



BRIEFLY...

OSHA'S DIMINISHED ENFORCEMENT LEFT MORE WORKERS AT RISK FOR EXPOSURE TO SILICA

September 29, 2021

WHY OIG CONDUCTED THE AUDIT

As part of its efforts to ensure a safe and healthful work environment, the Occupational Safety and Health Administration (OSHA) issued *Occupational Exposure to Respirable Crystalline Silica* (final rule) on March 25, 2016, after 18 years of required rulemaking. Reducing and eliminating worker exposure to respirable crystalline silica (silica) is vital because silica occurs in many common materials like stone, brick, mortar, and ceramics, and, when inhaled, causes serious, potentially fatal illnesses.

OSHA estimates that 2.3 million workers are at risk for exposure to silica annually. This audit is in response to the number of workers exposed, the seriousness of silica-related illnesses, and congressional concerns around the non-renewal of a silica emphasis program.

WHAT OIG DID

We conducted a performance audit to answer the following question:

To what extent has OSHA protected workers from exposure to respirable crystalline silica?

We reviewed silica inspection and violation data, conducted interviews with OSHA staff, and reviewed evidence for inspector training and documentation for OSHA's outreach and guidance program.

WHAT OIG FOUND

We found that OSHA's diminished enforcement efforts left more workers at risk for exposure to silica. After issuing the final rule, OSHA did not fully invoke, via inspection activity, the rule's greater protections to minimize workers' exposures to hazardous conditions.

First, OSHA's inspection data for the two fiscal years after the final rule became enforceable shows OSHA performed an average of 440 inspections annually. In contrast, for the two fiscal years before the final rule became enforceable, OSHA performed an average of 1,054 silica inspections per year. Therefore, after the final rule became enforceable, OSHA performed approximately 600 fewer silica inspections per year, a decrease of more than fifty percent.

Also, inspection data provided by OSHA was inconsistent with data extracted from OSHA's publicly available database. Last, OSHA did not set clear goals and processes for evaluating whether outreach efforts sufficiently reached covered industries and 2.3 million workers at risk for silica exposure.

We primarily attributed the significant decline in silica inspections following the final rule's enforceable date to the more than 2-year lapse between silica national emphasis programs. Inconsistencies between OSHA-provided data and publically available data was due to OSHA's internal limitations when fulfilling data extraction requests.

WHAT OIG RECOMMENDED

We made three recommendations to improve OSHA's silica emphasis, inspections, data, and outreach processes. OSHA provided a number of comments on the report and agreed that it is important to establish real and meaningful metrics for evaluating outreach conducted following the issuance of new standards.

READ THE FULL REPORT

<https://www.oig.dol.gov/public/reports/oa/2021/02-21-003-10-105.pdf>