

OSHA Defense

KRCL has a robust OSHA defense practice representing employers across all industries in regard to OSHA inspections, compliance issues, accident investigations and contesting OSHA citations. Tasked with enforcing workplace safety standards, the Occupational Safety and Health Administration (OSHA) employs a strict enforcement system for employers who have allegedly violated OSHA regulations and standards. Many employers who invest heavily in providing their employees a safe work environment may nonetheless disagree with what OSHA perceives to be a violation. In other instances, an employer may have exercised reasonable diligence in complying with OSHA's standards but still received a citation due to an employee's misconduct. In these and similar instances, our legal team can assist in favorably resolving the citation. We assist clients in compliance with state and federal occupational safety and health laws and regulations, as well as defending claims of OSHA violations.

Alleged OSHA violations fall into four primary classifications:

- Serious
- Other-than-Serious
- Willful
- Repeat

OSHA citations often result in significant fines that may be increased dramatically where subsequent "Repeat" violations are found by OSHA. Aside from the immediate monetary penalty, an OSHA citation may negatively impact an employer's business because that citation is publicly listed next to the employer's name on OSHA's website. We represent clients in every aspect of an OSHA case, including inspections, accident investigations, contesting citations, administrative hearings and appeals. Our experienced OSHA team has extensive experience in the defense of all types of alleged OSHA violations, including the following areas commonly focused on by OSHA:

Construction Industry:

- Fall Protection
- Excavation and Trenching
- Overhead Electrical Work
- Personal Protective Equipment
- Scaffolding

General Industry:

- Process Safety Management
- Machine Guarding
- Lockout/Tagout
- Powered Industrial Trucks (forklifts)
- Hazard Communication

Citations and the related penalties can be challenging and detrimental to an employer's business. But these citations and penalties can be efficiently defended with the correct legal strategy. Our OSHA team is lead by Darren Harrington, one of the premiere OSHA defense attorneys in the nation, who has defended employers across a variety of industries for over 20 years. At KRCL, we understand the importance of protecting your company's reputation by preserving the integrity of your safety record. Our attorneys have successfully represented clients in a wide array of businesses and industries across the U.S. and in the Caribbean, including:

- One of the top food processing plants in the U.S.
- A global infrastructure and water sustainability solution provider
- A leading international services provider in energy, chemicals and natural resources
- One of the 3 major data collection and credit reporting agencies
- Pipeline companies
- Insurance companies
- Brokerages and insurance agencies