



# How to Tell if a Cal-OSHA Inspection Is Legitimate

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A recent incident involving one of our clients has provided us with a valuable reminder that we need to be on the lookout for potentially illegitimate representatives from governmental agencies, and in this situation, Cal-OSHA. In this case, someone posing as a safety inspector contacted the employer and attempted to schedule an inspection as part of a cash scam. Unfortunately, this is not an isolated tactic. Government-agency impersonation scams have evolved well beyond generic robocalls.

Today, they may involve phone calls, electronic messaging, fake credentials, pressure tactics, and demands for immediate payment. OSHA itself has warned employers about phishing messages that falsely claim an inspection is pending, and California employers also need to understand what a real Cal-OSHA inspection looks like so they can spot red flags quickly.

“A paroled felon who allegedly victimized several minority-owned small businesses in the Los Angeles County area by posing as a Cal-OSHA inspector was recently arrested in a joint Cal-OSHA sting operation conducted by the Los Angeles County District Attorney’s Major Crimes Unit. The suspect, Mark Dwyane Jackson, threatened to impose severe monetary fines and penalties for non-existent safety violations unless the owner agreed to a cash settlement. In return, Jackson promised not to issue citations against them.”

– *EHS Today Magazine*

“The California Occupational Safety and Health Administration (Cal-OSHA) is warning employers about recent incidents in which a man has allegedly impersonated a Cal-OSHA inspector and defrauded restaurant owners. According to Cal-OSHA, the suspect produces what appears to be valid identification and then inspects the workplace and finds alleged safety violations. He allegedly tells the business owners that the violations will add up to thousands in fines, but that he won’t issue citations if the owners give him cash. Unfortunately, says the agency, some of the employers have fallen for the scam.”

– *HR Daily Advisor*



## What a Legitimate Cal-OSHA Inspection Looks Like

For California employers, the first principle is simple: a real inspection follows a process, and scammers usually do not. Under Federal OSHA rules, a compliance officer begins an inspection by presenting credentials, explaining the nature and purpose of the inspection, and generally describing its scope. One of the most critical parts of this process is that Cal-OSHA inspectors are legally prohibited from contacting a company before a random inspection takes place, or even one associated with an injury. Cal-OSHA's inspection materials state that inspectors identify themselves with a state of California photo identification card and a Division of Occupational Safety and Health business card and then conduct an opening conference before any walkthrough begins. They are also obligated to wait a reasonable amount of time for the worksite to call management to participate in the inspection.

## Common Cal-OSHA Scam Tactics

These rules matter because scams often work by exploiting confusion around the normal inspection process. Scammers may use pressure, uncertainty, and demands for money to make an employer act quickly instead of verifying the situation. One current variation uses email. In July 2025, OSHA warned about phishing emails that told recipients an inspection was coming and used subject lines such as the following:

- ▶ “OSHA Penalty Guidelines Update”
- ▶ “Correct Hazards Before Inspection”
- ▶ “Review These Guides Before the Visit”
- ▶ “Self-Inspection Toolkit for the Forthcoming OSHA Review”

OSHA's warning was blunt: the agency does not send notices announcing upcoming compliance inspections. Any message claiming an inspection is imminent and directing the recipient to click a link or open materials should be treated with extreme caution. As mentioned earlier, Cal-OSHA similarly has made it unlawful for their inspectors and representatives to provide any advance notice for any inspection. So, any communication regarding advance notice of an inspection should be suspect.

Another common variation is the payment scam. In 2024, businesses in Wisconsin reported calls from people posing as OSHA representatives who instructed employees to remove cash from registers and deposit it into Bitcoin ATMs. Secondary reporting on the incident emphasized a basic point that employers should reinforce internally: OSHA and Cal-OSHA do not call businesses and demand money over the phone. Real penalties and citations do not get settled by immediate wire, gift card, cash drop, or cryptocurrency payment.

A related version targets small businesses through mail or phone by claiming the employer must immediately buy an OSHA poster, booklet, certificate, or compliance package to avoid fines. These scams work because there is a kernel of truth: employers do have posting and compliance obligations. But scammers distort that obligation into a same-day payment demand. Some even threaten a surprise inspection or shutdown unless the business pays. The goal is not compliance; it is panic. Reports collected by the Better Business Bureau describe official-looking mailers that mimic government correspondence and pressure businesses into paying for materials that are free or otherwise available through legitimate channels.

The most serious version is in-person impersonation. Historically, both OSHA and the safety press have reported incidents in which people posed as inspectors, displayed questionable identification, “issued” citations on the spot, and demanded immediate payment. A variation on this situation is where the inspector will identify many “citable” offenses, and then, ironically, pose as a corrupt inspector and offer to “settle” the potentially hundreds of thousands worth of fines for a small cash payment. The result would be that he would act like they were never there. This type of behavior is a major warning sign. Legitimate OSHA and Cal-OSHA inspectors do not collect money in the field. Citations are not issued on-the-spot anymore and there are never any cash transactions during an inspection.

## Red Flags to Watch For

These are some red flags that might suggest a scam:

### **ADVANCE NOTICE OF A “ROUTINE” INSPECTION BY PHONE, EMAIL, OR TEXT**

OSHA and Cal-OSHA have specifically warned that phishing messages should falsely claim a pending inspection. While agencies do make phone contact in some circumstances (usually regarding a complaint), a generic phone call or email announcing an upcoming inspection is a red flag.

### **DEMANDS FOR IMMEDIATE PAYMENT.**

No legitimate OSHA or Cal-OSHA inspector will ask for cash, gift cards, crypto, wire transfers, or ATM deposits.

### **THREATS OF INSTANT CLOSURE UNLESS MONEY IS PAID.**

Enforcement actions follow legal and administrative procedures. Scammers will invent a false emergency to keep the target from verifying credentials.

### **NO CREDENTIALS, OR CREDENTIALS THAT CANNOT BE VERIFIED.**

Federal OSHA says the inspection begins with presentation of credentials; Cal-OSHA says compliance personnel must show a State of California photo ID card and DOSH business card.

### **NO OPENING CONFERENCE, NO EXPLANATION OF SCOPE, AND NO NORMAL INSPECTION PROCESS.**

Both federal OSHA and Cal-OSHA describe an opening conference as a standard part of the inspection process, and being willing to wait for management is a standard practice. Scammers likely won’t want to wait.

### **PRESSURE TO CLICK LINKS OR OPEN ATTACHMENTS TIED TO SUPPOSED INSPECTION PREPARATION.**

That was the core of OSHA’s 2025 phishing warning.

## What Employers Should Do Instead

The best response is to train reception staff, managers, and site supervisors before this happens. The first person who receives the call, email, or visit should know that they are not expected to resolve the situation alone.

If the contact is by phone, do not provide payment, financial, or employee information. Ask for the caller's full name, office, callback number, and purpose. Then end the call and independently verify through an official source. Federal OSHA directs the public to contact OSHA at 1-800-321-OSHA (6742) or a local office for safety and health questions. Cal-OSHA provides a website where local district offices are listed by region and ZIP code. Verification should always be done using the number on the official website (<https://www.dir.ca.gov/dosh/report-accident-or-injury.html>), not a number supplied by the caller.

If the contact is by email, do not click links or open attachments until the message is validated. Look carefully at the sender address, not just the display name. OSHA's 2025 warning makes clear that emails announcing upcoming inspections are a known phishing tactic.

If someone appears in person, ask for credentials before allowing the inspection to proceed. Take time to review the photo ID and business card. Taking a photo of the credentials is a good practice whether the inspection is credible or not. Contact the local Cal-OSHA district office or OSHA area office to confirm the inspector's identity if anything seems off. A legitimate official process will withstand verification. A scammer typically will not.

If you conclude it is fraudulent, document everything. Save phone numbers, voicemails, emails, screenshots, names used, dates, and any instructions the person provided. If money was requested or the impersonation involved Labor Department affiliation, the U.S. Department of Labor Office of Inspector General maintains a hotline for reporting fraud.

## When OSHA or Cal-OSHA shows up at your door...

### DO

- ▶ Verify ID
- ▶ Call your upper management/safety person and politely request the inspector to wait for upper management to arrive
- ▶ Cooperate professionally
- ▶ Make sure the inspector is never alone
- ▶ Take notes/photos, and if the inspector takes a photo, take many photos of the same item
- ▶ Take detailed notes so to be able to rebuild the visit in detail
- ▶ Answer truthfully, and as concise as possible
- ▶ Produce requested records in an organized way
- ▶ Fix obvious hazards immediately when safe

### DON'T

- ▶ Although it is your right, do not make the inspector get a warrant to inspect, they will
- ▶ Argue with the inspector—ask questions, but do not argue
- ▶ Allow staff to speculate, guess, or otherwise ramble on
- ▶ Volunteer any information that is not specifically asked for
- ▶ Guess at answers
- ▶ Alter records
- ▶ Coach employees on what to say
- ▶ Ignore follow-up corrective actions

These are all just suggestions and should not be construed as legal advice. Legal counsel should be engaged as soon as the inspection presents an elevated legal risk, including a fatality, serious injury/illness, a warrant-backed entry, any possible repeat or willful conduct, potential criminal referral, or likely contested citations.