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# Who is Responsible? Multi-Employer Work Sites



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# Agenda

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## Today's Instruction:

- Key OSHA Standards
- MEWP 4 Key Roles
- Case Studies
- Best Practices
- Knowledge Check

## Multi – Employer Construction Sites

- The Concept of Multi Employer construction sites and the inherent complexities.
- Confusion regarding responsibility.
- OSHA's Multi-Employer Citation Policy in the construction industry.

Multi – Employer Construction Sites

# Key OSHA Construction Standards

Fall protection (1926 Subpart M)

Scaffolding (1926 Subpart L)

Hazard Communication (1926.59)

Excavations (Subpart P)

Personal Protection Equipment (1926 Subpart E)

## Multi – Employer Construction Sites

“IF YOU CREATE THE HAZARD,  
YOU OWN IT!”



# Creating Employer

- Creates a Hazard that violates an OSHA Standard
- Example: A Subcontractor installs Faulty Scaffolding

# Exposing Employer

- Own Workers that are exposed to the hazard
- Example: Workers from another Sub-Contractor use the faulty Scaffolding



# Correcting Employer

- Responsible for Correcting a Hazard.
- Example: The General Contractor is contractually obligated to fix safety issues.

# Controlling Employer

- Has General Supervisory authority over the site and the power to correct or require others to correct hazards.
- Example: The General Contractor oversees the entire project and it's subcontractors

## CASE Study #1- Fall Protection

**Scenario:** A worker falls from a roof because the guardrail was not installed correctly.

## Analysis

- Creating Employer: The Sub-Contractor who installed the guardrail.
- Exposing Employer: The Employer of the worker who fell.
- Correcting Employer: The General Contractor if responsible for overall site safety.
- Controlling Employer: The General Contractor (New Build) Building Owner if Existing.

## CASE Study #2-Hazard Communications

**Scenario:** A worker is injured handling a hazardous chemical due to inadequate labeling and training.

## Analysis

- Creating Employer: The Supplier who provided the chemical without the proper labeling.
- Exposing Employer: The Employer of the injured worker.
- Correcting Employer: The Employer who should have ensured proper labeling and training.
- Controlling Employer: Owner of the site



## CASE Study #3- Excavation Collapse

Scenario: An Excavation collapses, injuring workers inside.

## Analysis

- Creating Employer: The contractor who performed the excavation without proper sloping or shoring.
- Exposing Employer: Employer of the injured worker.
- Correcting Employer: The entity responsible for ensuring excavation safety.
- Controlling Employer: The General Contractor or Owner of site.



## Best Practices

- Clear Contracts outlining Safety Responsibilities.
- Regular communication and coordination among all employers.
- Proactive Hazard identification and correction.
- Thorough safety training for all workers.

# OSHA FINES 2024

- Other Than Serious: \$16,131 (May be reduced up to 95%)
- Serious: \$16,131 (May be reduced)
- Willful or Repeat: \$161,323
- Failure to Abate: \$16,131 (Per Day)

Knowledge Check – Multi Employer Work Sites

# Multi Employer Responsibility Discussion Quiz

Question #1

What is the definition of a multi employer worksite according to OSHA?

## Knowledge Check – Multi Employer Work Sites

Answer: A multi employer work site is any work site where two or more employers are present, regardless of whether they have a contractual relationship. This includes construction sites, manufacturing facilities, at other locations where multiple companies or subcontractors are working together.

Question #2

Name the 4 primary roles that employers can play on a multi-employer worksite?

## Knowledge Check – Multi Employer Work Sites

Answer: The four primary roles are;

- Creating Employer
- Exposing Employer
- Correcting Employer
- Controlling Employer



Question #3:

Which type of employer is responsible for creating the hazardous condition?



## Knowledge Check – Multi Employer Work Sites

Answer: The creating employer is the one who causes the hazardous condition that violates an OSHA standard.

## Question #4

Which type of employer has employees directly exposed to the hazard?

## Knowledge Check – Multi Employer Work Sites

Answer: The exposing employer is the one whose own employees are exposed to the hazard.

## Question #5

Which type of employer is responsible for correcting the hazard?

## Knowledge Check – Multi Employer Work Sites

Answer: The correcting employer is the one who is responsible for fixing the hazard. This could be the creating employer, another employer on the site, or even a government agency like OSHA.

Question #6

Which type of employer has general supervisory authority and can hold other employers accountable?

Answer: The controlling employer is the one with overall control of the work site and can require other employers to comply with safety regulations. This is often the general contractor on a construction project.



## Question #7

Besides the four primary roles, what other types of employers might be involved on a multi employer worksite?



**Answer:** Other types of employers on a Multi – Employer worksite could include:

- Temporary Labor Agencies
- Independent Contractors
- On-Site Vendors
- Service Providers

Question #8

What is the Purpose of OSHA'S Multi-Employer Citation Policy?

Answer: The multi employer citation policy allows OSHA to hold multiple employers accountable for safety hazards on a multi employer worksite, even if only one employer created the hazard. This helps ensure that all employers are doing their part to protect worker safety.

## Question #9

Can an employer be cited by OSHA even if they did not create the hazard?

Answer: Yes, an employer can be cited by OSHA if they are an Exposing, Correcting, or Controlling employer and failed to take action to prevent or correct the hazard.

## Question #10

What are some of the best practices for complying with OSHA regulations on a multi employer worksite?



Answer: Some of the best practices for complying with OSHA regulations on Multi-Employer worksites include:

- Having a written safety and health plan.
- Conducting Regular Safety Meetings.
- Providing training to all workers on safety hazards.
- Identifying and correcting hazards promptly.
- Maintaining clear lines of communication between all employers on the site.

# Takeaways

