



BRIEFLY...

OSHA NEEDS TO IMPROVE THE GUIDANCE FOR ITS FATALITY AND SEVERE INJURY REPORTING PROGRAM TO BETTER PROTECT WORKERS

September 13, 2018

WHY OIG CONDUCTED THE AUDIT

In January 2015, OSHA made significant changes to employer reporting requirements for work-related fatalities and severe injuries. OSHA's revised regulations require employers to report all work-related fatalities and certain injuries, inpatient hospitalizations, amputations, and losses of an eye within specific timeframes; and encourage employers to investigate these types of incidents and abate the hazards identified to prevent future accidents.

From January 2015 through April 2017, employers reported 4,185 fatalities and 23,282 severe injuries to OSHA. However, OSHA's former Assistant Secretary estimated that perhaps 50 percent or more of severe injuries have gone unreported.

WHAT OIG DID

Given this concern, we conducted an audit to answer the following question:

Has OSHA effectively implemented its revised fatality and severe injury reporting program?

To answer this question, we tested a sample of incidents reported from January 1, 2015 to September 30, 2016, focusing on who should investigate and whether employers had abated hazards. We also assessed the adequacy of OSHA's procedures for identifying unreported injuries.

WHAT OIG FOUND

To implement its revised fatality and severe injury reporting program, OSHA upgraded its information systems to accommodate the new reporting requirements and informed stakeholders of these new requirements. However, we found OSHA did not know the total number of work-related fatalities and severe injuries, and had limited assurance employers abated hazards properly. As a result, OSHA lacked information needed to target compliance assistance and enforcement efforts effectively, and could not demonstrate employers have identified and eliminated serious hazards.

OSHA issued guidance, trained regional staff, and created websites to inform the public and stakeholders about the changes in the program. OSHA's implementation efforts resulted in employers performing 14,834 investigations and OSHA conducting 10,475 on-site inspections in response to employer-reported incidents.

However, OSHA did not have controls to ensure it had complete information on the number of work-related fatalities and severe injuries. Estimates show that employers do not report 50 percent or more of severe injuries. We attributed this to the lack of guidance and training on how to detect and prevent underreporting, and inconsistency in issuing citations for late reporting.

Lastly, OSHA had limited assurance employers abated hazards properly. We attributed this to unclear guidance and poorly documented case files.

WHAT OIG RECOMMENDED

We recommended OSHA: 1) develop guidance and train staff on identifying underreporting, 2) issue citations for all late reporters, 3) clarify guidance on documenting essential decisions, collecting evidence to demonstrate employers corrected all identified hazards, and monitoring employer-conducted investigations, and 4) conduct inspections on all Category 1 incidents. OSHA commented on a number of the results and recommendations, but nothing in its response changed our report.

<https://www.oig.dol.gov/public/reports/oa/2018/02-18-203-10-105.pdf>