

No. 1 of 10 Things Every Employer Should Know About OSHA: Walkaround Representatives

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Please follow along as we discuss the top 10 things every employer should know about OSHA over the next few weeks.

1. Employers and employees have the right to have a company employee or non-employee representative present during an OSHA site inspection.

According to [29 CFR 1903.8\(c\)](#), employers and employees have the right to authorize a representative to accompany OSHA officials during workplace inspections for the purpose of aiding the inspection (a/k/a walkaround representatives). OSHA regulations require no specific qualifications for employer representatives or for employee representatives who are employed by the employer. We encourage all employers to have a designated walkaround representative present during OSHA inspections which could include legal counsel.

[As we blogged about earlier](#), effective May 31, 2024, the U.S. Department of Labor issued a final rule clarifying workers' rights to authorize non-employees to serve as their walkaround representatives. A non-employee may serve as a worker's walkaround representative if that representative is reasonably necessary to conduct an effective and thorough inspection based upon their skills, knowledge or experience. This experience may include knowledge or experience with hazards or conditions in the workplace or similar workplaces, or language or communication skills to ensure an effective and thorough inspection.

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