Which Company Is Responsible for OSHA Violations?



OSHA fined a painting subcontractor $42,500 for numerous violations at an Ohio bridge painting site. The subcontractor denied responsibility for the violations saying they were committed by workers of the company it had hired to do the blasting on the project. OSHRC agreed and dismissed the citations. OSHA requires employers to protect workers. But the subcontractor wasn't the "employer" in this case. The blasting company and not the subcontractor controlled the hiring, firing and disciplining of the workers on the site, paid the workers' salaries and exercised control over how the blasting was done. So if anybody was responsible for the violations, it was the blasting company, OSHRC said [*Secretary v. Allstate Painting and Contracting Co., Inc.*, OSHRC Docket Nos. 97-1631 & 97-1727].