**FY 2024 Follow-up Federal Annual Monitoring Evaluation (FAME) Report**

**State of Alaska**

**Department of Labor and Workforce**

**Development Labor Standards and Safety Division**

**Alaska Occupational Safety and Health (AKOSH)**



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## Executive Summary

The purpose of this report is to assess Alaska Occupational Safety and Health’s (AKOSH) performance during Fiscal Year (FY) 2024 regarding activities mandated by the Occupational Safety and Health Administration (OSHA), and to gauge the State Plan’s progress toward resolving outstanding findings from the FY 2023 Comprehensive Federal Annual Monitoring and Evaluation (FAME) Report.

Throughout FY 2024, AKOSH’s staffing fluctuated with departures, but the State Plan continued to hire new staff members and provide technical training to ensure the quality of services provided. AKOSH focused on reducing worker injuries and illnesses in construction, healthcare, seafood processing, transportation and warehousing, and state and local government workplaces; promoting safety and health culture in the Alaskan workplace through compliance assistance, cooperative programs, and consultation assistance; and securing public confidence through excellence in the development and delivery of enforcement and consultation services. Successes included exceeding the total number of safety inspections conducted in private sector and total inspections in state and local government workplaces, although falling short in achieving total projected inspections. Additionally, AKOSH made significant progress to reduce the average days pending for whistleblower retaliation cases down to zero by the end of the review period. AKOSH continued to maintain a high level of performance and provide data metrics and reports for quarterly monitoring meetings with OSHA.

During the review period, AKOSH implemented one new federal program change, the Consultation Policies and Procedures Manual, and continued to update and revise the Whistleblower Investigation Manual. Finally, AKOSH management continued to conduct frequent self-evaluations to address FY 2023 findings and observations.

The Alaska State Plan made progress to close three observations from the FY 2023 Comprehensive FAME Report. There were no new findings or observations resulting from this review period. However, there were two continued findings and seven continued observations that will be the focus for FY 2025.

## State Plan Background

The State of Alaska, in accordance with Section 18 of the Occupational Safety and Health Act of 1970, operated an occupational safety and health program through its Department of Labor and Workforce Development, Labor Standards and Safety Division, Occupational Safety and Health. Alaska received approval for the State Plan on August 10, 1973. On September 13, 1977, OSHA certified that all developmental steps were completed as specified in its plan and final approval was granted on September 28, 1984.

The AKOSH Program is part of the Alaska Department of Labor and Workforce Development, which falls under the Division of Labor Standards and Safety. During the period of this report, key leadership positions included the Commissioner, Catherine Muñoz, who was the State Plan Designee. The Division Director, Tanya Keith, headed the Labor Standards and Safety Division. AKOSH is divided into two sections: Enforcement and Consultation and Training (C&T). Dale Williamson served as the Chief of Enforcement and had oversight over the enforcement division and whistleblower retaliation program. Elaine Banda served as the Chief of C&T through July 2024, and then Mitch Wallace as Acting Chief of C&T through the remainder of the evaluation period.

The 23(g) grant provided funding for a staff comprised of 1.98 full-time equivalent (FTE) managers, 2.46 FTE first-line supervisors, 6.00 FTE safety compliance officers, 5.00 FTE health compliance officers, 1.00 FTE whistleblower retaliation investigator, 5.52 FTE clerical/administrative staff. AKOSH funded 1.25 FTE safety consultant positions and 0.80 FTE health consultant positions as state and local government consultants under the 23(g) grant. An additional 1.00 FTE was funded for compliance assistance activities and was split between several safety and health consultant positions. The remainder of the consultation program activities and FTEs were funded by the 21(d) Cooperative Agreement and were evaluated in the FY 2024 Regional Annual Consultation Evaluation Report (RACER).

AKOSH exercises jurisdiction over all private sector employers except for employers at Denali National Park, Metlakatla Indian Reservation, maritime industries, federal government-owned and contractor-operated (GOCO) native health care facilities, artificial islands, and select military installations. The program does not cover federal agencies and federal employees. AKOSH retains jurisdiction in state and local government workplaces. AKOSH has developed and adopted state-specific standards for several hazardous operations in general industry and construction, including oil and gas operations; logging; telecommunications; and electric power generation, transmission, and distribution.

According to the demographic profile in the FY 2024 23(g) grant application, there were approximately 303,722 workers employed in 24,144 establishments. The initial award was $3,648,780 ($1,681,600 federal, $1,967,180 state funds). Due to the funding reduction of all OSHA 23(g) programs, federal funds were decreased by $61,000 in August 2024. The State Plan did not accept any one-time only funds during the fiscal year. The state reported final expenditures of $3,397,833.78 ($1,620,600 federal, $1,777,233.78 state funds).

**New Issues**

There were no new Complaints About State Program Administration (CASPAs) accepted during the evaluation period. However, CASPA AK-2023-02, which was accepted and initiated in FY 2023 and discussed in the FY 2023 Comprehensive FAME, remained under investigation throughout the review period.

During FY 2024, AKOSH revised its state-initiated change for the “Diversionary Program for Inspections with Initial Citations” policy. This program is currently being evaluated by OSHA and has not yet been approved. Under this program, AKOSH’s Chief of Enforcement (or designee) may use discretion to reduce penalties for employers who agree to undergo a limited or comprehensive scope C&T visit during the inspection’s informal settlement agreement (ISA) negotiations. To participate in the program, employers must have no inspection history or a previous inspection that resulted in no alleged violations, and they demonstrated concerted efforts to achieve abatement immediately following an inspection. Following successful completion of the C&T visit, AKOSH may reduce up to 50% of monetary penalties for a limited-scope visit or up to a 100% for a comprehensive-scope visit. According to AKOSH, at the conclusion of FY 2024, 37 employers participated in the Diversionary Program. According to AKOSH, 23 of these successfully completed C&T visits and 87% of penalties issued were reduced. There were eight employers that did not complete a C&T visit and had their penalties reinstated.

## Assessment of State Plan Progress and Performance

### Data and Methodology

OSHA has established a two-year cycle for the FAME process. This is the follow-up year, and as such, OSHA did not perform an on-site case file review associated with a comprehensive FAME. This strategy allows the State Plan to focus on correcting deficiencies identified in the most recent comprehensive FAME. The analyses and conclusions described in this report are based on information obtained from a variety of monitoring sources, including:

* State Activity Mandated Measures (SAMM) Report (Appendix D) dated 11/12/2024
* State Information Report (SIR) dated 11/12/2024
* Whistleblower Application in the OSHA IT Support System (OITSS)
* State OSHA Annual Report (SOAR)
* State Plan Annual Performance Plan (APP)
* OSHA Information System Reports (OIS)
* State Plan 23(g) Grant Application
* Quarterly monitoring meetings between OSHA and the State Plan
* State Plan Application (SPA)

### Findings and Observations

The Alaska State Plan made progress to address two findings and ten observations from the FY 2023 Comprehensive FAME Report. As a result, three observations are closed, but two findings and the remaining seven observations are continued and will be re-evaluated during the FY 2025 Comprehensive FAME due to the need for a full case file review. There were no new findings or observations that resulted from this review period. Appendix A describes the new and continued findings and recommendations. Appendix B describes observations subject to continued monitoring and the related federal monitoring plan. Appendix C describes the status of each FY 2023 finding and recommendation in detail.

#### Findings (Status of Previous and New Items)

**Completed Findings**

There were no findings completed in FY 2024.

**Closed Findings**

There were no findings closed in FY 2024.

**Continued Findings**

**Finding FY 2024-01 (FY 2023-01):** In FY 2023, in 16 out of 53 case files (30%) there were no employee interviews documented.

**Status**: AKOSH has instructed the enforcement staff to ensure interviews are conducted for all on-site inspections. However, a case file review is necessary to gather the facts needed to evaluate progress on this finding. This finding will be a focus during the FY 2025 comprehensive FAME on-site case file review and remains open.

**Finding FY 2024-02 (FY 2023-02):** In FY 2023, in 18 of 24 (75%) of inspections with citations where an informal conference was held, there was insufficient documentation for justification of penalty reductions for inspections in which willful, repeat serious, serious high gravity citations and disabling injuries occurred.

**Status**: AKOSH’s action plan included documenting the rationale for citation and penalty adjustments, including employers participating in the Diversionary Program. However, a case file review is necessary to gather the facts needed to evaluate progress on this finding. This finding will be a focus during the FY 2025 Comprehensive FAME on-site case file review and remains open.

**New Findings**

There were no new findings identified in FY 2024.

**Observations (Status of Previous and New Items)**

**Completed Observations**

There were no completed observations in FY 2024.

**Closed Observations**

**Observation FY 2023-OB-01:** In FY 2023, the average workdays to respond to complaints was four days, which is above the negotiated goal of one day.

**Status:** This observation was related to the average working days for initiating complaint investigations (SAMM 2a). The FRL was one working day and was negotiated by OSHA and AKOSH through the 23(g) grant application. According to Appendix D, in FY 2024, the average number of workdays to initiate complaint investigations was 5.80, an increase from four in FY 2023. AKOSH believed this increase was due to waiting for additional information from complainants prior to initiating an investigation and OIS reflecting the complaint as valid prior to the necessary information received, thus skewing the response time. AKOSH’s procedure was to validate complaints once satisfactory information was received from a complainant. OSHA will monitor this information in the next review period as part of the new, re-negotiated FY 2025 SAMM further review levels (FRLs). This observation is closed.

**Observation FY 2023-OB-03:** In FY 2023,one of four (25%) fatalities in AKOSH’s jurisdiction was not opened as an inspection or investigation within one day as mandated (SAMM 10).

**Status:** According to Appendix D, during FY 2024, one of five (20%) fatalities was not initiated as an inspection within one working day. The FRL for this measure is fixed at 100% for all state plans. This was attributed to factors outside of AKOSH’s control, including the worksite located in an area of the state that was geographically challenging to travel to with limited flight schedules available. In these remote areas, vehicle rentals could also be difficult. OSHA will continue to monitor this data through the SAMM report during the next evaluation period. This observation is closed.

**Observation FY 2023-OB-04:** In FY 2023, the inspection goals were not met. The percentage of safety inspections conducted was 21% below the state negotiated goal. The percentage of health inspections conducted was 38% below the state negotiated goal.

**Status:**  For FY 2024, the FRL for planned versus actual inspections for safety (SAMM 7a) and health (SAMM 7b) is +/-5% of 215 and 160, respectively, which was negotiated by OSHA and the State Plan through the 23(g) grant application. This provides a range of 204 to 226 safety inspections and 152 to 168 for health. AKOSH conducted 245 (114%) safety and 112 (70%) health inspections, which was an increase from 208 safety and 89 health in the previous review period. AKOSH was above the FRL for safety inspections and was able to enforce safety in more workplaces than anticipated. However, the limited number of trained health compliance officers in the field for a portion of the year affected AKOSH’s ability to meet the projected health inspections. Overall, Alaska accomplished 95% of its total inspection goal and maintained an above-average enforcement presence (SAMM 17). OSHA will continue to monitor this metric through the next review period. This observation is closed.

**Continued Observations**

**Observation FY 2024-OB-01:** In FY 2023, three of four (75%) fatality inspection files were missing the investigative summary. Three of three (100%) unprogrammed activities (UPAs) not inspected did not have the fatality/catastrophe report, were missing supporting documentation, the contact sheet, and official cause of death.

**Status:** A case file review is necessary to gather the facts needed to evaluate progress on this observation related to fatality/catastrophe documentation. This area will be a focus during the FY 2025 Comprehensive FAME on-site case file review and remains open.

**Observation FY 2024-OB-02:** In FY 2023,in 12 out of 53 (22.6%) of inspection case files reviewed, there was no evidence of abatement in the case files.

**Status:** A case file review is necessary gather the facts needed to evaluate progress on this observation related to abatement documentation. This area will be a focus during the FY 2025 Comprehensive FAME on-site case file review and remains open.

**Observation FY 2024-OB-03:** In FY 2024, the penalty retention rate was 29.41%.

**Status:**  According to Appendix D, in FY 2024, AKOSH retained 29.41% of penalties assessed to employers, compared to 31% the previous year. The FRL for percent penalty retained is +/- 15% of 70.81%, which was based on a three-year national average and provides a range of 60.19% to 81.44%. AKOSH’s low percent of penalties retained was attributed in part to the Diversionary Program where initial penalties may be reduced up to 100% for employers who have not had an inspection history or had a previous inspection that resulted in no citations, with the caveat that they must undergo a limited or full-scope consultation visit. This information was discussed at quarterly meetings with OSHA. At the end of FY 2024, AKOSH reported that 37 employers had used the Diversionary Program, and penalties were reduced by 87% under this program. There were eight employers that did not complete a C&T visit and had their penalties reinstated. Another factor was the Chief of Enforcement had discretion to reduce penalties to the maximum extent. An example was penalties related to recordkeeping or reporting violations. The Diversionary Program is being evaluated by OSHA and has not been approved. OSHA will continue to monitor this data and engage in frequent discussions with AKOSH. A case file review is necessary to gather facts needed to evaluate the progress on this observation related to penalty retention. This will be a focus in the FY 2025 Comprehensive FAME case file review. This observation remains open.

**Observation FY 2024-OB-04**: In FY 2023, 33% (25 of 76) of retaliation case files lacked the required documentation, specifically proof of delivery of official letters.

**Status:** A case file review is necessary to gather facts needed to evaluate progress on this observation related to required documentation in retaliation files. This area will be a focus during the FY 2025 consultation on-site review and remains open.

**Observation FY 2024-OB-05:** In FY 2023, five of 11 (45%) state and local government consultation visit files, did not use appropriate emphasis codes.

**Status:** AKOSH management conducted training to the consultation staff on the proper use of OIS emphasis coding. In addition, management conducted periodic reviews of files to ensure visit files contained proper emphasis coding. A case file review is necessary to gather facts needed to evaluate progress on this observation related to emphasis coding. This area will be a focus during the FY 2025 consultation on-site review and remains open.

**Observation FY 2024-OB-06:** In FY 2023, three of 11 (27%) state and local government consultation files had incorrect OSHA standards for hazards identified.

**Status:** AKOSH management provided training on the proper use of OSHA standards, specifically to the staff that was new to the consultation program. Management also dedicated additional attention to reviewing the applicable OSHA standards as they related to hazards identified during visits. A case file review is necessary to gather facts needed to evaluate progress on this observation related to proper use of OSHA standards in state and local government consultation files. This area will be a focus during the FY 2025 consultation on-site review and remains open.

**Observation FY 2024-OB-07:** In FY 2023, in seven of nine (78%) state and local government consultation visit files, the consultant did not provide the list of hazards to the employee representative at union sites.

**Status:** AKOSH management reiterated the importance of proper data entry as it related to union representation involved in a consultation visit. This included verifying the accuracy of information in the written report to the employer and in OIS. A case file review is necessary to gather facts needed to evaluate progress on this observation related to the consultation list of hazards provided to employee representatives. This area will be a focus during the FY 2025 consultation on-site review and remains open.

**New Observations**

No new observations were identified in FY 2024.

### State Activity Mandated Measures (SAMM) Highlights

Each SAMM has an agreed upon FRL which can be either a single number, or a range of numbers above and below the national average. State Plan SAMM data that falls outside the FRL triggers a closer look at the underlying performance of the mandatory activity. Appendix D presents the State Plan’s FY 2024 State Activity Mandated Measures (SAMM) Report and includes the FRLs for each measure.

It should be noted that OSHA is in the final stages of transitioning from the OITSS, a legacy data system, to the Whistleblower module in OIS, a modern data system. AKOSH transitioned to OIS for retaliation cases during the previous evaluation period. However, OSHA encountered challenges in combining the report that generates SAMM 14, 15, and 16 from both systems. As such, OSHA will not be relying on SAMMs 14, 15, or 16 in their evaluation of the State Plans whistleblower programs for FY 2024.

The Alaska State Plan was outside the FRL on the following SAMMs which were not previously addressed in this report:

**SAMM 6 – Percent of total inspections in state and local government workplaces**

**Discussion of AKOSH’s data and FRL:** The FRL was negotiated by OSHA and the State Plan through the FY 2024 23(g) grant application. The range of acceptable data not requiring further review was between 6.33% to 7.00%. AKOSH conducted 19.61% of its total inspections in state and local government workplaces, exceeding the FRL.

**Explanation:** AKOSH set an annual performance goal to conduct 5% of inspections toward state and local government workplaces. However, they conducted 70 of 357 (19.61%) inspections with state and local government employers. One attributor was one UPA resulting in a high volume of inspections at various locations. Performance on this metric indicates that AKOSH conducted a higher number of inspections at state and local government workplaces than anticipated. This was discussed during quarterly meetings with AKOSH and was an unusual circumstance.

**SAMM 8 – Average current serious penalty in private sector – total (1 to greater than 250 workers)**

**Discussion of AKOSH’s data and FRL:** The FRL for the average current penalty for 1-250+ workers was +/- 25% of $3,793.81, which was based on a three-year national average and provides a range of $2,845.36 to $4,742.27. In Alaska, employers with 1-250+ workers were penalized at an average of $4,811.80 per serious violation, which was slightly above the FRL range.

**Explanation:** AKOSH’s average current total penalty for serious citations in private sector was slightly greater than the national average and not a cause for concern. OSHA will continue to monitor this metric during quarterly meetings.

**SAMM 8c – Average current serious penalty in private sector (101-250 workers)**

**Discussion of AKOSH’s data and FRL:** The FRL for the average current penalty for 101-250 workers was +/- 25% of $6,114.84, which was based on a three-year national average and provides a range of $4,586.13 to $7,643.55. In Alaska, employers with 101-250 workers were penalized at an average of $3,131.77 per serious violation, which was below the FRL range.

**Explanation:** AKOSH explained that in the State of Alaska, there was a limited number of employers with 101-250 employees, as most are small employers. Therefore, it was more difficult to meet this metric. Although this category for average penalty was lower, penalties in Alaska were generally within or slightly above the FRL. OSHA will continue to monitor this metric during quarterly meetings.

**SAMM 8d – Average current serious penalty in private sector (greater than 250 workers)**

**Discussion of AKOSH’s data and FRL:** The FRL for the average current penalty for 250+ workers was +/- 25% of $7,533.58, which was based on a three-year national average and provides a range of $5,650.19 to $9,416.98. In Alaska, employers with greater than 250 workers were penalized at an average of $10,153.92 per serious violation, which was above the FRL range.

**Explanation:** AKOSH’s average current penalty for serious citations for private sector employers with over 250 workers was slightly greater than the national average. This employer population size was limited, which contributed to being above the FRL. This was not a cause for concern. OSHA will continue to monitor this metric through the SAMM report.

AKOSH’s penalties in relation to the FRL for each category of employer sizes is provided in Appendix D under SAMM 8.

**SAMM 13 – Percent of initial inspections with worker walk around representation or worker interview**

**Discussion of AKOSH’s data and FRL:** The FRL is fixed at 100% for all state plans. AKOSH’s percent of initial inspections with employee walk-around representation or employee interview was 94.40%, which was below the FRL.

**Explanation:** AKOSH explained that outliers could be attributed to recordkeeping and reporting-related inspections, such as an employer failing to report an injury, and an inspection was initiated over the phone. In these instances, AKOSH would not interview any employee other than the employer representative. This does not rise to the level of an observation at this time and will continue to be monitored by OSHA.

**SAMM 17 – Percent of enforcement presence**

**Discussion of AKOSH’s Data and FRL:**  The FRL for percent of enforcement presence is +/- 25% of 1.00%, which was based on a three-year national average and provides a range of 0.75% to 1.25%. According to Appendix D, AKOSH’s enforcement presence was 1.56% and above the FRL.

**Explanation:**  The percent of enforcement presence describes the number of safety and health inspections conducted compared to the number of employer establishments in the state.  In FY 2024, Alaska’s enforcement presence was 1.56% and above the FRL.  AKOSH explained that if there were resources available, they would likely conduct an inspection in lieu of an investigation. This was an increase from 1.52% in FY 2023 and indicates that AKOSH reached more employers with enforcement activity than the national average.

### Appendix A – New and Continued Findings and Recommendations

FY 2024 Alaska Occupational Safety and Health Follow-up FAME Report

|  |  |  |  |
| --- | --- | --- | --- |
| **FY 2024-##** | **Finding** | **Recommendation** | **FY 2023-# or**  **FY 2023-OB-#** |
| FY 2024-01 | In FY 2023, in 16 out of 53 case files (30%) there were no employee interviews documented. | AKOSH should ensure that the inspection site is visited and workplace exposure to hazards including worker involvement is documented in high hazard industries, where injury has occurred, and where NEP and state emphasis programs are coded. Corrective action complete, awaiting verification. | FY 2023-01 |
| FY 2024-02 | In FY 2023, in 18 of 24 (75%) of inspections with citations where an informal conference was held, there was insufficient documentation for justification of penalty reductions for inspections in which willful, repeat serious, serious high gravity citations and disabling injuries occurred. | AKOSH should ensure that penalty modifications and withdrawals are adequately documented in the case file as required by the AKOSH FOM. Corrective action complete, awaiting verification. | FY 2023-02 |

### Appendix B – Observations Subject to Continued Monitoring

FY 2024 Alaska Occupational Safety and Health Follow-up FAME Report

| **Observation #**  **FY 2024-OB-#** | **Observation # FY 2023-OB-# *or* FY 2023-#** | **Observation** | **Federal Monitoring Plan** | **Current Status** |
| --- | --- | --- | --- | --- |
| FY 2024-OB-01 | FY 2023-OB-02 | In FY 2023, three of four (75%) fatality inspection files were missing the investigative summary. Three of three (100%) unprogrammed activities (UPAs) not inspected did not have the fatality/catastrophe report, were missing supporting documentation, the contact sheet, and official cause of death. | OSHA will continue to monitor quarterly and encourage the state to conduct training and periodic evaluations of Fatality investigation casefile development and management. | Continued |
| FY 2024-OB-02 | FY 2023-OB-05 | In FY 2023, in 12 out of 53 (22.6%) of inspection case files reviewed, there was no evidence of abatement in the case files. | OSHA will continue to monitor quarterly and encourage the state to conduct training and periodic evaluations to evaluate case files for abatement. | Continued |
| FY 2024-OB-03 | FY 2023-OB-06 | In FY 2024, the penalty retention rate was 29.41%. | OSHA will continue to monitor quarterly and encourage the state to conduct training or change policies on penalty retention especially in cases where injuries have occurred and where high gravity serious violations are issued. | Continued |
| FY 2024-OB-04 | FY 2023-OB-07 | In FY 2023, 33% (25 of 76) of retaliation case files lacked the required documentation, specifically proof of delivery of official letters. | OSHA will monitor the lack of required documentation during quarterly meetings with AKOSH. | Continued |
| FY 2024-OB-05 | FY 2023-OB-08 | In FY 2023, five of 11 (45%) state and local government consultation visit files did not use appropriate emphasis codes. | OSHA will work with AKOSH and send them updated coding sheets and provide training to consultants as needed. | Continued |
| FY 2024-OB-06 | FY 2023-OB-09 | In FY 2023, three of 11 (27%) state and local government consultation files had incorrect OSHA standards for hazards identified. | OSHA will monitor AKOSH to ensure they are providing refresher training for consultants for 1910, 1926, and 1915 standards. | Continued |
| FY 2024-OB-07 | FY 2023-OB-10 | In FY 2023, in seven of nine (78%) state and local government consultation visit files the consultant did not provide the list of hazards to the employee representative at union sites. | OSHA will ask AKOSH during quarterly meetings if they are providing the list of hazards to Union sites as a reminder and to keep it in their awareness. | Continued |
| Not Applicable | FY 2023-OB-01 | In FY 2023, the average workdays to respond to complaints was four days, which is above the negotiated goal of one day. | OSHA will continue to monitor quarterly and encourage the state to conduct training and periodic evaluations of complaint processing. | Closed |
| Not Applicable | FY 2023-OB-03 | In FY 2023, one of four (25%) fatalities in AKOSH’s jurisdiction was not opened as an inspection or investigation within one day as mandated (SAMM 10). | OSHA will continue to monitor quarterly and encourage the state to conduct training and periodic evaluations of Fatality investigation prioritization and opening an investigation within one day. | Closed |
| Not Applicable | FY2023-OB-04 | In FY 2023, the inspection goals were not met. The percentage of safety inspections conducted was 21% below the state negotiated goal. The percentage of health inspections conducted was 38% below the state negotiated goal. | OSHA will continue to monitor quarterly and encourage the state to conduct training and periodic evaluations to encourage inspection activity for both inspection types. | Closed |

### Appendix C - Status of FY 2023 Findings and Recommendations

FY 2024 Alaska Occupational Safety and Health Follow-up FAME Report

| **FY 2023-#** | **Finding** | **Recommendation** | **State Plan Corrective Action** | **Completion Date** | **Current Status**  **and Date** |
| --- | --- | --- | --- | --- | --- |
| FY 2023-01 | In FY 2023, in 16 out of 53 case files (30%) there were no employee interviews documented. | AKOSH should ensure that the inspection site is visited and workplace exposure to hazards including worker involvement is documented in high hazard industries, where injury has occurred, and where NEP and state emphasis programs are coded. | AKOSH has instructed all officers to ensure that interviews are conducted for all on-site inspections. Records only inspections for failures to report were included in this finding. | 3/27/2024 | Awaiting verification 8/27/2024 |
| FY 2023-02 | In FY 2023, in 18 of 24 (75%) of inspections with citations where an informal conference was held, there was insufficient documentation for justification of penalty reductions for inspections in which willful, repeat serious, serious high gravity citations and disabling injuries occurred. | AKOSH should ensure that penalty modifications and withdrawals are adequately documented in the case file as required by the AKOSH FOM. | AKOSH will document the rationale for citation and penalty adjustments. | 3/27/2024 | Awaiting verification 8/27/2024 |

### Appendix D – FY 2024 State Activity Mandated Measures (SAMM) Report

FY 2024 Alaska Occupational Safety and Health Follow-up FAME Report

| **SAMM Number** | **SAMM Name** | **State Plan Data** | **Further Review Level** | **Notes** |
| --- | --- | --- | --- | --- |
| **1a** | Average number of work days to initiate complaint inspections (state formula) | 2.96 | 5 | The further review level is negotiated by OSHA and the State Plan. |
| **1b** | Average number of work days to initiate complaint inspections (federal formula) | 1.58 | N/A | This measure is for informational purposes only and is not a mandated measure. |
| **2a** | Average number of work days to initiate complaint investigations (state formula) | 5.80 | 1 | The further review level is negotiated by OSHA and the State Plan. |
| **2b** | Average number of work days to initiate complaint investigations (federal formula) | 2.00 | N/A | This measure is for informational purposes only and is not a mandated measure. |
| **3** | Percent of complaints and referrals responded to within one workday (imminent danger) | 100% | 100% | The further review level is fixed for all State Plans. |
| **4** | Number of denials where entry not obtained | 0 | 0 | The further review level is fixed for all State Plans. |
| **5a** | Average number of violations per inspection with violations by violation type (SWRU) | 1.67 | +/- 20% of 1.74 | The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 1.39 to 2.08 for SWRU. |
| **5b** | Average number of violations per inspection with violations by violation type (other) | 1.12 | +/- 20% of 0.94 | The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 0.75 to 1.12 for OTS. |
| **6** | Percent of total inspections in state and local government workplaces | 19.61% | +/- 5% of  6.67% | The further review level is based on a number negotiated by OSHA and the State Plan through the grant application. The range of acceptable data not requiring further review is from 6.33% to 7.00%. |
| **7a** | Planned v. actual inspections (safety) | 245 | +/- 5% of  215 | The further review level is based on a number negotiated by OSHA and the State Plan through the grant application. The range of acceptable data not requiring further review is from 204 to 226 for safety. |
| **7b** | Planned v. actual inspections (health) | 112 | +/- 5% of  160 | The further review level is based on a number negotiated by OSHA and the State Plan through the grant application. The range of acceptable data not requiring further review is from 152 to 168 for health. |
| **8** | Average current serious penalty in private sector - total (1 to greater than 250 workers) | $4,811.80 | +/- 25% of  $3,793.81 | The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from $2,845.36 to $4,742.27. |
| **8a** | Average current serious penalty in private sector  (1-25 workers) | $2,440.00 | +/- 25% of  $2,498.51 | The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from $1,873.88 to $3,123.14. |
| **8b** | Average current serious penalty in private sector  (26-100 workers**)** | $4,112.96 | +/- 25% of  $4,322.61 | The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from $3,241.96 to $5,403.26. |
| **8c** | Average current serious penalty in private sector  (101-250 workers) | $3,131.77 | +/- 25% of  $6,114.84 | The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from $4,586.13 to $7,643.55. |
| **8d** | Average current serious penalty in private sector  (greater than 250 workers) | $10,153.92 | +/- 25% of  $7,533.58 | The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from $5,650.19 to $9,416.98. |
| **9a** | Percent in compliance (safety) | 37.50% | +/- 20% of  32.83% | The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 26.27% to 39.40% for safety. |
| **9b** | Percent in compliance (health) | 44.58% | +/- 20% of  44.18% | The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 35.34% to 53.01% for health. |
| **10** | Percent of work-related fatalities responded to in one workday | 80.00% | 100% | The further review level is fixed for all State Plans. |
| **11a** | Average lapse time (safety) | 65.08 | +/- 20% of 56.02 | The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 44.82 to 67.23for safety. |
| **11b** | Average lapse time (health) | 74.95 | +/- 20% of 67.21 | The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 53.77 to 80.65 for health. |
| **12** | Percent penalty retained | 29.41% | +/- 15% of  70.81% | The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 60.19% to 81.44%. |
| **13** | Percent of initial inspections with worker walk-around representation or worker interview | 94.40% | 100% | The further review level is fixed for all State Plans. |
| **14** | Percent of 11(c) investigations completed within 90 days | N/A\* | N/A\* | This measure is not being reported for FY 2024 due to the transition to the new SAMM measures starting in FY 2025. |
| **15** | Percent of 11(c) complaints that are meritorious | N/A\* | N/A\* | This measure is not being reported for FY 2024 due to the transition to the new SAMM measures starting in FY 2025. |
| **16** | Average number of calendar days to complete an 11(c) investigation | N/A\* | N/A\* | This measure is not being reported for FY 2024 due to the transition to the new SAMM measures starting in FY 2025. |
| **17** | Percent of enforcement presence | 1.56% | +/- 25% of  1.00% | The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 0.75% to 1.25%. |

NOTE: The national averages in this report are three-year rolling averages. Unless otherwise noted, the data contained in this Appendix D is pulled from the SAMM Report in OIS and the State Plan WebIMIS report run on November 12, 2024, as part of OSHA’s official end-of-year data run.

\*Due to the transition of 11(c) data from IMIS to OIS, SAMMs 14, 15, and 16 are not being reported for FY 2024.