

Alert | OSHA



July 2023

Employers, Be-Ware(house)!

OSHA Launches a National Emphasis Program to Reduce and Prevent Hazards at Warehouses, Distribution Centers, and High-Risk Retail Establishments

On July 13, 2023, the Occupational Safety and Health Administration (OSHA) announced a **National Emphasis Program** (NEP) to prevent workplace hazards in warehouses, processing facilities, distribution centers, and high-risk retail establishments like hardware stores and supermarkets. OSHA's NEPs are temporary programs that focus OSHA resources on particular hazards and high-hazard industries.

Under the new NEP, all inspections will be comprehensive safety inspections, except for high-injury-rate retail establishments. OSHA's comprehensive safety inspections will focus on workplace hazards related to powered industrial trucks, material handling/storage, walking-working surfaces, means of egress, and fire protection. Inspections of high-injury-rate retail establishments will be partial inspections concerning the storage and loading areas, unless OSHA expands the scope of the inspection when there is evidence that violative conditions may be found in other areas of the establishment. In addition, OSHA must consider heat and ergonomics hazards during all inspections covered by the NEP. Inspections based on fatalities/catastrophes, complaints, or referrals of establishments the NEP covers will be expanded to address the workplace hazards the NEP is targeting.

OSHA Area Offices will receive lists of establishments in their jurisdiction that have North American Industry Classification System (NAICS) codes related to warehousing and high-injury-rate retail establishments. The NEP identifies the NAICS codes for Warehousing and Distribution Center Operations, Mail/Postal Processing and Distribution Centers, and Parcel Delivery/Courier Services, as well as the NAICS codes for High Injury Rate Retail Establishments the NEP covers. OSHA will select employers for inspections under the NEP using neutral and objective criteria. If a workplace is identified for inspection pursuant to the NEP, employers should ask the compliance offer for the basis of the inspection.

OSHA likely will be proactive in implementing this new NEP and will conduct comprehensive inspections at subject worksites. Therefore, those in the regulated community may be contacted in short order for an inspection. To prepare for any OSHA inspection, including an inspection under the NEP, employers should scrutinize their written safety policies regarding powered industrial trucks, material handling, walking-working surface, means of egress, and fire protection and ensure that the policies are clear, communicated to the employees, and enforced. Likewise, employers should evaluate their training programs to ensure they comply with the applicable safety and health regulations referenced in the NEP, especially powered industrial truck training.

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