



Workplace Safety Lawyer Discusses Proposed OSHA Rule That Would Allow Union Walkthroughs of Nonunion Worksites

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In an interview with *SHRM*, **Micah Dickie** shares his insight on a forthcoming proposed rule from the Occupational Safety and Health Administration (OSHA) that would allow a union representative to accompany an OSHA inspector during a walkaround at a nonunion worksite, even if the union representative is not an employee at the organization. Micah predicts that employers will likely argue that such a rule would exceed OSHA's authority to mandate that employers must allow third parties on their worksites. But he urges employers to be prepared and "...have a plan in place before OSHA shows up, so HR professionals know whom to call and the play-by-play of what to consider."

Micah goes on to explain that employers can refuse to allow a union representative to accompany OSHA during a walkthrough at any time, unless OSHA has a warrant. And he adds that "until OSHA issues its new proposed rule and has it go into effect, an employer can and should refuse to allow any nonemployee to accompany OSHA."

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