



ILLINOIS DEPARTMENT OF LABOR

J.B. Pritzker
Governor

Michael D. Kleinik
Director

June 17, 2019

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

Re: FY 2018 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 2018 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,

A handwritten signature in black ink, appearing to read "Michael D. Kleinik".

Michael D. Kleinik
Director, Illinois Department of Labor

Enclosure: Illinois OSHA Response and CAP to OSHA's FY 2018 FAME Report

cc: Suzanne M. Smith, Director, Office of State Programs OSHA
Darnell Crenshaw, Assistant Regional Administrator, CSP, OSHA
Aaron Priddy, Area Director, Fairview Heights, OSHA
Ben Noven, Director, Illinois OSHA

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Finding FY 2018-01 (FY 2017-01): Inquiry procedures associated with adequate abatement evidence (30% of the files reviewed) were not adhered to in accordance with Chapter 9 of the Illinois OSHA FOM.

Recommendation FY 2018-01: 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). Corrective action complete; awaiting verification.

Response: Illinois OSHA conducted employee training August 28-30, 2018 and reviewed the processing procedures as outlined in Chapter 9, Paragraph G of the Illinois OSHA FOM.

Finding FY 2018-02 (FY 2017-02): Illinois OSHA conducted only 31% of the planned safety inspections (157 of 500) and 8% of health inspections (17 of 200).

Recommendation FY 2018-02: 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 uses a tracking system that monitors inspections on a monthly basis to help ensure that individual staff goals are met. Additionally, Illinois OSHA will continue working to develop more appropriate overall inspection goals based on available staffing and resources. Following a detailed fiscal and personnel review, the Illinois Department of Labor (IDOL) plans to hire several additional CSHOs in FYI 9. IDOL has already posted some of these positions and is in the process of reviewing qualified applicants.

Finding FY 2018-03 (FY 2017-03): In 33% (18 of 55) of the files reviewed, employee interviews were not conducted or properly documented as required by Chapter 3 of the Illinois OSFAFOM.

Recommendation FY 2018-03: 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. Corrective action complete; awaiting verification.

Response: Illinois OSHA conducted employee training August 28-30, 2018 and reviewed the interview procedures and documentation as outlined in Chapter 3, Paragraph VII of the Illinois OSFAFOM.

Finding FY 2018-04 (FY 2017-04): In 40% (two of five) of the files reviewed, medical records were not identified and sequestered as required per the WIM, CPL 02-03-007 Chapter 3.

Recommendation FY 2018-04: Illinois OSHA must 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 Ch. 3. Corrective action complete; awaiting verification.

Response: Illinois OSHA conducted training for the IDOL Conciliation and Mediation Division and OSHA's Whistleblower Program staff on November 1-2, 2018. The training consisted of a review of OSHA Instruction CPL 02-02-072 and WIM, CPL 02-003-007 Chapter 3. Periodic audits of the whistleblower files are scheduled to occur to ensure proper handling and sequestering of medical files.