

SAFETY AUDIT CONSIDERATIONS FOR A HEALTHY WORKPLACE THAT PUTS «PEOPLE BEFORE PROFIT» AND OSHA COMPLIANCE

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Abstract: *Every organization should provide a safe and healthy workplace for all stakeholders by putting “people before profit”. Such a workplace must be consciously created, assessed, and internally examined through regular audits before the government conducts their inspections. Business owners, managers, and employees should know that the Occupational Safety and Health Administration (OSHA) inspections do not always come with a warning, as inspectors can enter a business at any day or time without scheduling their arrival. As such, all employees must work safely and be prepared for an unannounced inspection. Every business should have a formal checklist for audits and daily usage on a periodic basis to ensure the safety of their workers in a healthy work environment. The benefits of implementing an effective safety and health program can be many, including higher optimism of the workforce, improved company reputation, and lower Workers’ Compensation Insurance rates. This paper provides an overview of common safety measures in accordance with the Occupational Safety and Health Administration requirements. Data, statistics, examples, checklist recommendations, and audit suggestions are provided for managers and human resource professionals to internally assess the organization on a periodic basis to proactively prevent accidents, injuries, and possible citations by the federal government or state health inspectors. Managers must pay even closer attention and provide additional training for underage school children that work part-time as they are more vulnerable and not allowed to use certain machines and heavy equipment in the workplace. Leaders and managers must develop and emphasize a “people before profit” mindset to create an organizational culture that is focused on safe work practices. It is important that all managers and human resources professionals understand that all USA companies must provide their employees with a safe and healthy work environment. Furthermore, these professionals must know the OSHA regulations and state laws which are applicable to their firms and industries so that the organization can be in full compliance with the requirements. Of course, we recommend that managers and firms go above and beyond the law to put “people before profit” in the organization’s culture. The Occupational Safety and Health (OSH) Act of 1970, which is enforced by OSHA, has done an excellent job of getting managers and human resource professionals to make sure their places of work are as safe as possible. They have produced many great informational content and training materials that are freely available for all workers, managers, owners, and corporate executives to use in their pursuit of a safe and wholesome workplace. Consequently, OSHA standards and rules have become a part of corporate America, which has been a positive approach. A practical example that most American workers are familiar with is the “Fire Safety” procedures as all employers have a Fire Prevention Plan. Consequently, most firms and institutions in the United States regularly practice for fire safety drills; as such, it has become a part of their organization’s culture. And so should be the mindset of putting “people before profit”.*

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Introduction. Safety should be a top priority for all managers, owners, and workers. It is obviously important for the government policy makers as they enacted the Occupational Safety and Health Act (OSH Act) in 1970. Consequently, the United States Congress generated the Occupational Safety and Health Administration (OSHA) agency to safeguard, encourage, and create a safe and healthy work environment for workers throughout the nation. OSHA works to set and enforce specific workplace standards by communicating the safety policies and providing relevant training programs. As such, it is important for all managers and workers to fully understand the OSHA requirements so that we can keep the workplace free of any injuries and accidents. A proactive and periodic audit of every workplace, as recommended by OSHA compliance officers and consultants, is essential.

The main goal of the OSHA safety and health programs is to prevent workplace injuries, illnesses, deaths, suffering, and financial hardship these events can cause for workers, their families, and employers. The Federal OSHA is a small agency. It directs the work of approximately 1,850 inspectors who are responsible for the health and safety of 130 million American workers, employed at more than 8 million worksites around the country. In other words, OSHA has around one compliance officer for every 70,000 workers in the United States. Since their budget and human capital or workforce is small, OSHA does a great job of providing clear guidelines and resources so that businesses and managers can proactively intervene to keep their workers safe and remain in compliance with safety requirements.

One of the most helpful characteristics of the OSHA Outreach Training Program is that the recommended practices use a proactive approach to managing workplace safety and health. Furthermore, the recommended practices recognize that finding and fixing hazards before they cause injury or illness is a far more effective and preventive approach than any other alternatives. According to OSHA, safety and health programs help employees, managers, and businesses:

1. Prevent workplace accidents, injuries, illnesses, and deaths;
2. Better level of compliance with existing laws and guidelines;
3. Reduce costs for the company, including significant reductions in workers' compensation premiums;
4. Engage workers in all safety concerns;
5. Enhance their social responsibility goals;
6. Increase productivity and enhance overall business operations.

The characteristics go together. If followed properly, they will prevent injuries and deaths. As such, all employers should have a comprehensive, proactive, and effective approach to finding and fixing workplace hazards before they cause harm or injury to employees, customers, vendors, or passers-by in the area. Any comprehensive approach should track data and lead to a better understanding of safety issues through descriptive, predictive, and prescriptive analytics. *Descriptive* analytics describes summary statistics, such as sums means, and percentages. *Predictive* analytics uses statistical and computational models that show patterns of safety issues. *Prescriptive* analytics forecasts specific preventive actions and strategies that should be taken based on what is likely to happen in the future.

Make use of data to plan and prevent accidents. As per the data in Table 1, in the year 2021, OSHA conducted a total of 24,333 inspections, including 13,749 (about 57%) unprogrammed inspections. It included employees' formal complaints, various injuries/fatalities in the American workplace, and referrals (OSHA Activity Data, 2022). Of course, 10,584 (43%) were programmed inspections that focused on OSHA enforcement resources towards specific industries and operations where known risks and hazards have been documented (e.g., falls from roofs or walls in various construction sites). On 16 September 2022, Teresa Estrada (53) died in a fall incident from roof in the city of Seminole, Oklahoma (OSHA Inspection #: 1622790).

In the last three years, the number of total inspections decreased from a high of 33,393 in 2019 to a low of 21,710 possibly due to the COVID-19 pandemic quarantines and closures. The top 10 most frequently cited standards by Federal OSHA in fiscal year 2021 from 1 October 2020 to 30 September 2021, were the following ones (Commonly Used Statistics, 2022):

1. Fall Protection, construction;
2. Respiratory Protection, general industry;
3. Ladders, construction;
4. Hazard Communication, general industry;
5. Scaffolding, construction;
6. Fall Protection Training, construction;

7. Control of Hazardous Energy (lockout/tagout), general industry;
8. Eye and Face Protection, construction;
9. Powered Industrial Trucks, general industry;
10. Machinery and Machine Guarding, general industry.

While there were 890 reported fatality related inspections in 2016, this number dramatically increased to 1,386 in 2022. During the same five-year period, the number of “complaints inspection” decreased from 8,870 in 2016 to 4,955 in 2021, which means that fewer employees are complaining about safety concerns in their work environment. Perhaps, there is a corresponding correlation between the number of complaints and fatalities. As the number of complaints decreased, fatalities went up.

Table 1. OSHA inspection statistics in 2016-2021

OSHA Inspection Statistics	2016	2017	2018	2019	2020*	2021*
Total Inspections	31,948	32,408	32,023	33,393	21,710	24,333
Total Programmed Inspections	12,731	14,377	13,956	14,900	8,729	10,584
Total Unprogrammed Inspections	19,217	18,031	18,067	18,493	12,981	13,749
~ Fatality/Catastrophe Inspections	890	837	941	919	1,498	1,386
~ Complaints Inspection	8,870	8,249	7,489	7,391	4,592	4,955
~ Referrals*	6,691	6,286	6,463	6,718	4,810	5,310
~ Other Unprogrammed Inspections	2,766	2,659	3,174	3,465	2,081	2,098

*The COVID-19 global pandemic caused by the novel coronavirus SARS-CoV-2 occurred during this time.

Sources: developed by the authors on the basis of (OSHA Enforcement: Inspection Activity, 2021)

A longitudinal review of the past five decades’ data shows that OSHA standards, guidelines, and inspections appear to be making a significant positive difference in the safety of workers in the United States. For example, worker deaths in America have gone down, on average, from about 38 fatalities per day during 1970 to about 13 per day in 2020. Similarly, worker injuries and illnesses have decreased, from 10.9 incidents per 100 workers in 1972 to about 2.7 per 100 in 2020. Therefore, it is very important for all managers to audit the work procedures of their firms to make sure all practices are in full compliance with the federal and state plan safety requirements. Despite the positive trends and improvements over the past century, sadly, tragic accidents and injuries do happen. As such, managers and owners must do more to prevent them.

Data from the Bureau of Labor Statistics shows that 351 construction workers died of various accidental falls in 2022 (National Census of Fatal Occupational Injuries, 2021). In one case, the US Department of Labor found that contractors ignored safety requirement which led to a worker’s 65-foot fall from an elevated scaffold in Denver, Colorado. The contractors were found guilty of serious and wilful violation of OSHA workplace safety standards that led to the accident at the construction site. In this incident, the employee suffered severe life altering injuries to his leg, back, and head. The OSHA investigation found that the incident occurred because the contractors ignored safety recommendations of not using «climbing scaffold atop a lifting device». Because of this negligence, the scaffolding shifted, thereby causing the harmful fall. The contractors responsible for the construction were issued \$122,000 in penalties because they failed to follow the safety requirements (OSHA News Release – Region 8, 2022). Of course, the contractors will face additional financial and legal costs to provide for the well-being of the injured worker and his family.

In another incident, the US Department of Labour cited a Florida company for safety failures after investigation of how a 22-year-old diver working in canal drowned. On 4 April 2022, the diver was removing sand with a vacuum to restore an embankment project when sediment above collapsed directly onto him, leaving him trapped until he drowned (OSHA News Release, 2022). OSHA investigation found the diver’s employer (EBI, 2022) in Davie, Florida, did not follow required safety standards. The following violations were mentioned in the employer’s citation:

1. Failing to train divers in dive-related physics and physiology;
2. Not training dive teams on equipment use, techniques, and emergency procedures required to perform underwater tasks safely;
3. Not ensuring that all diving team members are CPR-trained;
4. Failing to require that an experienced dive team member supervise dredging operations in a canal with zero visibility;
5. Failing to have an emergency aid list at the worksite;
6. Performing underwater dredging in a canal without a standby diver;
7. Not providing employees with harnesses capable of disturbing the pull forces over divers’ bodies.

As a result, OSHA proposed a \$46,409 penalty for the violations. Once again, the company will incur additional direct and indirect costs associated with this tragedy. These violations and subsequent death represent an egregious case of the employee not being properly trained. Managers and employers must not allow any employee or team to work until all workers are properly trained, ready, and once safety is fully assured.

A press release, entitled «*Profit over People: Alarming Trend Continues at Dollar General Store where Seven Southeast Inspections Again Find Wilful Violations*» (OSHA New Release – Region 4, 2022), showed several violations, including unsafe working conditions in which boxes could easily fall on employees and harm them. Furthermore, the emergency door at the store was blocked by boxes and other materials, so that during an unexpected fire emergency the employees could be trapped and harmed. Based on OSHA inspections, since 2017 the Dollar General Stores were issued \$12.3 million in citations or penalties. During 2022, the company had been charged with violations of over \$4 in the first ten months. Additionally, since 2017 there have been 180 inspections of the Dollar General, and it appears that this company has shown a pattern of indifference towards federal safety standards and the well-being of their workers, as some of their managers seem to be placing profits over the health of their employees. Perhaps, these retail managers are either not being fully trained in safety standards or they simply ignore them due to staff shortages. It is very important to train managers consistently and remind them of the safety standards or general protocols. Otherwise, due to their busy schedules and shortages of staff, some might end up focusing on what appears urgent, while ignoring important safety measures.

During 2022, the US Department of Labour issued a hazard alert letter to Amazon, a giant e-commerce company. The letter was issued after the tragic death of six workers and one injured employee when a tornado struck an Amazon warehouse causing it to collapse during the winter on 10 December 2021 in Edwardsville, Illinois. Amazon was asked to review its severe weather procedures and improve upon their shelter in place process guidelines. While the company’s existing procedures did meet the minimum standards for severe weather procedures, more should have been done to prevent such a tragedy which changed the lives of many workers and their family members in one unfortunate incident. The workers were not allowed to leave during the tornado warnings but were guided to take shelter in the bathrooms (OSHA News Release – Region 5, 2022). Perhaps, this is another sad case where big corporation’s managers placed profit over the safety of people. As shown in Table 2, managers should know that there are immediate direct and indirect costs associated with any tragic accidents that can also permanently alter lives of workers and families. To prevent accidents and deaths, any firm, manager, and worker must understand and fully comply with federal and state safety laws.

Table 2. Costs associated with workplace accidents

Direct costs	Indirect costs
1. Death of one or more employee	1. Colleagues and families losing their friends and loved ones
2. Cost of suffering and pain	2. Replacement of injured employee
3. Cost of treatment	3. Scheduled delays
4. Cost of medical experts and hospital	4. Lower morale
5. Cost of ongoing medications	5. Increased absenteeism
6. Cost of insurance, worker compensation, and medical equipment	6. Poor customer relations
	7. Re-training

Sources: developed by the authors.

Follow relevant federal laws and state plans. In the United States of America, each state can have its own workplace safety and health program that are OSHA-approved. These state plans, which can be designed for the unique needs of each location, are regularly monitored by OSHA, and are required to be of the same standards of effectiveness as OSHA for them to protect workers properly and to prevent work-related accidents, injuries, illnesses, and deaths.

One of the 22 states with its own safety and health program is California. The California safety and health program covers most private sector workers and all state and local government workers. The Department of Industrial Relations (DIR) administers the California State Plan (2022) through Cal/OSHA.

The California safety and health program was initially approved on 1 May 1973, which makes it about half century old. The California State Plan (CSP) covers all private sector employment agencies within the state with a few exceptions such as maritime employment and tribal employers in Native American reservations,

etc. While the California State Plan applies to public sector local and state employers, it is not applicable to the government sector employers such as the US Postal Service.

An interesting point is that the California State Plan is supplemented by the Federal OSHA Plan which covers the issues and areas that are not explicitly covered by the California State Plan. The two plans seem to work in a complementary manner as they are not mutually exclusive. So, the Federal OSHA enforces the anti-retaliation requirement of OSHA from 1970, with private employers.

Federal OSHA can inspect any establishment and take appropriate action if an establishment has refused entry to the State Plan and/or when the State Plan is unable to obtain a warrant to enforce the right of entry. Generally, in exceptional situations, the State Plan can advise the OSHA Offices of its lack of ability to get a warrant for entry to an organization. The OSHA Regional Office will decide as to the appropriate federal action and will notify the State Plan in writing of its decisions and actions. Federal OSHA can inspect and enforce the law when the local plan or agency is not able to exercise its authority in a timely manner due to lack of resources or other reasons. Overall, Cal/OSHA has embraced safety and health guidelines which are as good as the Federal OSHA standards, including such unique and specific standards as:

- Child Labour;
- Repetitive Motion Injuries;
- Workplace Violence Prevention in Health Care.

Cal/OSHA trained compliance officers can inspect workplaces for hazardous conditions and child labour as well as unique conditions that can cause motion injuries and/or violence. The good news for private firms is that the Cal/OSHA offers on-site consultation services to help managers and employers so that they can proactively identify and correct potential safety and health hazards in workplaces. It is important and critical that all employers take advantage of such on-site consultations to keep their workplace safe for all their employees, customers, vendors, and other visiting stakeholders (Justia, 2022; Kun, Ruzal, & Sullivan, 2022; Recommended Practices for Safety and Health Programs, 2016; Smith, 2022).

Know your rights and responsibilities. The OSHA Employer Rights and Responsibilities booklet (2018) is an easy-to-read guide emphasizing the rights and responsibilities of companies and workers after an inspection has been completed by the federal (or state health) inspectors in a facility. Since it covers most of the possibilities after an inspection, it is a fair and accurate description of the rights and responsibilities of employers and employees in the United States.

The OSHA compliance safety and health officers (CSHO) usually conduct the inspection of a workplace, in accordance with the stated requirements of the OSH Act. "After the inspection, the CSHO reports the findings to the OSHA area director who evaluates them" (OSHA Employer Rights and Responsibilities, 2018, p. 1). During the inspection process, if a violation of safety exists, OSHA inspector will issue a Citation and Notification of Penalty which should detail the exact nature of the violation and any associated penalties that are imposed on the organization. The citation should inform employees, managers, and/or the owner about the alleged violation, while setting a proposed timeline within which to act and correct the violation. In cases of extreme violations, a facility can be closed immediately until corrective actions have been implemented to ensure a safe workplace. The citation usually documents the appropriate dollar penalties that the company must pay.

The Employer Rights and Responsibilities paper contains important information that can be used to guide a healthy discussion during the closing conference with the compliance safety and health officer. For each apparent violation found during the inspection, the compliance officer is responsible to discuss it with the managers or owner regarding the nature of the violation, possible measures the company can take to correct the violative condition, possible abatement dates the firm is required to meet, and the penalties that the area director can issue.

The compliance safety and health officer is a trained professional who can help workers, managers, and owners recognize and evaluate current and future hazards as well as suggest appropriate methods of correcting violations to prevent any injuries. He usually clarifies that to minimize worker exposure and harm to anyone of hazardous conditions, abatement efforts should always begin immediately or as soon as possible depending on the nature of the violation and its associated concern. In some cases, the compliance safety and health officer may close the facility until hazardous conditions are corrected and inspected. The good news is that employers can contest any citations that they do not agree with by following the clearly defined OSHA procedures in this booklet. It is mentioned that "Employees or their authorized representatives may contest any or all the abatement dates set for violations if they believe them to be unreasonable. A written Notice of Intent to Contest must be filed with the OSHA area director within 15 working days after the employer receives the citation" (OSHA Employer Rights and Responsibilities, 2018,).

It is important to note that employers and managers must not retaliate against employees who exercise their safety rights and responsibilities. OSH Act prohibits employers from discharging or otherwise retaliating against an employee who has exercised any right under this law, including the right to make safety and health complaints or to request an OSHA inspection. OSHA will investigate complaints from employees who believe they have been retaliated against. If the investigation discloses probable violations of worker rights, court action may follow. Employees who believe they have been retaliated against must file their complaints with OSHA (within 30 calendar days from the date the retaliatory decision has been both made and communicated to the worker). No form is needed, but workers must call OSHA within 30 days of the alleged retaliation (at 1-800-321-OSHA [6742]) (OSHA Employer Rights and Responsibilities, 2018).

The OSHA Employer Rights and Responsibilities document is an excellent resource for both employees and employers as it proactively describes the compliance process, what to expect, and how the compliance safety and health officer can assist the organization to continue operations in a safe and healthy environment. Overall, everyone should know that under the OSH Act of 1970, all employers are responsible for providing safe and healthful workplaces for their employees, vendors, and customers. In the pursuit of this goal, the OSHA role is to help ensure healthy work conditions for America's working men and women by setting and enforcing safety standards, while also providing relevant training, education, assistance, and oversight.

Clarify the audit rationale. To provide a safe and healthy work environment, firms should regularly audit their work environment. The audit goal should be to achieve a comprehensive learning experience that enables human resources (professionals, employees, and managers) to observe and assess safety in the work environment. An effective audit can provide the best practices and some unique ways that modern organizations are working to prevent excessive risks, bullying, discrimination, injuries, accidents, and other hazardous health concerns so that the company can attract and retain diverse talent (Mujtaba, 2022).

At a general level, an audit is any methodical, systematic, objective tool to assess regulatory compliance with federal and/or state laws in the workplace. An audit usually involves a survey of the workplace (Zalewski, 2022):

1. To identify what regulations apply to a company or facility;
2. To determine whether environmental and workplace safety requirements, and corporate policies or procedures regarding compliance are being followed;
3. To assess management systems currently in place to ensure compliance. An audit may also look at and evaluate the methods used to achieve compliance;
4. To make sure workers and customers are safe from any excessive risks, accidents, or harm.

Under the OSH Act, OSHA is authorized to conduct planned and unplanned workplace inspections to determine whether organizations, managers, and employers are complying with standards designed for the creation of a safe and healthful workplace for all workers.

One must note that «An audit plays a valuable role for companies and charitable organizations to maintain integrity and attain specific goals» (Staff Writer, 2020). Businesses, workers, and managers can all benefit from an unbiased audit that focuses on the safety of employees. Furthermore, «An effective audit helps organizations achieve goals and objectives by measuring overall performance and productivity, as detected in transactions and business records» (Staff Writer, 2020). A systematic audit can protect a firm from injuries, harm, excessive risks, liabilities, lawsuits, and financial problems.

It has been clearly documented that «employers who conduct effective audits derive many advantages, including advantages in the event of an OSHA inspection, from the practice» (Dear, 1996). Proactive audits and prevention of accidents can have huge payoffs in having a healthful workplace for all employees, and it can also reduce government citations. It has been said that,

The purpose of self-audits is to find hazardous conditions and remedy them. If a self-audit discloses a condition that is a violation of the OSH Act, the employer will presumably take action to correct the problem. In the event the employer permanently remedies the condition before an OSHA inspection takes place (and before the occurrence of an accident or other event triggering an inspection), including taking appropriate steps to prevent a recurrence of the violation, OSHA practice is not to issue a citation, even though the violation may have existed within the six-month statute of limitations period. If the violation has been permanently corrected on the employer's own initiative without the need for action or intervention by OSHA, the agency sees no need to spend its own limited enforcement resources addressing the problem. Further, as noted, evidence that the employer is finding and fixing problems on its own will weigh heavily in the employer's favour for purposes of good faith (Dear, 1996).

All organizations can benefit from systematic, methodical, and periodic audits to make sure their workplace is safe. Human resource professionals, managers and employees can jointly brainstorm some

potential criteria that a team of internal experts or consultants could use to evaluate the safety practices of the organization on a regular basis. Initially, the team may ask such questions as (Mujtaba, 2022):

1. What does our mission communicate regarding our safety commitments to employees, customers, and the work environment?
2. What does our organization's website communicate about empowering employees for safe work practices?
3. Is our organization in full compliance with the OSHA standards? How are these outcomes measured?
4. What are the current organizational values and philosophies? Does the organization «walk its talk» in terms of living their own stated values and policies to keep employees and customers safe at all times?

It is important that human resource professionals and managers develop appropriate and personalized criteria for the organization so that they can use consistent criteria each year for the safety and healthful work practices auditing. As consultants and researchers, the team should measure the company's performance against established criteria in OSHA and state requirements. They should keep in mind that the established criteria can be updated as per the new information and discoveries during the research, interviews, and visits with the company stakeholders.

Modern organizations should do all they can to retain productive and experienced employees by educating and empowering all workers for everyone's safety while having a good family-work-life balance. Employee retention in modern society can be very important, especially when the unemployment rates are low in this post-COVID-19 pandemic era and when firms are constantly competing for the best talent. As a team of consultants, workers can develop additional criteria that address how well the organization recognizes and responds to the differing needs of its modern employees. Attracting and hiring the best employees is a good start but keeping them productively and safely employed may require much more than just having compliance with the OSH Act.

At the conclusion of the audit, the consultants should develop a list of recommended actions that the organization can take to benefit from the existing or prospective best practices in safety and compliance with OSHA requirements. The consultants may conclude that the firm complies, or they may recommend that they need to bring in more OSHA consultants. Overall, a consultant team should take the following steps to serve as a group of experts for completing this project on organizational safety audit

1. Review the OSHA regulations and guidelines regarding the workforce. As a team, conduct as much research as possible before officially meeting with anyone in the firm about the actual audit project;
2. Determine assessment and evaluation criteria for assessing safety practices of the organization. Try to be objective to determine if the organization should receive a grade of A (excellent), B (good), C (satisfactory or average), or D (below standard) for its existing safety practices audit. Of course, provide sufficient reasons for the grading of the organization and support it with objective information;
3. Prepare interview questions and survey instrument for primary research so that the same questions can be asked annually in future audits;
4. Conduct the interview and review all data regarding safety policies;
5. Analyse the findings and debrief;
6. Find more information as needed or according to any existing gaps;
7. Prepare a final professional report, recommendations, and presentation to the company officials and colleagues;
8. Act as per the recommendations so that the company can be in full compliance with OSHA or any applicable state laws and so that the safety practices are seen as a model in the industry for benchmarking purposes across the globe.

Human resource professionals and trainers should focus on knowledge dissemination and commitment creation by management and employees for emphasizing the safety and health of all human beings in the workplace, while being prepared for the OSHA inspection. For example, it is important to remember that the OSHA inspections do not come with a warning, as inspectors can enter a business at any day or time without scheduling their arrival. As such, all managers and businesses must always work safely and be prepared for such a visit. Any business should have a formal, written checklist to ensure the safety of their workers in a healthy work environment. «Psychologically, planning a written list and working through the plan is likely to lead to more productivity than simply dreaming about achievements, since professionals in many disciplines use written checklists to ensure productivity and safety in the workplace» (Mujtaba and Meyer, 2022). A safety checklist can cover all safety topics that keep employees safe. Also, the checklist can include items that OSHA would look for during an inspection including such items as:

1. Recordkeeping compliance;

2. First aid (kits, eyewash stations, etc.);
3. Fire protection systems;
4. Personal protective equipment;
5. Safe operation of tools and equipment;
6. Transportation of employees.

An organization's checklist should serve as a record of its safety data for the present and continuous improvement purposes. Below, there are some ways that management and employees can prepare:

1. Know what to expect. When an OSHA inspector arrives, they should show you their credentials;
2. Assign responsibilities;
3. Perform hazard assessments and safety training;
4. Keep good records;
5. Know your rights;
6. Perform periodic internal audits.

Regarding the general work environment, human resource professionals, consultants, managers, workers, and trainers can develop a list of relevant checklist questions such as the following:

1. Are all worksites clean, sanitary, and orderly?
2. Are work surfaces kept dry or have appropriate measures taken to ensure the surfaces are slip-resistant?
3. Are all spilled hazardous materials or liquids cleaned up immediately and according to proper procedures?
4. Is all regulated waste, as defined in the OSHA bloodborne pathogens standard, discarded according to federal, state, and local regulations?
5. Are the minimum number of toilets and washing facilities provided?
6. Are all toilets and washing facilities clean and sanitary?
7. Are all work areas adequately illuminated?
8. Have all confined spaces been evaluated for compliance with standards?
9. Are all emergency exits clear for everyone to quickly leave?

Overall, the safety of employees, customers and vendors in the workplace should be of the utmost importance and top priority at any workplace and for all managers and owners. While there is morale, economic, and employee replacement costs associated with any injury, managers and company owners should know that there can also be substantial legal costs associated with unsafe working conditions. For example, in Pompano Beach (Florida), the US Department of Labour's OSHA cited a company by the name of Assura Windows and Doors LLC for exposing their employees in their manufacturing facility to possible injuries such as amputation, noise, struck-by, and other safety and health hazards. Due to such unsafe and dangerous working conditions in their manufacturing facility, the Assura Windows and Doors LLC faced about \$162,688 in penalties that they had to pay to the government. The company owners and managers were given 15 business days from receipt of the citation and proposed penalties to comply with the safety requirements or challenge it.

OSHA imposed the hefty penalty on this organization for a lack of machine guarding to reduce or eliminate injuries, as well as for failing to develop and implement a hazardous energy control program that should have been in place. Furthermore, the citation mentioned that the company improperly stored and improperly handled flammable materials. Moreover, there was the possibility of electric shock hazards for employees in this workplace. Additional violations for a safe workplace included not providing an effective hearing conservation program along with sufficient or adequate personal protective equipment (PPE) for their employees. And the company did not anchor their machinery, which exposed employees to slip and trip hazards on a regular basis. Due to hurricanes, tornados, rain, and strong winds, the impact window business has become very competitive in Florida and firms that can do quality work while protecting their employees will experience less legal challenges and enjoy more sustainable growth and profitability over time.

Company owners and managers should know that OSHA conducts unannounced inspections periodically as part of their National Emphasis Program on Amputations, which is a great objective and goal. All managers and organizations must do all they can to protect the safety and health of their workers. The good news is that OSHA offers assistance and consultations for compliance which can help employers to identify and correct hazards in their workplace proactively. As such, employers and managers should take advantage of such opportunities to protect their workers and be fully aligned with the law and moral norm of putting "people before profit".

Once again, it should be emphasized that under the OSH Act, «employers are responsible for providing safe and healthful workplaces for their employees» (OSHA News Release, 2020). Additionally, «OSHA role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education, and assistance» (OSHA News Release, 2020).

Finally, as stated on the OSHA website, «The mission of the Department of Labour is to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; to improve working conditions; to advance opportunities for profitable employment; to assure work-related benefits and rights». Such admirable goals should be supported by all employers, managers, and working professionals by going beyond the law to put "people before profits" in all their actions, training, socialization, and employee orientation programs.

Conduct sufficient training. Proper and systematic safety training should be a requirement for every workplace to prevent injuries. There are specific steps that OSHA recommends for every organization to be in full compliance with the established requirements. The 7 steps mentioned on the OSHA Compliance Assistance Quick Start program are as follows:

1. OSHA Requirements That Apply to Most General Industry Employers;
2. OSHA Requirements That May Apply to Your Workplace;
3. Survey Your Workplace for Additional Hazards;
4. Develop a Comprehensive Jobsite Safety and Health Program;
5. Train Your Employees;
6. Recordkeeping, Reporting, and Posting;
7. Find Additional Compliance Assistance Information.

While all these steps are important for managers to employ in the workplace, as examples, let us reflect on and review steps 1 and 5 as they are very relevant due to fire safety and hurricane concerns for all firms operating in Florida and other states around the country.

Step 1, among many elements, mentions «*Fire Safety* – OSHA recommends that all employers have a Fire Prevention Plan. A plan is mandatory when required by an OSHA standard» (OSHA Steps, 2022). Of course, it is mandatory for employers in the USA to clarify where employees should go in case there is a fire emergency. In most buildings in South Florida, there are several ways to exit the facility in case of a real fire. A fire hazard can take place due to unsafe working conditions, tornados, and even warming up food in breakout rooms. On several occasions, workers have exited their building over the past decade since a bagel was burned in a toaster which caused the fire alarm to go off, and everyone had to evacuate until the fire department cleared that it was okay to enter the building. All employees should receive relevant awareness, training, and practice to be prepared for any such evacuation emergencies.

In step 1, subsection 2 which is entitled «*Emergency Action Plan Standard*», OSHA provides guidelines and recommendations for the creation of an Emergency Action Plan (EAP). It is important for employers to have an EAP that is specifically targeted toward their employees, buildings, and specific situations. For example, all companies in Florida would need an emergency action plan in cases of a hurricane. Of course, we know that «Nobody expects an emergency or disaster. Yet, emergencies and disasters can strike anyone, anytime, anywhere. Employers should establish effective safety and health management systems and prepare their workers to handle emergencies before they arise» (OSHA Fact Sheet, 2004). Nonetheless, any emergency should be planned proactively, involve the chain of command, have specific task forces or teams (communicating in proper means), integrate on-the-job training, make available personal protective tools, equipment, and first aid kits (which can be reached quickly in nearby common area breakrooms). Experts emphasize that,

It is essential that first aid kits are available to the trained first aid providers, that emergency phone numbers are placed in conspicuous places near or on telephones, and prearranged ambulance services for any emergency are available. It may help to coordinate an emergency action plan with the outsider responders such as the fire department, hospital emergency room, EMS providers and local HAZMAT teams (OSHA Fact Sheet, 2004).

An Emergency Action Plan should properly, clearly, and specifically describe the actions employees need to take during an unexpected crisis to ensure their safety while they are at work, leave work, or come to work. The reason for any emergency plan is to manage all risky work incidents effectively, that is to plan, organize, lead, and control (POLC) both the employer and employee's actions during workplace emergencies, which are not necessarily expected but can happen at any time. At a minimum, experts recommend the following elements as a part of any emergency management plan:

1. Means of reporting fires and other emergencies;
2. Evacuation procedures and emergency escape route assignments;
3. Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;
4. Procedures to account for all employees after an emergency evacuation has been completed;
5. Rescue and medical duties for those employees who are to perform them;
6. Names or job titles of persons who can be contacted for further information or explanation of duties under the plan (OSHA EAP, 2022).

Once a plan is put in place, it is recommended that employers review the actual plan with all employees, re-evaluate, and amend the policy periodically whenever any situational variables change (OSHA Fact Sheet, 2004). Also, these emergency procedures, including the handling of any toxic chemicals, should include:

1. Escape procedures and escape route assignments;
2. Special procedures for employees who perform or shut down critical plant operations;
3. Systems to account for all employees after evacuation and for information about the plan;
4. Rescue and medical duties for employees who perform them;
5. Means for reporting fires and other emergencies.

Step 5 mentions «*Train Your Employees*» where one can learn about resources available from OSHA for teaching and coaching employers and employees (OSHA Steps, 2022). They offer training materials and recommendations. For example, their «*Safety and Health Programs*» presentation file (2017) is supported by several documents and comprehensive notes. This 54-slide presentation provides a comprehensive coverage of the topic through excellent content, statistics, and visuals. One of the slides provides the statistics associated with fatal occupational injuries by major events in 2015, which mentions that “Each year, thousands of workers die as a result of exposure to hazards in the workplace. Safety and Health Programs can help reduce these fatalities through a proactive approach to finding and fixing hazards before they cause injury, illness, or death” (OSHA Presentations, 2022). This OSHA training material is an excellent resource for all employers, managers, and trainers that want to keep their employees, customers, and other stakeholders safe during such events as unexpected fire and hurricane emergencies.

Step 5 emphasizes that «The OSHA Outreach Training Program provides workers with basic and more advanced training about common safety and health hazards on the job» (OSHA Step 5, 2022). The Outreach Training Program is a voluntary program and not required. However, «Its purpose is to promote workplace safety and health and to make workers more knowledgeable about workplace hazards and their rights» (OSHA Step 5, 2022). All organizations and employers are fully responsible for providing relevant and additional training to keep their workers knowledgeable and safe from hazards in their jobs. Updated and industry specific knowledge can assist with the identification, avoidance, control, and prevention of hazards and accidents.

The supplementary training content is the most helpful characteristic of the OSHA Outreach Training Program. Their manual entitled «*Training Requirements in OSHA Standards*» (2015) is nearly 270 pages. It is available for free downloading and usage. The creation of such content can be very time-consuming and costly for firms, but especially so for the startup organizations that operate on a small budget.

It is mentioned that «To assist employers, safety and health professionals, training directors and others with a need to know, OSHA training-related requirements have been excerpted and collected in this updated booklet» (Training Requirements, 2015). In this comprehensive manual, it is noted that «Training in the safe way for workers to do their jobs well is an investment that will pay back over and over again in fewer injuries and illnesses, better morale, lower insurance premiums and more» (Training Requirements, 2015). Of course, business leaders and managers must support any cost-effective program that keeps employees safe. It is not just a good idea to keep a record of all safety and health training but should be required of all firms since such data can be necessary for data analysis and evidence-based decision-making. Documentation might be needed in future lawsuits when the questions are asked «Did the employee receive adequate training to do the job safely and right the first time?» and «Did the company put people before profits?».

Many experienced trainers find that generally the OSHA Outreach Training Program is well-designed, but it does need customization, along with some modernization and updating using the latest technologies. Perhaps, some of the programs can use actual footage and videos to motivate workers to be safe by showing them real outcomes of what can happen when one is not safe. It is clearly mentioned that the Outreach Training Program is «designed for workers». Their goal is to provide «training on the recognition, avoidance, abatement, and prevention of workplace hazards», all of which are extremely critical in keeping employees

safe. Additionally, they offer Outreach classes which provide information on workers' rights, employer's responsibilities to keep everyone safe, and how employees can file a complaint.

The goal of any safety training program should be to engage and empower all workers in having a healthy work environment that puts "people before profit". More specifically, the following steps can be a starting point:

1. Define and communicate responsibilities and authorities for accountability;
2. Develop specific criteria and examples for workers so that they can follow the procedures;
3. Engage all workers by allowing and empowering them to be responsible for all safety measures around them;
4. Require that workers report any safety concerns;
5. Establish a process to report serious injuries, which must include near misses and health matters;
6. Empower workers to suspend work temporarily if they feel it is unsafe;
7. Provide positive reinforcement to workers who participate in safety measures;
8. Maintain an open-door policy, inviting workers to speak to managers about safety and health;
9. Give workers access to safety and health information;
10. Ensure all workers participate in safety decisions;
11. Ensure policies and programs do not discourage worker participation.

Use the OSHA Hazard Identification Training Tool OSHA uses modern technologies to help learners become aware of the best practices in keeping themselves and their workplace as safe as possible. For example, the OSHA Hazard Identification Training Tool offers everyone an opportunity to learn more about the process for finding hazards in their workplace, and it raises awareness about workplace hazards and resources available on the OSHA website.

Using this hazard identification tool, such as the Visual Inspection Tool, provides a good opportunity to reflect on the best practices in equipment inspection for a small business and find possible hazards in the scene. There are three recommended points: observe, inspect, and talk to the worker.

- a) *Observe*. You look at the piece of equipment from all sides and note any observable hazards.
- b) *Inspect*. you watch the operator and note any hazardous situations that are apparent, such as if the worker is not wearing goggles when cutting, or if the guard is exposed to too much blade.
- c) *Talk to Worker*. It is a great way to gain insight into hazards by talking to the operator and others doing the job.

The OSHA hazard identification training tool is a good start for putting oneself in the mindset of preventing accidents and putting «people above profits». It is interesting because you feel like you are almost in a real work environment where you can observe, inspect, and talk to the people doing the job to get more information. It is like a virtual reality game. However, it requires more patience as the program uses basic simulation software to accommodate all users with various Internet downloading speeds.

Many college level business curriculums now have a virtual reality simulation game as a part of some of their classes, which puts learners in places such as the warehouse to do inventory management or assessment of hazards. In such a simulation case, one would be looking for specific hazards to identify and prevent them from happening in future. So, the OSHA Hazard Identification Training Tool helps managers and workers in observing, inspecting, and talking to others doing the job. Managers and human resource professionals must note that all American workers have the following rights (OSHA Fact Sheet, 2022):

1. To work in conditions that do not pose a risk of serious harm;
2. To receive information and train (in a language and vocabulary the worker understands) about workplace hazards, methods to prevent them, and the OSHA standards that are applied for their workplace;
3. To review records of work-related injuries and illnesses;
4. To file a complaint asking OSHA to inspect their workplace if they believe there is a serious hazard or that their employer is not following the OSHA rules. OSHA will keep all identities confidential;
5. To exercise their rights under the law without retaliation, including reporting an injury or raising health and safety concerns with their employer or OSHA. If a worker has been retaliated against for using their rights, they must file a complaint with OSHA as soon as possible, but no later than 30 days.

Audit for underage workers' safety. A safety audit works for any workplace. However, some environments might require more detailed observations and structures in place to prevent accidents and develop a culture of the "people before profit" mindset. The retail industry is very competitive, and managers must ensure the safety of all employees and customers. Some managers do a good job by following safe work practices, while a few might cut corners and bully employees into harder work to make a «quick buck». As

such, while most companies are either growing or developing, a few should be preparing to go out of business. Most firms in Florida are in the lucky position of growing and developing through diverse talent in their firm. By its nature, retailers attract many servant-minded professionals and even some technically savvy and brilliant young college graduates or high school students that may eventually want to make a career for themselves in this industry.

Sadly, as shown by the example of Amazon employees losing their lives during a tornado, there are injuries and hazards in the retail industry which should be eliminated through proactive accident prevention and safety programs. According to Dreier (2023), migrant children are arriving in the US in record numbers, they are ending up in dangerous jobs that violate child labour laws (including working in factories that make products for well-known brands).

Any firm, considered as medium-sized with about 100 or more employees of different ages, ranks, and work responsibilities, must do regular audits which should include many relevant steps (Jackson et al., 2017; Mujtaba, 2022), such as determining compliance with child labour laws to keep young people safe. The tasks involved here would be related to the working hours of those who are less than 18 years of age. This retail company has hired eligible teenagers to work part-time, and auditors must make sure they are safe and work in accordance with state laws and federal regulations. All managers must know that the Child Labour Regulation (No. 3, 29 C.F.R.&570.35) limits both working hours and the time of the day when young people of 14-15 years can work. These teenagers can only work after school hours. They can only work 3 hours on school days, no more than 8 hours on weekends and holidays, and no more than 18 hours per week when school is in session. Underage workers must be properly educated, informed, and trained on which machines they can use and which ones they cannot use until they are 18 years of age. Furthermore, one task may involve the recommendation of providing more information and training to all managers who are involved in hiring and scheduling of employees so that they can better understand child labour laws and keep everyone safe.

Be aware of child labour laws. Child labour has been a reality throughout history and continues in poorer and developing nations even today. In the United States, federal and state laws provide specific youth protections regarding work for compensation, experience, and even internships. In 2016, there were around 160,000 young workers in the United States that suffered some sort of an occupational injury, and 54,800 of them ended up in the emergency room (US Department of Labour, 2016). The Child Labour Provisions of the Fair Labour Standards Act (FLSA) was enacted to make sure that when underage teenagers (around 14-17 years of age) work, they are doing so under safe working conditions. For example, young workers are expected to continue their educational journey and work should not interfere with their schooling. Also, under federal and most state laws, young people are not allowed to operate heavy machinery or work in hazardous situations which can jeopardize their health and overall well-being.

While the federal youth employment provisions do not always require underage workers to obtain work permits, physical assessment, or school permission, many state laws do require such permissions before young people can work. Most American states prevent young teenagers from getting their first job due to the requirements of work permit from school administrators and/or government officials (Fick and Holik, 2022). Data shows that in the 1970s about 60% of the 16-19-year-old teenagers did have some compensable job, which declined to about 36% in 2021. Some states like Michigan, Ohio and Pennsylvania require teenagers to secure a work permit from their school administrators, pass a physical examination through their medical doctors, and/or get a permit from their district where they want to work.

Researchers have emphasized that when teenagers work, their rates of substance abuse decrease, chances of graduating from high school increase, and they learn to get along with others in society (Fick and Holik, 2022). Teenagers with one year of work experience tend to have annual incomes of about 15% higher in their 20s compared to those that did not work during their high school years. When teenagers work under sensible conditions that allow them to finish their educational dreams successfully, they are likely to obtain lifelong lessons regarding time management, teamwork, keeping up with schedules, management, leadership, and the value of hard work. Furthermore, they may gain confidence to become responsible, sustainable, and engaged future leaders in their communities. As such, businesses should welcome and encourage young people to work by providing them a safe, healthy, and developmental work environment where they can contribute to their local communities while earning a salary for their expenses and future college education. Of course, any firm hiring, developing, and retaining young workers effectively will continue to shape their mindsets for leadership in the rest of their careers so that they can also put "people before profit" in any organization.

Conclusions. It is a fact that accidents, injuries, and mistakes continue to be one of the costliest errors for employers. We must aim to avoid all injuries in the workplace by prioritizing people's safety before efficiency

or profitability. As such, this audit provides us an opportunity to review safety practices while identifying any possible risks to eliminate future injuries, deaths, and liabilities. It also provides managers and employees with the opportunity to improve work practices and recordkeeping procedures. The primary goal of the audit should be to conduct a thorough and comprehensive review of employee safety policies in the organization to screen for any possible injuries, exposures, and risks.

In summary, employers should create a proactive approach for finding and fixing hazards in the workplace so that employees can start, work, and finish safely every single day. Employees should know that safety starts with them. Each training session and each manager must emphasize to employees that no job or service is so important or urgent that workers cannot take enough time to perform their duties safely. Let employees know that safety starts with them and then educate and empower them accordingly to always be safe. Thinking about safety ultimately leads to working safely. Consequently, an organizational culture is created that always places people's safety above efficiency or profitability every single day. An effective safety and health program can increase worker's engagement in the process, enhance management commitment. It can allow employers to manage their resources, personnel, and environment more reasonably in a sustainable manner.

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Проблеми аудиту охорони праці: принцип «працівник понад прибуток» та дотримання стандартів OSHA

Кожна організація повинна забезпечувати безпечні умови праці для всіх зацікавлених сторін, ставлячи «людей понад прибуток». Такі умови треба свідомо створювати, оцінювати та внутрішньо перевіряти шляхом регулярних аудитів. Власники підприємств, менеджери та працівники повинні знати, що про перевірки Управління з охорони праці (OSHA) роботодавців не завжди повідомляють заздалегідь: інспектори можуть прийти на ревізію в будь-який день або час. Таким чином, усі працівники повинні працювати безпечно, і мають бути готовими до несподіваної перевірки. Кожен бізнес має контрольний список заходів, яких треба щоденно дотримуватися, щоб убезпечити своїх працівників від виробничого травматизму. Ефективні програми охорони праці можуть наростити продуктивність працівників, покращити репутаційні показники компанії та знизити компенсаційні відшкодування за виробничі травми. У цій статті описуються загальні норми, прийняті OSHA у галузі охорони праці. Оглядаються статистичні дані, рекомендації з контрольного списку ревізійних вимог OSHA. Ця інформація опрацьовується керівництвом підприємства та начальниками окремих структурних підрозділів для попередження виробничого травматизму і вдалого проходження незалежного аудиту (з боку федеральних та місцевих служб). Особлива увага зосереджується на проведенні навчальних інструктажів з охорони праці, особливо серед неповнолітніх працівників. Керівники мають активно просувати гасло «працівник понад прибутки» для удосконалення трудової

культури. Крім того, треба добре знати стандарти OSHA, державні трудові закони для створення належних умов охорони праці та успішного проходження ревізій. Закон про охорону праці 1970 року створив потужну нормативно-правову базу для реформування охорони праці на підприємствах. Зокрема, розроблено відкриті навчальні курси з охорони праці для всіх категорій працівників – від робітника цеху до власника компанії. Отже, стандарти та правила OSHA стали частиною американської корпоративної культури з позитивним ефектом. Зокрема, наразі краще усвідомлюється неухильний принцип «людина понад прибутки».

Ключові слова: охорона праці, Закон про охорону праці, Управління з охорони праці, OSHA, попередження виробничого травматизму.