

## Why GAO Did This Study

OSHA is responsible for overseeing occupational safety and health for more than 130 million workers. In about half the states, OSHA sets and enforces compliance with safety and health standards. The remaining states set and enforce their own standards under OSHA-approved plans. In fiscal year 2010, OSHA strengthened its monitoring of state-run programs following a dozen worker deaths in one of those states. Questions have since been raised about how closely OSHA monitors its own enforcement efforts. GAO examined 1) how OSHA's monitoring of its own and state enforcement efforts compares, and 2) recent steps OSHA has taken to evaluate the effectiveness of federal and state enforcement efforts. GAO reviewed OSHA's monitoring policies and procedures and relevant federal laws and regulations; analyzed federal and state audits; visited three OSHA regional offices; and interviewed OSHA officials and other experts.

## What GAO Recommends

GAO recommends that OSHA standardize guidance for its audit practices, include outcomes in its assessments of its enforcement initiatives, better use data from its audits, and ensure national office participation in audits. OSHA generally agreed with the recommendations but expressed concern about overuse of outcomes to assess effectiveness. GAO continues to believe the recommendations are valid as discussed later in the report.

View [GAO-13-61](#). For more information, contact Revae Moran at (202) 512-7215 or [moranr@gao.gov](mailto:moranr@gao.gov).

# WORKPLACE SAFETY AND HEALTH

## Further Steps by OSHA Would Enhance Monitoring of Enforcement and Effectiveness

### What GAO Found

The Department of Labor's Occupational Safety and Health Administration (OSHA) provides more frequent monitoring and more consistent guidance for its federal enforcement activities than for state enforcement activities. More specifically, OSHA regional officials review performance reports on federal activities at least every other week but review reports on state-run program activities quarterly. In addition, OSHA's guidance for audits of its regional and area offices is more consistent than the guidance for its audits of state-run programs. Guidance for audits of its offices requires that regional offices conduct a comprehensive audit with on-site review of inspection case files at least once every 4 years and other audits focused on more specific activities in all other years. In contrast, guidance for regional office audits of state-run programs changes from year to year and does not include a regular schedule for comprehensive audits with on-site case file reviews. While the frequency of OSHA's monitoring of state-run programs is necessarily different because of the independent enforcement authority of participating states, OSHA's lack of consistent guidance for audits of these state-run programs may allow enforcement deficiencies to go undetected, increasing the risk of worker injuries, illnesses, or death. In addition, there is little participation by OSHA's national office in comprehensive audits of its regional offices despite a 2010 directive to do so. As a result, OSHA cannot ensure that the results of regional audits are impartial.

OSHA is taking steps to better assess the effectiveness of both its federal enforcement efforts and of state enforcement efforts, but it is often not clear how these steps will help OSHA demonstrate what efforts result in better outcomes for workers, such as reduced worker injuries, illnesses, and fatalities. For example, OSHA recently revised some of the measures it uses to assess state-run programs by adding acceptable ranges of performance. However, the revised measures still largely focus on outputs—such as the average number of violations per inspection—rather than outcomes. OSHA is also conducting studies to examine the results of specific enforcement activities, including one designed, in part, to evaluate the effect of OSHA providing additional educational support to employers. While tracking progress in meeting performance goals—such as the annual number of conducted inspections—is useful, the lack of focus on outcomes makes it difficult for OSHA to determine which specific enforcement activities are most effective or to convince states to implement changes designed to improve outcomes. For example, only two state-run programs raised their penalty amounts in fiscal year 2011 as recommended by OSHA; state-run program representatives stated that OSHA lacked evidence to show that higher penalties are more effective in deterring future employer violations. OSHA also does not use data already in hand to assess the effectiveness of federal and state enforcement efforts. For example, OSHA does not use data from its annual audits of its regional and area offices or of state-run programs to inform its planning or share information across regions. Additionally, OSHA annually collects data on activities conducted under emphasis programs that focus on national safety and health issues, but it does not evaluate these data to determine whether these programs are responsible for desired outcomes.