

**U.S. Department of Labor
Office of Inspector General
Office of Audit**

BRIEFLY...

Highlights of Report Number: 22-07-008-06-001, to the Assistant Secretary for Mine Safety and Health.

WHY READ THE REPORT

The Mine Safety and Health Administration (MSHA) supervises and enforces workplace safety and health in surface and underground mining operations in accordance with the Federal Mine Safety and Health Act of 1977 (P.L. 95-164). MSHA conducts investigations, inspections, enforcement and reporting programs for all mining operations. In addition, MSHA conducts respirable dust programs and workplace noise programs for both the Coal and Metal and Nonmetal mining industries.

WHY OIG DID THE AUDIT

We conducted our audit to determine the completeness and reliability of the CY 2003 data used to support the MSHA FY 2003 performance goals 3.1A "Reduce the mine industry fatal injury occurrence rate by 15 percent annually and 3.1B "Reduce the all injury occurrence below the FY 2000 baseline by the end of FY 2005." This was a 4-year goal and, for FY 2003, the target was a 17 percent reduction. We conducted our audit at 17 MSHA locations.

READ THE FULL REPORT

To view the report, including the scope, methodology, and full agency response, go to: <http://www.oig.dol.gov/public/reports/oa/2007/22-07-008-06-001.pdf>

December 2006

MSHA Needs to Improve Controls Over Performance Data

WHAT OIG FOUND

Based on our audit, we could not determine the completeness and reliability of the hours used in the all-injury occurrence measured as part of Performance Goal 3.1A. MSHA could not ensure it had accounted of all hours worked since MSHA did not require mine operators to submit documentation that supports the amount of contractor hours worked. As part of the normal inspection process, MSHA inspectors normally do not verify reported employee hours to payroll records, although they perform some cursory reviews to determine the hours reported by the mine operator appear reasonable based on the size of the mine.

In addition, our audit found MSHA did not have complete and reliable data to support the testing to ensure noise exposure did not exceed established limits that it reported as part of Performance Goal 3.1B. MSHA recorded the data from noise sample results in the Metal Nonmetal Mine Management Information System ((MNMIS) and the Coal Mine Safety and Health Information System (CMIS). We found cases where the MSHA District or Field Offices did not record the sample results and other cases where the MSHA District or Field Offices did not record the correct date of the sample results in these systems.

WHAT OIG RECOMMENDED

We recommended that the Assistant Secretary for Mine Safety and Health require that:

- 1) Mine operators report all hours worked for both employees and contractors to allow verification that all data needed to support the reported injuries and fatalities have been included.
- 2) Mine operators submit or maintain, and mine inspectors review as part of their normal inspection process, documentation that supports the amounts of hours worked by mine employees and contractors.
- 3) Controls be developed and put in place to adhere to procedures that require systematic and regular entry of noise sample data into both the MNMIS and CMIS.

MSHA disagreed with the recommendations one and two. MSHA concurred in part with recommendation three.