

- **Record Type:** Instruction
 - **Directive Number:** IOSH Instruction CPL 02-00-115 (old Directive No. CPL 2.115)
 - **Subject:** Procedures for Handling Complaints
 - **Information Date:** Revision 1, 05/11/06
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IOSH NOTICE

Workforce Development Department

Iowa Occupational Safety and Health (IOSH)

- A. **Purpose:** This instruction establishes revised policies and procedures for handling complaints relating to workplace safety and health conditions by providing guidelines for incoming telephone, mail, electronic and walk-in complaints, referrals and information inquiries concerning safety and health.
- B. **Scope:** This instruction applies to the IOSH Enforcement Bureau.
- C. **References:**
- IOSH Administrative Procedures
 - IOSH Instruction IACPL 2.103, IOSH Field Inspection Reference Manual (FIRM)
 - The Integrated Management Information System (IMIS)
 - OSHA Directive Number CPL 02-00-115, Complaint Policies and Procedures
- D. **Action.** The IOSH Administrator, IOSH Executive Officer and/or Duty Officer shall ensure that the guidelines and procedures set forth in this instruction are followed. This instruction supersedes certain provisions of the Field Inspection Reference Manual (FIRM) contained at Chapter I, C.
- E. **Background:** Iowa Code Chapter 88.6(5) states that Any employees or authorized employee representative who believes that a violation of a safety or health standard exists that threatens physical harm, or that an imminent danger exists, may request an inspection by giving notice to the commissioner or the commissioner=s authorized representative of such violation or danger. Any such notice shall be reduced to writing, shall set forth with reasonable particularity the grounds for the notice, and shall be signed by the employees or authorized employee representative...@ This instruction describes the ways the Bureau will handle those complaints and complaints and inquiries which do not meet the above criteria. IOSH response to complaints will be handled by either:

- Conducting an inspection of the alleged hazards; or
- Conducting a telephone/fax/letter investigation of the alleged hazards.

F. **Definitions:**

1. **Complaint.** Notice of an alleged hazard (over which IOSH has jurisdiction), or a violation of the Act, alleged by a past or present employee, a representative of employees, a discrimination officer seeking resolution of a discrimination complaint or any other individual knowledgeable of the alleged hazardous condition.
2. **Employee.** For the purpose of submitting a complaint, an employee is defined as a present employee in the following circumstances:
 - a. A current employee in the workplace of the employer about whose establishment the complaint is being made. This includes employees on paid leave of absence.
 - b. A current employee of another employer if that employee is working at or near the employer's workplace and is exposed to hazards of that work place.
 - c. An inmate when the inmate works in connection with the maintenance of an institution, in an industry maintained in an institution or while otherwise on detail to perform services for pay.
 - d. A volunteer involved in responses to hazardous waste incidences.

NOTE: Former employees are not considered employees for the purpose of submitting a complaint. The employment status (former or present) is determined at the time the complaint is first received by IOSH, either by telephone, in person or in writing.

3. **Employee representative.** For the purpose of submitting a complaint, an employee representative is one of the following:
 - a. An authorized representative of a certified or recognized labor organization or other employee bargaining unit.
 - b. Any other person, with the consent and knowledge of the employee, acting as an authorized representative of the employee(s).
4. **Permanently disabling injuries or illnesses.** Injuries or illnesses which may result in permanent disabilities or illnesses that are chronic or irreversible.

Examples of permanently disabling injuries or illnesses include: amputation, blindness, standard threshold shift in hearing, lead or mercury poisoning, or third-degree burns.

5. **Referral.** Notice of an alleged hazard or violation of the Act given by any source not listed in Section F. 2. and 3. Referrals will generally come from CSHOs or IHs; another government agency (State, County, Local); media reports; etc. See Section M. and Chapter 1, Section C.10. of the FIRM for procedures to be followed for referrals.
6. **Information Request.** An information request is defined as an incoming telephone, mail, e-mail or other inquiry, which is not related to a complaint or other intervention.
7. **Complaint Inspection:** A complaint inspection is an inspection that is initiated primarily as a result of a complaint, is conducted by an IOSH compliance officer at the employer's worksite, and that meets at least one of the criteria listed below:
 - a. The complaint was reduced to writing, is signed by a current employee or employee representative, and states the reason for the inspection request with reasonable particularity. In addition, there are reasonable grounds to believe that a violation of a safety or health standard or a hazard exists, as provided in Section 88.6(5) of the Iowa Occupational Safety and Health Act (Act).
 - b. The complaint alleges that physical harm, such as disabling injuries or illnesses (as defined in F.4) has or may occur as a result of the hazard(s) and there is reason to believe that the hazard or related hazards still exist.
 - c. The complaint is based on an allegation of an imminent danger situation (See the FIRM for additional procedures to be followed).
 - d. The complaint identifies an establishment or an alleged hazard covered by a local or national emphasis program.
 - e. The employer fails to provide an adequate response to a complaint as described in Section I, or the complainant provides evidence that the employer's response is false or does not adequately address the hazard(s).
 - f. The firm or establishment that is the subject of the complaint has a history of egregious, willful, or failure-to-abate citations within the last three (3) years.
 - g. An 88.9 discrimination investigator requests that a complaint inspection be conducted in response to an employee's allegation that he/she was discriminated against for complaining about safety or health conditions in

the workplace or for refusing to do an allegedly imminently dangerous job/task and the hazardous condition(s) is/are still present.

- h. If an inspection is scheduled or has begun at an establishment, and a complaint that would normally be investigated by telephone/fax is received, that complaint may, at the IOSH Administrator/IOSH Executive Officer's discretion, be included as part of the originally scheduled inspection.

NOTE: The IOSH Administrator/IOSH Executive Officer may determine not to inspect a facility when good quality abatement evidence has been provided and programs have been implemented to prevent a recurrence of hazards.

- 8. **Complaint Investigation:** A complaint investigation may be conducted for complaints that do not meet one of the above complaint inspection criteria or that do meet the criteria listed below. It does not include an on-site inspection of the workplace.
 - a. Oral complaints (received in person or by telephone) filed by employee(s);
 - b. Written complaints filed by employee(s) which have not been signed or which do not describe actual workplace conditions or give enough details to allow a proper evaluation of the hazard;
 - c. Written and oral complaints filed by persons or groups other than the current employees or their representatives (i.e., former employees, competitors, etc.);
 - d. Complaints alleging violations of regulatory requirements (such as record keeping or postings), which do not directly threaten physical harm.
 - e. Complaints alleging violations of the railroad sanitation regulations.

An "investigation" differs from an "inspection" in that an on-site inspection of the workplace will not be done initially. In an investigation, IOSH notifies the employer of the alleged hazards by telephone and fax, or by letter or e-mail if necessary. The employer is required to provide a written response. If the complainant requests such, IOSH will provide copies of the employer's response(s) to the complaint.

G. Procedures for Receiving an Information Request/Complaint by Telephone:

1. The Duty Officer/IOSH staff will provide telephone compliance assistance for employees, employers, consultants and other stakeholders who contact the division. The Duty Officer/IOSH staff will handle each call appropriately. If the caller needs safety and health information, their questions will be answered and written materials or electronic resources will be provided, or the caller will be directed to another staff person for assistance.
2. If the caller is reporting a fatality/catastrophe, the Duty Officer/IOSH staff will direct the caller to the Inspections and Reporting Bureau (statistical department). Other accidents may be handled as a referral (see IMIS instructions for the 170 form and the FIRM, Chapter I, C10). The Duty Officer/IOSH staff will also determine if the caller wishes to file a complaint about the accident. If a complaint is the desired outcome, the Duty Officer/IOSH staff will proceed with the complaint process.
3. During the course of a telephone contact with a complainant, the following general guidance shall be followed. Detailed optional guidance is found in Appendix B. The person taking the complaint must, to the extent feasible:
 - a. Determine if the complainant is a current employee or an employee representative;
 - b. Explain the complaint process, and if appropriate, the concepts of "investigation" and "inspection", as well as the relative advantages of each. If the caller is reporting a valid serious or other hazardous condition and is willing to let the employer respond by fax or letter, the Duty Officer/IOSH staff will summarize the complaint items on an OSHA-7 complaint form.

NOTE: Every complainant who is a current employee or representative of a current employee has a right to request an onsite inspection. However, if the complainant is willing, and the circumstances of the complaint are suitable, a phone/fax investigation may be done instead of an on-site inspection.

- c. Determine the exact nature of the alleged hazard and the basis of the complainant's knowledge;
- d. Determine if complaint items are apparent violations of IOSH standards or the IOSH Act. If the caller is reporting a hazard not covered by the IOSH standards, or the General Duty clause, or if a condition is under another agency's jurisdiction, the Duty Officer/IOSH staff will explain to the caller that it is not in IOSH's jurisdiction and, if appropriate, direct the caller to the responsible person in another governmental agency for assistance;
- e. Inform the complainant(s) of their rights to confidentiality in accordance

with Section 88.6(5) of the Act, and ask whether they wish to exercise that right;

- f. Explain 88.9 (discrimination) rights to employees (see Appendix A).
4. If a complaint is received by mail, Fax or internet, the Duty Officer/IOSH staff will handle each complaint appropriately, according to the guidelines below.
- a. If the complainant/writer is reporting a hazard not covered by an IOSH standard or the General Duty clause or if a condition is under another agency's jurisdiction, the Duty Officer/IOSH staff will handle it as in G.3, by phone, fax or mail to explain why IOSH will not conduct an investigation and will suggest other Government resources as appropriate.
 - b. If the caller is reporting a valid serious or other hazardous condition and is willing to let the employer respond by fax or letter, the Duty Officer/IOSH staff will summarize the valid complaint items on an OSHA-7 complaint form.

NOTE: Every complainant who is a current employee or representative of a current employee has a right to request an onsite inspection. However, if the complainant is willing, and the circumstances of the complaint are suitable, a phone/fax investigation may be done instead of an on-site inspection.

- c. If the writer is reporting a valid serious or other hazardous condition, the Duty Officer/IOSH staff will screen the complaint and will call the complainant for more information when necessary and if a phone number is available.
 - i. If the letter is not signed by a current employee or representative of an employee or if employment status can't be determined or if the complaint alleges violations of the railroad sanitation regulations, the Duty Officer/IOSH staff will process the complaint, enter it into IMIS (OSHA-7) and fax the complaint to the employer.
 - ii. If the letter is signed by a current employee or representative of an employee, IOSH staff will attempt to call the complainant to offer an opportunity for a phone and fax, or process as a complaint inspection.

H. Procedures for an Inspection

- 1. The Duty Officer/IOSH Executive Officer/IOSH Administrator shall evaluate

each complaint, and other available information, and exercise professional judgment to decide whether or not there are reasonable grounds to believe that a violation or hazard exists. If there are not reasonable grounds to believe that a violation or hazard exists, an inspection shall not be conducted. If there is evidence that the condition complained of is being abated, this may also be a reason not to inspect.

2. If the employee or employee representative requests an on-site inspection, but has not submitted a signed complaint or one which meets any of the other inspection criteria, he/she shall be advised that IOSH will mail a complaint form for completion and signature; a complaint form is available on both Iowa Workforce Development's web site or Federal OSHA's web site; or that a letter/fax may be sent to the IOSH office.
3. When a written complaint, signed by a current employee or employee representative is received, and there are reasonable grounds to believe that a violation or hazard exists, an inspection shall be conducted. The complainant may be contacted for clarification of issues raised in the complaint, as necessary. Where a written, signed complaint has been submitted, but, in the professional judgment of the Duty Officer/IOSH Executive Officer/IOSH Administrator, there are no reasonable grounds to believe that a violation or hazard exists, no inspection or investigation shall be made. In such situations, the complainant shall be notified in writing of IOSH's intent to not conduct an investigation or inspection and the reasoning behind such a determination.
4. After an inspection, the complainant will be sent a letter along with a copy of any citation or an explanation indicating that the findings did not result in a violation.

I. Procedures for an Investigation

1. If the complaint requires an investigation, IOSH shall contact the employer by telephone and notify them of the complaint and its allegation(s). The employer shall be advised that they must investigate and determine whether the complaint is valid. The employer shall be advised that a response is due within five (5) working days and that IOSH requests the posting/sharing of information with employees, employee representative(s) and/or the safety committee. Although the employer must respond within the above time frame, they may not be able to complete abatement action, but are encouraged to do so. See the memo to employers at Appendix C, for what is required in their response.
2. IOSH shall ask for the name of the contact person at the employer's worksite and may also request the name, address and telephone number of the union and/or employee representative, if any. The company fax number is also requested. The employer is advised of what information is needed to answer the complaint. The employer is encouraged to respond by fax. In addition, documentation, such as invoices, sampling results, photos, video tape, etc., shall be required and provided

by the employer as evidence of abatement, to ensure that the complaint hazard(s) has been eliminated.

3. As soon as possible thereafter, the notification letter shall be faxed (or mailed, where no fax is available) to the employer.
4. If a signed complaint is received after the complaint investigation process has begun, IOSH shall make a determination as to whether the alleged hazard is still likely to exist based on the employer's response and by contacting the complainant. The complainant shall be informed that the complaint investigation has begun and he/she still retains the right to request an on-site inspection if he/she disputes the results and believes the hazard still exists.
5. An adequate response to a complaint letter is one in which the employer provides sufficient documentation to show the abatement of the alleged hazard and/or the lack of a hazard. If adequate, the Duty Officer/IOSH staff will make a notation on the response, and close the complaint on the OSHA-7. A copy of the response will be made available to the complainant upon request. When the Duty Officer/IOSH Staff receives an adequate response from the employer, and the complainant does not dispute or object to the response, an on-site inspection normally will not be conducted.
6. If no employer or an inadequate employer response is received after the allotted five (5) working days, an additional contact with the employer may be made before an inspection is scheduled. Ultimately, if the employer provides no response or an inadequate response, or IOSH determines from other information that the condition is not being corrected, an inspection will be scheduled.
7. An incomplete response to a complaint letter is one in which the employer provides only a partial response to the complaint items. If the complaint items have only been partially corrected and/or the employer needs additional time to complete the corrections, a new date by which the corrections are to be completed will be established and entered on the OSHA-7 ("Date Response Due"). Generally, the date shall be no more than 15 days from the initial contact date with the employer and the file will be held for further tracking. A copy of the response is available to the complainant upon request.
8. An inadequate response to a complaint letter is one in which the employer fails to provide sufficient documentation to show the abatement of the alleged hazard and/or the lack of any hazard. If the employer's response does not appear to be adequate, the Duty Officer/IOSH staff may call the employer or the complainant and resolve as an incomplete response. If the employer cannot be reached or the inadequacy cannot otherwise be resolved, the complaint will be processed for an inspection. IOSH staff will make a notation of the inadequacy on the OSHA-7, change the inspection planned to AY@ and send to the IOSH Executive Officer/IOSH Administrator for resolution. The IOSH Executive Officer/IOSH

Administrator may either assign it for an inspection or coordinate with the Bureau Chief of consultation for other intervention.

9. At the end of the allowed response time, if no response has been received, an attempt will be made to contact the employer by phone or other contact method or referred to the IOSH Executive Officer/IOSH Administrator for inspection.
 10. The complaint shall not be closed until IOSH is certain that the hazard has been eliminated/abated.
- J. **Identity of Complainant.** The identity of the complainant shall be withheld from the employer, upon the request of the complainant, in accordance with Section 88.6(5) of the Act. No information shall be given to employers which would allow them to identify the complainant.
- K. **Sample correspondence for complaint procedures.** Appendix C contains a sample of a notification memo to the employer.
- L. **Recording in IMIS.** Information about complaint inspections or investigations shall be recorded in IMIS following current instructions given in the IMIS manual. Refer to Appendix D of this instruction for additional guidance.
- M. **Referral.**
1. When a referral is received from an IOSH CSHO, Boiler/Elevator inspector, etc., IOSH staff will contact that individual to find out if an on-site inspection is needed or if they feel the referral can be handled by phone/fax, and proceed as necessary.
 2. Referrals may be handled like a complaint investigation as specified under Section I, Procedures for an Investigation.
 3. IOSH Staff will complete an OSHA – 90, Referral Report in the IMIS application.

APPENDIX A

Discrimination: The Duty Officer/IOSH Staff should explain the following to the complainant;

it does not need to be read verbatim, just explain the complainant's rights.

Explain to

Complainant:

As an employee, you have the right under IOSH to file a safety and health complaint with your employer, IOSH or any agency* that handles safety and health. If you have taken part in an inspection or been a witness, you are protected from retaliation. If you feel that you are being treated differently than other employees and want to file a discrimination complaint with IOSH, you must contact this office within 30 days from the time you feel the retaliation took place. Ask for the discrimination investigator or leave a message. The date and time will be used as your first contact.

**Explain to the
Representative
of an Employer:**

If you or any employee feel they are being discriminated against because of your complaint to IOSH and want to file a Discrimination Complaint with IOSH, you must contact this office within 30 days from the occurrence. Ask for the discrimination investigator or leave a message. The date and time will be used as your first contact.

**Explain to
Employer:**

Under the IOSH Act, employees are protected from retaliation for having filed a safety and health complaint with the employer, IOSH, or any agency that handles employee safety and health, or has in some manner been involved in an inspection (given information to an inspector, been a witness, etc.) If the employee feels he/she is being discriminated against, he/she has the right to file a discrimination complaint with the IOSH office.

* Example: DNR, DOT, Public Health Department

NOTE: If asked, employees are protected under Iowa Code 88.9(3). If asked for a copy of Iowa Code 88.9(3), a copy can be sent to them. Or it may be found at www.iowaworkforce.org by clicking on the link to the Iowa Code.

APPENDIX B

OPTIONAL INFORMATION TO BE OBTAINED

Obtain information from the caller by asking the following questions, where relevant:

For all complaints:

What is the hazard? _____

How are workers exposed to this hazard? Describe the unsafe or unhealthful conditions; identify the location. _____

What work is done in the unsafe/unhealthful area? Identify, as well as possible, the type and condition of equipment in use, the materials (i.e. chemicals) being used, the process/operation involved, and the kinds of work being done near the hazardous area. Have there been any recent chemical spills, releases, or accidents?

With what frequency are workers doing the task which leads to the exposure? Continuously? Every day? Every week? Rarely? For how long at one time? How long has the condition existed as far as can be determined? Has it been brought to the employer's attention? Have any attempts been made to correct the condition, and if so, who took these actions? What were the results? _____

How many shifts are there? What time do they start? On which shift does the hazardous condition exist? _____

What personal protective equipment/ppe (i.e., hearing protection or respirators) is required by the company relevant to the alleged exposure? Is it used by employees? Include all PPE and

describe it as specifically as possible. Include the manufacturer's name and any identifying information such as model numbers _____

How many people work in the establishment? How many are exposed to the hazardous conditions? How near do they get to the hazard? _____

Is there an employee representative (union) in the establishment? Include the name, address, telephone number and e-mail address of the union and/or the employee representative(s). _____

For health hazards:

Has the employer administered any tests to determine employee exposure levels to the hazardous conditions or substance? Describe these tests. What were the results? Can the employees get the results (as required by the standards)? _____

What engineering controls are in place in the area(s) in which the exposed employees work? For instance, are there any fans or acoustical insulation in the area which may reduce exposure to the hazard? _____

What administrative or work practice controls has the employer put into effect? For example, is employee rotation used to limit exposure? _____

Do any employees have any symptoms which may have been caused by exposure to hazardous substances? Have any employees ever been treated by a physician for work-related diseases or conditions? What were they? _____

Are respirators worn to protect against health hazards, and if so, what kinds? What exposures are they protecting against? _____

If the complaint is related to noise, what, if any, hearing protection is provided to and worn by the employees? _____

For safety hazards:

Under what adverse or hazardous conditions are employees required to work? This should include conditions contributing to stress and "other" probability factors. For example, are there specific safety instructions, effective training programs, warning signs and labels or special procedures, widespread hazardous conditions or faulty equipment? _____

Have any employees been injured as a result of this hazardous condition? Have there been any "near miss" incidents? _____

**APPENDIX C
SAMPLE MEMO**

DATE:

Response due_____

TO:

Co. Name:

FROM: Richard Anderson, Senior Industrial Hygienist

RE: Complaint #

Our office has received a complaint concerning possible safety and/or health hazard(s) at your worksite. I have notified you of this alleged hazard(s) by phone. **The specific nature of the hazard(s) is attached.**

We have not determined whether the hazard(s), as alleged, exist(s) at your workplace; and we are not conducting an inspection at this time. However, since allegations of violations have been made, you should investigate the alleged condition(s) and make any necessary corrections or modifications. Within **5 working days** of the receipt of this letter, please advise me in writing of your findings and of the action you have taken. Your response should be detailed, stating specifically what action you have taken to correct the hazard(s). You should enclose any supporting documentation on the action you have taken, such as monitoring results, new equipment, invoices, etc., as well as photograph(s) of the corrected condition(s).

Section 88.9 of the Iowa Occupational Safety and Health Act provides that “No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint...or because of any right afforded by this Act.”

This letter is not a citation or a notification of proposed penalty which, according to the IOSH Act, may be issued only after an inspection or investigation of the workplace. If we do not receive a response from you within **5 working days** indicating that appropriate action has been taken or that no hazard(s) exist(s) and why, an inspection may be conducted.

Action taken by you in this matter will not automatically remove your workplace from the possibility of an unannounced inspection by duly authorized representatives of IOSH in accordance with routine scheduling procedures currently in effect.

You are requested to post a copy of this letter and your response to it where it will be readily accessible for review by all of your employees. If you have any questions concerning this matter, please contact me at **515-281-5570**. Your personal support and interest in the safety and health of your employees is appreciated.

**Send all replies to: IOSH Complaints, Iowa Division of Labor
1000 E. Grand, Des Moines, IA 50319**

APPENDIX D

INSTRUCTIONS FOR OSHA-7 COMPLAINT FORM

NOTE: DO NOT USE THE MOUSE! Please make sure you read the prompts at the bottom of each screen. This also tells you if you need to use a pop-up screen.

1. Complaint No.: Put in previous complaint number if you have one. If not, press enter for

a new number. (If you delete an OSHA-7 form, do not use the deleted number on the new OSHA-7, as it will cause two different companies to have the same complaint number. Use "Enter" for a new number).

- 2a. Employer Name: Enter establishment name on the establishment search screen; then enter "**F3**" to begin search. If you find a match, "**F3**" to accept the match. "Enter" goes to "Establishment Detail" screen, and EscEsc, will take you back to the "Notice of Alleged Safety or Health Hazards" screen.

For an establishment with no match, enter "**F5**" and put all information you have in "Establishment Detail" screen. EscEsc takes you back to the "Notice of Alleged Safety or Health Hazards" screen.

WRITE DOWN COMPLAINT NUMBER NOW!

5. Management Official: Enter management person's name with whom you spoke.
7. Type Of Business: Enter activity performed by employer. (Example: Plastic stamping of car parts, metal stamping..... electrical contractor, cement work, etc.)
8. Hazard description: "**Y**" opens the word processing screen.

Type Date.

Use "Enter" to move cursor down a space and type Safety or Health. Use Enter and type 1.

Then use "**F4**" to indent and type complaint item.

When all items are typed, use "**CTRL & F2**" (spell check and follow prompts given).

Use "**F7**" to save the document; use "**Y**" and "**Enter**"; and "**Y**" to exit WP and go back to the Notice of Alleged Safety or Health Hazard Screen. The items will pull into the OSHA-7 document when you print it.

9. Hazard Location: "**Y**" to pop up screen.

When all items are typed, use "**CTRL & F2**" (spell check follow prompts given).

Use "**F7**" to save the document; use "**Y**" and **Enter**; and "**Y**" to exit WP and go back to the Notice of Alleged Safety or Health Hazard Screen. The items will pull into the OSHA-7 document when you print it.

10. Brought to the attention of: Put an "**X**" beside any that apply.

11. Should name be revealed: IMPORTANT - indicate with "**Y**" or "**N**" whether

complainant name is to be revealed.

12. Undersigned: Status of complainant - **"F2"** for choice list. This field is mandatory, so it is **IMPORTANT** to complete.

13a.-15c. Enter all complainant information or type anonymous if not given.

18a. Org. Name: Union, etc.

18b. Title: Employee representative, etc.

19. Reporting Id: Pre-filled (Number for Iowa. should appear).

20. **SKIP** - creates a problem if filled in.

21. **SKIP**

24. Employer ID: Iowa's Case File number (if company has one, and information was entered in #2, will fill automatically). **Check the index file cards.**

29. Date Received: Date complaint was received and/or phone call, fax or 3-mail received.

31a - 31b. **SKIP**

32. Primary SIC: F2 for choice list (mandatory data) or use your SIC Code Book.

32A. Primary NAICS: F2 for choice list.

33a. **SKIP**

33b. Safety

33c. Health: **"X"** appropriate fields (both could have fields marked).

36. Valid: **"Y"** (follow prompts at bottom).

37. Formal/Non Formal: Enter **"F"** or **"N"**, whichever is appropriate.

38. **SKIP**

39. Send Letter: In most cases a letter will be sent. **"Y"** will bring up "Send Letter Screen":

Type: Enter **"F2"** for letter choices.

Date Sent: Enter date you sent fax or letter via mail.

Days to Resp: Usually will be **"5"** days for Employer Letter. If the complaint is processed on a Friday, use 5 days, but change the Date Resp Due so that it will not fall on a Saturday.

Date Resp Due: Automatically fills after you have entered number of days.
Process: **SKIP**
Esc Esc

40. Received Letter:
Type: Enter "F2" for letter choices.
Date Received: Enter date letter/correspondence received.
Evaluation: Enter "F2" for choices.
Abate Date: Enter date abatement information is due.
Esc Esc
- 42a. Insp Planned: Enter "Y" when signed OSHA-7, letter or fax is received. When it asks if you want to Generate Assignment Record, enter "N".
- 42b. **SKIP**
- 44- 45a., b., c. Transfer Date, Transfer To, Transfer Code, Other Action Taken: If any of this is needed, follow prompts.
46. Optional Info: (Phone & Fax Complaints Only) "F2" for list(s). Type N, ID 10, Value Phone. (*Do not add anything else to this, it will kick it out as an error on weekly report*)
48. Close Complaint: Put an "X" only when all abatement is satisfied. (When completely done with complaint, be sure to do this or it will stay on the weekly Tracking Report until someone closes it.) Print out a new copy of the OSHA-7 to put with file showing it is closed.
49. Employer Response: Follow prompts.
50. National Emphasis Program: Use if applicable.
51. Local Emphasis Program: Use if applicable.
52. Strategic Plan Activity: Enter "Y" then "F2" for choice list. . Mark "**Phone & Fax Complaints**" for **all complaints**, not just phone/fax complaints.

NOTE: Be sure to print a copy of the OSHA-7 for the file. Be sure to "F3" out of the OSHA-7 (this saves it to the Federal database and will prompt you if you forgot anything that is mandatory. If it asks for a Dunn #, hit "N".)

INSTRUCTIONS FOR SEPARATING SAFETY ITEMS FROM HEALTH ITEMS

Follow the instructions above until you get to the point you want to print. INSTEAD:

Arrow up to a blank space above the “HEALTH” or “SAFETY” items;

Hit **“SHIFT & CTRL & F4”** and be sure that **“BLOCK”** comes on at the bottom of the screen. Arrow down to block item(s). With block still on do: **“F10”** to save block. Be sure that **“Block Name:”** comes on at the bottom of the screen and **give it a name to retrieve later** and Enter. Move the cursor back up above the same items **and block again**. **“DELETE”** and the prompt at the bottom will say, **“DELETE BLOCK:”** do **“Y”** (yes). **Print remainder per print instructions above.**

After you have printed, on Block item(s) that you printed, **“Delete”** and the prompt at the bottom will ask if you want to **“Delete Block”**, hit **“Y”** (yes).

Put the cursor where you want to **retrieve** blocked item(s) and **“Shift & F10”** to retrieve the block. **The prompt at the bottom of the screen will ask “Document to be retrieved:”** (type in the name you gave the block), hit enter, and **PRINT** per instructions above.

“F7” “SAVE: N” “EXIT WP: Y”

Exit per instructions above.

INSTRUCTIONS FOR PROCESSING SIGNED OSHA-7

To get to the OSHA-7 complaint form from the CSHO Main Menu screen, enter 1 for UNIX. **(This will only work if you have already saved and printed the OSHA-7).**

Enter **cd(sp)/usr/Wp/Form_Print** and then Enter. (NOTE: There is a space between **cd** and **/**.)

Type **wp(sp)A** (and complaint #) and Enter. (Note: There is a space between **wp** and **A**). This should bring up your complaint.

Arrow down to **“Location:”** Enter delete until information comes on same line as **“Location:”**. If **“Location”** is not needed, delete it. Continue to arrow down to the double line page break and

delete. Enter until you reach Ln 9.11 (**shown on right lower screen**).

NOTE: If complainant name is to be revealed, enter until you reach Ln 7.4.

To Print: Shift & F7, S (to select printer), enter and then 1. This immediately prints the complaint.

“F7” “SAVE: N”, “EXIT WP: Y”.

On the next screen type (**exit**) to get out of UNIX.

Fill out OSHA Complaint Coversheet and print 3 copies.

Make 4 photo copies of page 1 of the OSHA-7. (**Original OSHA-7 goes in case file.**)

Attach 3 copies of OSHA-7 to 1 coversheet for inspector

Attach 1 copy of OSHA-7 to coversheet for Jens

1 coversheet for Mary (**copy of OSHA-7 not necessary for Mary**)

Clip all together and put in Jens’ complaint basket for assignment