The substantial majority of employers are required to adhere to the standards and regulations established by the Occupational Safety and Health Administration (OSHA). Those employers need reliable counsel that can quickly and appropriately respond when compliance issues or accidents occur in the workplace. Our goal is to minimize the risk of litigation for our clients by helping them proactively implement proper safety programs, counseling them on OSHA compliance issues, guiding them through OSHA inspections, and, when necessary, litigating OSHA citations.

Our OSHA team also includes experienced labor and employment attorneys who are valuable to clients when disgruntled employees or labor unions make claims about alleged unsafe work conditions. We defend whistleblower and retaliation claims and handle grievances under collective bargaining agreements or as unfair labor practice charges before the NLRB.

Our attorneys draw on their more than twenty years of experience and knowledge of OSHA standards and regulations to advise and represent clients in a wide range of industries, including construction, manufacturing, trucking, agriculture, health care and others. Our services include:

- OSHA compliance counseling
- OSHA inspection counseling
- Litigating OSHA citations
- Assisting with crisis management
- Managing accident investigations
- Assisting with catastrophe management
- Resolving employee and union complaints
- Defending whistleblower claims

**EXPERIENCE AND CAPABILITIES**

Our reputation, experience, and continued development in this field are essential to the successful handling of our clients’ OSHA-related matters. Our credentials include:

- Significant experience defending, litigating, and trying, catastrophic construction-related injury and wrongful death
actions

- Development and implementation of a unique and comprehensive emergency response protocol to manage OSHA investigations and other catastrophic loss incidents
- Regularly conducting OSHA and OSHA-related training and seminars applicable to OSHA standards and the OSHA injury and citation resolution process
- Actively evaluating and reporting on emerging OSHA injury, citation, and administrative decision trends to keep clients informed as to emerging OSHA-related issues
- Extensive experience responding to and defeating OSHA retaliation and whistleblower claims

EMERGENCY RESPONSE TEAM

Our emergency response team provides experienced, proactive counsel, skilled in a wide range of issues, to coordinate responses to catastrophic losses. Our emergency assistance program offers clients the direct physical presence, support, and perspective that cataclysmic situations demand, typically including the following activities:

- Offer immediate on-scene evaluation
- Secure information and protect attorney/client privilege so information garnered is free from access by outside parties
- Gather and preserve evidence
- Reconstruct and diagram the scene and determine what occurred
- Acquire information from local law enforcement and witnesses
- Protect corporate interests

EXPERIENCE

- Death at industrial facility involving a worker struck in the head by load of steel. Due to our involvement and response during the inspection, no citations were issued.
- Death of a worker in a trench struck by the falling bucket of a backhoe. OSHA issued multiple serious and repeat citations. Due to our early intervention and response, and involvement of a consulting OSHA safety expert, the majority of the citations were dropped and the fines were significantly reduced.
- Death of worker suffocated inside a silo filled with sand and gravel. OSHA issued multiple citations. Due to our proposed abatement steps to prevent similar incidents in the future, several of the citations were dropped and fines were significantly reduced at the informal conference stage.
- Death of a worker struck by a steel beam hit by a straddle crane. Due to our early intervention and response, and involvement of a consulting OSHA safety expert, only one serious citation was issued.
- Severe, career-ending injury to a worker’s back when he was knocked off a trailer by a crane load. Due to our early intervention and response, no citations were issued.
OSHA

- OSHA inspection revealed client’s failure to adhere to trench protection standards. Repeat citation issued assessing significant fines. Due to our proposed training on trench protection to client employees, fines were significantly reduced at the informal conference stage.

- OSHA inspection of a client’s food processing facility revealed client’s failure to adhere to guarding and lock-out/tag-out standards. Multiple serious citations issued assessing fines in excess of $50,000. Due to our post-incident training and abatement efforts and the discovery of new facts related to the inspection, several citations were dropped and fines were significantly reduced.

- OSHA inspection revealed client’s failure to adhere to guarding, lock-out/tag-out, air quality, and protective clothing standards. Multiple serious citations issued assessing fines in excess of $50,000. Due to our post-incident training and abatement efforts and the discovery of new facts related to the inspection, several citations were dropped and fines were significantly reduced.