

TOOLBOX TALK #2

WHAT IS A “MULTI-EMPLOYER WORKSITE”?

What does OSHA consider to be a “multi-employer worksite”?

Under the Multi-Employer Citation Policy, more than one employer may be citable for a hazardous condition that violates an OSHA standard. Any employer that exposes one of its employees to the hazards created by an unsafe condition may be subject to an OSHA citation. In situations where an employer’s own employees are not exposed to a hazard, that employer may still be subject to OSHA coverage if the employer qualifies as a “creating”, “correcting”, or “controlling” employer. A two-step process is used to determine whether more than one employer may be cited for a hazardous condition.

Step One:

The first step is to determine whether the employer is a creating, exposing, correcting or controlling employer. Once the role of the employer is determined, step two is used to determine whether a citation is appropriate.

Step Two:

If the employer falls into one of the four categories, it has obligations with respect to the OSHA requirements. Step two is to determine if the employer’s actions were sufficient to meet those obligations. The extent of the actions required of an employer varies based on which category applies.

By applying this analysis, one can determine the role for enforcement purposes of a given employer on a worksite with multiple employers. As with any OSHA investigation, a citation under the Multi-Employer Policy is based on the unique facts and circumstances of each case.

