



BRIEFLY...

COVID-19: MSHA DID NOT COMPLETE OR ACCURATELY REPORT MANDATORY INSPECTIONS

October 17, 2023

WHY OIG CONDUCTED THE AUDIT

The Federal Mine Safety and Health Act of 1977 requires each underground mine to be inspected in its entirety at least four times a year and each surface mine in its entirety at least two times a year. On behalf of the U.S. Secretary of Labor, the Mine Safety and Health Administration (MSHA) conducts mandatory inspections to prevent death, illness, and injury at mines and promote safe and healthy work environments for miners.

The OIG has long-standing concerns regarding MSHA's operational risks associated with its mandatory inspections program and how such risks impact MSHA's mission to protect the lives of miners.

WHAT OIG DID

Based on these concerns, we performed this audit to determine the following:

Did MSHA complete mandatory safety and health mine inspections before and during the COVID-19 pandemic?

We interviewed MSHA personnel, reviewed MSHA policies, analyzed 78,598 mandatory inspections ending in Fiscal Year 2018 through Fiscal Year 2021, and evaluated MSHA's inspection completion data.

READ THE FULL REPORT

<https://www.oig.dol.gov/public/reports/oa/2024/19-24-001-06-001.pdf>

WHAT OIG FOUND

MSHA did not complete an estimated 1,589 mandatory safety and health mine inspections before and during the COVID-19 pandemic.

MSHA did not complete an estimated 1,589 mandatory mine inspections during Fiscal Year 2018 through Fiscal Year 2021 although it reported a nearly 100 percent completion rate. These were largely due to inspections eliminated from idle mine visits and errors in accounting for the types of activities performed. This occurred because MSHA had not effectively improved the design or execution of its internal control system since a 2011 OIG audit found similar internal control issues with the mandatory inspections program. This led to missed opportunities to protect miners by identifying hazards to miners and requiring corrections.

Weaknesses in MSHA's ability to accurately determine a mine's status increased the risk of MSHA not completing mandatory inspections. We identified weaknesses related to seven areas that generally affected when or how often to conduct a mine status verification, what aspects to check, and what tools to use. Breakdowns in MSHA's internal control system created these weaknesses, and increased the risk of MSHA incorrectly calculating inspections required and not completing inspections.

Other issues affected MSHA's ability to accurately calculate and report completed mandatory inspections. The issues included inaccurate or incomplete data, ineffective communication, and missing policies. These increased the likelihood of MSHA incorrectly reporting to Congress and the public how many inspections it completed. This led to MSHA incorrectly reporting for fiscal years 2019, 2020, and 2021. As a result, Congress was unaware of the increased risk to miners given the lower number of inspections MSHA had performed.

WHAT OIG RECOMMENDED

We made 11 recommendations to improve the policies, processes, and system data for the mandatory inspections program. MSHA generally agreed with our recommendations.