



August 24, 2020

MEMORANDUM FOR: LOREN SWEATT  
Principal Deputy Assistant Secretary  
for Occupational Safety and Health

*Elliot P. Lewis*

FROM: ELLIOT P. LEWIS  
Assistant Inspector General  
for Audit

SUBJECT: Audit of the Occupational Safety and Health  
Administration's (OSHA) Complaint Inspection  
Process

Please be advised the Office of Inspector General is initiating an audit to determine if OSHA ensured complaints and referrals were adequately addressed. The audit will focus on OSHA's inspection process and the overall impact on OSHA operations.

We have contracted with The Lopez Group, LLP to conduct the audit on our behalf. Enclosed is a copy of the engagement letter prepared by the contractor.

If you have any questions, please contact Mark Schwartz, Audit Director, at (917) 406-5871.

Enclosure

cc: Robert Sanders  
Director, OSHA's Office of Audit



41593 Winchester Road ▪ Suite 200 ▪ Temecula ▪ California 92590  
Phone: 626-583-1116 ▪ Fax: 626-577-8439 ▪ www.lopezllp.com

August 20, 2020

Loren Sweatt  
Principal Deputy Assistant Secretary for  
Occupational Safety and Health  
U.S. Department of Labor  
200 Constitution Ave, NW  
Washington, DC 20210

Dear Ms. Sweatt,

The Department of Labor, Office of Inspector General (DOL OIG) has engaged The Lopez Group, LLP to conduct a performance audit to determine if Occupational Safety and Health Administration (OSHA) ensured complainants and referrals were adequately addressed. The audit will focus on OSHA's inspection process.

Specific objectives of the audit are:

1. To evaluate OSHA's processes for addressing complainant interviews, witness testimony, and worker interviews to ensure that potential hazardous conditions reported during the "Complaint and Referral Process" were timely abated or employees were promptly removed from such conditions?
2. To evaluate the extent of complainant's involvement in the investigation process.
3. To evaluate, if inspections conducted, met the complaint/referral criteria for initiating an on-site inspection.
4. To evaluate, the frequency of OSHA conducting interviews of complainants/witnesses during an inspection.
5. To evaluate the effect of interviewing the complainant and witnesses during the inspection process and the affects if any on the outcome? (without merit/violations/citation)
6. To compare OSHA's complaint procedures to procedures of other Federal departments and agencies.
7. To compare OSHA's complaint procedures to complaint procedures within States' plans. (Do States Plans' have best practices which OSHA should consider?)
8. To evaluate the effect of the COVID-19 Pandemic specifically had on complaint inspections process.

The scope of this audit is to determine how OSHA addressed complainants and referrals from FY 2015 to present.

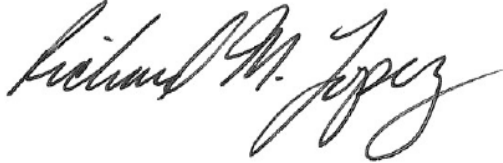
We would like to schedule a remote entrance conference with you and your staff during the week of August 24, 2020, to discuss the audit objective, scope, methodology and expected deliverables. A member of our team will contact you to schedule an exact date and time.

To help us complete our fieldwork in an expeditious manner, we have attached our initial documentation request that will require responses and applicable supporting documentation, as well as a request for data for the covered period. We will schedule subsequent meetings to discuss these questions with appropriate personnel.

Please ensure the appropriate personnel are available to the team in order to have questions answered as those questions relate to the program areas disclosed above.

If you have any questions, please contact me directly at [rlopez@lopezllp.com](mailto:rlopez@lopezllp.com).

Sincerely,

A handwritten signature in black ink that reads "Richard M. Lopez". The signature is written in a cursive, flowing style.

*Richard M. Lopez,*  
*Senior Partner*  
***The Lopez Group, LLP***

CC: Robert Sanders, Director, OSHA Office of Audit

Attachment:  
Initial OIG Documentation Request



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Initial OIG Documentation Request  
Occupational Safety and Health Administration -

1. Complaints Policies and Procedures with Current Key Controls.
2. Organization chart of OSHA with personnel responsible for complaints/inspections with contact information.
3. List of complaints/referrals and inspections from FY 2015 to present, and a list of Covid-19 related complaints/referrals and inspections from 3/13/20 to present.
4. Description of OSHA complaint/referral database including available data fields.
5. Contact information for regional OSHA offices and complaint/inspection personnel.