

**Appendix A – Nevada State Plan (NVOSHA)
Summary of New and Continuing Findings and Recommendations**

No.	Findings	Recommendations	Related FY 2009 No.
10-1	Case files were not organized in a uniform manner and by a means which would reduce the possibility of important case file documentation being lost or misplaced.	Fully implement the corrective action plan by developing written guidance and training compliance staff on procedural changes. Ensure each inspection conducted will be assigned a single case file folder and correspondence will be in one location in the file.	09-I-1 (Fatality Case File Reviews) 09-VI-1
10-2	The OSHA Case File Cover Sheets did not provide a ready record and summary of all actions relating to a case.	Fully implement the corrective action plan by revising the case file coversheet (in accordance with the NOM page 116) and train compliance staff on procedural changes. The joint federal/state audit scheduled to be completed by September 30, 2011; will include a review of case file organization and use of coversheets.	09-I-2 (Fatality Case File Reviews)
10-3	The IMMLANG policy is not consistently followed.	Conduct federal/state audit of FAT/CAT case files scheduled to be completed by September 30, 2011.	09-I-4 (Fatality Case File Reviews)
10-4	Interview statements in the Luxor file, fatality files or settlement files did not contain language required by the NOM.	Implement use of interview statement forms containing policy required language.	09-II-6 (Complaints About State Program Administration)
10-5	Fifty-two percent (52%) of all inspections resulted in citations. Of those 52%, over half of those cases (55%) resulted in only other-than-serious violations.	NvOSHA should evaluate and if needed, revise targeting system to ensure limited resources are inspecting locations where serious hazards are present.	09-IV-1 (General Inspection Statistics)
10-6	The focus on simply getting a large number of inspections may lead to cutting corners to meet the requirement.	Implement revised work performance standards that reflect quality of inspections.	09-IV-2 (General Inspection Statistics)
10-7	NvOSHA groups its violations based on the location of the standards being cited in the code of State regulations rather than by the individual hazardous conditions.	Complete scheduled audit of case files with citations and grouped violations.	09-IV-3 (General Inspection Statistics) 09-VI-5
10-8	No diary sheets or similar daily/chronological logs were found in any of the 21 case files reviewed.	Fully implement the corrective action plan by revising the case file coversheet (in accordance with the NOM page 116) and train compliance staff on procedural changes. The joint federal/state audit scheduled to be completed by September 30, 2011; will include a review of case file organization and use of coversheets.	09-V-1 (Complaint Processing)
10-9	Inadequate abatement was received and accepted as adequate.	The joint federal/state audit scheduled to be completed by September 30, 2011 will include a review of abatement documentation in the closed case files.	09-V-4 (Complaint Processing)
10-10	There were cases in which the complaint was classified improperly.	Include a review of complaint inquiry and inspection case files in the joint federal/state audit scheduled to be completed by September 30, 2011.	09-V-7 (Complaint Processing)
10-11	Deficiencies were noted on the OSHA 1B supporting documentation including: no contact information for workers interviewed and exposed to hazards; duration and frequency listed as “as needed” on the majority of the violations; missing equipment identifiers such as manufacturer, model number and serial number, and employer knowledge listed as “with due diligence.”	Provide documentation of compliance staff training on the OSHA 1B form.	09-VI-4 (Specific Cases)

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10-12	Some files contained the abatement verification form and others included the abatement verification form with additional documentation. Interviews with supervisors and investigators indicated that there was no clear policy conveyed indicating what abatement information employers were required to submit.	Include a review of case file documentation of abatement verification/certification in the joint federal/state audit scheduled to be completed by September 30, 2011.	09-VI-6 (Specific Cases)
10-13	The IMIS LEP codes do not match current LEP practices and LEP and Strategic Initiative codes are not always updated appropriately.	Provide documentation of coding update and staff training on the coding of OSHA forms.	09-VII-1 (Programmed Inspection Targeting System)
10-14	IMIS coding is not available for all General Industry targeting systems.	Provide documentation of coding update and training of compliance and administrative staff on coding of IMIS forms and database maintenance.	09-VII-2 (Programmed Inspection Targeting System)
10-15	The low percentage of serious violations and the high percentage of in-compliance inspections for programmed inspections indicate a need for an improved targeting system.	Provide summary of audit findings and targeted emphasis program revisions, if any.	09-VII-4 (Programmed Inspection Targeting System)
10-16	NvOSHA has agreed to conduct 2,900 inspections per year as part of its budgeting process and this information is used by the legislature to determine if the program is meeting their goals. This translates to 95 to 115 inspections per year per investigator.	Complete review of staff work performance standards and implement standards that emphasize quality inspections.	09-VII-5 (Programmed Inspection Targeting System)
10-17	Employees with 3 years of safety and health experience have left the employment of NvOSHA for higher paying safety positions.	Continue to pursue all available options to increase the salaries of NvOSHA safety and health compliance officers.	09-XI-1 (Retention of Staff)
10-18	Complainant was not timely notified of the results of the inspection or inquiry.	Ensure complainants are timely notified after an investigation or inquiry.	New
10-19	Abatement verification/certification was not provided for all serious violations.	NvOSHA should investigate all cases with outstanding abatement and implement corrective actions to ensure employees are not exposed to ongoing serious hazards that have not been abated.	New
10-20	The percent serious/willful/repeat violation rate for programmed inspections was not met.	NvOSHA should continue to evaluate and improve their targeting mechanisms and ensure serious hazards are recognized and citations issued in accordance with enforcement policy.	New
10-21	Inspection goals were not met. The state completed 56.5% of projected inspection goals.	Evaluate inspection goals and if appropriate, modify to reflect changes in policy and declining industries in the state.	New
10-22	State strategic objective and performance goal of 3 VPP Star sites was not met. Only one application was awarded a VPP Star site and there were no new applications submitted.	The VPP goals should be re-evaluated and the necessary resources allocated to meet the goal.	New