


APPENDIX B: AGENCY'S RESPONSE TO THE REPORT

U.S. Department of Labor

Occupational Safety and Health Administration
Washington, D.C. 20210



MEMORANDUM FOR: CAROLYN R. HANTZ
Assistant Inspector General for Audit

FROM: AMANDA L. EDENS 
Deputy Assistant Secretary

SUBJECT: Response to the Office of the Inspector General's
Recommendations in Audit Report, *COVID-19: Increased
Worksite Complaints and Reduced OSHA Inspections Leave
U.S. Workers' Health at Increased Risk*

This memorandum is in response to your January 25, 2021 memorandum, Office of the Inspector General's (OIG) Draft Report: *COVID-19: Increased Worksite Complaints and Reduced OSHA Inspections Leave U.S. Workers' Health at Increased Risk*. OSHA appreciates this opportunity to review the draft report and takes seriously the input and recommendations found in the report. OSHA accepts all four OIG recommendations.

OIG Recommendation 1: Improve OSHA's inspection strategy by prioritizing very high and high-risk employers for COVID-19 related onsite inspections, particularly as businesses reopen and increase operations in various localities across the United States.

Responsible Party: OSHA's Directorate of Enforcement Programs (DEP) will take responsibility for implementing this recommendation.

OSHA Response: OSHA accepts the recommendation. Pursuant to President Biden's January 21, 2021, Executive Order on Protecting Worker Health and Safety, the agency is already working to launch a national program to focus OSHA enforcement efforts related to COVID-19 on violations that put the largest number of workers at serious risk or are contrary to anti-retaliation principles.

OIG Recommendation 2: Ensure remote inspections are tracked retroactive to February 1, 2020, and going forward.

Responsible Party: DEP will take responsibility for implementing this recommendation.

OSHA Response: OSHA accepts the recommendation. The agency has already begun taking steps to address this recommendation. On November 4, 2020, OSHA issued an internal memo directing field offices to enter a code (N-10-COVID-19 REMOTE) in the OSHA Information System (OIS) for all COVID-19-related inspections that are conducted completely offsite. OSHA is in the process of ensuring completion of the coding retroactive to February 1, 2020.

OIG Recommendation 3: Compare remote inspections to onsite inspections and document analysis of the frequency and timeliness of inspectors in identifying and ensuring abatement of worksite hazards.

Responsible Party: DEP and the Directorate of Technical Support and Emergency Management (DTSEM) will take responsibility for implementing this recommendation.

OSHA Response: OSHA accepts the recommendation. Using data from OIS, the agency will compare COVID-19-related inspections conducted on-site with those conducted remotely. Specifically, OSHA will compare number of violations, number of serious violations, number of employees covered by the inspection, and, for COVID-19-related inspections initiated through complaint or referral, average number of days to initiate an inspection. For inspections resulting in violations, OSHA will compare on-site and remote inspections and evaluate whether or not documentation was received to demonstrate abatement and abatement status.

OIG Recommendation 4: Analyze and determine whether establishing an infectious disease-specific Emergency Temporary Standard (ETS) is necessary to help control the spread of COVID-19 as employees return to worksites.

Responsible Party: OSHA’s Directorate of Standards and Guidance (DSG) will take responsibility for implementing this recommendation.

OSHA Response: OSHA accepts the recommendation. Pursuant to President Biden’s January 21, 2021, Executive Order on Protecting Worker Health and Safety, the agency is already considering whether any emergency temporary standards on COVID-19, including with respect to masks in the workplace, are necessary.