Classification (SIC) system for a better comparison over time. In calendar year 2010, the number of inspections was 27,165 by NAICS (23), and was 27,281 by SIC (15, 16, and 17). Therefore, the numbers reported here may be different from OSHA reports, which are based on fiscal years and NAICS (see page 1).
 Charts 51b and 51d – Totals may not add to 100% due to rounding.

Source: Chart 51a – Occupational Safety and Health Administration. <http://www.osha.gov/pls/imis/industry.html> (Accessed June 2012) and U.S. Census Bureau. 2001-2010 County Business Patterns. Calculations by CPWR Data Center.
 Chart 51b – Occupational Safety and Health Administration. <http://www.osha.gov/pls/imis/industry.html> (Accessed June 2012). Calculations by CPWR Data Center.
 Chart 51c – Occupational Safety and Health Administration. <http://www.osha.gov/pls/imis/industry.html> (Accessed June 2012) and 2010 County Business Patterns. Calculations by CPWR Data Center.
 Chart 51d – Occupational Safety and Health Administration. 2001-2010 Integrated Management Information System. Calculations by CPWR Data Center.