

**FY 2014 Follow-up  
Federal Annual Monitoring and Evaluation (FAME) Report**

**Iowa Workforce Development  
Iowa Division of Labor  
Iowa Occupational Safety and Health Administration**



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## **I. Executive Summary**

### **A. State Plan Activities, Themes, and Progress**

This Federal Annual Monitoring Evaluation (FAME) assesses the Iowa Occupational Safety and Health Administration's (Iowa OSHA) performance during FY 2014, as well as Iowa OSHA's progress in completing recommendations that were developed as a result of the FY 2013 FAME Report and Corrective Action Plan (CAP).

The State of Iowa imposed budgetary restraints in FY 2014 that directly impacted many facets of the Iowa OSHA program. Iowa OSHA traditionally overmatches Federal OSHA. In 2013, the state contributed 57% of the funding. However, a reduction in Iowa State funding due to legislative action resulted in a decrease of the state contribution to 52.5%. This led to a total funding reduction of nearly one-half million dollars and culminated with a loss of nine compliance officers. Reduction in staff resulted in the completion of only 63% of the planned number of enforcement inspections in safety. This condition resulted in a new observation.

The long term trend has been a reduction of injuries and illnesses. The US Department of Labor (USDOL), Bureau of Labor Statistics (BLS) reported an injury and illness rate of 4.8 for 2013. This is an 18.6% reduction from the 2007 baseline of 5.9. This occurred despite the reduction in 2014 of Iowa OSHA enforcement activities. One of the brightest spots for Iowa OSHA in FY 2014 was the number of one-on-one compliance assistance contacts. Iowa OSHA completed 25,394 actual contacts, which exceeded the contact goal of 21,000 by 21%.

The safety and health enforcement evaluation resulted in a new observation related to IMIS documentation of formal complaint responses. As noted in Appendix C, Status of FY 2013 Corrective Action Plan, Iowa OSHA did not notify complainants of the results in nearly half the cases. Therefore, a recommendation related to documentation of non-formal complaints was entered. Although the FY 2014 evaluation found a 10% improvement in the documentation, the goal is to ensure that all complainants are notified regarding the outcome of their complaint regardless of the final determination. Consequently, the finding was converted to an observation to monitor the non-formal complaint process during the FY 2015 evaluation period. In addition, an observation regarding Iowa OSHA's improper coding from the FY 2013 FAME will continue to be monitored during the FY 2015 evaluation period. This monitoring will determine whether improper coding hampers Iowa OSHA's ability to accurately determine the effectiveness of targeting efforts within Iowa OSHA.

An evaluation of Iowa OSHA's Whistleblower Protection Program (WPP) was not conducted as part of the FY 2014 FAME. The unexpected departure of the Iowa OSHA WPP investigator resulted in an agreement for Region VII to undertake investigations of Iowa Whistleblower complaints that occurred following the investigator's departure. The Iowa OSHA investigator who departed the position subsequently returned to the same position and resumed Iowa OSHA WPP investigative duties. Iowa OSHA subsequently resumed full responsibility for the investigation of all WPP complaints. For a full

discussion of this topic, see the Major New Issues section.

## B. State Plan Introduction

The State of Iowa operates a program in accordance with Section 18(e) of the Occupational Safety and Health (OSH) Act of 1970. Iowa OSHA remains an essential member of the Region VII team. Iowa OSHA is part of the Iowa Workforce Development, Labor Services Division and is administered by the Commissioner of Labor. During FY 2014, the Iowa OSHA Administrator also served as the Deputy Commissioner of Labor.

Iowa OSHA's budget for FY 2014 program funding was reduced because the Iowa Legislature did not overmatch the State Plan funding at levels that occurred in previous years. Consequently, Iowa OSHA did not fill several field staff vacancies in order to maintain funding for operating expenses.

The table below shows Iowa OSHA's funding levels from FY 2010 through FY 2014:

<b>FY 2010-2014 Funding History</b>					
<b>Fiscal Year</b>	<b>Federal Award (\$)</b>	<b>State Plan Match (\$)</b>	<b>100% State Funds (\$)</b>	<b>Total Funding (\$)</b>	<b>% of State Plan Contribution</b>
<b>2014</b>	1,946,752	1,926,484	224,239	4,097,475	52.5
<b>2013</b>	1,984,550	1,984,550	659,752	4,628,852	57.1
<b>2012</b>	2,078,000	2,078,000	468,770	4,624,770	55.1
<b>2011</b>	2,073,408	2,073,408	498,017	4,644,833	55.4
<b>2010</b>	2,114,500	2,114,500	175,101	4,404,101	52.0

The enforcement program is benchmarked for 16 safety compliance officers and 13 health compliance officers. During FY 2014, the program was staffed with only 10 safety compliance officers and 8 health compliance officers. Iowa's State Plan is supported by 43 full and part-time personnel. Iowa OSHA had projected to fill several enforcement positions at the end of FY 2014 and was successful in recruiting three enforcement safety inspectors early in the first quarter of FY 2015.

The following table shows the number of Iowa OSHA's full-time and part-time staff as of the end of FY 2014.

<b>FY 2014 Staffing</b>					
<b>23(g) Grant Positions</b>	<b>Allocated FTE* Funded 50/50</b>	<b>Allocated FTE 100% State Plan Funded</b>	<b>Total</b>	<b>50/50 Funded FTE On Board as of 09/30/14</b>	<b>100% State Plan Funded FTE On Board as of 09/30/14</b>
<b>Managers/ Supervisors (Administrative)</b>	0.75	0	0.75	0.75	0
<b>First Line Supervisors (Program)</b>	2.5	0	2.5	2.5	0
<b>Safety Compliance Officers</b>	15	0	15	10	0
<b>Health Compliance Officers</b>	12	0	12	8	0
<b>Public Sector Safety Consultants</b>	1.5	0	1.5	1.0	0
<b>Public Sector Health Consultants</b>	2.5	0	2.5	2.5	0
<b>Compliance Assistance Specialist</b>	1	0	1	1	0
<b>Clerical</b>	6.25	0	6.25	6.25	0
<b>Other (all positions not counted elsewhere)</b>	1.38	0	1.38	1.38	0
<b>Total 23(g) FTEs</b>	<b>42.88</b>	<b>0</b>	<b>42.88</b>	<b>33.38</b>	<b>0</b>

\*FTE=Full-Time Equivalent

Iowa OSHA adopts most OSHA instructions identically as promulgated and its enforcement program functions very similarly to OSHA's enforcement program. Like most State Plans, Iowa OSHA did not adopt the enhanced penalty structure. However, there are no other significant differences from the federal program. Iowa OSHA conducts inspections in the same manner as OSHA, including the adoption of National Emphasis Programs (NEP) and Local Emphasis Programs (LEP).

As noted in the Iowa State OSHA Annual Report (SOAR), there were 750 enforcement inspections (407 construction and 343 general industry) conducted during FY 2014 resulting in 1,519 violations (592 construction and 927 for general industry.) Iowa OSHA enforcement issued citation items for one significant inspection in FY 2014. The

significant case was an inspection of Q3 Contracting. The employer was contracted to remove a natural gas pipeline that had insulation containing 16% Chrysotile Asbestos. Citations were issued for two willful violations and five serious violations with a total penalty of \$151,200.

### **C. Data and Methodology**

OSHA established a two-year cycle for the FAME process. This is the follow-up year and as such, OSHA was not required to perform an on-site evaluation and case file review. This strategy allows the State Plan to focus on correcting deficiencies identified in the FY 2013 FAME.

The evaluation of Iowa OSHA covered the FY 2014 performance period between October 1, 2013 and September 30, 2014 and included the State Activity Mandated Measures (SAMM) Report. In addition, the OSHA team reviewed available data from the monthly e-complaints checklist received by e-mail and the IMIS database. The data obtained covered the period of April 1, 2014 through September 30, 2014. There were 146 e-complaints reviewed that represented 25.2% of the 579 total complaints. These 146 e-complaints encompassed both formal and non-formal complaints and provided a good representation of the overall complaints received by the state.

### **D. Findings and Observations**

The FY 2014 Follow-Up FAME Report contains six observations. Three observations are new for this evaluation period. Two other observations are converted findings from the FY 2013 FAME Report. OSHA agrees there has been improvement, but will formally monitor those observations during the FY 2015 evaluation period. One other observation has been carried over from the 2013 report.

The FY 2013 FAME Report included a total of two findings with recommendations and two observations. The state completed corrective actions for the recommendations, though one has been retained as an observation for further monitoring in FY 2015. OSHA has also determined to discontinue further monitoring of one of the FY 2013 observations while carrying over the second for further monitoring. Appendix A does not have any new and continued findings and recommendations. Appendix B describes observations subject to new and continued monitoring. Appendix C describes the status of each FY 2013 recommendation in detail.

## **II. Assessment of State Plan Performance**

### **A. Major New Issues**

The Iowa Legislature traditionally provides funding for Iowa OSHA to overmatch Federal OSHA funding. In 2013, the state contributed 57% of the funding. However, a reduction in funding from the State of Iowa due to legislative action resulted in a decrease

of the state contribution to 52.5%. This caused a total funding reduction of nearly one-half million dollars. The reduced funding that occurred in FY 2014 is expected to continue for the future and increases the difficulty for Iowa OSHA to staff enforcement vacancies to meet benchmarks. In addition, Iowa OSHA recently appointed a new OSHA Administrator from within the current staff, an action that subsequently created another vacancy in the supervisory staff. Vacancies have also occurred due to the recent retirement of support staff.

The Iowa OSHA WPP investigator departed the position during FY-2014, leaving Iowa OSHA unable to fulfill its obligation to conduct Whistleblower investigations. Consequently, Region VII entered into an agreement with Iowa OSHA to undertake investigations of all new Iowa Whistleblower complaints until Iowa OSHA hired an investigator. Iowa OSHA subsequently forwarded an additional seven complaints to Region VII, although those complaints were opened prior to the departure of the investigator and fell outside of the parameters of the agreement. Thus, they were subsequently returned to Iowa OSHA. Federal OSHA investigated eight pending cases and any new complaints until Iowa OSHA hired an investigator. The Iowa OSHA investigator who departed the position ultimately returned to the investigator duties on December 23, 2014, allowing Iowa OSHA to again assume full responsibility for all new complaints and any others that were in progress at the time of the investigator's departure. Region VII plans to conduct a whistleblower training course for all relevant Iowa Whistleblower personnel, including the investigator and the new Iowa OSHA Administrator.

## **B. Assessment of State Plan Progress in Achieving Annual Performance Goals**

### **1. Performance Goal One - Increase the percentage of employers who participate in Iowa OSHA outreach and voluntary compliance programs.**

Iowa promoted programmatic and systematic approaches to safety and health programs in the workplace. Through compliance assistance activities, the total number of one-on-one outreach contacts conducted was 25,394. This activity exceeded the established goal of 21,000 participants for FY 2014 by 21%

The Iowa VPP program had 46 companies that maintained VPP Star status. Four new companies were successful in achieving VPP Star status in FY 2014.

Iowa education staff continued to promote and educate employers on the use of safety and health management programs through direct contact as well as through training programs. The outreach to improve safety and health programs is an important effort to reduce injury and illness rates in the state.

### **2. Performance Goal Two - Secure public confidence through excellence in the development and delivery of Iowa OSHA programs and services.**

The Iowa OSHA leadership team regularly discusses safety and health issues as well as direct intervention activities. The team reviewed statistics of inspections, especially those relative to emphasis programs, to determine program effectiveness. These reviews also included direct information from the inspectors regarding their inspection activity. Employer feedback during activities such as informal settlement conferences was also monitored by the leadership team. This team utilizes reports provided quarterly by the OSHA Area Office that identifies performance measures that meet national expectations.

Iowa OSHA works with the Iowa Division of Worker’s Compensation, who has developed a database that will provide more detailed event information. With the new software, data will be collected over the next year that provides Iowa OSHA with greatly improved targeting capability.

Iowa OSHA did not implement any new Local Emphasis Programs. However, Iowa OSHA began scheduling health inspections in FY 2014 using the Primary Metals NEP. Random inspection lists were compiled using North American Industrial Classification System (NAICS) codes of selected businesses.

Iowa OSHA continued to focus on amputations and researched successful LEPs in other states and regions. Opportunities for targeting programs unique to Iowa were also reviewed. There were 428 Safety LEP inspections for Iowa OSHA and 84 inspections for Health LEPs. The LEP enforcement inspections that Iowa OSHA completed averaged 2.13 violations per inspection.

<b>Iowa OSHA LEP</b>	<b>Number of Inspections</b>	<b>Number of Violations</b>	<b>Violations per Inspection</b>
Amputations	85	300	3.69
Asbestos	83	163	1.96
Hexavalent Chromium	1	11	11.0
Fall	157	275	1.75
Grain	3	10	3.33
Scaffold	81	153	1.89
Zip Code Construction	102	180	1.76
<b>All LEP Inspections</b>	<b>512</b>	<b>1092</b>	<b>2.13</b>

**3. Performance Goal Three - Reduce injuries, illnesses, and fatalities by 5% as listed below.**

The USDOL BLS injury and illness rates for the State of Iowa dropped 18.6% from 5.9 injuries and illnesses surveyed per 100 full-time workers in the baseline year 2007 to 4.8 in 2013. The rates for general industry in Iowa dropped 29.8% from 8.7 in 2007 to 6.1 in 2013, while rates for the construction industry in Iowa dropped 51.8% from 7.9 in 2007 to 3.8 in 2013.

Iowa OSHA conducted 27 occupational fatality inspections in FY 2014, representing a 22.7% increase over the baseline year (22 fatalities) for 2007. There were 13

fatality inspections in general industry facilities, a 13.3% decrease over the baseline year (15 fatalities) for 2007. In construction, there were 15 fatality inspections, a 114.6% increase over the 2007 baseline of just seven.

### **C. Highlights from the State Activity Mandated Measures (SAMM)**

In most cases, Iowa OSHA met or exceeded either the negotiated reference standards or national numbers derived from IMIS data for FY 2014 as noted in Appendix D of this report. The following three indicators are highlighted below because there was a significant difference between the State Plan's performance measure and the negotiated reference standards or in the year-over-year trending. These indicators were discussed during quarterly review meetings and are highlighted in order to explain the conditions which impacted the indicators:

#### **SAMM #16 Average Number of Calendar Days to Complete an 11c Investigation**

Iowa OSHA took an average of 110.26 days to complete an 11c investigation in comparison to the reference standard of 90 days, which correlates to an average 24% higher than the national data. This data was also an increase of 21% from FY 2013. In addition, a notable change was the impact on Iowa OSHA staffing because their discrimination investigator left the position for a period during the year. Per an agreement between Iowa OSHA and the Region VII, investigators from the Region VII WPP handled all new Iowa OSHA WPP cases until the previous Iowa OSHA investigator was hired back into the Iowa OSHA WPP program.

#### **SAMM #17 Planned vs. Actual Inspections – Safety/Health**

In their FY 2014 grant application, Iowa OSHA projected 1020 inspections (810 in safety). However, Iowa completed only 746 inspections (510 in safety), which was 27% fewer than forecast. In safety, the number was 37% fewer than planned. The total number of Iowa OSHA enforcement inspections was down from FY 2013 due to multiple reasons. The Iowa Legislature reduced Iowa OSHA state funding, Iowa went through a period of state employee layoffs, and the federal government shutdown occurred in October 2013. These issues resulted in a loss of approximately 80 inspections. Iowa OSHA's staff included only 18 compliance officers for the year, well below the benchmark of 29. All of these conditions and activities impacted inspection numbers throughout the year. Three new compliance officers were hired at the end of FY 2014, but did not conduct inspections until FY 2015.

#### **SAMM #21 Percent of Fatalities Responded to in One Work Day**

According to the Year End SAMM #21 Report, Iowa OSHA responded to 21 of 27 (77%) fatalities within one work day, in comparison to the negotiated goal of 100%. However, a review of the end of the year IMIS Fatality/Catastrophe and Complaint Response Data Report provides a complete listing of the fatalities and catastrophes by establishment, as well as the number of workdays to respond based on the date received and the date the investigation opened. The report showed 30 FAT/CAT inspections. These included 28 fatalities, one catastrophe, and one fatality that occurred on the last day of FY 2013. That fatality investigation was opened on the first day of FY 2014. The fatality establishment data was verified with the State of Iowa. Based upon the review of the data that included

the list of establishments, SAMM #21 should be listed as responding to 27 of 28 (96%) fatalities within one workday.

### **III. Assessment of State Plan Corrective Actions**

The Area Office conducted research on issues surrounding the two findings of the previous FY 2013 FAME. Approximately 146 e-complaints (those complaints sent by e-mail to Iowa OSHA) were collected between April 2014 and September 2014. This followed the notification to Iowa OSHA about the FY 2013 FAME finding related to management of the complaint process. The 146 e-complaints provided a good representation of the overall complaints received by the State. The complaints included both formal and non-formal complaints, non-valid complaints, complaints that were transferred, and complaints that were outside OSHA's jurisdictional boundaries.

In order to evaluate progress toward this finding, the monthly e-complaints checklist was placed into an Excel spreadsheet along with the data from IMIS for each e-complaint. Using the Excel pivot table function, the data collected was analyzed and the analysis is provided below in the paragraphs related to the Completed or Closed 2013 Findings / Recommendations and the FY 2014 Observations.

There were no new findings as noted in Appendix A. The new and continuing observations can be found in Appendix B.

#### Completed or Closed FY 2013 Findings/Recommendations

The FY 2013 FAME Report contained one finding related to whistleblower complaints. The finding addressed the discussion of defense pretext in the Report of Investigation Analysis section. An evaluation of Iowa OSHA's Whistleblower Protection Program (WPP) was not conducted as part of the FY 2014 FAME due to the unexpected departure of the Iowa OSHA WPP Investigator. Consequently, this finding was converted to an observation for FY 2014.

Another finding from the FY 2013 FAME Report determined that a response to all known complainants was not clearly documented in the non-formal complaint file in accordance with the Iowa FOM. Iowa OSHA stated the Phone/Fax Duty Officer received the necessary support to ensure that a response to all known complainants was clearly documented in the non-formal complaint file. However, the FY 2014 evaluation found only 30 of 49 (61%) non-formal complaints that were reviewed included a response that was sent to the complainant. Therefore, this finding was converted into a new observation in order to continue monitoring it.

#### FY 2014 Findings

None

## FY 2014 Observations

Iowa completed only 63% of its projected safety inspections and 74% of its planned overall inspections. This measure has been impacted by budget and staff reductions. During FY 2014, the program was reduced to 10 safety compliance officers and 8 health compliance officers. The staffing cuts were due to legislative reduction of the Iowa OSHA Federal overmatch funding from 57.1% to 52.5%.

Two other new observations were added as noted in Appendix B. During the evaluation of non-formal e-complaints, an overall review of the complaint process identified that of the 55 complaint inspections, a response to the complainant was documented in 76% of the cases. Of the 20 inspection cases that did not have documented notification to the complainant, 15 (75%) were in-compliance inspections.

The third new observation concerns the 146 e-complaints that included complaints where inspections were conducted. This was converted from a finding. The data that was collected from IMIS records was associated with those complaint inspections. When analyzed, this data indicated that 30% of the complaints had no documented response in IMIS to show that the complainant was notified of the results. There were 20 inspection cases that did not have documentation noted in IMIS. 75% of those cases were in-compliance inspections.

As previously reported, one observation from the FY 2013 FAME will continue to be monitored during the FY 2015 evaluation period to determine whether improper coding leads to the inability to accurately determine the effectiveness of targeting efforts within Iowa OSHA. 12 of 23 (52%) of the Zip Code Targeted Inspections reviewed during the FY 2013 FAME were coded as Programmed Other instead of Programmed Planned. This trend continued in FY 2014 as 13 of the 20 (65%) Zip Code Targeted Inspections that were reviewed were not coded as Programmed Planned and Comprehensive, and did not meet the parameters of the Local Emphasis Program.

Appendix A - New and Continued Findings and Recommendations  
FY 2014 Iowa OSHA Follow-up FAME Report

FY 2014-#	Finding	Recommendation	FY 20XX-# or FY 20xx-OB-#

**Appendix B – Observations Subject to New and Continued Monitoring**  
**FY 2014 Iowa State Plan Follow-up FAME Report**

<b>Observation # [FY14-OB-1]</b>	<b>Observation# [FY13-OB-1]</b>	<b>Observation</b>	<b>Federal Monitoring Plan</b>	<b>Current Status</b>
<b>FY 2014-OB-01</b>		Iowa completed only 63% of its projected safety inspections.	Region VII will monitor the number of number of inspections Iowa completes in order to ensure that Iowa OSHA is meeting its inspection goals.	New
<b>FY 2014-OB-02</b>		The Iowa OSHA Whistleblower Protection Program (WPP) does not have any personnel available to investigate Whistleblower complaints in case the only trained Investigator departs or is removed from the WPP Investigator position.	Region VII will monitor the number and training status of Iowa OSHA WPP Investigators to ensure the departure of one Investigator does not result in the inability of Iowa OSHA to continue to investigate WPP Complaints.	New
<b>FY 2014-OB-03</b>	FY 2013-01	In only 65% of the e-complaints handled as non-formal that were reviewed, a response to the complainant was documented in IMIS.	Region VII will review randomly selected complaint files to determine the status of this observation.	Converted from a Finding
<b>FY 2014-OB-04</b>	FY 2013-02	The investigator did not adequately analyze Respondent's defense in the Report of Investigation (ROI) regarding non-merit determinations	Region VII will determine if the Iowa ROI complies with the IOWA Whistleblower Manual regarding the Respondent's defense.	Converted from a Finding
<b>FY 2014-OB-05</b>	FY 2013-OB-02	52% of the Zip Code Targeted Inspections reviewed during the FY 2013 FAME were not coded properly. In FY 2014, 13 of 20 (65%) Zip Code inspections were not coded properly.	During next year's FAME process, Region VII will continue to monitor coding to accurately determine the effectiveness of targeting efforts within Iowa OSHA.	Continued as an Observation
<b>FY 2014-OB-06</b>		Of 55 reviewed complaints that resulted in an inspection, only 42 (76%) were noted in IMIS that a response was sent to the complainant.	Region VII will review randomly selected complaint files to determine if the complainant received a response during the FAME process next year.	New

**Appendix C – Status of FY 2013 Findings and Recommendations**  
**FY 2014 Iowa OSHA Follow-up FAME Report**

FY 2013-#	Finding	Recommendation	State Plan Response/ Corrective Action	Completion Date	Current Status
FY 2013-01	In accordance with the Iowa FOM, non-formal complainants when identified must be notified of the results of the investigation. In 24 of the non-formal complaints where the complainant was known, fifty-one point two percent (51.2%) of the complainants were notified of the results. In 11 cases or 45.8%, there was no documentation with the non-formal complaint file nor in IMIS that the complainant was notified of the result.	Iowa OSHA needs to take action to ensure that a response to all known complainants is clearly documented in the non-formal complaint file in accordance with Iowa FOM.	Iowa OSHA’s Phone and Fax Duty Officer has received the necessary support to ensure a response is provided to all known complainants and the response is clearly documented in the non-formal complaint file in accordance with the Iowa FOM.		Converted to a an Observation
FY 2013-02	In accordance with IOWA Whistleblower Manual, there must be a complete analysis of the Respondent’s defense. The investigator did not adequately analyze Respondent’s defense in the analysis section of the Report of Investigation (ROI). This finding was present in all eight of the non-merit determinations that were reviewed by the audit team.	Ensure ROI complies with the IOWA Whistleblower Manual by stating whether the Respondent’s defense is a pretext for retaliation.	Unable to conduct a review of the Iowa OSHA Whistleblower Protection Program (WPP) due to the departure of the Iowa WPP Investigator, and the subsequent temporary takeover of the program by Region VII WPP.		Converted to an Observation

## Appendix D- FY 2014 State Activity Mandated Measures (SAMM) Report

### FY 2014 Iowa OSHA Follow-up FAME Report

OSHA is in the process of moving operations from a legacy data system (NCR) to a modern data system (OIS). During FY 2014, federal OSHA case files were captured on OIS, while most State Plan case files continued to be processed through NCR. Wyoming opened 211 enforcement inspections in FY 2014. Of those, 211 inspections were captured in NCR, while 0 were captured in OIS. The SAMM Report, which is native to IMIS (a system that generates reports from the NCR), is not able to access data in OIS. Additionally, certain algorithms within the two systems are not identical. These challenges impact OSHA's ability to combine the data.

For FY14 we will use a format very similar to the one used for FY13. Below is an explanation of which data OSHA was able to use when calculating each metric.

a. Measures 1 & 2 will use State Plan data for FY14 as captured in NCR and compared to the State Plan's negotiated number. Any State Plan data from OIS will not be considered due to irregularities in the algorithm between OIS and NCR.

b. Measures 20a-b, 23, and 24 will use State Plan data for FY14 as captured in NCR and compared to the historical FY2011 national average (FY09-11). Any State Plan data from OIS will not be considered due to irregularities in the algorithm between OIS and NCR.

c. Measures 5, 9, 11, 17, 19, 21, and 25 will use State Plan data for FY14 as tabulated manually to include both OIS and NCR data and compared to the fixed/negotiated/national numbers associated with them.

d. Measures 13, 14 and 16 will be extracted from NCR (OIS conversion should not impact). National data will be pulled from WebIMIS for FY12-14.

e. Measures 18a-e will use State Plan data for FY14 as captured in NCR. Any data from OIS will not be considered due to irregularities in the algorithm between OIS and NCR. Much like FY13, no national data will be available for comparison.

f. Measure 22 will be excluded from the report (other than as a placeholder to demonstrate that it is one of the agreed upon metrics, but not one we can currently generate).

g. Measure 4 will use State Plan data for FY 14 as captured in NCR.

<b>U.S. Department of Labor</b>				
Occupational Safety and Health Administration State Plan Activity Mandated Measures (SAMMs)				
State Plan: Iowa			FY 2014	
<b>SAMM Number</b>	<b>SAMM Name</b>	<b>State Plan Data</b>	<b>Reference/ Standard</b>	<b>Notes</b>
<b>1</b>	Average number of work days to initiate complaint inspections	4.02	5 days	State Plan data taken directly from SAMM report generated through IMIS. The reference/standard is a negotiated number for each State Plan.
<b>2</b>	Average number of work days to initiate complaint investigations	0.26	1 day	State Plan data taken directly from SAMM report generated through IMIS. The reference/standard is a negotiated number for each State Plan.
<b>4</b>	Percent of complaints and referrals responded to within 1 work day (imminent danger)	96.4%	100%	State Plan data taken directly from SAMM report generated through IMIS.
<b>5</b>	Number of denials where entry not obtained	0	0	State Plan data taken directly from SAMM report generated through IMIS and Open Inspection OIS report.
<b>9a</b>	Average number of violations per inspection with violations by violation type	2.55	SWR: 1.99	State Plan data taken from SAMM report generated through IMIS and the Inspection summary report generated in OIS; national data was manually calculated from data pulled from both IMIS and OIS for Fiscal Years (FY) 2012-2014.
<b>9b</b>	Average number of violations per inspection with violations by violation type	0.6	Other: 1.22	
<b>11</b>	Percent of total inspections in the public sector	3.08%	2.94%	State Plan data taken from SAMM report generated through IMIS and the Inspection summary report generated in OIS. The reference/standard is derived from the FY 14 grant application.
<b>13</b>	Percent of 11c Investigations completed within 90 calendar days	34%	100%	State Plan data taken directly from SAMM report generated through IMIS; National data was pulled from webIMIS for FY 2012-

# Appendix D- FY 2014 State Activity Mandated Measures (SAMM) Report

## FY 2014 Iowa OSHA Follow-up FAME Report

				2014.
<b>14</b>	Percent of 11c complaints that are meritorious	36.84	24.8% meritorious	State Plan data taken directly from SAMM report generated through IMIS; National data was pulled from webIMIS for FY 2012-2014.
<b>16</b>	Average number of calendar days to complete an 11c investigation	110.26	90 Days	State Plan data taken directly from SAMM report generated through IMIS; National data was pulled from webIMIS for FY 2012-2014.
<b>17</b>	Planned vs. actual inspections - safety/health	510/236	810/210	State Plan data taken from SAMM report generated through IMIS and the Inspection summary report generated in OIS; the reference standard number is taken from the FY 2014 grant application. The reference/standard is a negotiated number for each State Plan.
<b>18a</b>	Average current serious penalty - 1 - 25 Employees	483.67		State Plan data taken directly from SAMM report generated through IMIS.
<b>18b</b>	Average current serious penalty - 26-100 Employees	744.96		
<b>18c</b>	Average current serious penalty - 101-250 Employees	1108.39		
<b>18d</b>	Average current serious penalty - 251+ Employees	1480.39		
<b>18e</b>	Average current serious penalty - Total 1 - 250+ Employees	891.04		
<b>19</b>	Percent of enforcement presence	1.14%	National Average 1.51%	Data is pulled and manually calculated based on FY 2014 data currently available in IMIS and County Business Pattern data pulled from the US Census Bureau.
<b>20a</b>	20a) Percent In Compliance – Safety	35.93	Safety - 29.1	State Plan data taken directly from SAMM report generated through IMIS; current national data is not

# Appendix D- FY 2014 State Activity Mandated Measures (SAMM) Report

## FY 2014 Iowa OSHA Follow-up FAME Report

<b>20b</b>	20b) Percent In Compliance – Health	37.05	Health - 34.1	available. Reference data is based on the FY 2014 national average, which draws from the collective experience of State Plans and federal OSHA for FY 2009-2011.
<b>21</b>	Percent of fatalities responded to in 1 work day	77%	100%	State Plan data is manually pulled directly from IMIS for FY 2013.
<b>22</b>	Open, Non-Contested Cases with Abatement Incomplete > 60 Days	n/a		Data not available.
<b>23a</b>	Average Lapse Time - Safety	40.59	43.4	State Plan 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 federal OSHA for FY 2009-2011.
<b>23b</b>	Average Lapse Time - Health	45.39	57.05	
<b>24</b>	Percent penalty retained	62.85	66	State Plan 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 federal OSHA for FY 2009-2011.
<b>25</b>	Percent of initial inspections with employee walk around representation or employee interview	100	100%	State Plan data taken from SAMM report generated through IMIS and the Inspection where Workers Involved report generated in OIS.