State of Alaska
Department of Labor
Division of Labor Standards and Safety

DOSH Program Directive 89-4

Date: April 14, 1989

To: All LS&S/OSH Staff

From: Tom Stuart, Director

Subject: Inspection Case File Procedures

A. Purpose. This program directive outlines the structure and content of the Inspection Case File.

B. Background. There is a need to organize the inspection case files in a logical order so that it can more easily be reviewed by field staff, supervisors and the legal counsel. Compliance officers and supervisors will be expected to organize the portion of the case file that they develop. The administrative staff will assure that the rest of the file is organized. Anyone using the file must keep the file in order. If the file is not in order when it is returned to the administrative staff, the file will be sent back to the user who will be required to put it back in order. The Administrative Assistant in Anchorage has the authority and responsibility to assure that this Program Directive is followed.

C. Definition. An Inspection Case File shall be composed of all essential documents relating to a single inspection of an establishment. Separate inspections of the same establishment shall be filed in separate inspection case files. However, actions which form an essential part or continuation of the original inspection shall be filed in the original case file. Simultaneous health and safety inspections of the same establishment shall be filed separately if they constitute complete, separate inspections. All forms and other papers shall be securely attached to the establishment case file folder.

D. Internal File Structure.

1. Official Documentation. All official forms and notes constituting the basic documentation of a case must be part of the case file. This material shall be attached to the right side of the case file folder in the order noted in Paragraph E.1.a.

2. Correspondence. All correspondence relating to the case shall be attached to the left side of the folder in reverse chronological order. See Paragraph E.1.b. for a description of the types of materials included as correspondence.

3. Mail Receipts. Mail receipts shall be taped to the left side the inspection file.

4. The IMIS Action Form will be stuck to the front of each case file folder to keep track of IMIS changes that are made to the inspection once it has been data entered into the system. Also the "Case Track" form will be placed in front of the documentation that is placed on the right side of the case file per E of this PD. This form will provide the reviewer of the case file with a summary of the action taken on the case. The "Case Track" form must be filled out for each case file and it is the responsibility of the supervisor to assure that this form is properly completed.

5. Miscellany. Miscellaneous inspection case file documentation not falling in 1,2, or 3 above shall be filed as correspondence on the left side of the folder. Safety manuals and similar material may be placed in the case file.

E. Filing Arrangements.

1. Case File Contents.

a. Forms and Related Documentation. The following list itemizes the Alaska OSH forms and related documentation which shall appear on the right side of the case file, in order from top to bottom. Any additional official notes shall be filed with the forms to which they relate.

(1) Informal Settlement Agreement Documentation.

(2) OSHA-8 Notice of Alleged Imminent Danger.

(3) OSHA-2F Notice of Unsafe or Unhealthful Working Conditions.

(4) OSHA-2B Notification of Failure to Abate Alleged Violation.

(5) DOSH-2C and AK DOSH-2
Citation and Notification of Penalty (Includes amendments. Place amendments on top of the original OSHA-2).

(6) AK DOSH-1 Inspection Report.

(7) OSHA-1A Narrative (Includes injury and illness data supporting the OSHA-1A).

(8) OSHA-1B or OSHA-1B1H
Worksheet

(a) OSHA-91A Sampling Data forms which
(b) OSHA-91B described on the OSHA-1B.

(c) OSHA-92
(d) OSHA-93
(e) OSHA-94
(f) OSHA-98
(g) OSHA-99

Sampling forms and continuation sheets are placed behind at the end of the individual OSHA-1B to which they related.

(9) OSHA-89A and 89B
Photo Worksheet (Negatives are located in the envelope on the left side of the folder).

(10) Field Notes.

(11) AK DOSH-12 Closing Conference Worksheet.

(12) OSHA-170 Investigation Summary.

(13) OSHA-90 Referral Report.

(14) OSHA-36 Fatality/Catastrophe Report.

(15) AK DOSH-7 Notice of Alleged Safety or Health Hazards.

(16) Technical Information. Includes information supporting violations, employer's safety reports, MSDS's, and the like.

b. Correspondence and Miscellaneous Information. The following is a list of the types of correspondence and miscellaneous case documentation which shall appear on the left side of the case file in reverse chronological order within each category. The inspection update forms in (1) below are an exception to the chronological order rule.

(1) Inspection Update. These forms are intended to provide summary information concerning the status of the inspection.

(a) OSHA-167I Inspection Record Update.

(b) OSHA-166 Citation Record Update.

(c) OSHA-167C Complaint Record Update.

(d) OSHA-168 Inspection Assignment.

(2) Penalty Information.

(a) Request for payment.

(b) Carbon copy of penalty reminder.

(c) Copy of check.

(d) Letter of refusal to pay past due penalty.

(3) Abatement Information.

(a) Letter of abatement.

(b) Employer statement of abatement.

(c) Petition for Modification of Abatement (PMA) request and correspondence.

(d) Letter of past due abatement.

(e) Progress report of abatement.

(f) List of detailed expenditures for abatement.

(g) Contract work proposal (abatement agreements).

(4) Planned Method of Abatement.

(a) Letter requesting and correspondence relating to planned method of abatement.

(b) Letter of transmittal of planned method of abatement.

(c) Alaska OSH acknowledgement of receipt of planned method of abatement.

(5) Contested Case Information and Correspondence.

(a) Review Board Orders.

(b) Letter of contest.

(c) Transmittal to Attorney General's office.

(d) Notice of receipt of case.

(e) Certification of final order.

(f) Final order.

(g) Statement of order.

(h) Final order of Review Board Decision.

(6) General Correspondence.

(a) Informal conference information.

(b) Letter of complaint.

(c) Employer correspondence.

(d) Transmittal to Solicitor.

(e) Follow-up correspondence.

(f) Attorney General's correspondence.

(g) Memoranda to the file.

(7) Other Materials. Place slide in the file in plastic holders, or file slides in a separate location and note that location on the left side of the folder.

F. Follow-up Inspection with Failure to Abate: If a follow-up inspection results in a Failure to Abate citation being issued, the case file of the original inspection will be filed with the case file of the Failure to Abate citation. Both files will be kept together. The original file will not be sanitized or sent for microfiching until the Failure to Abate citation becomes final.