

**U.S. Department of Labor
Office of Inspector General
Office of Audit**

BRIEFLY...

Highlights of Report Number 05-12-002-06-001, issued to the Assistant Secretary for Mine Safety and Health.

WHY READ THE REPORT

The Assistant Secretary for Mine Safety and Health directed the administrators for Coal Mine and Metal and Nonmetal Safety and Health to implement an accountability program to validate management's effectiveness by conducting reviews of field activities and programs. In response, MSHA established an accountability program in 1989. The purpose of the accountability program is to better focus accountability review activities on key indicators of MSHA's performance and to prioritize limited accountability review resources based on risk.

On June 3, 2011, Representative John Kline (R-MN), Chairman of the United States House of Representatives Committee on Education and the Workforce, requested that the OIG evaluate MSHA's accountability program to determine if it had implemented the recommendations and corrected the deficiencies identified in the OIG's 2007 audit report and in its own accountability reviews.

WHY OIG CONDUCTED THE AUDIT

As part of our audit oversight responsibility and in response to the congressional request we received, the OIG performed work to answer the following questions:

1. Did MSHA implement corrective actions to address the recommendations in the OIG's 2007 audit report?
2. Did MSHA implement corrective actions to address the recommendations in its own accountability review reports?

Our audit covered all 14 recommendations from our 2007 audit report and a statistical sample of 153 findings and related corrective actions from MSHA accountability reviews conducted during calendar years 2009-2011.

READ THE FULL REPORT

To view the report, including the scope, methodology, and full agency response, goes to:

<http://www.oig.dol.gov/public/reports/oa/2012/05-12-002-06-001.pdf>.

September 2012

MSHA'S ACCOUNTABILITY PROGRAM FACES CHALLENGES, BUT MAKES IMPROVEMENTS

WHAT OIG FOUND

MSHA continues to face challenges in administering a successful accountability program. To its credit, MSHA has made recent changes to its organizational and reporting structure and several revisions to policies and procedures to improve its accountability program. Most notably, in February 2012, the Assistant Secretary elevated the program's profile by formally establishing the Office of Assessments, Accountability, Special Enforcement and Investigations. This branch will monitor, track, and evaluate the effectiveness of corrective actions following internal reviews and accountability audits.

Although overall there were significant improvements in this program, we found that 1 of the 14 recommendations we made in our 2007 audit report was not fully implemented. This deficiency included the failure to fully utilize a corrective action tracking system. We also found that multiple deficiencies MSHA identified in its own accountability reviews recurred. These deficiencies were related to inspections, supervisory reviews, issuance of citations, and documentation. Moreover, we found that MSHA did not implement or could not demonstrate it implemented 10 percent of corrective actions required by the accountability reviews in our sample.

WHAT OIG RECOMMENDED

We recommended the Assistant Secretary for Mine Safety and Health direct MSHA to: (a) develop a robust oversight function that includes risk-based contingency planning for resource management when it is necessary to temporarily assign enforcement personnel to conduct major accident investigations and internal reviews; (b) provide management oversight of enforcement activities that will ensure compliance with MSHA policies and procedures; (c) develop and implement a comprehensive root cause analysis training program for those who will be part of an accountability review team; and (d) require district managers and supervisors to document the implementation of corrective actions.

The Assistant Secretary agreed with our recommendations and committed to developing and implementing corrective actions.