

## **BRIEFLY...**

Highlights of Report Number 05-14-001-06-001, issued to the Assistant Secretary for Mine Safety and Health.

### **WHY READ THE REPORT**

MSHA collects and analyzes accident and injury data reported by miners to mine operators. Reports of accidents and injuries help MSHA focus its resources on mines that have elevated accident and injury rates to better protect miners.

This report highlights actions MSHA should take to expand upon and enhance its knowledge of underreporting and to develop and implement policy guidance on operator programs relating to the reporting of work-related injuries or illnesses.

### **WHY OIG CONDUCTED THE AUDIT**

Because mines with high injury rates may receive additional attention from MSHA, some mine operators may adopt policies that could be perceived as discouraging injury and illness reporting, potentially resulting in adverse consequences for miners who file injury reports. Therefore, our audit objective was to answer the following question:

Did MSHA take appropriate actions to detect and deter underreporting of accidents and occupational injuries and illnesses at coal and metal/nonmetal mines?

### **READ THE FULL REPORT**

To view the report, including the scope, methodologies, and full agency response, go to:

<http://www.oig.dol.gov/public/reports/oa/2014/05-14-001-06-001.pdf>.

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## **MSHA HAS TAKEN STEPS TO DETECT AND DETER UNDERREPORTING OF ACCIDENTS AND OCCUPATIONAL INJURIES AND ILLNESSES, BUT MORE ACTION IS STILL NEEDED**

### **WHAT OIG FOUND**

MSHA can do more to strengthen its process for detecting and deterring underreporting of injuries and illnesses in the mining industry.

MSHA uses three primary methods to detect and deter underreporting: civil penalties, enhanced scrutiny and enforcement, and publication of the names of violators. Two recently decided court cases enhanced MSHA's ability to review medical and personnel records in mine operators' custody during targeted audits. However, MSHA should expand upon and enhance its knowledge of underreporting to better target its efforts to identify which mines are the most likely to underreport and which types of injuries are the most likely to be underreported.

MSHA has not issued guidance on mine operator practices, which may discourage reporting of injuries and illnesses by miners. Some mine operators have implemented a variety of policies, programs, and practices related to injury/illness reporting, such as progressive discipline measures for repeated reports of injuries, post-injury drug testing, and incentive programs. Some miners perceive such programs as disincentives to reporting injuries and illnesses because they introduce potentially adverse consequences for miners who are involved in and who report accidents and injuries.

### **WHAT OIG RECOMMENDED**

The OIG recommended the Assistant Secretary for Mine Safety and Health direct MSHA to expand upon and enhance MSHA's knowledge of underreporting by deriving better estimates of its overall occurrence. OIG also recommended the Assistant Secretary develop and implement policy guidance on operator programs relating to the reporting of work-related injuries or illnesses, addressing retaliation against miners for reporting, and encouraging miner reporting of work-related injuries or illnesses.

The Assistant Secretary agreed with our recommendations and stated that MSHA will use the audit results to continue addressing the underreporting of accidents, injuries, and illnesses in the mining industry.