



Interoffice Communication

To Safety Directors
From Tom Grumbles
Date October 29, 1981
Subject OSHA MULTI-EMPLOYER WORKSITE POLICY

For your information, enclosed is the current OSHA citation policy for multi-employer worksites. It is expected to be effective November 1. While not answering all of our questions on contractor policies it does at least give us guidance on how OSHA will cite. The legal department is still considering the remaining questions of contractor education and supplying of personal protective equipment to contractors.

A handwritten signature in black ink, appearing to read "Tom", with a stylized flourish extending from the end.

Thomas G. Grumbles

ajo

Enclosure

CCR 000001752

OSHA Instruction CPL

Office of Compliance Programming

correction (the controlling employer). This would normally not be done, however, unless all exposing employers met the conditions of the defense.

4. The controlling employer may be cited even though no employees of that employer are exposed to the violative condition. For general duty clause violations, however, only the employer(s) whose own employees are exposed to the violation may be cited.
5. In some situations it may be difficult, on the basis of the facts available during an inspection, to determine whether the exposing employer(s) meet the tests outlined above and, therefore, whether or not they are exempt from a citation. In such situations, the Area Director, in appropriate circumstances and after consulting with the Regional Administrator, may issue citations to both the exposing employer(s) and the controlling employer(s). Moreover, in rare instances, the Area Director, after consulting with the Regional Administrator, may issue citations to the controlling employer in addition to or instead of the exposing employer if in his/her judgment the circumstances in a particular case are such that the citations would lead to more effective abatement of the hazard(s).

Thorne G. Auchter
Assistant Secretary

Distribution: National, Regional, and Area Offices
All Compliance Officers
State Designees
NIOSH Regional Program Directors