

APRIL 11, 2019 | EVENTS

Responding to 11(c) Safety Retaliation Complaints and Notices of Alleged Hazards / Employee Safety Complaints [Webinar Recording]

On April 16, 2019, [Kate M. McMahon](#) and [Lindsay A. DiSalvo](#) of [Conn Maciel Carey's national OSHA • Workplace Safety Group](#) presented a webinar regarding [Responding to 11\(c\) Safety Retaliation Complaints and Notices of Alleged Hazards / Employee Safety Complaints](#).

When OSHA receives a complaint related to employee safety and health or a severe injury report, OSHA often gives the employer an opportunity to respond before it takes the more extreme action of opening an inspection. In addition, when OSHA receives an allegation of retaliation, it must provide the employer a chance to explain why the action of which it is accused was legitimate or did not occur as alleged. These responses are an opportunity for the employer to provide sufficient information to avoid a full-blown OSHA inspection or becoming enmeshed in the litigation of a retaliation claim. A strong and thorough response could resolve OSHA's concerns and resolve the retaliation complaint in a favorable manner for the employer.



Guide to Responding to 11(c) Safety Retaliation Complaints and Notices of Alleged Hazards / Employee Safety Complaints

April 16, 2019

Kate M. McMahon and Lindsay A. DiSalvo

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However, these responses could also create a written record of admissions to which OSHA can hold the employer accountable, and any supporting documentation may be closely scrutinized and potentially used to create liability. Thus, employers must be strategic about the information they share at this early stage and should ensure there is a procedure in place for managing and developing these responses.

Participants in [this webinar](#) learned about the following:

- The types of complaints and incidents that lead OSHA to request information from the employer;
- Specific prohibitions of Section 11(c) (OSHA's anti-retaliation law) and how retaliation complaints are evaluated;
- Strategies employers can use to effectively respond to Section 11(c) complaints, Notices of Alleged Hazards, and RRI requests; and
- Proactive measures employers can take to avoid employee complaints.

We are pleased to share these links to [a copy of the slides](#) and [a recording of the webinar](#). Let us know if you have questions about responding to OSHA whistleblower actions or employee safety complaints, or any any other OSH law issues. We would love to be a resource for you.

The April 16th webinar was the 4th webinar event in Conn Maciel Carey's [2019 OSHA Webinar Series](#). Click [here](#) to view our full schedule, detailed program descriptions, and individual registration pages for the remaining webinars in the [2019 OSHA Webinar Series](#). To register for all of the remaining programs in the 2019 series, [click here to send an email request](#), and we will get you automatically registered.

If you missed any of our past webinars in our annual OSHA Webinar Series, here is a link [Conn Maciel Carey's webinar archive](#).



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