

**Appendix A**  
**FY 2010 South Carolina (SC OSHA) Enhanced FAME Follow-up Report**  
**Summary of New and Continuing Findings and Recommendations**

Rec #	Findings	Recommendations	Related FY 09 Rec #
10-1	Response to Federal Program Changes not timely; response to New FOM not yet submitted.	South Carolina should provide state plan changes, adoption documents, and state procedures for comparison purposes to federal OSHA on a timely basis.	09-7
10-2	CSHOs conduct all discrimination case investigations usually concurrently with workplace complaint investigations. Discrimination program procedures are different from those of federal OSHA and do not assure that a quality investigation is conducted and documented.	<p>A: South Carolina should eliminate their written procedures requiring discrimination complaints to be submitted in writing. Complaints should be docketed on the date that the complainant contacts SC OSHA and provides information establishing a prima facie case. Because there is a 30 day time-filing requirement, it is imperative that complaints be filed as promptly as possible.</p> <p>B: South Carolina should assure that complaint notification letters are sent to the Respondent informing them of the discrimination complaint and requesting a written position statement in response to the complaint.</p> <p>C: South Carolina should assure that a signed and dated statement is obtained from the discrimination complainant when he or she is interviewed.</p> <p>D: South Carolina should assure that each discrimination investigation case includes a written report that presents all of the facts gathered during the investigation. The case file should include an analysis or evaluation of the facts as they relate to the four elements of a prima facie case, a case activity log, documentation of discussions related to the case, and documentation of the closing conference with the complainant.</p> <p>E: South Carolina should review its settlement policy for discrimination cases and consider adding criteria consistent with federal OSHA guidelines.</p>	09-8
10-3	South Carolina OSHA does not have an internal evaluation program as required by the State Plan Policies and Procedures Manual.	South Carolina should develop and implement a formal program for conducting periodic internal self-evaluations. The procedure should assure that internal self-evaluations possess integrity and independence. Reports resulting from internal self-evaluations will be made available to federal OSHA.	09-10