

Why GAO Did This Study

American workers interact with many types of products that could pose risks to their safety. The NRTL program, administered by OSHA, works to support employers and workers by establishing a process for safety-testing certain equipment and other products for use in the U.S. workplace. Under this program, which is supported by user fees, OSHA accredits third-party labs as NRTLs, which then determine whether certain types of products meet safety standards. Because the availability of NRTLs is essential to ensuring that employers have timely access to products that meet safety standards, GAO was asked to examine (1) how long it takes to make accreditation decisions and the key factors that affect timeliness, and (2) the extent to which OSHA has adopted commonly used strategies for improving timeliness. GAO reviewed relevant documents and data from OSHA; interviewed OSHA officials, other NRTL stakeholders, and officials from four federal agencies that administer accreditation programs for other purposes; and reviewed information on strategies for improving timeliness from past GAO reports and other sources.

What GAO Recommends

GAO recommends that Labor review its current structure and procedures for accrediting NRTLs and implement alternatives that would maintain effectiveness while improving timeliness. Labor agreed with the recommendations and described its plans to address them.

View [GAO-13-88](#). For more information, contact Revae Moran at (202) 512-7215 or moranr@gao.gov.

PRODUCT SAFETY LABORATORIES

OSHA's Accreditation Process Needs Reexamination

What GAO Found

The Department of Labor's (Labor) Occupational Safety and Health Administration's (OSHA) process for accrediting Nationally Recognized Testing Laboratories (NRTL) is lengthy due to the scope of staff members' responsibilities and unclear application procedures for accreditation. Among the 13 recently approved applications, OSHA took between 1 and 5 years to make accreditation decisions. All of these applications took much longer to approve than OSHA's desired time frames, and in some cases, years longer. In addition, 12 of the 29 applications that were awaiting final decisions by OSHA as of June 2012 had been under review longer than the 5-year period for which the accreditation decision would be valid. This lengthy process has potentially negative economic consequences for laboratories and requires OSHA staff to divert their time from other oversight activities. Two key factors led to the long time frames:

- **Imbalance between staffing levels and scope of responsibilities:** The way that OSHA has designed the NRTL program requires its four staff members to balance many wide-ranging responsibilities. These responsibilities include: reviewing all aspects of accreditation, auditing existing laboratories, and responding to information requests from other federal agencies. Consequently, accreditation applications were sometimes set aside for significant amounts of time while OSHA personnel attended to their other responsibilities.
- **Unclear application requirements:** OSHA's requirements for the content and level of detail to be provided in accreditation applications—such as detailed information to assess independence—differ in important ways from international standards used for accrediting safety labs. Lack of clarity in guidance about these and other requirements create confusion among applicants and extend both the amount of time applicants spend preparing the applications and the time OSHA officials spend reviewing them. OSHA said its additional requirements are important to the agency's mission, but it has not formally compared them to current international standards or recently assessed the risks, costs, and benefits of any procedures that deviate from international standards.

While OSHA plans to take some steps to improve timeliness, it has not taken advantage of a range of promising strategies, including some that might address its resource constraints and improve efficiency. GAO identified three key strategies for improving timeliness: (1) aligning program design with program mission and resources; (2) providing clear guidance and timely communication to stakeholders; and (3) developing performance measures and using data to identify inefficiencies. GAO found that OSHA has not evaluated the NRTL accreditation process to assess whether its current structure is the most efficient for processing and approving applications in a timely manner and meeting the program's goals. Consequently, OSHA's processes may be slower than necessary and planned hiring may not adequately address timeliness issues. Since the NRTL program was created in 1988, several new approaches to accreditation have been developed. For example, some federal agencies have collaborated with outside entities to complete select tasks in the accreditation process while continuing to make key oversight decisions in-house. The NRTL staff's current workload has made it difficult for them to implement other timeliness strategies, such as providing timely communication to stakeholders. In addition, OSHA recently stopped using its NRTL performance measures because officials believed that meeting them was impractical.