

**Appendix A - Iowa State Plan
FY 2010 FAME Report
Summary of New and Continuing Findings and Recommendations**

Rec #	Findings	Recommendations	Related FY 09 Rec #
10-1	Iowa OSHA employees have not received all required training.	Iowa OSHA must review their training directive IOSH Instruction TED 01-00-018 and ensure that employees receive the required training.	09-22
10-2	No IDPs were developed for Iowa OSHA personnel.	Iowa OSHA must work with compliance officers to develop initial IDPs and update them annually.	09-23
Discrimination Findings			
10-3	A copy of the closing letter to the Complainant was not provided to Federal OSHA upon completion of the dual filed complaint investigation.	Provide Federal OSHA with a copy of the closing letter to the Complainant upon completion of the dual filed complaint investigation.	09-01 11(c)
10-4	[47 percent] of 11(c) investigations were not completed within the 90 day goal.	Review the 11(c) investigation process and identify process improvements to ensure 11(c) investigations are completed within 90 days.	09-02 11(c)
10-5	Adequate allegation summary statements were not entered into IMIS for all 11(c) cases and IMIS updates were not recorded to track all actions taken on each 11(c) case.	Draft adequate allegation summary statements for entry into IMIS which clearly convey Complainant's alleged protected activity and adverse action. Update IMIS entries for whistleblower cases as each new action occurs throughout the investigative and appeal stages until final case closure.	09-03 11(c)
10-6	Adequate and timely opening letters were not provided to all Complainants and Respondents for notification purposes that a whistleblower case had been opened for investigation.	Draft adequate opening letters and send or deliver them to the parties in a timely manner.	09-04 11(c)
10-7	Face-to-face interviews were not conducted by the Investigator with all Complainants in a timely manner to obtain signed statements documenting detailed information as evidence in 11(c) cases.	Schedule a meeting of the investigator with the Complainant as soon as possible after a prima facie allegation has been presented in order to conduct a face-to-face interview and obtain a signed statement.	09-05 11(c)
10-8	Adequate case file organization was not accomplished in all 11(c) case files.	Utilize adequate case file organization techniques to aid review of investigations.	09-06 11(c)
10-9	Face-to-face interviews were not conducted by the Investigator with all relevant witnesses to obtain signed statements documenting detailed information as evidence in 11(c) cases. Documentation was not present on interview forms to verify that confidentiality was offered to non-management witnesses.	Schedule a meeting of the Investigator with all relevant witnesses during the whistleblower investigation in order to conduct face-to-face interviews and obtain signed statements. Include a confidentiality statement on all non-management witness interview statement forms.	09-07 11(c)
10-10	Settlement agreements were not negotiated and documented per established policies and procedures.	Accomplish early resolution of 11(c) complaints through implementation of established settlement agreement policies and procedures.	09-08 11(c)
10-11	Adequate evaluation of the elements of a work refusal was not performed during the Investigation of a whistleblower complaint.	Conduct a thorough evaluation of all the elements of a work refusal in order to determine if a valid work refusal complaint has been filed.	09-09 11(c)

Appendix A – Iowa State Plan - Discrimination Program Review

Rec #	Findings	Recommendations	Related FY 09 Rec #
10-12	Adequate Final Investigation Reports for 11(c) case files were not prepared per established policies and procedures.	Draft Final Investigation Reports that effectively communicate results of investigations as required by established policies and procedures.	09-10 11(c)
10-13	Adequate documentary evidence was not gathered in all 11(c) cases to determine if a violation had occurred.	Seek and obtain all necessary documentary evidence to reach a conclusion.	09-11 11(c)
10-14	IOSH Discrimination Program Investigators and Supervisors have not attended the most current 11(c) training provided by Federal OSHA.	Accomplished training for all IOSH Discrimination Program Investigators and Supervisors by enrolling in the OSHA Training Institute Course #1420 Basic Whistleblower Investigations- 11(c) in FY 10 or FY 11.	09-12 11(c)