

News Release



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U.S. acting assistant secretary of labor unveils initiative to assess every citation *Prompt action to be taken to improve MSHA's assessments process*

ARLINGTON, Va. – Richard E. Stickler, acting assistant secretary of labor for mine safety and health, today announced a comprehensive plan to ensure that fines are assessed for all safety and health violations issued by MSHA's coal and metal/nonmetal enforcement personnel. MSHA recently discovered that while 99.6 percent of all citations since 1995 have been properly assessed, less than one half of one percent have gone unassessed over this period of time.

“This is an institutional problem that dates back to at least 1995 and probably earlier,” Stickler said today. “The good news is that we have identified the root causes, and I am implementing a plan to ensure that MSHA improves the process going forward. Our agency will work to assess every single citation issued by our enforcement personnel.”

Experts within MSHA have identified two issues that led to the small percentage of unassessed citations. First, MSHA engineers identified technical issues with the MSHA Standardized Information System (MSIS) computer system. Second, MSHA enforcement staff identified management oversight problems that required attention.

Acting Assistant Secretary Stickler has initiated a two-part corrective action plan that will address both issues. The MSIS technical problems have been identified and are being corrected immediately. On the management front, new procedures have been implemented, and district managers in the agency have spoken to their respective offices to explain these procedures. They are in the process of creating new and improved management reports that will provide real time access to assessment data that will allow sufficient oversight, thereby alerting management to any issues.

“Citing mine operators for safety and health violations is one of the most important tools we have to encourage a culture of safety,” concluded Sticker, “and this improvement in the assessments process will further our mission.”

Included below is a chart that provides detailed information on unassessed citations since 1995.

Citations and Orders Issued between 01/01/1995 and 07/17/2006 Requiring Civil Penalty Assessments													
Category	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006 (Partial)	Counts 1995-2006
All Violations Requiring Assessments	120,509	104,483	114,487	114,053	113,776	118,193	124,312	104,165	108,240	118,606	126,143	76,114	1,343,081
Assessed Violations	120,446	104,338	114,076	113,941	113,671	117,687	123,839	103,695	107,433	117,561	125,458	75,843	1,337,988
Unassessed Violations	63	145	411	112	105	506	473	470	807	1,045	685	271	5,093
% of Violations Assessed	99.9	99.9	99.6	99.9	99.9	99.6	99.6	99.5	99.3	99.1	99.5	99.6	99.6

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