



ILLINOIS DEPARTMENT OF LABOR

Bruce Rauner  
Governor

Joseph Beyer  
Director

August 3, 2018

Mr. Ken Nishiyama Atha, Regional Administrator  
U.S. Department of Labor – OSHA  
230 S. Dearborn Street, Room 3244  
Chicago, IL 60604

Re: FY 2017 Federal Annual Monitoring and Evaluation Report

Dear Mr. Atha:

Attached please find the Illinois Department of Labor – Illinois OSHA Division (Illinois OSHA) response to the U.S. Department of Labor – OSHA (OSHA) FY 2017 Federal Annual Monitoring and Evaluation Report (FAME) and our Corrective Action Plan (CAP). Please post this letter along with the State OSHA Annual Report (SOAR) on the OSHA webpage.

We appreciate OSHA identifying areas where Illinois OSHA can improve, and we welcome continued feedback and evaluation from OSHA. If you have any questions or comments regarding our responses and CAP, please feel free to contact Ben Noven at 312-793-0846.

Sincerely,

Joseph Beyer  
Director, Illinois Department of Labor

Enclosure: Illinois OSHA Response and CAP to OSHA's FY 2017 FAME Report

cc: Suzanne M. Smith, Director, Office of State Programs OSHA  
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Aaron Priddy, Area Director, Fairview Heights, OSHA  
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**Finding FY 2017-01 (FY 2016-06):** In six of the 20 (30%) case files reviewed, the inquiry procedures associated with adequate abatement evidence were not adhered to in accordance with Chapter 9 of the Illinois OSHA FOM.

**Recommendation FY 2017-01:** Illinois OSHA should ensure inquiry processing procedures are followed, to include appropriate information needed to answer an inquiry from an employer, as outlined in Chapter 9, Paragraph G of the Illinois Field Operations Manual (FOM).

**Response:** Illinois OSHA has scheduled employee training for Fall 2018 to ensure employees follow inquiry processing procedures as outlined in Chapter 9, Paragraph G of the Illinois OSHA FOM. Certified Safety and Health Official (CSHO) training for new employees also includes this module.

**Finding FY 2017-02 (FY 2016-OB-01):** Illinois OSHA conducted only 50% of the planned safety inspections (252 of 500) and 8% of health inspections (16 of 200).

**Recommendation FY 2017-02:** Illinois OSHA should establish a method and strategy for developing the planned inspection goals based on staffing and resources, establishing the projected number of inspections to be conducted, and a tracking system to ensure the planned inspection goals are achieved.

**Response:** Illinois OSHA will continue working to develop more appropriate overall inspection goals based on available staffing and resources. Illinois OSHA has developed a tracking system that monitors inspections on a monthly basis to help ensure that individual staff goals are met. Additionally, following a detailed fiscal and personnel review, the Illinois Department of Labor (IDOL) has developed a plan to hire several additional CSHOs in FY19 through a targeted outreach plan for recruitment. IDOL has already posted some of these positions and is in the process of reviewing qualified applicants.

**Finding FY 2017-03:** In 18 of 55 (33%) of the files reviewed, employee interviews were not conducted or properly documented as required by Chapter 3 of the Illinois OSHA FOM.

**Recommendation FY 2017-03:** Illinois OSHA should ensure employee interview procedures are followed, to include appropriate documentation of the employee interviews, as outlined in Chapter 3, Paragraph VII of the Illinois OSHA FOM.

**Response:** Illinois OSHA has scheduled employee training for Fall 2018 to ensure employees follow the interview procedures outlined in Chapter 3, Paragraph VII of the Illinois OSHA FOM. CSHO training for new employees also includes this module.

**Finding FY 2017-04:** In two of five (40%) of the files reviewed, medical records were not identified and sequestered as required per the WIM, CPL 02-03-007 Chapter 3.

**Recommendation FY 2017-04:** Illinois OSHA should provide staff with appropriate training on the rules of agency practice and procedure concerning OSHA access to employee medical records in OSHA Instruction CPL 02-02-072 and ensure employee medical records are identified and sequestered per the WIM, CPL 02-03-007 Chapter 3.

**Response:** Illinois OSHA has scheduled employee training for Fall 2018 to ensure employees follow OSHA Instruction CPL 02-02-072 and identify and sequester employee medical records per WIM, CPL 02-003-007 Chapter 3. CSHO training for new employees also includes this module. Illinois OSHA has scheduled additional training for the IDOL Conciliation and Mediation Division with OSHA's Whistleblower Program staff for Fall 2018.