

Overview

The Workplace Safety/OSHA Team is composed of nationally known Occupational Safety and Health Administration (OSHA) lawyers who combine extensive practical experience, deep subject matter experience, and effective relationships with the regulatory community. The team handles OSHA and other investigations from the moment an issue is raised until a successful resolution is achieved. We respond immediately on-site to fatalities and other catastrophic incidents, and provide a full range of safety-related services, including:

- Providing assistance and advice regarding investigations by OSHA, the Chemical Safety Board, the National Transportation Safety Board, the Federal Railroad Administration, and other agency and insurance matters, including preservation activities as well as pre-litigation and potential local, state, and federal prosecutorial assessments
- Conducting compliance review of plant, construction, transportation, oil and gas, and retail site required and recommended written programs, with evaluation of the implementation of such programs, and recommendations by firm lawyers and other safety and health professionals working with the firm
- Providing counseling on planning and preparation for OSHA and other agency investigatory activities, such as inspections and rapid response letters, before they arise, including whether and under what circumstances a warrant should be required
- Providing on-site direction and advice when OSHA or other agencies engage in any enforcement or investigatory activity, including worksite inspections, employee interviews, and document requests and subpoenas
- Negotiating and contesting OSHA citations, whether before the Occupational Safety and Health Review Commission, under review by the U.S. Courts of Appeal, or on appeal/contest in the various OSHA State Plan states
- Defending whistleblower and OSHA retaliation complaints
- Drafting, reviewing, and evaluating safety and health programs

From the largest cases with industrywide impacts, team members have counseled, assisted, and litigated matters involving a broad array of regulations in general industry, the construction industry, and the maritime sector.

Representative Experience

Team lawyers have advised, litigated, and resolved citations for employers in multiple industries and throughout OSHA's area of regulatory oversight. We have also assisted clients with investigations involving numerous other agencies. Examples include:

- Explosions and fires in chemical plants, refineries, and pipelines
- Construction catastrophes, including building collapses and excavation failures
- Railcar accidents and related releases
- Lockout/tagout and machine guarding incidents and compliance issues in a wide range of industries
- Fall protection incidents and related compliance issues
- Confined-space procedures, monitoring, and signage
- Electrical incidents and related compliance issues
- Material handling and loading incidents and related compliance issues
- Forklift and reach truck incidents and related compliance issues
- Lead and asbestos abatement matters and related compliance issues
- Respiratory protection and related compliance issues
- Bloodborne pathogen (BBP) compliance, including needlesticks, handling and disposal of sharps, training, renewal of exposure control plans, inoculations for Hepatitis C, sterilization of instruments, and maintaining Form 300 logs regarding sharps injuries and exposure to BBPs



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