

**FY 2013 Comprehensive
Federal Annual Monitoring and Evaluation (FAME) Report**

Alaska Occupational Safety and Health (AKOSH)



Evaluation Period: October 1, 2012 – September 30, 2013

**Initial Approval Date: July 31, 1973
Program Certification Date: September 9, 1977
Final Approval Date: September 26, 1984**

**Prepared by:
U. S. Department of Labor
Occupational Safety and Health Administration
Region X
Seattle, Washington**



CONTENTS

Section

I. Executive Summary	3
A. Summary of the Report.....	3
B. State Plan Introduction.....	4
C. Data and Methodology.....	5
D. Findings and Recommendations.....	6
II. Major New Issues	9
III. Assessment of State Plan Performance	9
IV. Assessment of State Plan Progress in Achieving Annual Performance Goals	25
V. Other Special Measures of Effectiveness and Areas of Note	30

Appendices

Appendix A – New and Continued Findings and Recommendations	A-1
Appendix B – Observations Subject to Continual Monitoring	B-1
Appendix C – Status of FY 2012 Findings and Recommendations	C-1
Appendix D – FY 2013 State Activity Mandated Measures (SAMM) Report	D-1

I. Executive Summary

A. Summary of Report

The purpose of this report is to assess Alaska Occupational Safety and Health's (AKOSH's) performance during Fiscal Year (FY) 2013 with regard to activities mandated by OSHA, and to gauge the AKOSH's progress toward resolving recommendations from the FY 2012 FAME. As part of this comprehensive evaluation, OSHA conducted a review of a portion of AKOSH's discrimination program case files, enforcement case files, and conducted a special study. This report also assesses the State Plan's achievement of its annual performance plan goals and the final outcome of its progress toward the goals in its five-year strategic plan, which ended in FY 2013.

Overall, AKOSH's performance with respect to activities that are mandated by the Occupational Safety and Health Act and its implementing policies and regulations continues to be acceptable with exceptions as noted in this report below.

The FY 2013 FAME Report on AKOSH includes a total of nine recommendations, four of which remain open and continued from FY 2012 and four observations. In FY 2012, OSHA made nine recommendations for program improvement. The AKOSH made satisfactory progress to complete corrective actions for five of these recommendations. OSHA determined AKOSH's actions were adequate to resolve those issues and considers them complete. Appendix C describes the status of each FY 2012 recommendation in detail. The remaining recommendations from FY 2012 are considered open and continued, including the four areas of concern with AKOSH's program.

One recommendation from FY 2012, related to a fatality incident where AKOSH did not conduct an on-site investigation at either the incident site or the employer's establishment location. Although OSHA made recommendations to AKOSH to ensure all fatality incidents are investigated in accordance with specified policies and procedures, which includes an on-site inspection of the incident site, if accessible, or an alternate site, such as at the employer's establishment location, this issue was again discovered during this evaluation period. OSHA considers this matter to be unresolved at this time, and is considering this recommendation to be open for this period.

Another recommendation which remains open for this period is for AKOSH to reduce citation lapse times for both safety and health case files. This issue has been noted for several years and remains a consistent problem with limited improvement. OSHA will continue to address this recommendation and monitor any progress with AKOSH in quarterly meeting discussions.

AKOSH has identified the seafood processing industry as a focus area for reducing injuries and illnesses and specifically includes this industry in its strategic and annual performance goals. However, AKOSH has not made any notable impact or contributions to improve and reduce worker injuries and illnesses as reflected in the state's own workers' compensation data. OSHA considers this item open and anticipates an

improvement in enforcement emphasis by AKOSH in order to achieve its annual goals in the future.

During case file reviews of health inspections, it was again noted that industrial hygiene sampling was not being appropriately conducted to confirm and support health violations. This item has been identified for three evaluation periods and continues to exist. OSHA will continue to closely monitor AKOSH's efforts to ensure appropriate compliance officer training and reviews of health case files are conducted in the future to eliminate this condition.

B. State Plan Introduction

The state of Alaska, under an agreement with OSHA, operates an occupational safety and health program through its Department of Labor and Workforce Development, Labor Standards and Safety Division, Occupational Safety and Health. The program operates in accordance with Section 18 of the Occupational Safety and Health Act of 1970. The Alaska State Plan was approved July 31, 1973, and its developmental period under Section 18(e) of the OSH Act ended October 1, 1976. On September 9, 1977, OSHA certified that the State Plan had completed all developmental steps as specified in its plan, and granted AKOSH final State Plan approval on September 26, 1984.

The head of Alaska's Department of Labor and Workforce Development is Ms. Dianne Blumer, the Commissioner of Labor, who serves as the State Plan designee. The director of the Labor Standards and Safety Division, Mr. Grey Mitchell, manages the Occupational Safety and Health Section.

AKOSH exercises jurisdiction over all private sector employers with the exception of the following - Denali National Park; Metlakatla Indian Reservation; maritime industries; federal government-owned, contractor-operated (GOCO) Native Health Care Facilities; and select military installations. The State Plan has regulatory authority in state and local government workplaces. OSHA covers all excepted employers noted above, as well as federal agencies.

There are relatively few differences between AKOSH's standards and those of OSHA. AKOSH has its own regulations for Logging and Oil and Gas Operations. The State Plan also has a regulatory requirement that employers report incidents which result in one or more workers being hospitalized; OSHA requires employers to report incidents where three or more workers are hospitalized.

During FY 2013, the State Plan was staffed with 12 compliance officers (seven safety, five health) and 12 consultants. The program covers approximately 325,768 workers employed in 21,933 establishments statewide. AKOSH's federally-approved state OSHA program was funded at \$3,136,008, of which \$1,369,800 were federal funds.

Alaska administers a combined on-site consultation program under 21(d) and 23(g) funding. This type of combined program is unique to Alaska. AKOSH's 12 consultant

positions are a combination of 21(d), 23(g) and 100% state funded. These consultants provide services to both public and private employers.

C. Data and Methodology

The opinions, analyses, and conclusions described herein are based on information obtained from a variety of sources, including:

- Analysis and monitoring by OSHA of the FY 2012 AKOSH Corrective Action Plan which provides the State Plan's status and response to the FY 2012 FAME (Appendix C).
- Statistical reports comparing State Plan performance to federal performance.
- State Activity Mandated Measures (SAMM) report data (Appendix D).
- Mandated Activities Report for Consultation (MARC) data.
- State Information Report (SIR) data.
- The FY 2013 State OSHA Annual Report (SOAR) prepared by Alaska, which contains details of the State Plan's achievements with respect to its annual goals.
- Quarterly monitoring meetings between OSHA and the State Plan.
- Case file reviews of 50 inspection files (consisting of 26 programmed inspections, 11 complaints/referrals, 10 hospitalization accidents and three fatalities), seven whistleblower case files and five screened out whistleblower complaints.
- Interviews with the Chief of Enforcement, Program Analyst, and compliance staff.

The review of the AKOSH State Plan included the participation of the Anchorage Area Director in four quarterly meetings with the State Plan and additional on-site meetings during the period. The Area Director conducted monitoring as needed to include case file reviews, program reviews, and technical assistance.

Over a period of three days onsite, OSHA Anchorage Area Office staff reviewed 50 of AKOSH's enforcement case files. During an off-site review, seven whistleblower investigation case files were evaluated by an OSHA whistleblower investigator. All case files were reviewed to assess the quality of documentation, violation classification, penalty calculations, abatement verification, settlement and other factors, as appropriate. The selected files were randomly chosen using a random number chart. This assessment resulted in findings and recommendations which are discussed in the body of this report.

In addition, the views and opinions of stakeholders were taken into consideration in preparing this report. Information on the adequacy of State Plan administration was received from employers, OSHA's alliance partners, professional safety organizations, and organized labor groups throughout the State of Alaska.

Special Note: Where FY 2013 national data is identified throughout this report, these figures only include State Plan averages over three years. Federal data was compiled in this period's national average due to the movement of all federal data from the Integrated Management Information System (IMIS) to a new system, OSHA Information System (OIS). Thus, any comparison of Alaska's data to "national average" data will compare

the State Plan's results with all other State Plans averaged over three years. It is not expected that the lack of federal data in these figures will skew or sway the data negatively from the data of the particular State Plan discussed in this report; the data should reflect more favorably when compared to all State Plans.

D. Findings and Recommendations

This section summarizes OSHA's findings and recommendations for the evaluation period of FY 2013. There were a total of nine findings with the corresponding recommendations, all of which relate to Alaska's enforcement program. There were also four observations noted which are not considered to directly impact the effectiveness of the State Plan and are included for purposes of future State Plan monitoring. Details of findings, recommendations, and observations are further discussed in the body of the report and in Appendix A and B at the end of the report. Findings and recommendations denoted as "continued" are those which had been identified in the previous FY 2012 FAME Report and were again noted in FY 2013.

Overall, AKOSH met or exceeded the majority of its FY 2013 performance goals and fulfilled its obligations with regard to activities mandated by OSHA. Where the need for program improvement was identified, recommendations are made herein for corrective actions.

Finding 13-1

It was determined that the State Plan did not perform on-site inspections at two work sites where incidents had occurred, requiring hospitalization of workers.

Recommendation 13-1 (12-1)

In accordance with the AKOSH Field Operations Manual (FOM), ensure that inspections include on-site visits to the incident sites. If the incident site is deemed unsafe, then AKOSH should select an alternative site such as the employer's establishment location.

Finding 13-2

During FY 2013, AKOSH's citation lapse times were 83 days for safety inspections and 115 for health inspections.

Recommendation 13-2 (12-5)

Review the citation issuance process to determine the cause of the high occurrence of lapse time between opening an inspection and issuance of a citation. Develop and implement a resolution to ensure citations are issued timely and employers are put on notice to abate hazards in a timely manner.

Finding 13-3

A review of documentation in health case files, found that appropriate industrial hygiene monitoring (air and noise sampling) was not being conducted by health compliance officers during inspections in accordance with policy and guidelines outlined in the Industrial Hygiene Technical Manual.

Recommendation 13-3 (12-9)

Ensure that health citations conform to policy on documentation of violations. Conduct industrial hygiene monitoring to confirm violations of health standards.

Finding 13-4

Penalties were not calculated correctly in accordance with the policies and procedures in the AKOSH Field Operations Manual (FOM) in that (1) compliance officers were not correctly calculating probability and severity to accurately reflect the most probable injury related to the identified hazard; and (2) in over 10% of all case files reviewed, it was found that “serious” occupational hazards were assessed incorrectly and issued as “other than serious.”

Recommendation 13-4

Ensure that penalty calculation factors, such as severity and probability and hazard classification, are calculated in a manner consistent with policy contained in the FOM.

Finding 13-5

In 10% of all case files reviewed, history and/or good faith reductions were inappropriately applied during violation processing when calculating the gravity-based penalty where documentation in the case files indicated the employer had history of violations in the previous three years and/or demonstrated a lack of an effective safety and health program. Employers should not have been given a penalty reduction for either history or good faith in those types of circumstances in accordance with the AKOSH FOM.

Recommendation 13-5

Ensure application of inspection penalty reductions, such as history and good faith, is in accordance with policy as contained in the FOM.

Finding 13-6

Legal sufficiency of enforcement citation documentation was not in accordance with the AKOSH FOM in that (1) documentation of hazard duration and frequency was found to be assessed incorrectly in 20% of reviewed case files; and (2) in 10% of case files reviewed, the Alleged Violation Description (AVD) did not accurately describe the hazard and location, nor did it correctly separate the AVD into instances in accordance with policy.

Recommendation 13-6

Ensure that duration and frequency of hazard exposures are annotated correctly in the case file and AVD are separated out by instance, clearly reflecting the hazard and its respective location according to policy contained in the FOM.

Finding 13-7

In 10% of all case files reviewed, abatement was not documented.

Recommendation 13-7

Ensure that abatement is received, reviewed, and documented in all case files prior to closure and that all abatements are closed and verified at or prior to the 60-day State Plan negotiated goal.

Finding 13-8

Alaska's timely response rate for notification of intent regarding adoption of federal program changes and standards is 43% (4/7).

Recommendation 13-8

Ensure responses to OSHA regarding intent of adoption of federal program changes and standards are within the time frame indicated on the Automated Tracking System (ATS) Notice.

Finding 13-9

In an industry with over 25,000 workers, where injury rates have increased for the third year in a row, only eight inspections were conducted in FY 2013. AKOSH is not effectively targeting the seafood processing industry as planned in its strategic and annual performance goals.

Recommendation 13-9 (12-8)

AKOSH should re-evaluate its current targeting approach and implement a plan to increase its enforcement presence in the seafood processing industry towards its strategic and annual performance goals.

Observation FY13-OB-1

AKOSH does not have specific guidelines for penalty reductions given during informal conferences.

Observation FY13-OB-2

AKOSH does not formally review its targeting goals for effectiveness and improvement outside of SOAR goals. AKOSH should implement a review process to ensure targeting programs are effective in achieving safety presence in the high hazard industries.

Observation FY13-OB-3

Unresolved Host rejects and documents in "Draft" form within the AKOSH IMIS system remain high. During FY 2013, AKOSH has made significant improvements concerning Finding 12-6 relating to this issue.

Observation FY13-OB-4

During the FY 2013 case file reviews, it was discovered that 30% of the case files were taking up to 6 months to close from the time both penalty payment and abatements certifications were received. Case files should be immediately closed upon satisfaction of all required abatement items and penalty payments.

Additional detail of the findings and recommendations is provided in Appendix A and observations for FY 2013 are provided in Appendix B.

II. Major New Issues

None

III. Assessment of FY 2013 State Plan Performance

1. ENFORCEMENT

a) Complaints

AKOSH responded to 96 complaints during FY 2013. Performance in this area was comparable to that of OSHA's, and exceeded AKOSH's overall goal of 90% timeliness for both categories of responses.

AKOSH's policy on responding to imminent danger situations is to conduct inspections as expeditiously as possible, and no later than 24 hours after notification. This is the same as OSHA's policy.

During this evaluation period, 92 imminent danger complaints/referrals were received by AKOSH and 92 were inspected within the required time frame.

Table 1
Complaints (SAMM 1, 2, 3)

	FY 2013	FY 2012	FY 2011	Goal
Avg. Days to Initiate Inspection (SAMM 1)	3.5 days	8.79 days	7.75 days	7 days
Avg. Days to Initiate Investigation (SAMM 2)	0.54 days	1.15 days	0.71 days	1 day
Complainants Notified Timely (SAMM 3) Note: Included for informational purposes only	100% 55 of 55	100% 63 of 63	97% 65 of 67	100%
Imminent Danger Response (SAMM 4)	100% 92 of 92	100% 82 of 82	98% 46 of 47	100%

AKOSH's response to unprogrammed activities continues to be timely.

b) Fatalities/Catastrophes

As part of this FAME reporting cycle, the Anchorage Area Office conducted a case file review to evaluate fatality cases and incidents involving hospitalization of workers in the state of Alaska. There were four fatality and three hospitalization case files reviewed. The State Plan also had several cases where "lack of jurisdiction" was appropriately applied and inspections were not

conducted in cases involving criminal matters and sole proprietorship where other worker exposure was not involved.

AKOSH's mandate is to initiate inspections of fatalities and catastrophes (three or more hospitalizations) within one working day, and for two or less hospitalizations within seven working days, for 90% of occurrences to prevent further injuries or deaths.

In FY 2013, AKOSH inspected 22 incidents where one or more workers were hospitalized overnight. All incident inspections were initiated timely (within seven days). Within this same period, AKOSH investigated five fatal incidents; this was one more fatal case than in FY 2012. All five fatality inspections were responded to in a timely manner. (Note: There were 2 cases that may show discrepancies in comparison to the end of FY 2013 SAMM Report. One case was changed to a "No inspection" after it was identified that the employer was a sole proprietorship where the owner was the victim. In another case, the accident was reported late by the employer but AKOSH response to the late report was timely.)

There were two incidents where a site visit was not attempted and where an inspection was opened and citations were issued. One incident involved a worker hospitalization which was due to a fall through a grate. The inspection was completed without a physical site visit by AKOSH. The inspection information used for issuance of the citation was obtained by requesting the employer provide information via phone, fax, and email. The case was issued based completely on employer-provided information and an interview of the injured worker. This is the second time the same employer's establishment has been found as having being inspected without a physical visit to the site on the part of AKOSH. The initial proposed penalty of \$3,150 was reduced by 50% in an informal settlement agreement by the Chief of Enforcement. The second inspection involved the hospitalization of a worker in a logging incident. In this case, the entire inspection was documented using faxed information, emailed communication, and other employer-provided information without the on-site assessment of AKOSH.

Recommendation 13-1 (12-1)

In accordance with the AKOSH FOM, ensure that inspections include on-site visits to the incident sites. If the incident site is deemed unsafe, then AKOSH should select an alternative site such as the employer's establishment location.

Bureau of Labor Statistics (BLS) Rates

An overview of AKOSH private industry TCIR¹ and DART² rates for calendar years 2008 through 2012, as well as for select industries, is provided in the table that follows.

At the close of this monitoring period, 2012 was the most recent calendar year for which data were available. (Data source: www.bls.gov)

	CY 2008	CY 2009	CY 2010	CY 2011	CY 2012	% Change, 08-12	% Change, 10-12
Private Industry							
TCIR	5.1	4.9	4.5	4.5	4.6	-10%	3%
DART	2.7	2.1	2.2	2.2	2.1	-22%	-5%
Construction, NAICS³ 23							
TCIR	7.1	5.8	5.0	5.6	5.2	-27%	4%
DART	3.4	2.7	2.2	2.8	2.7	-21%	19%
Transportation/Warehousing, NAICS 48-49							
TCIR	7.4	6.0	5.7	5.5	3.7	-50%	-35%
DART	4.7	3.7	3.9	3.5	3.0	-36%	-23%
State and local government							
TCIR	5.5	5.1	4.5	4.2	4.2	24%	-7%
DART	2.4	2.3	2.2	2.1	1.8	-25%	-18%

As stated previously, AKOSH conducts inspections and delivers training in the construction, transportation/warehousing, and seafood processing industries in an effort to reduce injuries and illnesses. Five-year BLS data presented above show that the State Plan is justified in continuing to focus its resources in these industries because TCIR and DART rates have been consistently higher in the three targeted industries than the rates for private industry as a whole. Overall, between 2007 and 2012, decreases in AKOSH's TCIR and DART rates occurred in all of the above industries with the exception of state and local government. State and local government rates have remained constant. In the last two years from 2010 to 2012, the DART and TCIR rates for the construction industry and in private industry have again begun to show a marginal increase of 4% and 3%, respectively. In summary, as of FY 2013, AKOSH's efforts are contributing to rate reductions in the targeted industries, and AKOSH should continue to monitor and aim resources at those industries where the rates are beginning to increase.

c) Targeting and Programmed Inspections

Goals: AKOSH submits an annual grant request that includes an operations plan establishing goals for enforcement inspections. During the first four years of this

¹ TCIR is the total case incident rate, which represents the number of recordable injuries and illnesses per 100 full-time workers, calculated as: $(N/EH) \times 200,000$ where N = number of injuries and illnesses; EH = total hours worked by all workers during the calendar year; and 200,000 = base for 100 equivalent full-time workers (working 40 hours per week, 50 weeks per year).

² DART is the days away from work, job transfer, or restriction rate, which represents the number of such cases per 100 full-time workers. Calculation of the DART rate is similar to that of TCIR.

³ NAICS is the North American Industry Classification System.

five-year strategic monitoring period (FY 2009 - FY 2013), AKOSH had not met its annual inspection goals for each reporting year. However, in FY 2013, AKOSH succeeded for the first time in accomplishing that goal.

The State Plan conducted 376 inspections in FY 2013, representing an increase of 23% compared to the 288 inspections it conducted in FY 2012. Of the inspections conducted during this period, 127 (34%) were programmed and 249 (66%) were unprogrammed.

Table 2
Inspections Conducted FY 2011 – 2013 (SAMM 17)

Inspections	FY 2013	FY 2012	FY 2011
Goal	385	417	505
Conducted	376	288	311
Difference	(9)	(129)	(194)

d) Citations and Penalties

Citation lapse times: During FY 2013, AKOSH’s citation lapse times virtually remained the same as FY 2012 lapse times in both safety and health inspections. The number of calendar days from opening conference to citation issuance was 83 days for safety inspections and 115 days for health. Overall, AKOSH’s FY 2013 lapse times compare unfavorably to the averages of State Plans as a whole. Those lapse times were 54 and 66 days for safety and health cases, respectively.

The following tables represent AKOSH performance history for both industrial hygiene and safety citation lapse times. See Appendix D for details (SAMM report FY 2013 - SAMM 7 and 23).

Table 3
Citation Lapse Time (SAMM 7 - Open Date to Issue Date)*

Safety/Health Lapse Time (Days)	FY 2013 Safety/Health	FY 2012 Safety/Health	FY 2011 Safety/Health
Actual	83 / 115	86 / 115	102 / 109
National Average	54 / 66	56 / 68	52 / 65
Difference	+29 / +49	+30 / +47	+50 / +44

*Due to recent mandated activity policy revisions during FY 2012, lapse time calculations during FY 2013 are now being monitored using SAMM #23 rather than SAMM #7 as used during previous years. The SAMM #7 information above is provided for informational purposes only.

Table 4 provides SAMM #23 data in accordance with OSHA’s mandated measure for this item:

Table 4

Citation Lapse Time (SAMM 23)*

Safety/Health Lapse Time (Days)	FY 2013 Safety/Health	FY 2012 Safety/Health	FY 2011 Safety/Health
Actual	67 / 89	65 / 90	76 / 76
National Average	43 / 53	45 / 70	48 / 62
Difference	+24 / +36	+20 / +20	+28 / +14

Recommendation 13-2 (12-5)

Review the citation issuance process to determine the cause of the high occurrence of lapse time between opening an inspection and issuance of a citation. Develop and implement a resolution to ensure citations are issued timely and employers are put on notice to abate hazards in a timely manner.

Number and percentage of Serious, Willful, and Repeat Violations: The State Plan cited serious, willful, or repeated violations in 62% of the programmed safety inspections and 65% of the programmed health inspections. The percentages for safety are slightly higher than the three-year national rate for AKOSH of 57%. Percentages for health were slightly higher than the national rate for State Plans of 54%. Overall, AKOSH performed higher when compared to its FY 2012 performance and the three-year national rate for State Plans.

Table 5

Percent of Programmed Inspections with S/W/R Violations (SAMM 8)

	FY 2013 National Data	FY 2013	FY 2012	FY 2011
Safety	57%	62%	47%	45%
Health	54%	65%	56%	100%

Violations per inspection: During FY 2013 AKOSH increased its number of serious, willful, and repeat violations per inspection when compared to previous years during this strategic period. Doing so has brought its performance up near the national standard for FY 2013. Violations issued as “other-than-serious” during FY 2013 remain consistent with previous year’s performance and at national average levels.

Table 6

Average Violations per Inspection with Violations by Violation Type (SAMM 9)

	FY 2013 National Data	FY 2013	FY 2012	FY 2011
S/W/R	2.0	1.8	1.3	1.2
Other	1.3	1.5	1.5	3.0

In-compliance inspections: In-compliance rates during FY 2013 have remained lower than average at 13% for safety and 16% for health. These rates, as in

previous years meet the benchmark of +/-20% of national standards.

Table 7
Field Compliance Measure, Percent In-Compliance (SAMM 20)

	FY 2013 National Data	FY 2013	FY 2012	FY 2011
Safety	29%	13%	19%	16%
Health	34%	16%	28%	16%

Adequate evidence to support violations: In FY 2013, OSHA conducted a review of 50 safety and health inspection case files. The purpose of the review was to assess the quality of documentation, violation classification, penalty calculations, abatement verification and other factors.

During this review, health case file documentation revealed that appropriate industrial hygiene monitoring was not being conducted in 10% of health inspection cases. Health compliance officers did not conduct appropriate air or noise sampling in accordance within policy and guidelines outlined in the OSHA Industrial Hygiene Technical Manual. In each of these cases, employer provided information or direct reading samples were relied on to support the violation where eight-hour sampling was required to sustain the violation. In two cases, serious violations of the respirator standard were cited and no air monitoring had been conducted during the inspection. In other cases, serious violations for hearing conservation elements of the noise standard were issued without adequate determination of the eight-hour Time Weighted Average (TWA) of worker exposure.

Recommendation 13-3 (12-9)

Ensure that health citations conform to policy on documentation of violations.
Conduct industrial hygiene monitoring to confirm violations of health standards.

It was found that compliance officers were not correctly calculating severity to accurately reflect the most probable injury related to the identified hazard. Examples of this included a low severity for eye injury where the chemical exposure had a pH as low as three (acidic) to as high as 12 (basic) and a low severity for a fall where the indicated injury was death. Improper selection of severity has an overall diminishing effect on the legal legitimacy of the violation and the proposed penalty.

In addition, in 10% of all cases reviewed, it was found that serious hazards were cited as “other than serious” where the hazard was assessed incorrectly. One example involves injuries from falls from height, and another example involves eye injuries where corrosives were being used in their operations without an eyewash.

Recommendation 13-4

Ensure that penalty calculation factors, such as severity and probability and hazard classification, are calculated in a manner consistent with policy contained in the FOM.

In 10% of all case files reviewed, history and/or good faith reductions were inappropriately applied during violation processing when calculating the gravity-based penalty where documentation in the case files indicated the employer had history of violations in the previous three years and/or demonstrated a lack of an effective safety and health program. Employers should not have been given a penalty reduction for either history or good faith in those types of circumstances in accordance with the AKOSH FOM.

Recommendation 13-5

Ensure application of inspection penalty reductions, such as history and good faith, is in accordance with policy contained in the FOM.

Documentation of hazard duration and frequency was found to be assessed incorrectly in 20% of reviewed case files. Duration of the hazard and how often workers were exposed to the hazard were often documented as “work shift,” “As required,” or “Occasionally.”

In 10% of all case files reviewed, the Alleged Violation Description (AVD) did not accurately describe the hazard and location, nor did it correctly separate the AVD into instances in accordance with policy. Inaccurate descriptions may lead to miscommunications between OSHA and the employer for purposes of the abatement of the hazard.

Recommendation 13-6

Ensure that duration and frequency of hazard exposure are annotated correctly in the case file and AVD are separated out by instance, clearly reflecting the hazard and its respective location according to policy contained in the FOM.

Average serious penalty: Case file reviews verified that the State Plan assessed penalties for all serious violations cited. AKOSH’s average initial penalty per serious violation in the private sector during FY 2013 was \$1,052, which is lower when compared to the national State Plan overall average of \$2,245. AKOSH’s initial penalties per serious violation remained virtually the same when compared to FY 2012 where the average penalty amount was \$1,046. OSHA considers AKOSH’s performance acceptable. The following table presents AKOSH’s five-year average penalty issuance.

**Table 8
Average Initial Penalty per Serious Violations (SAMM 10)***

Average penalty assessed per serious violation	FY 2013	FY 2012	FY 2011	FY 2010	FY 2009
	\$1,052	\$1,046	\$976	\$1,143	\$973

*This measure is for informational purposes only. Measure 18 is the official mandated measure for penalties. See Appendix D for more details.

e) Abatement

The State Plan’s procedures for verifying hazard abatement are the same as OSHA’s. The results at the end of year (SAMM report, Appendix C), indicate verification of abatement for the State Plan was 99% for private industries and 97% for public industries. AKOSH has significantly improved its timely entry of verification of abatement of serious, willful, and repeat violations into the IMIS database during FY 2013 as shown in the Table 9 below.

Table 9
S/W/R Violations Verified (SAMM 6)

Percent of S/W/R Violations verified <small>For Informational Purposes Only</small>	FY 2013	FY 2012	FY 2011	Goal
Private Sector	99%	78%	76%	100%
Public Sector	97%	77%	84%	100%

During the case file review, it was observed that AKOSH did not develop a method to ensure certification of abatement was documented in case files. For example, in at least five (10%) of the 50 cases reviewed, AKOSH closed the inspections without adequate abatement documentation in the case file.

At the end of FY 2013, a total of 15, open non-contested cases with abatement incomplete over 60 days existed. The State Plan negotiated goal (SAMM report FY 2013 - SAMM #22) is for ten non-contested cases to remain open longer than 60 days without abatement being verified and documented as complete.

Recommendation 13-7

Ensure that abatement is received, reviewed, and documented in all case files prior to closure and that all abatements are closed and verified at or prior to the 60 day State Plan negotiated goal.

f) Worker and Union Involvement

AKOSH’s policy on worker participation in the inspection process is the same as OSHA’s. During AKOSH inspections, workers are given the opportunity to participate either through interviews or by having worker representatives accompany inspectors. Workers are also afforded the opportunity to privately express their views about the workplace away from the employer. In addition, inspection results are provided to worker representatives and complainants. Case files reviewed during this period appropriately documented worker interviews and union involvement during AKOSH inspections. The State Plan’s performance is acceptable.

2. REVIEW PROCEDURES

AKOSH's administrative procedures as adopted by the FOM and Alaska Statute afford employers the right to administrative and judicial review of alleged violations, proposed penalties, and abatement periods. These procedures also give workers or their representatives the opportunity to participate in review proceedings and to contest citation abatement dates.

a) Informal Conferences

AKOSH has identical informal conference procedures as OSHA where both the Chief of Enforcement and the compliance officer usually attend. Employers have the right to discuss citations informally with AKOSH, the right to contest citations and penalties, and the right to object to assigned abatement dates. In Alaska, most employer citation appeals are resolved by informal settlement.

During the FY 2013 case file review of 50 enforcement case files, it was apparent that during informal conferences there was a broad range of reductions in penalties applied in each case. Several cases had reductions of up to 100% of the original issued amount. In some, but not all of these cases, it was documented why these reductions were made. The AKOSH FOM allows for reductions of penalties where appropriate by the Chief of Enforcement. However, it does not set any particular maximum reduction levels where approval would require further review by another level of authority to ensure consistency. This can lead to inconsistent penalty applications within the AKOSH program.

Observation FY13-OB-1

AKOSH does not have specific guidelines for penalty reductions given during informal conferences.

b) Formal Review of Citations

Alaska's Administrative Code and AKOSH's Compliance Manual afford employers the right to administrative and judicial review of alleged violations, proposed penalties, and abatement periods. These procedures also give workers or their representatives the opportunity to participate in review proceedings and to contest citation abatement dates.

AKOSH had three contested cases in FY 2013. Of those cases, two were settled without trial. The third case went to trial and the results are pending. In Alaska, post-contest data reflect that AKOSH vacated 2.4% of violations during FY 2013 in comparison to a federal percentage of 7.1%. AKOSH's post-contest penalty retention for FY 2013 was 61.3%, compared to an OSHA retention rate of 60.7%. AKOSH's violations reclassified percentages for FY 2013 were 3.6%, compared to an OSHA violations reclassified rate of 5.6% (SIR FY 2013). AKOSH performance continues to be acceptable.

3. STANDARDS AND FEDERAL PROGRAM CHANGES (FPC) ADOPTION

The State Plan is required to notify OSHA of its intent to adopt standards and federal program changes (FPC) within 60 days of OSHA's issuance of the direct final rule or issuance of an automated notice to the State Plan. The State Plan then has up to 6 months to adopt a standard or FPC with submission of such to OSHA within 60 days of adoption.

a) Standards Adoption

AKOSH adopts most federal standards by reference. By using this procedure, standards are normally automatically adopted within the time frame allowed and the effective dates of the standards are the same. For standards not adopted by reference, the State Plan has acceptable procedures for promulgating standards that are at least as effective as those issued by OSHA.

During this evaluation period, OSHA issued one final rule that was required to be adopted by the states, and one OSHA update which encouraged State Plan adoption. Action was required by the State Plan to respond to OSHA's notices regarding these two standards. AKOSH was not timely in responding to OSHA on its intent to adopt either of these two standards. However, AKOSH did timely adopt the National Consensus Standard for Head Protection within six months of the issuance date. The State Plan did not adopt the Cranes and Derricks in Construction – Underground Construction standard within the required six-month period. As of this report, AKOSH's rule is more than 4 months late.

The adoption of this rule was delayed due to an increased individual workload due to high turnover and resultant reassignment of staff. Also, two State Plan offices had to relocate twice within the last 18 months resulting in records being unavailable in packing boxes or requiring increased time to locate. Changes in equipment and technology have also resulted in the loss of information and notices.

b) OSHA/State-Initiated Changes

A total of five FPCs required a response in FY 2013. There were two remaining FPCs issued by OSHA in FY 2013 that will carry over into FY 2014. AKOSH's response to those will be evaluated during the next FAME cycle. AKOSH's timely response rate for notification of intent regarding adoption of federal program changes was 60%. AKOSH adoption and submission was 100% timely. Table 10 lists FPCs from FY 2012 and FY 2013 which required a response from AKOSH in this FAME period and the outcome.

Table 10
Status of Federal Program Changes (FPCs) Adoption

FPC Directive/Subject:	State Plan Response Date:	Intent to Adopt:	Adopt Identical:	Adoption Due Date:	State Plan Submission Date:
CPL 02-00-154 Longshoring and Marine Terminals "Tool Shed" (issued 7/31/2012) Equivalency Required	8/16/2012	No	No	N/A – adoption not required	Does not apply in AK
CPL 02-03-004 2012 544 Section 11(c) Appeals (issued 9/12/2012) Equivalency Required	11/6/2012	No	No	N/A – adoption not required	11/16/2012 Equivalent Procedure
CPL 02-01-054 Inspection & Citation Guidance for Roadway and Highway Construction Work Zones (issued 10/16/2012) Equivalency Required	12/17/2012	Yes	Yes	4/17/2013	6/14/2013
CPL 02-13-01 Site-Specific Targeting 2012 (SST-12) (issued 1/04/2013) Equivalency Required	4/17/2013 Not timely	Yes	Yes	N/A – adoption not required	5/6/2013
CPL 03-00-017 National Emphasis Program Occupational Exposure to Isocyanates (issued 6/20/2013)	9/16/2013 Not timely	Yes	No	12/20/2013	10/25/2013
STATE PLAN RESPONSE DUE IN FY 2014					
CPL 02-00-155 Inspection Scheduling for Construction (issued 9/06/2013)	11/29/2013 Not timely	Yes	No	N/A – adoption not required	11/29/2013
CPL 02-01-055 Maritime Cargo Gear Standards & CFR Part 1919 Certifications (issued 9/30/2013) Equivalency Required	12/27/2013	No	No	N/A – adoption not required	Does not apply in AK

Recommendation 13-8

Ensure responses to OSHA regarding intent of adoption of federal program changes and standards are within the time frame indicated on the Automated Tracking System (ATS) Notice.

AKOSH did not submit any State-initiated changes during this period.

4. VARIANCES

AKOSH has acceptable procedures for evaluating and issuing variances. AKOSH did not process a variance action during this evaluation period. The State Plan has not processed any variance actions in the last three years.

5. PUBLIC WORKER PROGRAM

In FY 2013, AKOSH conducted 11% (43/376) of inspections in the public sector. AKOSH's State Plan negotiated goal was 18% of total inspections to be performed in the public sector. AKOSH did not meet its goal during this monitoring year or the previous two years.

Table 11
Percent of Total Inspections in Public Sector (SAMM 11)*

	FY 2013	FY 2012	FY 2011

Inspections Conducted	43	29	46
Safety	29	11	28
Health	14	18	18
Inspection Goal	60	38	60
Safety	40	33	47
Health	20	5	13

*SAMM 11 goal for Alaska has been revised for the FY 2014 reporting period. In AKOSH's FY 2014 grant application, this goal was lowered to 5% of total inspections to be conducted in the public sector.

Penalties and sanctions are by policy imposed on employers in the public sector for violations of safety and health hazards in an identical fashion as for private industry. There were three instances where AKOSH did not properly apply penalties to a state agency discussed in Section B.1., Informal Conferences, of this report.

6. DISCRIMINATION PROGRAM

Title 8, Part 4, Chapter 61, Article 7 of the Alaska Administrative Code provides for discrimination protection equivalent to that provided by OSHA.

OSHA conducted a comprehensive monitoring review of Alaska's discrimination program in FY 2013. The purpose of the review was to evaluate the State Plan's progress and to evaluate the current administration of the State Plan's discrimination program. During this year's monitoring cycle, seven discrimination case files and five screened complaints were reviewed by OSHA. No new findings and recommendations for improvement were identified.

AKOSH received the same number of complaints as the previous year. AKOSH's timeliness of completed cases increased from 58% in FY 2012 back to 83% in FY 2013, similar to the level in FY 2011. AKOSH's merit rate rose to 75% in FY 2012 and dropped back to the FY 2011 level of 42% in FY 2013. Alaska's merit rate is considerably higher than the national meritorious rate of 25%. Alaska's whistleblower investigator continues to provide thorough investigations with efficient use of time and achieves an appropriate outcome in concurrence with OSHA. Alaska's performance in this area is commendable. Table 12 provides Alaska's whistleblower program performance for FY 2013.

Table 12
11(c) Investigations (SAMM 13, 14, 15)

	FY 2013	FY 2012	FY 2011	FY 2013 National Average
Completed Within 90 Days (SAMM 13)	83%	58%	83%	100%*
Merit Cases (SAMM 14)	42%	75%	42%	25%
Merit Cases Settled (SAMM 15)	100%	67%	80%	89%

*The SAMM 13 national State Plan average goal is to complete 100% cases within 90 days.

7. SPECIAL STUDY – STATE PLAN TARGETING PROGRAMS

AKOSH has policies and procedures for conducting unannounced enforcement inspections as required by OSHA. AKOSH’s scheduling system targets both enforcement and consultation and training activities to seafood processing, transportation and warehousing, and construction to mitigate injuries and prevent fatalities in these industries. In each of the targeting programs, the Chief of AKOSH compiled lost time and injury data, completed inspection lists based on injury rates, and assigned inspections based on these lists which are reviewed by their legal branch. AKOSH generally accepts most National Emphasis Programs and implements targeting based on those specific industries based on State of Alaska workers' compensation data. In addition, AKOSH sends information to the employers selected on the High Hazard Targeting list on how to receive AKOSH consultation to improve their safety and health programs.

The state of Alaska is not participating in the Recordkeeping, Primary Metals, or Site Specific Targeting (SST-13) National Emphasis Programs.

In FY 2013, the State Plan conducted programmed inspections using the following:

- a. High-Hazard Targeting (HHT) Plan: The HHT plan identifies employers reporting ten or more Lost Time Injury/Illness (LTII) cases, or those showing a 10% or greater Lost Time Case Rate (LTCR) increase from the previous reporting year, based on state workers’ compensation data. The HHT directive prescribes the method for selecting establishments and assigning programmed inspections.
- b. Supplemental Construction List: The supplemental construction list is comprised of employers awarded construction bids as reported in *The Plans Room* – an Alaskan publication that advertises construction projects up for bid.
- c. Special Emphasis Programs (SEPs): The SEPs provide for programmed inspections of establishments in industries with high injury or illness rates that are not covered by other inspection scheduling systems. In FY 2013, AKOSH had several SEPs including, but not limited to, the state public sector, transportation and warehousing, seafood processing, injury and

illness recordkeeping, trenching and excavations, and grain handling operations.

Targeting program goals are not set for the programs described above and are not conducted annually to review progress in lowering injury and illness rates. AKOSH has strategic goals set for lowering specific industry rates in its 23(g) grant and its SOAR, but does not set goals for specific targeting programs.

Overall, AKOSH's targeting program is effective in getting enforcement and consultation resources to where they are needed in relation to the majority of high hazard industries. Their compliance staff has been trained on their targeting procedures and utilize the lists appropriately to visit the high hazard industries in Alaska. However, AKOSH does need to place more resources into inspecting the seafood processing industries as injury rates in this industry have increased over the past 3 years. Enforcement and consultative resources are needed to be applied as appropriate to bring these rates down. Recommendation 13-9 in Section IV of this report addresses this issue in more detail.

Observation FY13-OB-2

AKOSH does not formally review its targeting goals for effectiveness and improvement outside of SOAR goals. AKOSH should implement a review process to ensure targeting programs are effective in achieving safety presence in the high hazard industries.

8. COMPLIANTS ABOUT STATE PROGRAM ADMINISTRATION (CASPA's)

CASPA A-86 was filed in FY 2013. This case was about a fatality inspection which occurred in FY 2012 from a Heli-skiing accident in Haines, Alaska. The fatality resulted in two OSHA recommendations in the FY 2012 FAME. The allegations in the CASPA were that AKOSH did not follow policy in that it did not conduct an on-site investigation of the accident.

Following the investigation of the CASPA, OSHA recommended to AKOSH to ensure all fatality inspections were investigated in accordance with policies and procedures set forth in the AKOSH FOM. This included investigating the cause of fatality related incidents with an on-site inspection, documenting employee and witness statements, and evaluating the employer's safety and health program, OSHA 300 logs, and other pertinent documentation. If circumstances occur such that the incident site was inaccessible or as remote as to be difficult to survey, an alternate site should be designated to meet with the workers, such as at the employer's establishment location or where records are maintained. All issues limiting the conduct of the inspection encountered must be recorded in the case file. Additionally, OSHA recommended AKOSH should ensure informal settlement agreements are completed within the 15-day settlement period as required by AKOSH FOM Chapter 8.

AKOSH responded to both OSHA's FY 2012 FAME recommendations (Recommendations 12-1 and 12-2) and CASPA A-86 recommendations. AKOSH's response to OSHA and its corrective action plan is included in Appendix C. OSHA recognizes that the incident site could not be inspected by AKOSH and the business was operated from a mobile office. AKOSH agrees that for future fatality inspections, either an inspection of the business operations will occur or the reason for no inspection will be detailed in the case file. AKOSH has informed OSHA its management has discussed and implemented this process with staff.

OSHA will continue to monitor AKOSH's response to fatalities and address these issues in quarterly meetings as necessary in FY 2014. It should be noted that while AKOSH agreed to the on-site visit component for all fatality investigations, this issue is once again being revisited in Section III.A.2 of this report due to lack of on-site investigations in incident cases where hospitalization of a worker had occurred.

9. VOLUNTARY COMPLIANCE PROGRAM

The Voluntary Protection Program (VPP) in the state of Alaska is administered under their 23(g) program. The State Plan had 12 VPP sites at the end of FY 2013. There were no additions or withdrawals from the program during the fiscal year.

10. PUBLIC AND PRIVATE SECTOR 23 (g) ON-SITE CONSULTATION PROGRAM

The funding stream for each consultant includes money from both 21(d) and 23(g) grants. The work done in the public sector and all Voluntary Protection Program (VPP) is funded by the 23(g) grant. Performance related to 21(d) funding work is reported in the Regional Annual Consultation Evaluation Report (RACER).

AKOSH Consultation began using OIS in September of 2013. Currently, the reporting feature in OIS does not distinguish between public and private visits. Consequently, a complete summary detailing the 23(g) consultation activity cannot be provided.

AKOSH fell short of its goal for public sector consultation visits. The State Plan conducted a total of 74 consultation visits in the public sector compared to its goal of 108. (The project conducted a combined (public/private) total of 432 visits which exceeded their combined goal of 423.) For FY 2013, 99% (433 of 437) of all hazards identified in public sector visits were verified corrected in a timely manner. This essentially met the reference standard of 100%. FY 2013 Mandated Activities Report for Consultation (MARC) data confirm that AKOSH's public sector consultation program is being managed and operated effectively.

11. PROGRAM ADMINISTRATION

In FY 2013, AKOSH trained consultants and compliance staff through webinars, University of Washington OSHA Education courses, local course offerings, and internal training sessions. In addition, six individuals attended courses offered by the OSHA Training Institute. With AKOSH's Training Program Directive 09-02 similar to OSHA's directive, there is a commitment to satisfy guidelines for training of new CSHOs. This commitment was not met this year; no new CSHOs attended required OSHA Training Institute (OTI) coursework. However, AKOSH was able to present internal training that covered some basic competencies. Resources are being provided to allow new compliance officers to attend OTI's for required and formal training in the next fiscal year.

AKOSH safety enforcement benchmark is four with seven positions identified. At the end of FY 2013, there were five positions filled. For health enforcement, the benchmark is 5 with 4.5 positions identified and 2.5 filled.

Under the 23(g) program, Alaska has 4.15 consultation positions (3.15 safety and one health). As of September 30, one health consultation and 2.80 safety positions were filled.

Case File Administration: When comparing FY 2013 IMIS Host rejects to FY 2012 rejects, the overall numbers have decreased significantly. However, a limited number of uncorrected IMIS Host rejects were found during FY 2013 which caused inaccurate reporting to the National Office IMIS Host database. Additionally, forms within AKOSH's IMIS database associated with multiple inspections were found to be in "Draft" and not marked "Final." This contributed to lower reporting values on Micro-to-Host reports that are utilized in preparing quarterly and end-of-year statistics. This issue was addressed in the FY 2012 FAME and written up as Recommendation 12-6. It has been observed that improvements have been made to AKOSH's internal process for correcting these issues and therefore the number of Host rejects and draft forms have significantly decreased. However, this issue still exists in a limited capacity and OSHA will continue to monitor this area.

Observation FY13-OB-3

Unresolved Host rejects and documents in "Draft" form within the AKOSH IMIS system remain high. During FY 2013, AKOSH has made significant improvements concerning Finding 12-6 relating to this issue.

Observation FY13-OB-4

During the FY 2013 case file reviews, it was discovered that 30% of the case files were taking up to 6 months to close from the time both penalty payment and abatements certifications were received. Case files should be immediately closed upon satisfaction of all required abatement items and penalty payments.

IV. Assessment of State Plan Progress in Achieving Annual Performance Goals

AKOSH established a five-year Strategic Plan for the period from October 1, 2008 (FY 2009) through September 30, 2013 (FY 2013), which included short- and long-range objectives aimed at improving safety and health for Alaska's workers. AKOSH developed and submitted its FY 2013 annual performance plan in support of its strategic plan as part of its grant application for federal funds. Overall, the State Plan met all annual goals for FY 2013 with the exception noted below:

The following is OSHA's assessment of AKOSH's performance compared to its FY 2013 annual goals, and the State Plan's outcome in achieving the three broad goals at the close of AKOSH's five-year Strategic Plan:

Strategic Goal #1

Improve workplace safety and health in both the public and private sectors as evidenced by a reduction in the rate of injuries, illnesses and fatalities.

Outcome Goal #1-1: By 2013, reduce the rate of workplace fatalities caused by circumstances that are under AKOSH jurisdiction by 10% as compared to the rate from the previous five-year period.

Performance Goal #1-1: Concentrate on the primary causes of fatalities and the industries where fatalities take place by focusing AKOSH efforts to Goals 1.2, 1.3.

Results: The total number of fatalities during the five-year period (FY 2009 – FY 2013) was 28, with an actual fatality rate of 1.7 for the period. The target rate was 0.99 fatalities per 100,000 workers. Though AKOSH did not meet the 5-year goal of reducing workplace fatalities to a total of 19 from FY 2009 through FY 2013, (10% from five-year baseline of 21 fatalities during CY 2002-2006), the yearly rate is has steadily declined since FY 2010. AKOSH applied appropriate resources throughout this time frame to the high hazard industries where fatal accidents were most likely to occur and could not necessarily control the outcome.

OSHA Assessment: The State Plan did not meet this goal. However, OSHA agrees with AKOSH's assessment of the decline in fatalities for the past three fiscal years. This specific goal should be re-evaluated by AKOSH to ensure realistic expectations of actual reductions can be accomplished. OSHA will continue to hold discussions with the State Plan regarding goal projections and feasibility.

Outcome Goal #1-2: Reduce the number of worker injuries and illnesses in the construction industry by focusing compliance, consultation, and outreach efforts on the causes of “struck by” and “falling” incidents.

Performance Goal #1-2: Reduce the lost time injury and illness rate in the construction industry as determined by the number of lost time injuries and illnesses per hundred Workers by 2%.

Results: AKOSH achieved an injury and illness outcome rate of 1.53 which far exceeds the target goal of reducing the injury and illness rate in construction of 3.61 per 100 workers.

OSHA Assessment: Accident injuries related to falls have been reduced in the construction industry sector during this FAME period. AKOSH should be commended for exceeding both the annual performance goal and five-year outcome goals.

Outcome Goal #1-3: Reduce the number of worker injuries and illnesses in the transportation and warehousing industry sector (NAICS* code 48xxxx – 49xxxx) by focusing compliance, consultation, and promotion efforts on the causes of “struck by,” “falling,” and “caught in or between” incidents.

Performance Goal #1-3: Reduce the rate of lost time injury and illness rate in the transportation and warehousing industry sector by 2%.

Results: AKOSH achieved an injury and illness outcome rate of 1.32 which far exceeds the target goal of reducing the injury and illness rate in transportation and warehousing of 3.02 per 100 workers.

OSHA Assessment: Accident injuries related to hazards in the warehousing and transportation industry sectors have been reduced during this FAME period. AKOSH should be commended for exceeding both the annual performance goal and five-year outcome goals.

Outcome Goal #1-4: Reduce the number of worker injuries and illnesses in the seafood processing industry by focusing compliance, consultation, and outreach efforts on the causes of “falling,” “caught in or between,” and “pinch-point” (or amputation) incidents.

Performance Goal #1-4: Reduce the lost time injury and illness rate in the seafood processing industry as determined by the number of lost time injuries and illnesses per hundred Workers by 3%.

Results: AKOSH’s strategic and annual target rate goal of 4.30 per 100 workers was not attained with the actual outcome rate of 4.98. Therefore, AKOSH enforcement did not achieve its annual goal to reduce the number of worker

injuries and illnesses in the seafood processing industry and did not achieve the strategic plan goal despite increased consultation efforts to focus attention toward workplace hazards in the seafood processing industry. Enforcement efforts, however, have decreased from 15 inspections conducted in FY 2012 to only 8 inspections conducted during FY 2013.

The following table reflects seafood processing injury and illness rates per hundred workers for the strategic plan period of FY 2009-2013. Information taken from AKOSH’s end-of-year evaluation reports (SOAR) for each year within this period:

Table 13
23(g) Program Results – Seafood Processing (Lost Time Injury & Illness Rates)

	FY 2013	FY 2012	FY 2011	FY 2010	FY 2009
Actual Outcome	4.98/100 workers	5.4/100 workers	5.75/100 workers	4.03/100 workers	4.06/100 workers
Annual Target Goal	4.30/100 workers	4.45/100 workers	4.61/100 workers	4.76/100 workers	4.91/100 workers

OSHA Assessment: This goal was not met. Injury and illness rates have increased in this industry sector despite any enforcement or consultation efforts by AKOSH. According to the state of Alaska 2012 census data, there are 25,000 seasonal workers in the seafood processing industry. AKOSH is not effectively targeting the seafood processing industry. OSHA will continue to hold discussions with AKOSH regarding its goal to reduce injury and illness rates in the seafood processing industry. In quarterly meetings, OSHA has recommended various ideas to support AKOSH’s achievement of its goal such as to increase its enforcement resources to inspecting employers in this industry during the high tempo fishing cycles experienced in Alaska.

Recommendation 13-9 (12-8)

AKOSH should re-evaluate its current targeting approach and implement a plan to increase its enforcement presence in the seafood processing industry towards its strategic and annual performance goals.

Outcome Goal #1-5: Respond effectively to legal mandates, so Alaskan workers are provided protection under the AKOSH Act.

Performance Goal #1.5a: Initiate inspections of fatalities and catastrophes (three or more hospitalizations) within one (1) working day and for two or less hospitalizations within seven working days for 90% of occurrences to prevent further injuries or deaths.

Results: AKOSH has achieved an outcome of 100% timely responses to fatalities and catastrophes for both the annual performance goal and for the five-year strategic plan goal.

OSHA Assessment – This goal was met. AKOSH should be commended for achieving 100% timeliness in responding to fatal incidents and complaints.

FY 2013 Performance Goal 1.5b: Initiate inspections within seven working days or investigations within one working day of worker complaints for 90% of the cases.

Results: AKOSH has achieved an outcome of 100% timely responses to complaint inspections and 92% of timely responses to investigate complaints using a phone and fax method. The total outcome is 96% timely responses to all complaints within the time limit goals.

OSHA Assessment: The State Plan met both the annual performance goal and five-year outcome goal.

Performance Goal #1.5c: Resolve 75% of all discrimination cases within 90 days.

Results: AKOSH has met the annual goal for timely discrimination investigations for each of the five years covered under the strategic plan. AKOSH resolved 83.5% of discrimination cases in the final year of the strategic plan which exceeds the performance goal of 75%.

OSHA Assessment: AKOSH should be commended for exceeding both the annual performance goal and five-year outcome goal for resolving discrimination cases.

Strategic Goal #2

Promote a safety and health culture in the Alaskan workplace (both public and private sectors) through compliance assistance, cooperative programs, and consultation assistance.

Outcome Goal #2-1: Promote safety and health programs in the workplace.

Performance Goal #2-1a: Develop and deliver training to workers and employers in the construction industry that target the most likely causes of injuries, illnesses, and fatalities.

Performance Goal #2-1b: Develop and deliver training to workers and employers in the transportation and warehousing industry sector (NAICS codes 48xxxx – 49xxxx) that targets the most likely causes of injuries, illnesses, and fatalities.

Performance Goal #2-1c: Develop and deliver training to workers and employers in the seafood processing industry that target the most likely causes of injuries, illnesses, and fatalities.

Results: AKOSH developed and delivered both formal and informal training for the three identified industries in all years of the strategic plan.

OSHA Assessment: AKOSH exceeded both the annual performance goal and five-year outcome goal for training Alaskan workers on safe work practices.

Outcome Goal #2-2: Promote cooperative/partnership agreements and recognition programs as a means of lowering accident/fatality rates.

Performance Goal #2-2a: Maintain, at a minimum, fifteen (15) VPP participants with the intent to increase by two by end of FY 2013.

Results: The Alaska VPP had 15 participants in FY 2009. In FY 2010 and FY 2011, there were 16 participants in each year. In FY 2012, the AK VPP lost four sites mostly due to one company withdrawing all 3 sites throughout the State Plan when they eliminated a safety officer position in the company. Another VPP site had to withdraw due to high injury rates. At the end of FY 2013, AKOSH had 12 VPP sites in Alaska and, consequently, did not achieve its annual or five-year target goal.

OSHA Assessment: The State Plan did not meet the annual performance goal and five-year outcome goal. This goal should be reassessed and adjusted accordingly for the Strategic goal period beginning FY 2014 – 2018.

Performance Goal #2-2b: While maintaining, at a minimum of 16 Safety and Health Achievement Recognition Program (SHARP) participants, increase the number of SHARP participants by one.

Results – The SHARP had 16 participants in FY 2009. In FY 2010, the number increased to 20 sites, but lost one site in FY 2011, due to the site no longer meeting the SHARP requirements. In FY 2012, AKOSH also lost 7 sites that could not maintain injury rates below their industry average. These were very small employers for whom one or two injuries raised rates above required numbers. At the end of FY 2013, AKOSH had only 12 sites left in the program and did not achieve the annual or five-year strategic target goal of 17 sites.

OSHA Assessment: The State Plan did not meet the annual performance goal and five-year outcome goal. This goal should be reassessed and adjusted accordingly for the Strategic goal period beginning FY 2014 – 2018.

Strategic Goal #3

Secure public confidence through excellence in the development and delivery of AKOSH's programs and services.

Outcome Goal #3: Ensure AKOSH staff is well trained and knowledgeable and delivers services in a fair and consistent manner.

Performance Goal #3-1a: Work with OTI and Region X to address the issue of establishing regional training to assure that compliance and consultation staff receive basic and specialized training necessary to effectively carry out this strategic plan.

Results: AKOSH maintains one of the most comprehensive continuing education programs for State of Alaska workers, ensuring that enforcement officers and consultants are afforded opportunities to improve their knowledge and abilities. All AKOSH enforcement and consultation staff were provided with appropriate safety and health training in this FAME period.

OSHA Assessment: The State Plan met both the annual performance goal and five-year outcome goal.

Performance Goal #3-1b: In cooperation with Region X staff, conduct annual reviews of enforcement and consultation case files to evaluate the effectiveness and consistency of services.

Results: During FY 2013, OSHA's Regional X office initiated a system of providing quarterly and year-end reports by both OSHA and AKOSH offices (i.e., OSHA Mandated Activities Measures, State Activity Mandated Measures, Quarterly Minutes and State OSHA Annual Report) one week (five business days) prior to quarterly meeting dates. Since inception, AKOSH has had difficulty in providing their State OSHA Annual Report (SOAR) in a timely manner.

OSHA Assessment: With the exception of Strategic and Annual Performance Goals 1.1 related to fatalities and 1.4 for seafood processing, both the annual performance goal and five-year outcome goals were met.

Alaska's more detailed report on its accomplishments with respect to its 2013 Annual Performance Plan and five-year Strategic Plan goals can be found on the State Plan's website at <http://labor.state.ak.us/lss/> in the State OSHA Annual Report (SOAR).

V. Other Special Measures of Effectiveness and Areas of Note

None

Appendix A – New and Continued Findings and Recommendations
FY 2013 AKOSH State Plan Comprehensive FAME Report

FY- Rec #	Finding	Recommendation	FY 12
13-1	It was determined that the State Plan did not perform on-site inspections at two work sites where incidents had occurred, requiring hospitalization of workers.	In accordance with the AKOSH Field Operations Manual (FOM), ensure that inspections include on-site visits to the incident sites. If the incident site is deemed unsafe, then AKOSH should select an alternative site such as the employer's establishment location.	Revised and Cont'd 12-1
13-2	During FY 2013, AKOSH's citation lapse times were 83 days for safety inspections and 115 for health inspections.	Review the citation issuance process to determine the cause of the high occurrence of lapse time between opening an inspection and issuance of a citation. Develop and implement a resolution to ensure citations are issued timely and employers are put on notice to abate hazards in a timely manner.	Revised and Cont'd 12-5
13-3	A review of documentation in health case files found that appropriate industrial hygiene monitoring (air and noise sampling) was not being conducted by health compliance officers during inspections in accordance within policy and guidelines outlined in the industrial hygiene technical manual.	Ensure that health citations conform to policy on documentation of violations. Conduct industrial hygiene monitoring to confirm violations of health standards.	12-9
13-4	Penalties were not calculated correctly in accordance with policies and procedures in the AKOSH FOM in that (1) compliance officers were not correctly calculating probability and severity to accurately reflect the most	Ensure that penalty calculation factors, such as severity and probability and hazard classification, are calculated in a manner consistent with policy contained in the FOM.	

Appendix A – New and Continued Findings and Recommendations

FY 2013 AKOSH State Plan Comprehensive FAME Report

FY- Rec #	Finding	Recommendation	FY 12
	probable injury related to the identified hazard; and (2) in over 10% of all case files reviewed, it was found that “serious” occupational hazards were assessed incorrectly and issued as “other than serious.”		
13-5	In 10% of all case files reviewed, history and/or good faith reductions were inappropriately applied during violation processing when calculating the gravity-based penalty where documentation in the case files indicated the employer had history of violations in the previous three years and/or demonstrated a lack of an effective safety and health program.	Ensure application of inspection penalty reductions, such as history and good faith, is in accordance with policy as contained in the FOM.	
13-6	Legal sufficiency of enforcement citation documentation was not in accordance with the AKOSH FOM in that (1) documentation of hazard duration and frequency was found to be assessed incorrectly in 20% of reviewed case files; and (2) in 10% of case files reviewed, the Alleged Violation Description (AVD) did not accurately describe the hazard and location, nor did it correctly separate the AVD into instances in accordance with policy.	Ensure that duration and frequency of hazard exposures are annotated correctly in the case file and AVD are separated out by instance, clearly reflecting the hazard and its respective location according to policy contained in the FOM.	
13-7	In 10% of all case files reviewed, abatement was not documented.	Ensure that abatement is received, reviewed, and documented in all case files prior to closure and that all abatements are closed and verified at or prior to the 60-day State Plan negotiated goal.	
13-8	Alaska’s timely response rate for notification of intent regarding adoption of federal program changes and standards is 43% (4/7).	Ensure responses to OSHA regarding intent of adoption of federal program changes and standards are within the time frame indicated on the Automated	

Appendix A – New and Continued Findings and Recommendations
FY 2013 AKOSH State Plan Comprehensive FAME Report

FY- Rec #	Finding	Recommendation	FY 12
		Tracking System (ATS) Notice.	
13-9	In an industry with over 25,000 workers, where injury rates have increased for the third year in a row, only eight inspections were conducted in FY 2013. AKOSH is not effectively targeting the seafood processing industry as planned in its strategic and annual performance goals.	AKOSH should re-evaluate its current targeting approach and implement a plan to increase its enforcement presence in the seafood processing industry towards its strategic and annual performance goals.	12-8

Appendix B – Observations Subject to Continued Monitoring
FY 2013 AKOSH State Plan Comprehensive FAME Report

[FY13-OB-X]	[FY13-OB-X]	Observation	Federal Monitoring Plan	Current Status
FY13-OB-1	n/a	AKOSH does not formally review its targeting goals for effectiveness and improvement outside of SOAR goals. AKOSH should implement a review process to ensure targeting programs are effective in achieving safety presence in the high hazard industries.	OSHA will monitor the State Plan to ensure the State Plan considers implementation of a review process for targeting programs to evaluate effectiveness of the targeting.	
FY13-OB-2	n/a	AKOSH does not have specific guidelines for penalty reductions given during informal conferences.	OSHA will monitor the State Plan to ensure guidelines for uniform application and review of reductions in penalties given during informal conferences are developed.	
FY13-OB-3	n/a	Unresolved Host rejects and documents in “Draft” form within the AKOSH IMIS system remain high. During FY 2013, AKOSH has made significant improvements concerning Finding 12-6 relating to this issue.	OSHA will monitor the State Plan to ensure Host rejects are corrected and documents in “Draft” form within the AKOSH IMIS system are finalized.	
FY13-OB-4	n/a	During the FY 2013 case file reviews, it was discovered that 30% of the case files were taking up to 6 months to close from the time both penalty payment and abatements certifications were received. Case files should be immediately closed upon satisfaction of all required abatement items and penalty payments.	OSHA will monitor the State Plan to ensure the State Plan closes case files upon satisfaction of all required abatement items and penalty payments.	

Appendix C – Status of FY 2012 Findings and Recommendations

FY 2013 AKOSH State Plan Comprehensive FAME Report

FY- Rec #	Finding	Recommendation	Corrective Action Plan	State Plan Action Taken	Status
12-1	In was determined that the State Plan did not perform an on-site inspection on a work site involving a fatal incident in a rural part of the state. The incident involved an employee who was killed during an avalanche created while Heli-skiing in Haines, Alaska. No on-site inspection was conducted to determine if the employer had a safety and health program in place addressing hazards in the workplace.	Ensure that an inspection includes an on-site visit to the incident site in accordance with the AKOSH Field Operations Manual (FOM).	OSHA recognizes that the accident site could not be inspected and the business operates from mobile offices. AKOSH agrees that either an inspection of the business operations will occur or the reason for no inspection will be detailed in the case file. AKOSH management has discussed and implemented this process.	This item was considered closed upon completion of CASPA A-86 in September 2013. However, during enforcement case file reviews conducted by the area office in December 2013, it was discovered that this issue was found in an inspection conducted at a work site in Dutch Harbor, Alaska, in June 2013. OSHA considers this item open.	Open (Continued) 13-1)
12-2	During FY 2012, an on-site fatality inspection was not conducted at a remote fatality location, in which case an evaluation of the employer's safety and health program was not conducted.	Ensure that evaluations of the employer's safety and health program are completed in all fatality inspections.	AKOSH agrees with this recommendation. However, this finding is associated with a single outlier and does not indicate a systemic problem worthy of ongoing monitoring. AKOSH agrees to conduct an evaluation of the employer's safety and health program for every workplace fatality. AKOSH has discussed this policy with staff.	This item was verified as corrected during this period. OSHA considers this item complete.	Complete

Appendix C – Status of FY 2012 Findings and Recommendations

FY 2013 AKOSH State Plan Comprehensive FAME Report

FY- Rec #	Finding	Recommendation	Corrective Action Plan	State Plan Action Taken	Status
12-3	<p>The State Plan did not meet its inspection goal for the fifth consecutive year. AKOSH conducted 288 inspections during FY 2012 which was 31% short of its goal of 417 inspections. This also represented a decrease of 7% in comparison to the 311 inspections AKOSH conducted in FY 2011.</p>	<p>Ensure that inspection goals take into consideration available resources, including the abilities and training of compliance staff.</p>	<p>AKOSH adjusted enforcement inspection goals for FY 2013 to account for available resources and is carefully monitoring performance on a weekly basis in tandem with quarterly monitoring in coordination with the Regional Office. AKOSH expects to meet or exceed overall enforcement inspection goals for FY 2013.</p>	<p>AKOSH initially addressed this recommendation by taking steps to make the FY 2012 inspection goals more realistic and ensure the goals were based on expected staffing and productivity levels. Although AKOSH fell short of the FY 2012 inspection goal by 31% in FY 2013, AKOSH set more realistic inspection goals in its grant application and continued to appropriate resources where needed for enforcement activities. As such, AKOSH made a significant improvement in accomplishing its inspection goal of 385 during FY 2013. AKOSH met National Standard requirements (+/- 5% of planned inspections) by conducting 376 inspections during FY 2013 and within 2% of the State Plan's planned grant goal. OSHA considers this item complete.</p>	Complete

Appendix C – Status of FY 2012 Findings and Recommendations

FY 2013 AKOSH State Plan Comprehensive FAME Report

FY- Rec #	Finding	Recommendation	Corrective Action Plan	State Plan Action Taken	Status
12-4	Two cases went over the 180-day period for issuance, and citations were not issued.	Ensure that violations are cited and issued in accordance with the required time frames specified in Alaska Statute 18.60.091(c).	AKOSH has instituted a weekly tracking system for the number of days each case has been open along with procedures for the Chief and Assistant Chief to intervene and reassign cases if necessary to meet the timeliness requirements for citation issuance.	This item was verified as corrected during the period. OSHA considers this item complete.	Complete
12-5	During FY 2012, AKOSH's citation lapse times were 85.82 days for safety inspections and 114.97 for health. Additionally, two cases went over the 180-day period for issuance, and citations were not issued.	Reduce citation issuance lapse times.	AKOSH has instituted a weekly tracking system to illustrate the citation lapse time for each inspector. The Chief of Enforcement monitors performance to improve timeliness while maintaining quality.	AKOSH's FY 2013 lapse times for safety inspections (83.45 days) has improved slightly by 2 days in comparison to FY 2012. Health inspection lapse times (115.2 days) have essentially remained the same in comparison to FY 2012. Overall, these lapse times compare unfavorably to the national State Plan averages of 53.7 days for safety and 65.5 days for health. OSHA considers this item open.	Open (Continued 13-2)

Appendix C – Status of FY 2012 Findings and Recommendations

FY 2013 AKOSH State Plan Comprehensive FAME Report

FY- Rec #	Finding	Recommendation	Corrective Action Plan	State Plan Action Taken	Status
12-6	A significant number of IMIS Host rejects were not corrected during FY 2012, which caused inaccurate reporting of values to the National Office Host database. Additionally, numerous forms within AKOSH's IMIS database associated with multiple inspections were found in draft and not marked final.	Ensure that AKOSH administrative staff receive guidance and direction to correct Host rejects. Implement an administrative process to correct Host rejects and check for inspection forms that have not been finalized.	AKOSH administrative staff have received guidance to correct host rejects and have significantly reduced the reject rates. Inspectors complete a weekly case file tracking report that lists the specific dates that inspection forms were entered as final. The Chief of AKOSH Enforcement reviews the reports and IMIS data to ensure data entry is properly finalized.	This item was verified as corrected during the period based on information found during the review of case files. OSHA considers this item complete.	Complete
12-7	23% of all inspections within the IMIS database for AKOSH RID did not contain hazard abatement verification. Although abatement verification was observed within the hard copy case files, the State Plan did not timely enter data for hazard abatement verification into IMIS.	Ensure effective administrative processes for timely entry of hazard abatement verification are developed and implemented.	AKOSH inspectors provide a weekly case file tracking report which includes abatement verification dates for each case file. The report is provided to the Chief of Enforcement, and abatement verification is checked against IMIS data.	This item was verified as corrected during the period based on information found during the review of case files. OSHA considers this item complete.	Complete

Appendix C – Status of FY 2012 Findings and Recommendations

FY 2013 AKOSH State Plan Comprehensive FAME Report

FY-Rec #	Finding	Recommendation	Corrective Action Plan	State Plan Action Taken	Status
12-8	The rate of injuries in the seafood processing industries increased for the second year in a row. The Seafood Safety Coordinator position has not been filled for over a year.	Focus available resources on reducing the rates of injuries in the seafood processing industries.	AKOSH has assigned the duties of the Seafood Coordinator to an existing consultant. Although the Seafood Coordinator position as designated in the grants has been vacant, the duties of the position have been assigned to other staff in FY 2012 and FY 2013. AKOSH established a 10-hour seafood processing safety course in conjunction with the Trident Seafoods, Inc. partnership. This training is being provided to Workers of several seafood processing companies and in conjunction with seafood job fairs. AKOSH has established seafood processing as a targeted industry for enforcement and consultation inspections in the 5-year strategic plan beginning in FY 2014.	Seafood processing injury and illness rates have continued to rise over the past four years of the five-year Strategic Plan presented by AKOSH. Although the State Plan has increased its enforcement presence in seafood processing over the previous year, the State Plan should consider an emphasis program for the seafood processing industry. OSHA considers this item open.	Open (Continued 13-9)
12-9	Health sampling was not conducted where there were indications of workplace health hazards and potential employee	Ensure that health citations conform to policy on documentation of violations.	AKOSH agrees to ensure that health citations include complete documentation of violations and the IH monitoring is conducted to	AKOSH provided training to staff on how to conduct sampling necessary to confirm and support health violations. During health	Open (Continued 13-3)

Appendix C – Status of FY 2012 Findings and Recommendations

FY 2013 AKOSH State Plan Comprehensive FAME Report

FY- Rec #	Finding	Recommendation	Corrective Action Plan	State Plan Action Taken	Status
	exposures.	Conduct industrial hygiene monitoring to confirm violations of health standards.	confirm health standard violations.	case file reviews, it was found that this training was not effective, as the same conditions were found during inspections in FY 2012. OSHA considers this item open.	

Appendix D – FY 2013 State Activity Mandated Measures (SAMM) Report

FY 2013 Alaska State Plan Comprehensive FAME Report

OSHA is in the process of moving operations from a legacy data system (IMIS) to a modern data system (OIS). During FY 2013, OSHA case files were captured on OIS, while State Plan case files continue to be processed through IMIS. The SAMM, which is native to IMIS, is not able to access data in OIS, which impacts OSHA's ability to process SAMM standards pinned to National Averages (the collective experience of State Plans and OSHA). As a result, OSHA has not been able to provide an accurate reference standard for SAMM 18, which has experienced fluctuation in recent years due to changes in OSHA's penalty calculation formula. Additionally, OSHA is including FY 2011 national averages (Collective experiences of State Plan and OSHA from FY 2009-2011) as reference data for SAMM 20, 23 and 24. OSHA believes these metrics are relatively stable year-over-year, and while not exact calculations of FY 2013 national averages, they should provide an approximate reference standard acceptable for the FY 2013 evaluation. Finally, while SAMM 22 was an agreed upon metric for FY 2013, OSHA was unable to implement the metric in the IMIS system. OSHA expects to be able to implement SAMM 22 upon the State Plan's migration into OIS. Please note the following SAMM data was provided by the national office from a report run on November 12, 2013. Any data differences throughout the report may be due to the use of data run from the area office on December 17, 2013. This later data is a more accurate reflection of the state's status at the end of the fiscal year.

U.S. Department of Labor				
Occupational Safety and Health Administration State Activity Mandated Measures (SAMMs)				
State: Alaska			FY 2013	
SAMM Number	SAMM Name	State Data	Reference/Standard	Notes
1	Average number of work days to initiate complaint inspections	3.72	(Negotiated fixed number for each state) - 7	State data taken directly from SAMM report generated through IMIS.
2	Average number of work days to initiate complaint investigations	0.55	(Negotiated fixed number for each state) - 1	State data taken directly from SAMM report generated through IMIS.
4	Percent of complaints and referrals responded to within 1 work day (imminent danger)	96.4%	100%	State data taken directly from SAMM report generated through IMIS.
5	Number of denials where entry not obtained	0	0	State data taken directly from SAMM report generated through IMIS.

Appendix D – FY 2013 State Activity Mandated Measures (SAMM) Report
FY 2013 AKOSH State Plan Comprehensive FAME Report

9a	Average number of violations per inspection with violations by violation type	1.77	SWR: 2.04	State data taken directly from SAMM report generated through IMIS; national data was manually calculated from data pulled from both IMIS and OIS for Fiscal Years (FY) 2011-2013.
9b	Average number of violations per inspection with violations by violation type	1.49	Other: .88	
11	Percent of total inspections in the public sector	10.37	(Negotiated fixed number for each State Plan) - 15.6%	State data taken directly from SAMM report generated through IMIS.
13	Percent of 11c Investigations completed within 90 calendar days	83.33	100%	State data taken directly from SAMM report generated through IMIS.
14	Percent of 11c complaints that are meritorious	41.67	24.8% meritorious	State data taken directly from SAMM report generated through IMIS; National data was pulled from webIMIS for FY 2011-2013.
16	Average number of calendar days to complete an 11c investigation	67.33	90 Days	State data taken directly from SAMM report generated through IMIS.
17	Planned vs. actual inspections - safety/health	283/64	(Negotiated fixed number for each State Plan) - 300/85	State data taken directly from SAMM report generated through IMIS; the reference standard number is taken from the FY 2013 grant application.
18a	Average current serious penalty - 1 -25 Workers	a. 483.50		State data taken directly from SAMM report generated through IMIS; national data is not available.
18b	Average current serious penalty - 26-100 Workers	b. 805.97		
18c	Average current serious penalty - 101-250 Workers	c. 883.35		
18d	Average current serious penalty - 251+ Workers	d. 2120.10		

Appendix D – FY 2013 State Activity Mandated Measures (SAMM) Report

FY 2013 AKOSH State Plan Comprehensive FAME Report

18e	Average current serious penalty - Total 1 - 250+ Workers	e. 775.01		
19	Percent of enforcement presence	1.92%	National Average 1.5%	Data is pulled and manually calculated based on FY 2013 data currently available in IMIS and County Business Pattern data pulled from the US Census Bureau.
20a	20a) Percent In Compliance – Safety	Safety - 13.02	Safety - 29.1	State data taken directly from SAMM report generated through IMIS; current national data is not available. Reference data is based on the FY 2011 national average, which draws from the collective experience of State Plans and OSHA for FY 2009-2011.
20b	20b) Percent In Compliance – Health	Health 21.62	Health - 34.1	
21	Percent of fatalities responded to in 1 work day	75%	100%	State data is manually pulled directly from IMIS for FY 2013
22	Open, Non-Contested Cases with Abatement Incomplete > 60 Days			Data not available
23a	Average Lapse Time - Safety	68.6	43.4	State data taken directly from SAMM report generated through IMIS; current national data is not available. Reference data is based on the FY 2011 national average, which draws from the collective experience of State Plans and OSHA for FY 2009-2011.
23b	Average Lapse Time - Health	87.8	57.05	

Appendix D – FY 2013 State Activity Mandated Measures (SAMM) Report
FY 2013 AKOSH State Plan Comprehensive FAME Report

24	Percent penalty retained	72.99	66	State data taken directly from SAMM report generated through IMIS; current national data is not available. Reference data is based on the FY 2011 national average, which draws from the collective experience of State Plans and OSHA for FY 2009-2011.
25	Percent of initial inspections with employee walk around representation or employee interview	100%	100%	State data taken directly from SAMM report generated through IMIS.