

# Prairie Island Indian Community

Tribal Occupational Safety & Health

## *TOSHA Consultation*

**Subject:** Process for requesting and conducting TOSHA Consultation Services

**Policy Owner (Department):** Occupational Safety

**Effective Date:** 02/2026

**Revision Number:** 000

**Revision Date:**

### **Policy:**

Prairie Island Indian Community shall establish, document, implement, and maintain a Safety & Health Program and continually improve its effectiveness, consistent with the requirements of the Tribal Occupational Safety and Health Ordinance (“PIIC-TOSHA”).

### **Purpose:**

The purpose of the TOSHA consultation services is to provide confidential assistance to businesses to help them identify workplace hazards, improve their safety and health programs, and comply with the PIIC-TOSHA.

### **Scope:**

Consultants work with all businesses, employers, and employees within the Tribal Jurisdiction to develop solutions and improve safety, which can lead to lower injury rates and a safer workplace.

### **Procedures:**

Contact the TOSHA office to request consultation services. The consultant will discuss your specific needs and set up a date based on your request, work schedule, and the time needed for an adequate address to your concerns. TOSHA encourages a complete review of your safety and health situation; however, if you wish you may limit the visit to one or more specific problems.

1. On-Site Consultant will
  - a. Help recognize hazards in your workplace.
  - b. Suggest general approaches or options for solving a safety or health problem.
  - c. Identify kinds of help available if further assistance is needed.
  - d. Provide a written report summarizing findings.
  - e. Assist the organization to develop or maintain effective safety and health programs.
  - f. Provide training and education for you and your employees.
2. On-Site Consultant will not
  - a. Issue citations or propose penalties for violations.
  - b. Report possible violations.
  - c. Guarantee the workplace will "pass" a TOSHA compliance inspection.

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3. Day of the on-site consultation
  - a. Opening Conference: When the consultant arrives at the worksite, TOSHA will first meet with you to briefly review the consultant's role and the obligation you incur as an employer.
  - b. Walk Through: Together, the employer representative and TOSHA will examine the conditions in your workplace.
    - TOSHA strongly encourages maximum participation by the employees. Better informed employees can more easily work with the employer to identify and correct hazards in the workplace.
    - Talking with employees during the walk-through helps the consultant identify and judge the nature and extent of specific hazards.
    - The consultant will study the entire workplace or the specific operations designated and discuss the applicable standards.
    - The consultant may identify other safety or health risks that might not be cited under TOSHA standards but nevertheless may pose risks to employees.
  - c. A comprehensive consultation includes:
    - An appraisal of all mechanical and environmental hazards and physical work practices.
    - An appraisal of the present safety and health programs or establishment of one.
    - A conference with management on findings.
    - A written report of recommendations and agreements.
    - Training and assistance with implementing recommendations.
  - d. Closing Conference:
    - The consultant will review detailed findings at the closing conference.
    - You will learn not only what you need to improve, but also what you are doing right. At that time, you can discuss problems, possible solutions and abatement periods to eliminate or control any serious hazards identified during the walk-through.
    - In rare instances, the consultant may find an "imminent danger" situation during the walk-through. If so, you must take immediate action to protect all employees.
    - In certain other situations that would be judged as a "serious violation" under TOSHA criteria, you and the consultant must develop and agree to a reasonable plan and schedule to eliminate or control that hazard.
    - The consultants will offer general approaches and options to you. They may also suggest other sources for technical help.
4. Abatement and Follow Through
  - a. Following the closing conference, the consultant will send you a detailed written report explaining the findings and confirming any abatement periods agreed upon.
  - b. Consultants may also contact you from time to time to check your progress. You, of course, may always contact them for assistance.
  - c. Ultimately, TOSHA requires hazard abatement so that each consultation visit achieves its objective. If you fail to eliminate or control identified serious hazards according to the plan, further action by TOSHA may result in citations and possible penalties.