

No 6. But No One Was There? OSHA Can Still Cite for Unsafe Work Conditions Where Workers Were Not Exposed

Article By:

Jared B. Caplan

Anne R. Yuengert

We often hear, “OSHA can’t cite me because I didn’t employ the injured worker.” Unfortunately, this statement is often untrue.

Under OSHA’s Multi-Employer Doctrine, if you are an employer on a worksite where other companies are also performing work (e.g., construction sites and oil/gas well sites), you can be subject to citation for workplace hazards to which other companies’ employees are exposed. OSHA created the Multi-Employer Doctrine in recognition that there are many circumstances in which multiple employers will be working on a single worksite at the same time thereby affecting the working conditions to which all workers are exposed.

The Multi-Employer Doctrine identifies four categories of employers potentially citable for a hazardous condition:

1. **Creating Employer:** Employer that caused a hazardous condition that violates an OSHA standard.
2. **Exposing Employer:** Employer whose own employees are exposed to the hazard.
3. **Correcting Employer:** Employer who is engaged in a common undertaking, on the same worksite, as the exposing employer and is responsible for correcting a hazard. This usually occurs where an employer is given the responsibility of installing and/or maintaining particular safety/health equipment or devices.
4. **Controlling Employer:** Employer who has general supervisory authority over the worksite, including the power to correct safety and health violations itself or require others to correct them. OSHA frequently identifies general contractors as controlling employers.

So, stay vigilant. If your company is working on a multi-employer worksite, keep an eye out for hazards that could potentially impact any worker on site, whether they are your employee or someone else’s.

Read [Tip No. 1](#), [Tip No. 2](#), [Tip No. 3](#), [Tip No. 4](#), and [Tip No. 5](#)

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