



# How Texas Dealerships Can Avoid OSHA's Top 5

Tips to avoid the most frequently cited violations





# Texas OSHA Citations

*They're rampant, they hide in plain sight, and they have potentially dire consequences for your people and your bottom line. Is your dealership doing enough to avoid the most common OSHA citations in Texas?*

Although many people think of OSHA as a monolithic federal agency, it actually operates as a network of regional offices, each with its own priorities and enforcement strategies.

On the state level, OSHA's actions are guided not only by nationwide concerns, but also by what the agency calls [Local Emphasis Programs](#) (or "LEPs" for short) and **Regional Emphasis Programs**. According to OSHA, these programs are "intended to address hazards or industries that pose a particular risk to workers in the office's jurisdiction."<sup>1</sup>

This means that dealers need to pay careful attention to your local OSHA office and its particular health and safety directives. Stay ahead of inspectors—and ensure the safety and health of your dealership's workforce—by controlling the unique risks present in any local environment in which you do business.

# Workforce Health and Safety Issues for Dealers in Texas

*Texas is located in OSHA Region 6, headquartered in Dallas.  
Here are a few health and safety issues OSHA focuses on in Region 6:*

## Heat Illness

Texas gets hot, particularly in the summer months between May and September, when temperatures can exceed 100° F. This kind of extreme heat can cause workers to suffer from heat-related illnesses.

OSHA pays close attention to heat illness, especially when a case results in hospitalization. Between January 1, 2016, and September 30, 2019, Region 6 investigated 345 serious heat-related illnesses.<sup>2</sup>

The first step to preventing heat illness is knowing the signs. There are two common kinds of heat-related illnesses: heat exhaustion and heatstroke. Both demand quick action, but heatstroke is a medical emergency.

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### Symptoms of heat exhaustion include...

- ♦ Faintness/dizziness
- ♦ Excessive sweating
- ♦ Cool and clammy skin
- ♦ Nausea/vomiting
- ♦ Rapid and weak pulse
- ♦ Muscle cramps

### Symptoms of heatstroke include...

- ♦ Throbbing headache
- ♦ Lack of sweat
- ♦ Body temperature above 103° F
- ♦ Hot and dry skin
- ♦ Nausea/vomiting
- ♦ Rapid and strong pulse
- ♦ Possible loss of consciousness

Either of these illnesses can strike easier than you think. While people working outdoors in extreme heat are the most susceptible to heat illness, it can affect people indoors as well. In fact, the radiant heat in some indoor environments can exceed outdoor temperatures. Keep in mind that people frequently overestimate their limits and their ability to continue working in the heat. They may not know they're in trouble before it's too late.

To ensure the health and safety of your employees and avoid a heat illness violation, alter working conditions and adopt additional controls when it's hot outside. **Protective measures may include any or all of the following:**

- ♦ More time for acclimation
- ♦ Additional safety briefs
- ♦ Additional water sources
- ♦ Hydrating snacks and drinks (e.g. popsicles, sports drinks, fruit)
- ♦ Periodic hydration reminders
- ♦ Additional shade (e.g. with tents)
- ♦ Faster job rotation
- ♦ Mandatory sunscreen applications
- ♦ More frequent breaks
- ♦ Cooling equipment and clothing (e.g. cooling inserts and evaporative cooling vests)
- ♦ Large fans



Employees should be trained to recognize symptoms of heat-related illnesses, what to do when symptoms are observed, and on site-specific risks and controls. In addition to their personal heat illness prevention choices, such as water intake and clothing, members of your workforce also need to be aware of their individual risk factors, including age, medications, obesity, diet, smoking habits, and medical conditions.

## Safe Driving

Vehicle accidents are a common workforce safety issue in the automotive industry. Collisions can cause severe injuries as well as damage to property and equipment—and, of course, result in OSHA fines.

Fortunately, most accidents are avoidable. To improve safe driving habits and reduce the chance of an accident, employers should do the following:

1. **Practice good housekeeping and recordkeeping.** For many dealerships, accidents frequently occur at one or a handful of problem areas. Maybe there's a busy intersection on the lot or an obstruction at a corner creating a large blindspot. Look for and eliminate potential hazards proactively, and address issues as soon as there's an incident. Employees are sometimes aware of these problems before health and safety managers are, so encourage the members of your workforce to speak up if they've witnessed an accident or noticed a hazard.
2. **Be mindful of where vehicles are parked.** Drivers should respect all signs and markers, and never leave a vehicle in a spot where it shouldn't be parked—regardless of how quickly they intend to return. An

improperly parked vehicle can increase the likelihood of collisions, as other drivers don't expect the vehicle to be there or can't see it, and may cause serious problems if there's an emergency, e.g. if the vehicle is obstructing a fire lane.

3. **Look out for speeding and distracted driving.** Drivers should obey speed limit signs (make sure to post these if you haven't already), watch out for pedestrians, and never use a mobile device, fill out paperwork, or engage in other activities while operating the vehicle. Discourage multitasking. No accident is worth a couple minutes saved.

## Employee Complaints

**Employee complaints are the number 1 reason why OSHA chooses to investigate employers.** And in Texas, the agency has been ramping up its complaint-driven enforcement in the last several years.

The most effective way to minimize the chances of an employee filing a complaint with OSHA is simple: make sure you're providing your workforce with a safe working environment. Train your employees, correct all known hazards promptly, prevent potential hazards, build and maintain a safety culture, and make sure every other element of a functioning safety program is in place. The fewer risks in your workplace, the fewer reasons employees have to blow the whistle.

Additionally, provide your workforce with internal channels to raise EHS issues and concerns. Take every internal complaint and question seriously, no matter how trivial it may seem. Demonstrate to your employees that you care about their concerns.

<sup>1</sup> <https://www.osha.gov/enforcement/directives/lep>

<sup>2</sup> [https://www.osha.gov/sites/default/files/enforcement/directives/CPL\\_2\\_02-00-027A.pdf](https://www.osha.gov/sites/default/files/enforcement/directives/CPL_2_02-00-027A.pdf)



# The Cost of an OSHA Violation

OSHA penalties can exceed **\$13,000 per violation** and as much per day for every day the issue hasn't been fixed by OSHA's deadline.

The fine for a willful or **repeated violation can be 10 times as much.**

In 2021, the maximum penalty for such a violation is **\$136,532<sup>3</sup>**.



## Examples of indirect workplace hazards expenses

- ♦ workers' compensation claims from people who have experienced injuries and illnesses
- ♦ lost productivity during and after an incident
- ♦ lowered workforce morale due to fear and uncertainty around risk areas
- ♦ hours of labor spent identifying and fixing the issue
- ♦ expenses of cleaning and replacing equipment that's out-of-date, damaged, or broken
- ♦ legal and compliance fees
- ♦ negative publicity and reputational damage

*Those are just the direct costs. Organizations that don't adequately address common workplace hazards can expect to pay hundreds of thousands—even millions—in indirect expenses.*

Of course, the true costs of a safety violation are incalculable. No one can put a number on an employee's life. Suffice it to say, it's in your organization's best interest to bring your annual number of injuries and illnesses to zero.

Fortunately, avoiding an OSHA citation isn't as complex or cost-intensive as many people think. Small steps can save you 6 or 7 figures—or save someone's life.

Read on to learn about the 5 most common OSHA violations and what you can do today to reduce their chances of happening in your workplace.

3 <https://www.osha.gov/penalties>

## How to Avoid the 5 Most Frequently Cited OSHA Citations for Dealers

Check out these resources to learn more about each hazard, along with warning signs to look out for and Fall Protection prevention checklists you can use to improve compliance and minimize losses.

Hazard Communication



Respiratory Protection



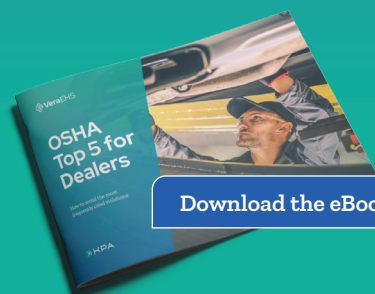
Electrical Systems



Powered Industrial Trucks



Personal Protective Equipment



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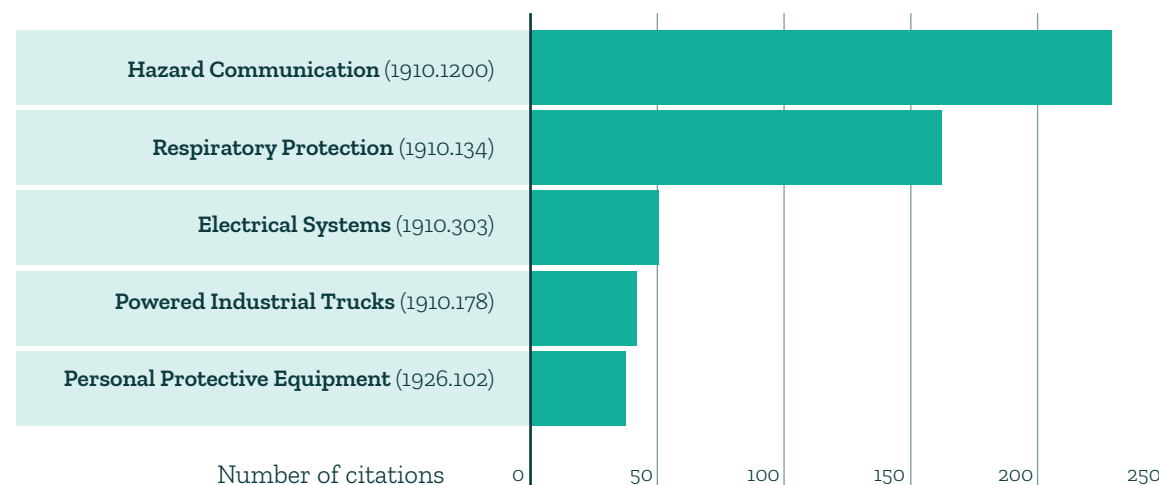


# Top OSHA Citations Across the US

*Here are the top 5 OSHA citations across the country in 2020. This list has remained largely unchanged for a decade. The reality is undeniable: many environment, safety, and health professionals are failing to adequately recognize and mitigate the greatest sources of workforce risk.*

No matter how much you know (or think you know) about the most common workplace violations out there, it's clear that organizations could use some help.

**In fiscal year 2020, OSHA issued hundreds of citations combined in the following categories<sup>5</sup>:**



Source:  
[Motor Vehicle Parts and Dealers Data](#)  
[Auto Repair and Maintenance Data](#)



## You Don't Have to Manage Your OSHA Requirements Alone

*Have questions? Looking for more detailed OSHA compliance guidance? KPA is here to help.*

This is only a basic overview of the most common violations in Texas. To truly protect your workforce and bottom line, you'll need in-depth information—and not just about these key areas, but every potential hazard that exists in your dealership. You'll also need to conduct a thorough evaluation of your facilities to identify current gaps and risk areas.

KPA's unique combination of expert EHS consulting services, software, and training can provide the coverage your people and your dealership needs.

KPA clients get access to more than 120 field consultants across North America who are available to deliver both on-site and virtual compliance support, as well as audit loss control services. Additionally, KPA's Vera Suite software helps dealers manage their EHS, F&I, and HR programs in one comprehensive platform.

The combination of KPA's software platform and deep industry expertise helps clients manage risk, streamline operations, and reduce costs.

*For more information visit [www.kpa.io](http://www.kpa.io) or call 866.356.1735.*

