**Arizona Division of Occupational Safety and Health (ADOSH)**

**Formal Response to FY 2022 Follow-up FAME Report**

**Finding #: FY 2022-01:** A total of 486 (44%) inspections were conducted and this was below the goal of 1,100 inspections.

**Recommendation #: 01:** ADOSH should determine the cause and implement corrective action to meet inspection goals and provide a stronger enforcement presence to ensure worker safety.

**Finding #: FY 2022-02:** A total of 276 of the projected 525 construction inspections (53%) were conducted. A total of 185 (23% of the goal of 800) violations were issued for FY 2021.

**Recommendation #: 02:** ADOSH should determine the cause of the low number of construction inspections and violations issued and implement corrective action.

**State Plan Response:**

One reason for lower inspection and citation numbers is due to ADOSH having to use its resources to investigate complaints and referrals, many of which to not end up being substantiated or do not otherwise result in onsite inspections and citations. In FY 2022, ADOSH handled 872 complaints and referrals where 159 resulted in actual onsite inspections, representing 45% of all inspections.

Lower inspection and citation numbers also result from lower personnel numbers. The projected inspection and citation goals are based on having 25 compliance safety and health (CSHOs), which ADOSH has had difficulty in maintaining. ADOSH faces challenges in both hiring and retaining qualified individuals in that it competes with both private and public employers for safety and health professionals. During FY 2022, ADOSH took multiple steps to recruit and retain qualified individuals, which are providing to be effective.

To help identify candidates, ADOSH participated in the State’s Hire a Vet Program and several university job fairs and has hired CSHOs through these efforts. In addition to the job fairs, the ADOSH Director worked with the Agency’s Human Resources Department and the State’s Office of Administration to establish several levels of CSHOs, which provide varying levels of compensation based on experience and education in safety and health. These changes to CSHO starting salaries have helped to attract talent no previously seen in prior positions advertising.

Since August 2022, ADOSH hired 15 new CSHOs with only one vacating shortly after starting. The 93.3% retention is attributed to flexible work schedules, the ability to train employees for a longer period of time, and matching employees with leadership mentors for full understanding of the job functions. Because of our retention, ADOSH added several new positions to help others learn, grow, and conduct inspections on their own.

ADOSH is projected to accomplish approximately 620 inspections in FY 2023. This is an increase of 270 inspections more than FY 2022. The number of violations identified is also expected to increase. ADOSH will continue to hire, retain, and have available CSHOs conduct inspections in the public and private industries. If all positions are filled and staff maintains their current positions, ADOSH will be on target to accomplish more than 1,000 inspections in FY 2024. This will help with inspection goals and outcomes established in ADOSH’s 5-Year Goals.

ADOSH will continue to look for new ways to attract safety and health professionals.

**Finding #: FY 2022-03:** There were 23 violations where the severity assessed was not supported by the case file documentation.

**Recommendation #: 03:** ADOSH should implement oversight of the case files to ensure the severity assessment supports the most likely injury to occur.

**Finding #: FY 2022-04:** The Probability Factors Worksheet was not constructed to assign numerical value to calculate all the factors from the AZ FOM.

**Recommendation #: 04:** ADOSH should ensure all requirements listed in the AZ FOM are used to calculate probability.

**State Plan Response:**

**Finding #: FY 2022-05:** Requirements for adopting Federal Program Changes (FPCs) were not completed within six-months of the effective date of the directive or official issuance date of the Federal Register Notice.

**Recommendation #: 05:** ADOSH should ensure that they meet the requirements for response and adoption of OSHA’s Federal Program Changes.

**State Plan Response:**

ADOSH adopted all open Federal Program Changes (FPCs) by the first quarter of fiscal year 2023. ADOSH maintains a process in place to review, update, and share FPCs with all pertinent staff. Examples of recent FPCs adopted include the National Emphasis Program for Falls, Site-Specific Targeting, Severe Violator Enforcement Program, and the National Emphasis Program Revised Combustible Dust.

The above explanations provide greater context for OSHA’s findings, particularly where some were corrected during FY 2022, which was not acknowledge in the Follow Up FAME Report. ADOSH’s actions, as outlined above, demonstrate its good faith efforts to address these findings, and demonstrate successful correction.