


GAO
 Accountability Integrity Reliability
Highlights

Highlights of [GAO-04-658](#), a report to the Chairman, Subcommittee on Workforce Protections, Committee on Education and the Workforce, House of Representatives

Why GAO Did This Study

Each year, OSHA receives thousands of complaints from employees alleging hazardous conditions at their worksites. How OSHA responds to these complaints—either by inspecting the worksite or through some other means—has important implications for both the agency’s resources and worker safety and health. Responding to invalid or erroneous complaints would deplete inspection resources that could be used to inspect or investigate other worksites. Not responding to complaints that warrant action runs counter to the agency’s mission to protect worker safety and health. Considering OSHA’s limited resources, and the importance of worker safety, GAO was asked: (1) What is OSHA’s current policy for responding to complaints in a way that conserves its resources, (2) how consistently is OSHA responding to complaints, and (3) to what extent have complaints led OSHA to identify serious hazards?

What GAO Recommends

The Secretary of Labor should take steps to improve the quality of information received from complainants and to ensure area offices comply with complaint practices established by the agency. Labor disagreed with our recommendation to take additional actions to improve the quality of complaint information, but generally it agreed with recommendations to ensure compliance with the agency’s complaint practices.

www.gao.gov/cgi-bin/getrpt?GAO-04-658.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Robert Robertson, (202) 512-7215 robertsonr@gao.gov.

OSHA’S COMPLAINT RESPONSE POLICIES

OSHA Credits Its Complaint System with Conserving Agency Resources, but the System Still Warrants Improvement

What GAO Found

In general, the Occupational Safety and Health Administration (OSHA) responds to complaints according to the seriousness of the alleged hazard, a practice that agency officials say conserves inspection resources. OSHA officials usually conduct on-site inspections for alleged hazards that could result in death or serious injury. For less serious hazards, OSHA officials generally investigate by phoning employers and faxing them a description of the alleged hazard. Employers are directed to provide the agency with proof of the complaint’s resolution. OSHA officials said the availability of both options allows them to manage resources more effectively when responding to complaints. However, many agency officials we interviewed said some complainants provide erroneous information about the alleged hazard, which can affect the agency’s determination of the hazard’s severity. For example, some complainants lack the expertise to know what is truly hazardous and, as a result, file complaints that overstate the nature of the hazard. Others, particularly disgruntled ex-employees, may have ulterior motives when filing complaints and misrepresent the nature of the hazard.

In the 42 area offices where we conducted interviews (there are 80 area offices), OSHA officials described practices for responding to complaints that varied considerably. For example, the degree to which supervisors participated in decisions about which complaints would result in inspections and which would not varied across offices. While OSHA requires annual audits that would identify the extent to which its area offices are correctly employing the complaint policies, some regions are not conducting these audits, and agency officials have told us that OSHA does not have a mechanism in place to address agencywide problems.

To some extent complaints direct inspection resources where there are serious hazards. At half the worksites OSHA inspected in response to complaints, compliance officers found serious violations—those that posed a substantial probability of injury or death, according to OSHA’s own data for fiscal years 2000-2001.

Potential Falls Are One of the Hazards OSHA Tries to Prevent



Source: OSHA.