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MSHA reorganizes to centralize oversight of assessments, accountability programs

ARLINGTON, Va. – The U.S. Department of Labor’s Mine Safety and Health Administration today announced a reorganization designed to centralize its oversight of certain cross-cutting, compliance-related actions. MSHA’s Office of Assessments, Accountability, Special Enforcement and Investigations will incorporate the management, support and coordination of both routine and special assessments, as well as agency headquarters accountability functions and special enforcement strategies. This list includes the citing of flagrant violations, investigations of retaliation claims and possible criminal violations, impact inspections, the pattern of violations program and the use of injunctive authority.

Under this reorganization, MSHA will incorporate current headquarters accountability functions as carried out by the Office of Accountability within the OAASEI. The Office of Accountability originally was created in response to internal reviews of the Sago, Aracoma and Darby mine disasters that were critical of MSHA’s pre-accident enforcement activities and questioned whether policies intended to prevent serious mine disasters were being properly and effectively implemented. By establishing headquarters accountability functions within the OAASEI, MSHA will enhance the management, administrative and analytical support for this program while retaining its independence from the mine inspection program areas.

To support the goals of the reorganization, MSHA also will create a new deputy director position for Investigations, Special Enforcement and Accountability. This section includes the existing Technical Compliance and Investigations Office. It will provide centralized oversight of special investigations and special enforcement activities such as the POV and impact inspection programs; manage the evaluation and development of strategies to improve the use of other enforcement tools, such as flagrant violations and special assessments; and work closely with the OAASEI director in conducting quantitative analyses to monitor mine operators’ performance, and continuing to develop and refine special enforcement strategies that improve the health and safety of miners who are most at risk.

In addition, MSHA is establishing a special enforcement and analysis branch within the OAASEI to provide the analytical and programmatic support to administer and refine special enforcement programs such as POV and impact inspections. The branch also will provide analytical support for the office’s accountability and assessment functions.

“MSHA conducts regular mandated inspections and enforcement actions to support compliance in U.S. mines,” said Joseph A. Main, assistant secretary of labor for mine safety and health. “However, some mines require targeted, enhanced enforcement methods. The formation of OAASEI will enable MSHA to better manage and coordinate its use of special enforcement tools against the most serious violators of the Mine Act.

“Furthermore, the new organization will strengthen accountability and demonstrate that MSHA is committed to ensuring that miners know their rights under the Mine Act and is protecting those who exercise their rights from retaliation or discrimination,” he added.

The recently enacted fiscal 2012 appropriations bill realigned funding in support of this reorganization. The reorganization includes moving personnel from other MSHA budget activities, as well as adding specially trained investigators for potential criminal and whistleblower issues.

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