

Appendix B
FY 2010 Maryland State Plan Name (MOSH) Enhanced FAME Follow-up Report
Status of 2009 EFAME Findings and Recommendations

	Findings	Recommendations	State Response/ Corrective Action	Interim Steps w/ Due Dates	Outcome Measure/ Expectation	Status
09-01	Formal complaint letters to employers and to complainants are maintained in separate folders at the central office rather than the Regional Office servicing complaint.	Letters received from complainants must be maintained in the inspection file.	MOSH respectfully disagrees with recommendation. This practice is consistent with their Field Operation Manual (FOM) and is done for ensuring anonymity so critical to employees who request it. CSHO has possession of the actual letter during investigation	None/ Completed	All information necessary to review a complaint files will be readily available for next Federal OSHA audit.	Completed
09-02	Response letters to complainants are not maintained in the inspection files after they are closed.	Response letters must be maintained in the inspection file.	MOSH respectfully disagrees with recommendation. This practice is consistent with their FOM and is done for ensuring anonymity so critical to employees who request it.	None/ Completed	All information necessary to review a complaint files will be readily available for next Federal OSHA audit.	Completed
09-03	In FY 2009, MOSH received 110 serious complaints and 102 were inspected within 5 days for a response rate of 92%. MOSH's FOM outlines that formal complaints involving potentially serious hazards shall be investigated within 3 working days of assignment.	MOSH must respond to serious complaints within 3 days of assignment pursuant to its FOM or change its FOM.	MOSH believes this is an error. In MOSH's FOM it states within 3 days of assignment , which means the time it's received in the Regional Office./ <i>MOSH has agreed to ensure that the language in the FOM is changed to 5 days</i> from receipt and will begin to submit FOM chapters until FOM fully revised.	04/01/11	Complaint inspections initiated within 5 days in at least 95% of the cases.	Pending
09-04	No next-of kin letters were sent on fatality inspections and there was little or no communication with families at the conclusion of the inspection to inform the next-of-kin inspection findings. MOSH began to send next -of-kin- letters in December 2009.	Continue to send condolence letters to next-of-kin at start of investigation. Families of fatality victims must be kept-up-to date about the investigations and informed of the outcome of the investigation.	MOSH states they had not adopted this policy, however, they believed it to be a good practice and have already implemented a communication system in English and Spanish at the beginning of the investigation and at the closure of the investigation. <i>MOSH did not adopt this non-mandatory policy, however, they concur the correspondence with the families is a good practice and will continue the process.</i>	Sample letters were submitted to Federal OSHA / completed	During future on-site reviews Federal OSHA will continue to observe copies of next-of-kin letters in investigation files.	Pending

Appendix B
FY 2010 Maryland State Plan Name (MOSH) Enhanced FAME Follow-up Report
Status of 2009 EFAME Findings and Recommendations

	Findings	Recommendations	State Response/ Corrective Action	Interim Steps w/ Due Dates	Outcome Measure/ Expectation	Status
09-05	A number of OSHA-170 forms contained inappropriate information in the narrative, e.g., name of compliance officer who conducted the inspection and/or the names of decedents and/or injured employees.	Retrain compliance officers and supervisors in the proper completion of OSHA-170 forms to ensure that names of compliance officers, decedents and/or injured employees are not contained in narrative portion of the OSHA-170 form.	MOSH believes this to be a very limited problem, which has been addressed. Guidance has been provided on the completion of the forms and MOSH is working through the supervisors to ensure adherence to the guidance/ <i>MOSH addressed this issue by issuing additional guidance to staff and requiring supervisors to review the narrative portion of the OSHA – 170 forms. An additional instruction was sent to all Supervisors by Operations on 11/30/10.</i>	Completed	It is anticipated that future reviews by Federal OSHA of OSHA-170 forms completed by MOSH staff will not contain the names of compliance officers and/or decedents and/or injured employees.	Pending
09-06	Violations cited on programmed inspections include a high percentage of other-than-serious citations for hazards that should be classified as serious. Health compliance officers have a serious violation percentage of 28%, less than half the Federal rate of 70%.	Conduct training on hazard classification for compliance officers and supervisors to ensure consistency with violation classification.	MOSH strongly disagrees with these statements. There were no cases found by the audit team that “should” have been classified as serious. When cases were referenced in the first draft of this report, we worked with the auditors to explain the violations were cited and the cases were cleared up and reference to the cases removed from the report. The comments, however, were not removed. Our inspectors are trained and held accountable to identify and cite hazards based on their merits. They would be reprimanded/held accountable for not citing OTS that existed as well as citing something serious that is not supported as such. Again we request all references made to our inspectors of misclassifying hazards be removed in their entirety/ <i>MOSH continues to disagree with this finding. A further review of the cases involved is on going and a special study focused on this issue is planned.</i>	This issue was resolved by Federal OSHA and MOSH agreeing to a special study being conducted during FY 2011, which will include a random selection of case files for review. / April 30, 2011	Federal OSHA will perform a special study during FY 2011, which will include a random selection of case files for review. It is anticipated that this review provide a final determination on this issue. (See Section I.C)	Completed

Appendix B
FY 2010 Maryland State Plan Name (MOSH) Enhanced FAME Follow-up Report
Status of 2009 EFAME Findings and Recommendations

	Findings	Recommendations	State Response/ Corrective Action	Interim Steps w/ Due Dates	Outcome Measure/ Expectation	Status
09-07	MOSH does not assess penalties for first instance other-than-serious violations	Revise MOSH Instruction 98-3 dated September 28, 1998 to eliminate Section C.3 that does not permit penalty assessment for first instance other-than-serious violations.	MOSH will take this request under advisement and discuss it with the Governor’s staff. This procedure is in place due to a Gubernatorial Executive Order (EO) and only applies to manufacturing./ <i>MOSH has had preliminary discussions with the Commissioner and found that there is no support for changing this policy which has been in place as the result of an Executive Order and the work of a Task Force.</i> Although the State policy is premised on the Gubernatorial Executive Order 01.01.1993.12, the EO includes an exception if the action is required by Federal or State law, as this is. Maryland procedures should provide for the proposal of first instance penalties for other-than-serious violations in accordance with State and Federal law, in circumstances in circumstances comparable to Federal policy.	Documentation on actions taken to rescind Section C.3, and the revised MOSH Instruction 98-3 with Section C.3 rescinded, due by 90 days	MOSH will propose first-instance sanctions for those Other than serious violations warranting penalties in accordance with the instructions in the FOM.	Pending
09-08	MOSH offers penalty reductions of approximately 54% and has a penalty retention rate of 46% percent compared to Federal rate of 63.2%.	Rescind Memorandum 01-2 dated April 9, 2001 titled “Employer Incentive 50% Penalty Reduction,” which provides an automatic 50% penalty reduction in the proposed penalty to employers who immediately abate any hazards/violations prior to the compliance officer leaving the site on the day of observation. This incentive program does not apply to willful, repeat, failure to correct violations, or alleged violations/conditions relating to accidents.	MOSH believes that this procedure is more effective than its federal counterpart and declines to rescind this memorandum. Immediate abatement on-site is more effective at reducing employee exposure to hazards and this penalty incentive is a tool to accomplish this shared goal. <i>MOSH continues to believe that this procedure is more effective than its federal counterpart.</i>	Promulgation of the revised Memorandum 01-2 that meets the at least as effective) ALAE requirement.		Pending

Appendix B
FY 2010 Maryland State Plan Name (MOSH) Enhanced FAME Follow-up Report
Status of 2009 EFAME Findings and Recommendations

	Findings	Recommendations	State Response/ Corrective Action	Interim Steps w/ Due Dates	Outcome Measure/ Expectation	Status
09-09	Abatement data was not being entered into the database.	Promptly enter abatement verification data into database.	MOSH believes this to be a very limited problem, which has been addressed. Abatement data was being entered, but not consistently. There were some instances such as collections and some regional offices that were not performing their data entry correctly. Steps have been taken to rectify this. <i>MOSH has addressed this and verification data is now entered into the database by Operations instead of from the field. This process has been fully implemented since August 1, 2010. We are establishing written procedures for this to ensure the process remains corrected into the future.</i>	Written procedures outlining how staff should enter abatement information into IMIS with due date of February 15, 2011.	Federal OSHA monitors will review abatement tracker reports and SAMM data to determine if this data is being entered into IMIS.	Pending
09-10	Case file diary sheets were not found in inspection files.	Institute the use of a case file diary sheet. This form needs to be kept at the top of the case file so that a reviewer can tell at first glance the status of that case.	MOSH disagrees with this finding in that a dairy sheet is not currently a part of our FOM or our practices. This is the first time in our monitoring history that this issue has been identified as a recommendation. MOSH is currently assessing the value of having CSHOs start using diary sheets, but the characterization that we were doing this incorrectly is not accurate. <i>Although MOSH disagrees with this being a mandatory issue, it is willing to begin to use these forms on a pilot basis. Forms will be provided and training will be done by December 1, 2010 with our Eastern Shore Region (Region I), the initial pilot region, with use of the log effective immediately.</i>	A sample case file diary sheet was provided to MOSH by Federal OSHA. An evaluation of this pilot program will be provided by MOSH to Federal OSHA by April 1, 2011.	It is anticipated that MOSH will begin to use a case file diary sheet and that when additional on-site reviews are conducted by Federal OSHA, that it is significantly easier to track actions and activities in each file.	Pending

Appendix B
FY 2010 Maryland State Plan Name (MOSH) Enhanced FAME Follow-up Report
Status of 2009 EFAME Findings and Recommendations

	Findings	Recommendations	State Response/ Corrective Action	Interim Steps w/ Due Dates	Outcome Measure/ Expectation	Status
09-11	MOSH was not calling employers or sending abatement letters on all cases where abatement had not been received by MOSH.	MOSH should, in accordance with its own procedures as outlined in its FOM, call employers for outstanding abatement documentation and/or send abatement letters on all cases where abatement documentation has not been received by MOSH.	During the audit there were no findings of unabated hazards. During the audit there were no findings of unabated hazards. MOSH is currently reviewing our FOM procedures concerning methods of contacting employers./ <i>Training was completed August 30, 2010 through September 2, 2010 with all personnel that conduct informal conferences and written procedures were provided for what is needed at the informal for abatement documentation. We are sending letters to employers to provide abatement documentation and the verification forms.</i>	MOSH's current FOM at Chapter III.E.4 contains direction on what steps should be taken to obtain abatement verification from employers. Training materials and a sample letter to employer requesting abatement documentation were provided to Federal OSHA by MOSH/completed	When additional case file reviews are conducted by Federal OSHA, it is anticipated that the files will contain documentation of telephone calls to employers regarding outstanding abatement and/or letters to employers requesting immediate abatement documentation	Pending
09-12	Abatement tracking reports are not routinely reviewed by management on a weekly basis.	Abatement tracker reports should be carefully reviewed weekly by all Regional Supervisors. If necessary, additional training should be provided to Regional Supervisors to ensure that this report is being properly utilized to track abatement.	During the audit there were no findings of unabated hazards. Review of abatement tracking is currently being conducted in the central office; please note our Regional offices are not the same as federal regional offices. The relatively small size of our state allows us to conduct critical operations more consistently in the central office compared to the set up for national offices./ <i>MOSH is establishing written procedures for abatement tracking and attempting to establish tracking reports for abatement. At this time we are reviewing NCR on a daily basis for abatement tracking.</i>	Written procedures for abatement tracking due by March 15, 2011.	Federal OSHA monitors will review abatement tracker reports and SAMM data to determine if this data is being entered into IMIS.	Pending

Appendix B
FY 2010 Maryland State Plan Name (MOSH) Enhanced FAME Follow-up Report
Status of 2009 EFAME Findings and Recommendations

	Findings	Recommendations	State Response/ <i>Corrective Action</i>	Interim Steps w/ Due Dates	Outcome Measure/ Expectation	Status
09-13	Contested case information was not entered into the database.	Retrain staff in the proper database entries for contested cases. Supervisors should review these data entry issues on a weekly basis to ensure that coding is being completed.	Steps were being implemented before audit as this issue was identified internally and has been remedied with retraining of data entry for this small percentage of cases. <i>Contested information is now entered into the NCR in Operations. This policy has been in place since August 1, 2010.</i>	Draft procedures have been provided to Federal OSHA but have not been finalized by MOSH with management. Federal OSHA ran a Micro-to-Host report on December 2, 2010 and determined that contested data is being entered into IMIS./ February 1, 2011	It is anticipated that when additional Micro-to-Host reports are reviewed and/or case file reviews are conducted by Federal OSHA that all appropriate contested case information will be accurately recorded in IMIS.	Pending

Appendix B
FY 2010 Maryland State Plan Name (MOSH) Enhanced FAME Follow-up Report
Status of 2009 EFAME Findings and Recommendations

	Findings	Recommendations	State Response/ <i>Corrective Action</i>	Interim Steps w/ Due Dates	Outcome Measure/ Expectation	Status
09-14	Not all Federal Program Changes (FPC) are adopted within the six month period.	It is recommended that MOSH adopt Federal Program Changes within the six month period.	MOSH is working hard to adopt Federal Program changes within the six month period. However, there are certain changes that require comprehensive review and evaluation by key enforcement and management personnel where the six month time frame is not attainable. MOSH suggested that the overall system would benefit from a more participatory method of adopting major changes and a discussion about time frames for certain types of changes. Sometimes the changes come at the program with such intensity that we have to prioritize them. Without involvement by State Plans in the development of new changes States are at a disadvantage time-wise, for example if the federal government spends two or three years with vast resources developing a new procedure without state input or information sharing; States must have additional time to put through their regulatory system. MOSH stresses the need for State involvement from the beginning to avoid unnecessary State Plan issues and avoid duplicative work / <i>MOSH has agreed to begin to send the FOM chapters that it has reviewed and is ready to promulgate to begin the OSHA acceptance process. However, MOSH notes that it is impossible for a State program to do the type of review that is required of the comprehensive documents being prepared by OSHA within a six month time frame. Additional involvement by State Plans in the beginning of a FPC is a welcome practice we hope will help reduce the short turn around on large workloads</i>	Side-by-side FOM comparison due March 1, 2011 to Federal OSHA./ April 1,2011	Timely adoption of Federal Program Changes.	Pending

Appendix B
FY 2010 Maryland State Plan Name (MOSH) Enhanced FAME Follow-up Report
Status of 2009 EFAME Findings and Recommendations

	Findings	Recommendations	State Response/ Corrective Action	Interim Steps w/ Due Dates	Outcome Measure/ Expectation	Status
09-15	Abatement verification data was not being properly entered into the database for 23(g) public sector consultation.	Maryland should regularly monitor its hazard verifications and ensure that data is promptly entered into the database and any coding errors are corrected.	During the audit there were no findings of unabated hazards. This issue was not discussed during the investigation and we are unsure of which case this study is referring to. Despite the lack of supporting information we are currently reviewing our coding procedures in Consultation. / <i>MOSH has streamlined its coding procedures to ensure proper abatement tracking. The supervisor reviews the open hazard report with each consultant at the beginning of each week to ensure coding errors are caught timely. This new procedure has been in place since September 28, 2010.</i>	Draft procedures have been provided to Federal OSHA but have not been finalized by MOSH with management/ February 1, 2011	When additional case file reviews are conducted and MARC reports are reviewed, it is anticipated that all abatement verification will have been properly tracked and entered into the IMIS database.	Pending
09-16	Files were not properly maintained in accordance with the Discrimination Manual, Chapter 2 through Chapter 5.	Files should be set up and maintained in accordance with the Discrimination Manual, Chapter 2 through Chapter 5	MOSH concurs that major program improvements are warranted in its Discrimination Program and is actively engaged in a comprehensive review and rewrite of its Discrimination procedures. / <i>All 2010 and 2011 discrimination case files will be organized in accordance with the Whistleblower Manual. A Right and Left Index will be included in each case file.</i>	Documentation has been received by Federal OSHA of an improvement plan by MOSH. Three staff recently attended Whistleblower training at OTI. / April 1, 2011	It is anticipated that MOSH discrimination investigation files will contain all appropriate documentation and proper organization required to support actions taken by investigators.	Pending

Appendix B
FY 2010 Maryland State Plan Name (MOSH) Enhanced FAME Follow-up Report
Status of 2009 EFAME Findings and Recommendations

	Findings	Recommendations	State Response/ Corrective Action	Interim Steps w/ Due Dates	Outcome Measure/ Expectation	Status
09-17	There were no opening (Docketing and Notification) letters to the complainants and respondents contained in the files.	Letters must be prepared, sent out and maintained in accordance with the Discrimination Manual, Chapter 2, § III (E) and Chapter 5, § III (B).	MOSH concurs that major program improvements are warranted in its Discrimination Program and is actively engaged in a comprehensive review and rewrite of its Discrimination procedures. <i>/Complaint and Respondent Docketing/Notification Letters were contained in the case files. However, docketing of the complaints was often untimely. Discrimination cases will now be docketed within 5 work days of initial contact with the complainant.</i>	Documentation has been received by Federal OSHA of an improvement plan by MOSH. Three staff recently attended Whistleblower training at OTI. / April 1, 2011	Documentation has been received by Federal OSHA of an improvement plan by MOSH. Three staff recently attended Whistleblower training at OTI. / April 1, 2011	Pending
09-18	Case file documentation was inserted into the case file with no order and the files were not tabbed.	Case files be prepared and tabbed in accordance with the Discrimination Manual, Chapter 5, § III	MOSH concurs that major program improvements are warranted in its Discrimination Program and is actively engaged in a comprehensive review and rewrite of its Discrimination procedures. <i>/ All new discrimination cases files will be maintained in accordance with the Whistleblower Manual. See attached R/L Index. Tabs will be used to identify documents.</i>	Documentation has been received by Federal OSHA of an improvement plan by MOSH. Three staff recently attended Whistleblower training at OTI. / April 1, 2011	Documentation has been received by Federal OSHA of an improvement plan by MOSH. Three staff recently attended Whistleblower training at OTI./ April 1, 2011	Pending
09-19	A recently closed case had no dismissal letters in the file.	Cases must be closed in accordance with the Discrimination Manual, Chapter 4, § and IV.	MOSH concurs that major program improvements are warranted in its Discrimination Program and is actively engaged in a comprehensive review and rewrite of its Discrimination procedures. <i>/ The Program Manager is preparing the Field Investigation Reports and dismissal letters for all closed cases.</i>	Documentation has been received by Federal OSHA of an improvement plan by MOSH. Three staff recently attended Whistleblower training at OTI. April 1, 2011	It is anticipated that MOSH discrimination investigation files will contain all appropriate documentation and proper organization required to support actions taken by investigators.	Pending

Appendix B
FY 2010 Maryland State Plan Name (MOSH) Enhanced FAME Follow-up Report
Status of 2009 EFAME Findings and Recommendations

	Findings	Recommendations	State Response/ Corrective Action	Interim Steps w/ Due Dates	Outcome Measure/ Expectation	Status
09-20	Management and non-management interviews were not always conducted.	Interviews must be conducted and documented in accordance with the Discrimination Manual.	MOSH concurs that major program improvements are warranted in its Discrimination Program and is actively engaged in a comprehensive review and rewrite of its Discrimination procedures/ <i>Management and non-management interviews are being conducted and documented in accordance with the Manual for all new cases. Three staff members were trained in procedures to ensure proper case processing and documentation. Field investigations need to be conducted for 2010 and 2011 cases.</i>	Documentation has been received by Federal OSHA of an improvement plan by MOSH. Three staff recently attended Whistleblower training at OTL. April 1, 2011	It is anticipated that MOSH discrimination investigation files will contain all appropriate documentation and proper organization required to support actions taken by investigators.	Pending
09-21	There was incomplete case information in Web IMIS.	Input complete case information into the Web IMIS in accordance with the Web IMIS guide.	MOSH concurs that major program improvements are warranted in its Discrimination Program and is actively engaged in a comprehensive review and rewrite of its Discrimination procedures/ <i>Information will be entered into Web IMIS for all old cases not yet entered and new 2011 cases. Discrimination cases and screen-out cases will be entered in Web IMIS within 30 calendar days of assignment.</i>	Documentation has been received by Federal OSHA of an improvement plan by MOSH. Three staff recently attended Whistleblower training at OTL/April 1, 2011	It is anticipated that MOSH discrimination investigation files will contain all appropriate documentation and proper organization required to support actions taken by investigators.	Pending
09-22	There was no documentation of settlement of Whistleblower cases.	Settlements must conform to and be documented in accordance with the Discrimination Manual, Chapter 6, § IV.	MOSH concurs that major program improvements are warranted in its Discrimination Program and is actively engaged in a comprehensive review and rewrite of its Discrimination procedures / <i>2010 and 2011 cases that are settled will contain a settlement document in accordance with the Whistleblower Manual.</i>	Documentation has been received by Federal OSHA of an improvement plan by MOSH. Three staff recently attended Whistleblower training at OTL/April 1, 2011	It is anticipated that MOSH discrimination investigation files will contain all appropriate documentation and proper organization required to support actions taken by investigators.	Pending

Appendix B
FY 2010 Maryland State Plan Name (MOSH) Enhanced FAME Follow-up Report
Status of 2009 EFAME Findings and Recommendations

	Findings	Recommendations	State Response/ Corrective Action	Interim Steps w/ Due Dates	Outcome Measure/ Expectation	Status
09-23	Investigations were not completed in accordance with MOSH FOM, Chapter X, § A3 (b), which requires investigations to be completed within 90 days of filing. Section 5-604(d) (3) of the MOSH Act requires that "within 90 days after the Commissioner receives a complaint, the Commissioner shall notify the employee of the determination under this subsection."	Investigations must be completed within 90 days in accordance with MOSH FOM and the MOSH Act.	MOSH concurs that major program improvements are warranted in its Discrimination Program and is actively engaged in a comprehensive review and rewrite of its Discrimination procedures <i>/: By assigning and training 3 new investigators, MOSH will meet the 90 day investigation time line on new cases. Procedures are being implemented to ensure the 90 day requirement will be met for 90% of 2011 discrimination cases. The discrimination manager is tracking the timely conduct of investigations.</i>	Documentation has been received by Federal OSHA of an improvement plan by MOSH. Three staff recently attended Whistleblower training at OTL/April 1, 2011	It is anticipated that MOSH discrimination investigations will be processed in a timely manner.	Pending
09-24	Numerous case files were open for extended periods of time with no current activity documented in the case files.	The Whistleblower program manager should monitor the Web IMIS system to determine what cases are open and determine what appropriate action is required in accordance with the Discrimination Manual and MOSH FOM.	MOSH concurs that major program improvements are warranted in its Discrimination Program and is actively engaged in a comprehensive review and rewrite of its Discrimination procedures. <i>/ By assigning and training three new investigators and implementing new procedures for the conduct of discrimination complaints, 2011 cases will not become inactive.</i>	Documentation has been received by Federal OSHA of an improvement plan by MOSH. Three staff recently attended Whistleblower training at OTL/April 1, 2011	It is anticipated that MOSH discrimination investigations will be properly monitored by management.	Pending

Appendix B
FY 2010 Maryland State Plan Name (MOSH) Enhanced FAME Follow-up Report
Status of 2009 EFAME Findings and Recommendations

	Findings	Recommendations	State Response/ <i>Corrective Action</i>	Interim Steps w/ Due Dates	Outcome Measure/ Expectation	Status
09-25	Enforcement staffs, designated as benchmark positions, are not performing enforcement activities.	MOSH must ensure that personnel designated as fulfilling its benchmark requirements pursuant to 29 CFR §1952.213 are performing enforcement activities and conducting inspections for the majority of their work time.	MOSH disagrees with this finding. Benchmark staff does perform certain administrative functions, but all are engaged in performing enforcement work. However, although we do not believe to be an accurate statement, we will seek additional positions to begin to assign administrative duties to non-benchmark positions./ <i>MOSH has asked for clarification on whether staff that is conducting VPP and CCP inspections are appropriately counted toward benchmarks as it is required to be administered through enforcement. MOSH reports that it is their understanding that this work was an integral part of compliance and was an appropriate use of benchmark staff to identify and have hazards corrected through on-site visits under the enforcement program.</i>	Federal OSHA ran Micro-to-Host reports to determine if particular compliance staff had performed any inspection activity during the review period to the present date. No inspection activity was identified.	It is expected that compliance staff designed as benchmark positions in yearly grants will be performing enforcement field inspection activities for a majority of their work time. Compliance assistance positions and their activities must not be counted toward enforcement activities or benchmark calculations in State grant applications, etc.	Pending

Appendix B
FY 2010 Maryland State Plan Name (MOSH) Enhanced FAME Follow-up Report
Status of 2009 EFAME Findings and Recommendations

	Findings	Recommendations	State Response/ <i>Corrective Action</i>	Interim Steps w/ Due Dates	Outcome Measure/ Expectation	Status
09-26	Compliance officer's ' field notes were not contained in case files. (Are destroyed per State policy.)	Compliance officers ' field notes must be maintained in case files. OSHA FOM Chapter XII, Inspection Records, should be adopted.	MOSH believes that this procedure is more effective than its federal counterpart. MOSH has more stringent case writing and documentation requirement that makes the retention of field notes unnecessary. Our agency does not rewrite or add additional information before cases are sent to hearing. Before citations are issued the entire case file with all supportive documentation is written and field notes are unnecessary. / <i>MOSH continues to believe that it is critical for inspectors to include all pertinent information in case files and does not want to rely on inspector notes. MOSH contends that the case file is complete without having the inspector notes in them. Their notes are transcribed into the case file.</i>	Federal OSHA asked for further clarification on the position of MOSH's attorneys on this issue. It was advised by the Special Assistant to the Secretary of Labor that she spoke with MOSH counsel and they are comfortable with the current practice. Notes are viewed as draft materials that are used to write the report, and the report is the official record. Therefore, Federal OSHA will further review the impact that removing the handwritten CSHO notes has on the effectiveness of MOSH's enforcement program.		Completed