

Letter Report

Public Sector Safety Program

March 2011



Legislative Audit Bureau

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Janice Mueller
State Auditor

March 31, 2011

Senator Robert Cowles and
Representative Samantha Kerkman, Co-chairpersons
Joint Legislative Audit Committee
State Capitol
Madison, Wisconsin 53702

Dear Senator Cowles and Representative Kerkman:

In response to a 2010 request by the co-chairpersons of the Joint Legislative Audit Committee, we have completed a limited-scope review of the Public Sector Safety Program, which, under authority granted by s. 101.055, Wis. Stats., establishes and enforces occupational safety and health standards for state and local government employees in Wisconsin. The standards are to provide protections at least equal to those granted to private sector employees under the federal law that created the Occupational Safety and Health Administration (OSHA). During the three-year period we reviewed, the program was operated by the Department of Commerce. The Legislature is currently considering a proposal to reassign program responsibilities to the Department of Safety and Professional Services as part of the 2011-13 biennial budget bill.

In fiscal year (FY) 2009-10, the program was allocated 3.2 full-time equivalent inspection staff positions and spent a total of \$436,200 to investigate workplace safety and health complaints, provide consultations related to workplace safety and health, and perform periodic inspections of public employees' workplaces. From FY 2007-08 through FY 2009-10, program staff investigated 30 of 44 complaints received and issued orders to correct concerns ranging from asbestos exposure and noncompliance with fire department safety and health standards to hazardous chemical exposure. Complaint investigations were generally timely, and program staff verified compliance with their correction orders.

Only limited data were available for assessing the frequency of workplace safety inspections or consultations that were not associated with complaints. Available data indicate that during the three-year period we reviewed, program staff conducted inspections or other visits to 102 public employers' workplaces, but the reason for each inspection or visit, its outcome, and the nature of any follow-up activity were not readily available. Based on our review, we believe program efficiency could be improved by using the existing information systems more effectively to record complete information on complaint status, timing, follow-up actions, and inspections.

We appreciate the courtesy and cooperation extended to us by the Department of Commerce during the course of our review.

Sincerely,

Janice Mueller
State Auditor

JM/KW/bm

Public Sector Safety Program

The Public Sector Safety Program establishes and enforces occupational safety and health standards for state and local government employees that provide protection at least equal to that provided to private sector employees under the Occupational Safety and Health Act of 1970 (OSH Act), which created the Occupational Safety and Health Administration (OSHA). During the three-year period we reviewed, the program was one of 28 programs operated by the Division of Safety and Buildings in the Department of Commerce, and it exercised the Department's statutory authority by responding to employee complaints to inspect workplaces to determine compliance with the safety and health standards. Currently, the Legislature is considering a proposal to reassign program responsibilities to a proposed Department of Safety and Professional Services as part of its deliberations on the 2011-13 biennial budget proposal. Appendix 1 shows all 28 programs operated by the Division of Safety and Buildings as of January 2011.

State and local government employees are not under OSHA's jurisdiction in Wisconsin or in 24 other states that do not operate OSHA-approved and monitored job safety and health programs. However, the intention of s. 101.055, Wis. Stats., is to give state and local government employees rights and protections at least equal to those granted to private sector employees through the OSH Act.

State agencies and local governments operate several programs that help to protect the safety and health of state and local government employees in Wisconsin. For example, s. Comm 32.11, Wis. Adm. Code, requires all public sector employers to develop and implement a safety and health program that describes their practices for managing workplace safety and health. In addition, some large employers, such as the University of Wisconsin System, the Department of Transportation, and the Department of Corrections, have full-time occupational safety and health staff to help address safety and health needs, and the Department of Administration's Safety and Loss Control Program staff coordinate workplace safety campaigns; develop health and safety training programs; and provide resources to enable state agencies to comply with health and safety regulations.

In response to a 2010 request by the co-chairpersons of the Joint Legislative Audit Committee, we conducted a limited-scope review of the Public Sector Safety Program. We reviewed staffing and expenditures; analyzed the number of inspections conducted and other services provided annually; and determined the volume and disposition of formal complaints received by the program. We also reviewed statutes, administrative code, and policies and procedures related to the program.

Program Scope

Section 101.055, Wis. Stats., establishes the scope of the Public Sector Safety Program to include employees of the State and its agencies, and any political subdivision of the State. Wisconsin has an estimated 383,000 full- and part-time public sector employees and at least 2,391 public sector employers, including counties, municipalities, school districts, the institutions of the University

of Wisconsin (UW) System, and the Wisconsin Technical College System districts. Public employees of public utility districts, fire departments, and other local units of government are also protected under the program's standards.

Chapter Comm 32, Wis. Adm. Code, includes safety and health standards established and enforced by the Public Sector Safety Program, and requires that the most restrictive requirement for the protection of employee safety and health be applied when conflicts emerge between code and statute. The chapter adopts, for example, OSHA's standards for general industry, construction work, and agriculture, and establishes rules in addition to OSHA's standards, for example, for excavations, woodworking, and material handling. The standards primarily focus on health and safety issues arising from operations, rather than building code violations. For example, they:

- limit the amount of hazardous chemicals to which workers may be exposed;
- require the use of certain safe practices and equipment;
- require employers to monitor hazards and keep records of workplace injuries and illnesses;
- protect employees from falls, cave-ins, unsafe entry into confined spaces, injury from machines, and harmful workplace noise levels; and
- require employers to provide training for certain dangerous jobs.

Public Sector Safety Program staff monitor OSHA standards for changes and update administrative code as necessary to ensure parity with them. The most recent updates to administrative code were enacted by the Department of Commerce in 2004. They incorporated new OSHA standards related to areas such as illness and injury reporting; signs, signaling and barricades; and emergency action plans. The Department indicates it is currently considering a review of OSHA standards and an update of administrative code as necessary.

Revenues and Expenditures

Statutes direct the Department of Commerce to establish fees for many of the 28 regulatory programs operated by its Division of Safety and Buildings. However, statutes neither direct that a fee be established for the Public Sector Safety Program nor contain a separate appropriation for the program, which has been funded through s. 20.143(3)(j), Wis. Stats.,—safety and building operations—and specifically uses fees collected from contractors, designers, or building owners for commercial building plan reviews to support the program activities.

As shown in Table 1, program expenditures remained relatively stable during the period we reviewed, and approximately three-fourths of those expenditures were for staff salaries and fringe benefits.

Table 1

Public Sector Safety Program Expenditures¹

	FY 2007-08		FY 2008-09		FY 2009-10	
	Total	Percentage of Total	Total	Percentage of Total	Total	Percentage of Total
Salaries and Fringe Benefits	\$325,400	72.8%	\$333,500	75.5%	\$327,300	75.0%
Supplies (Travel, Phone, Information Technology)	121,700	27.2	108,000	24.5	108,900	25.0
Total	\$447,100	100.0%	\$441,500	100.0%	\$436,200	100.0%

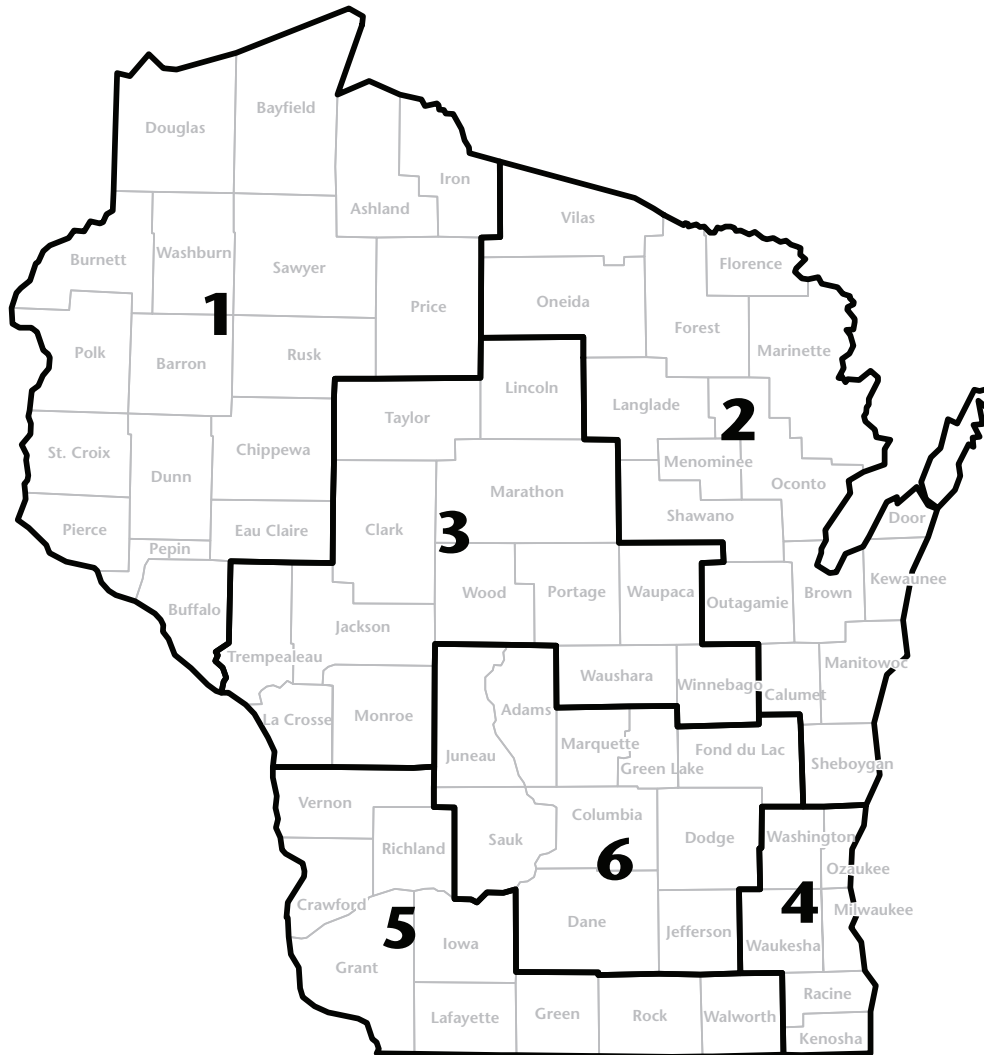
¹ The Department of Commerce allocates costs to its programs based on staff time. Revenues are generated from fees collected for commercial building plan reviews.

Staffing

In fiscal year (FY) 2009-10, the Department of Commerce allocated 3.2 full-time equivalent (FTE) inspection staff to the program. Those positions were filled by seven individuals, including one industrial hygienist (0.8 FTE position for the program) and six occupational safety inspectors (each at 0.4 FTE position for the program). Oversight was provided by a section chief. Each of the six occupational safety inspectors was assigned to, and resided within, one of the six occupational safety districts shown in Figure 1. The industrial hygienist addresses program issues in all districts. A second industrial hygienist position has been vacant since December 2008 and is, therefore, proposed to be eliminated in the Governor's 2011-13 biennial budget proposal because the vacancy has exceeded 12 months.

Figure 1

Occupational Safety Inspector Districts



All staff assigned to the Public Sector Safety Program also work in other program areas. For example:

- The section chief also oversees field staff for 4 of the 27 other programs in the Division of Safety and Buildings: Amusement Rides and Attractions/Ski Lifts and Tows, Fire Department Safety and Health, Explosive Materials, and Mine Safety.

- The industrial hygienist typically addresses complaints involving hazardous chemicals and heavy metal or material exposure and may also determine compliance with occupational health standards, such as acceptable workplace noise levels, asbestos exposure, or air quality in confined spaces.
- The six occupational safety inspectors typically address complaints involving physical or mechanical workplace hazards, such as compliance with standards for fall protection, excavation safety, and the placement of safety guards on machines.

The occupational safety inspectors also inspect the mechanical, structural, design, and electrical integrity of amusement rides and attractions and passenger ropeways, such as ski lifts and tows. All seven inspection staff also conduct certain worker's compensation investigations involving private and public sector employers, under contracts with the Department of Workforce Development. In FY 2009-10, revenues from these contracts totaled \$155,189.

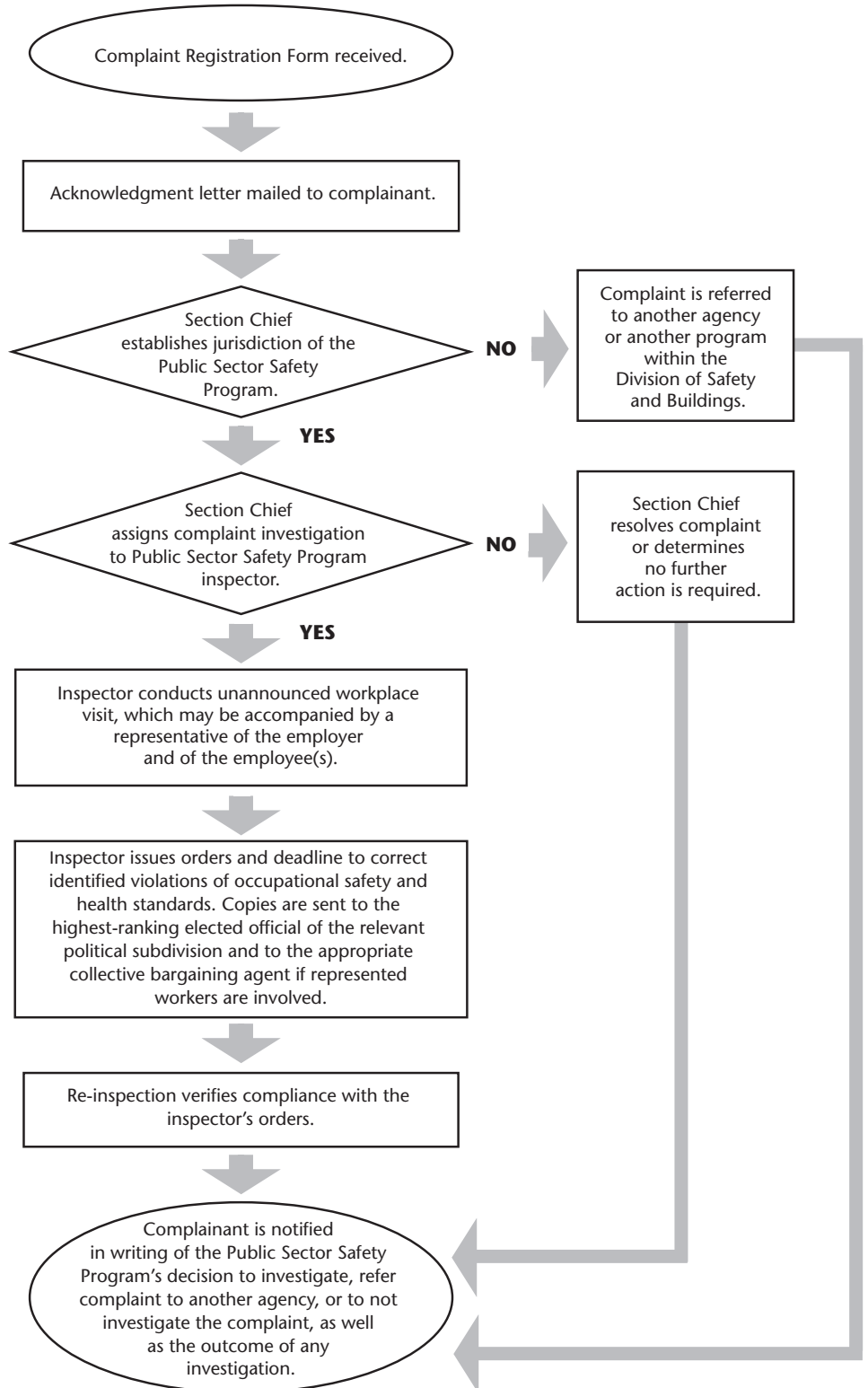
Complaint Investigations

As authorized by s. 101.055(5), Wis. Stats., program staff investigate complaints submitted by public employees or employee representatives concerning occupational safety and health. Currently, the Department of Commerce provides a complaint registration form on its Web site, (www.commerce.state.wi.us/sb), which may be submitted electronically, by mail, or by fax. Commerce officials indicated that if a person conveys a complaint during a telephone conversation, staff are to request the complaint be submitted in writing unless it appears to involve imminent danger, in which case inspectors are to immediately visit the complaint site.

Although statutes, administrative code, and policy documents establish some requirements for the investigation process, they do not set timeliness requirements, such as defining the maximum number of days allowed between receipt of a complaint and initiation of an investigation. However, the OSH Act states that no citation may be issued "after the expiration of six months following the occurrence of any violation," and that if there are reasonable grounds to believe danger exists, an inspection shall be done "as soon as practicable." Figure 2 summarizes the complaint investigation process that was in place in the Department of Commerce during the period we reviewed.

Figure 2

Complaint Processing at Time of Our Review



As shown in Table 2, 44 complaints were submitted during our review period, and municipalities were the most frequently named employer. Complaints addressed a variety of concerns. For example, complaints submitted in FY 2009-10 alleged concerns with:

- indoor air quality at the City of Milwaukee Central Library, including potential exposure to mold, dust, and fungus;
- improper asbestos removal procedures at the UW-Stevens Point Communication Arts Center; and
- lack of access to an eye-washing station in the Beaver Dam Middle School Technology Education Room.

Table 2

Complaints Received by Public Sector Safety Program

Employer Type	FY 2007-08	FY 2008-09	FY 2009-10	Total	Percentage of Total
Municipalities	4	6	3	13	29.5%
University of Wisconsin System Institutions	3	3	3	9	20.5
Public School Districts	3	3	2	8	18.2
Counties	3	2	1	6	13.6
State Agencies ¹	2	1	0	3	6.8
Other ²	3	1	1	5	11.4
Total	18	16	10	44	100.0%

¹ Includes the Milwaukee Secure Detention Facility, the Wisconsin National Guard Armory-Black River Falls, and the Waupun Correctional Institution.

² Includes complaints involving non-public sector employers, such as a YMCA and a landlord.

As shown in Table 3, inspectors investigated 30 of the 44 complaints submitted in the period we reviewed. Ten complaints were referred to another program or agency for a number of reasons, including lack of relevant standards for inspection. For example, the complaint regarding poor air quality at the Milwaukee Central Library was referred to municipal building inspectors because safety standards for exposure to mold and fungus do not exist, but building codes address moisture control and ventilation, which affect mold and fungus. The section chief reported that two of the remaining four complaints were resolved through telephone conversations, and that the third complaint was submitted by a person who was not a public employee or employee representative and therefore no investigation was required under program rules, but an investigation of the complaint had been directed for the next time the inspector was in the vicinity. Documentation provided by program officials shows the program

determined no inspection was warranted in the fourth case, and the complainant has been notified. Appendix 2 includes more detailed information for each of the 44 complaints.

Table 3

Response to Public Sector Safety Complaints
FY 2007-08 through FY 2009-10

	Complaints	Percentage of Total
Investigated	30	68.2%
Referred to Another Program or Agency	10	22.7
Other	4	9.1
Total	44	100.0%

The Department of Commerce has developed a database to monitor regulatory activity, which we attempted to use to evaluate the timeliness of complaint investigations and their outcomes. However, the database had not been used to record basic information, such as whether and when an inspection was conducted, whether orders were issued to ensure compliance with standards, whether required complainant notifications were sent, or whether employers complied with the orders for 7 of the 44 complaints we reviewed. Program inspectors were, however, eventually able to provide other documentation containing this basic information.

As shown in Table 4, inspectors issued or were drafting orders in 19 of the 30 complaints that were investigated, or in 63.3 percent of investigations. Appendix 3 shows the results of each of the 30 investigations conducted during the period we reviewed. At the time of our fieldwork, program inspectors had verified compliance in 14 of the 19 cases in which orders were issued. Orders in three cases required correction of multiple violations and compliance verification was not yet complete, and in the two remaining cases, inspectors were drafting orders after completing on-site investigations.

Table 4

Complaint Investigation Results
 FY 2007-08 through FY 2009-10

	Complaints	Percentage of Total
Orders Issued or Being Drafted	19	63.3%
No Orders Issued	11	36.7
Total	30	100.0%

We note that orders issued as a result of an investigation into two related complaints from the period we reviewed were rescinded and subsequently reissued in revised form. The complaints involved possible employee exposure to asbestos at UW-Stout in 2009. In a letter to the UW-Stout Chancellor dated November 4, 2009, the Department of Commerce indicated that the orders were reissued to improve their clarity and present a more objective tone. The Department's management of the complaint at UW-Stout prompted requests for the review of the Public Sector Safety Program by this office.

As noted, neither statutes, administrative code, nor policy documents specify time lines for complaint inspections in the Public Sector Safety Program, although the OSH Act prohibits the issuance of citations more than six months after any violation occurs. In response to our request, inspectors provided sufficient documentation for us to assess the timeliness with which 93.2 percent of the complaints issued during our review period were processed. As shown in Table 5, complaint investigations were generally timely, although 10 of the 41 complaints for which timeliness documentation was available were either investigated or referred to other programs or agencies more than one month after receipt.

Table 5

Time Between Receipt of Complaint and Investigation or Referral
 FY 2007-08 through FY 2009-10

	Complaints	Percentage of Total
One Week or Less	16	39.0%
Between Eight Days and One Month	15	36.6
One to Three Months	6	14.6
More than Three Months	4 ¹	9.8
Total	41	100.0%

¹ Includes one complaint submitted by a person who was not a public employee or employee representative; an inspector has been directed to investigate when in the vicinity.

As shown in Table 6, program staff made decisions on all but one of the ten complaints that were not acted upon within one month of receipt; investigation of the remaining complaint is pending. However, Commerce officials were unable to explain why more than 18 months had passed before a March 2009 complaint involving the Waupun Correctional Institution was investigated, but noted their presence at Waupun Correctional Institution was initiated with a worker's compensation investigation. During the course of our review, the program's industrial hygienist reported that she found code violations during the investigation and would be writing orders for correction.

Table 6

Complaints Addressed More than One Month after Receipt
FY 2007-08 through FY 2009-10

Allegation	Action Taken		Months Between Receipt and Action
	Investigation	Decision Not to Investigate	
1 Inadequate Trenching Safety Procedures, Highway U, Monroe County		✓	1.5
2 Inadequate Kitchen Ventilation, Rufus King High School	✓		1.6
3 Asbestos Exposure, Hamilton Middle School	✓		1.4
4 Inadequate Floor Cleaning after Toilet Overflow, Milwaukee County	✓		3.6
5 Poor Air Quality, Milwaukee Secure Detention Facility	✓		3.0
6 Poor Air Quality in Welding Shop, Waupun Correctional Institution	✓		18.1
7 Mold and Inadequate Ventilation, City of Cumberland City Hall	✓		1.9
8 Unsafe Conditions Working in Roadways, City of Two Rivers	✓		2.7
9 Asbestos Exposure, UW-Stevens Point	✓		1.1
10 Asbestos Exposure, Richard Kluge Elementary School	-	-	Action pending ¹

¹ Complaint submitted by a person who was not a public employee or employee representative; an inspector has been directed to investigate when in the vicinity.

Work-Related Injury and Illness Reports

Section Comm 32.10, Wis. Adm. Code, requires public sector employers to annually submit a work-related injuries and illnesses summary report to the Department of Commerce. The reports are used by inspectors to prioritize their Public Sector Safety Program work.

Although at least 2,391 public sector employers should submit the annual work-site injury and illness report, Commerce received 1,408 reports for incidents occurring in calendar year 2009. However, employer reporting increased significantly during the period we reviewed: only 713 reports were submitted for 2007, and 736 reports were submitted for 2008. Commerce officials attribute the increase in 2009 reporting to supplementary emails and letters employers were sent as reminders regarding the reporting requirement.

When we reviewed a judgment sample of the reports submitted by more populous counties and cities, and by major public educational institutions, we identified numerous inconsistencies and gaps. For example:

- For 2009, the City of Madison submitted reports from its Engineering Division and from “City of Madison.” The “City of Madison” and Engineering Division reports indicated there were 539 work-related employee injuries and illnesses during 2009. For 2007 and 2008, only the Engineering Division submitted reports, which indicated 25 and 14 work-related employee injuries and illnesses, respectively.
- The City of Wisconsin Rapids’ Water Works and Lighting Commission, a municipally owned utility, submitted reports for 2007, 2008, and 2009. However, the City of Wisconsin Rapids submitted reports for departments, such as its Engineering and Street Departments, only for 2009.
- The Milwaukee Public School District appears to have submitted its 2007, 2008, and 2009 reports on June 8, 2010.

Commerce officials also observed that some employers appear to report only relatively serious injuries and illnesses, while others report less serious cases as well. However, the officials also confirmed that Commerce has not clarified injury and illness reporting criteria with employers and that such clarification could improve the value of the reports for prioritizing inspectors’ assignments and helping to ensure safety and control risk in the workplace.

Workplace Inspections

To determine the frequency with which program staff conducted inspections or workplace safety consultations that were not associated with complaints related to the safety of public employees at their workplaces, we reviewed inspectors’ daily activity logs for FY 2009-10. It has been Commerce policy to require the inspectors to record the number of non-complaint related inspections and consultations they perform and the hours spent on these activities, as well as time spent on complaint investigations and other employment activities. However, we found the available data were of limited value because inspectors do not record their activities consistently or in a manner that allows the program’s regulatory database to serve as an effective management tool. For example, some inspectors do not report inspections and consultations in the appropriate data fields, although other entries indicated that such work was conducted.

From the available data, we could determine that inspectors conducted inspections or other visits that were not associated with complaints at 102 public employers’ workplaces in FY 2009-10. Given that Wisconsin has at least 2,391 public sector employers, it is important for inspections to be focused on workplaces at relatively high risk for work-related injuries and illnesses.

Program managers reported that they are making improvements to activity reporting procedures and planning additional training for inspectors who will begin to use the regulatory activity database for tracking workplace inspections that are not associated with a complaint.

Future Considerations

Based on our review, we believe program efficiency could be improved by using the existing information systems more effectively to record complete information on complaint status, timing, follow-up actions, and inspections.

We note the program may be affected by two other changes. First, the Governor's 2011-13 biennial budget proposal, introduced as Assembly Bill 40 and Senate Bill 27, would transfer responsibility for the Public Sector Safety Program and most other functions currently performed by the Division of Safety and Buildings in the Department of Commerce to a new agency, the Department of Safety and Professional Services, which the Governor proposes to be created.

Second, 2011 Wisconsin Act 10 would significantly alter the collective bargaining rights of public employees in Wisconsin. This Act is currently the subject of judicial proceedings. Under the Act's provisions, the State of Wisconsin's Compensation Plan, administered by the Office of State Employment Relations, would govern virtually all compensation-related provisions for employees of the State. However, it is not known at this time whether the Compensation Plan will address the provisions of s. 101.055, Wis. Stats., which grants all public employees rights and protections equivalent to those granted employees in the private sector under the OSH Act.

■ ■ ■ ■

Appendix 1

Division of Safety and Buildings Programs

Department of Commerce

January 2011

1	Amusement Rides/Ski Lifts	15	Licenses/Credentials
2	Boilers and Pressure Vessels	16	Manufactured/Mobile Homes
3	Building Contractor Registration	17	Mine Safety
4	Commercial Buildings	18	Uniform Dwelling Code
5	Electrical and Lighting	19	Plumbing
6	Elevators	20	Private Onsite Wastewater Treatment Systems
7	Energy	21	Products and Materials Evaluation-Buildings and Plumbing
8	Explosive Materials	22	Public Sector Safety
9	Fire Department Safety and Health	23	Refrigeration
10	Fire Prevention	24	Rental Weatherization
11	Fire Protection Systems	25	Soil Erosion/Stormwater
12	Fire Safe Cigarettes	26	Swimming Pools
13	Gas Systems	27	Welding
14	Heating, Ventilating, and Air Conditioning	28	Wisconsin Fund ¹

¹ The Wisconsin Fund is a program that provides grants to homeowners and small commercial businesses to help offset a portion of the cost for the repair, rehabilitation, or replacement of existing failing private onsite wastewater treatment systems.

Appendix 2

Complaints Received by the Public Sector Safety Program
FY 2007-08 through FY 2009-10

	Complaint Site	Description of Allegation	Date Received
1	County Highway U Private condominium	Monroe County Highway Department, inadequate culvert trenching safety procedures	8/24/2007
2	development	Unsafe railings on porches and decks	8/29/2007
3	Hamilton Middle School	Asbestos exposure	8/30/2007
4	Rufus King High School	Inadequate ventilation in the school's kitchen	9/10/2007
5	Private camp	Safety concerns with the building used for lodging and cooking	10/4/2007
6	Town of Three Lakes, Town Shop	Exposure to fumes and noise, and building structural problems	10/10/2007
7	County Highway U	Monroe County Highway Department, inadequate culvert trenching safety procedures	10/10/2007
8	Village of Pulaski Kewaunee County	Unsafe operation of village backhoe	11/14/2007
9	Courthouse	Safety issues related to the construction of the court house	11/14/2007
10	UW-Madison - Marshfield Agricultural Research Station	Hazardous chemical exposure and communication problems between management and staff regarding safety issues	11/14/2007
11	UW-Madison - Marshfield Agricultural Research Station	Hazardous chemical exposure and communication problems between management and staff regarding safety issues	11/16/2007
12	Milwaukee Secure Detention Facility	Poor air quality	3/4/2008
13	Wisconsin National Guard Armory - Black River Falls	No site specific training to safeguard employees from unexpected startup of equipment	3/4/2008
14	Pewaukee Central Fire Station	Inadequate vehicle exhaust ventilation	3/26/2008
15	Manawa Elementary School	Brick falling through ceiling in elementary school	4/10/2008
16	Private residence UW-Stevens Point - Science	Tenant reported residence's furnace did not work and room temperature was 49 °F	4/21/2008
17	Building	Custodial staff exposure to chemicals in regular trash of chemistry classroom	5/12/2008

	Complaint Site	Description of Allegation	Date Received
18	City of Two Rivers, Old Cemetery	Unsafe conditions and inadequate safety equipment for employees working in the roadways	6/25/2008
19	Ben Franklin Elementary School	Asbestos exposure	7/11/2008
20	Monroe County Administrative Center, Storage Shed	Working with possibly unhealthy materials without proper protective equipment	9/11/2008
21	Milwaukee County Economic Support Division	Workplace carpet not promptly and adequately cleaned after being soaked by toilet overflow	11/26/2008
22	UW-Madison - 1985 Research Tower	Diesel fumes entering building and employee exposure to dust and construction debris	1/23/2009
23	Oconto Middle School	Employee developing swollen eyes due to workplace conditions	3/10/2009
24	Waupun Correctional Institution	Poor air quality in the welding shop and the adjacent paint booth	3/11/2009
25	Milwaukee Police Administration Building	No fire exits, fire alarms, smoke detectors, or sprinkler systems; possible asbestos exposure	4/8/2009
26	Waupun High School	Safety hazards in science room, such as direct student access to hazardous chemicals	5/8/2009
27	YMCA South Wood County	Unsafe slide that lets out in a lake at a YMCA summer camp	6/2/2009
28	Town of Highland	Noncompliance with fire department safety and health standards	6/1/2009
29	Town of Highland	Noncompliance with fire department safety and health standards	6/2/2009
30	Town of Highland	Noncompliance with fire department safety and health standards	6/2/2009
31	Town of Highland	Noncompliance with fire department safety and health standards	6/9/2009
32	UW-Stout - General Services Building	Asbestos exposure	6/9/2009
33	UW-Stout - Price Commons	Asbestos exposure	6/9/2009
34	City of Cumberland, City Hall	Water damage, mold, inadequate ventilation	6/22/2009
35	Residence	No escape route in basement that is used as a bedroom	8/31/2009
36	UW-Stout - Harvey Hall	Asbestos exposure	11/17/2009
37	Fond du Lac County Jail	Meals consistently served cold; this may increase the likelihood of food contamination	11/20/2009
38	UW-Stout - Harvey Hall	Asbestos exposure	11/24/2009

	Complaint Site	Description of Allegation	Date Received
39	Oak Creek Public Library	Poor air quality, strong smell of natural gas	12/28/2009
40	Richard Kluge Elementary School	Asbestos exposure	1/27/2010
41	Beaver Dam Middle School	No immediate access to eye-washing stations in the Technology Education Room	2/4/2010
42	Arcadia City Hall	Vehicle exhaust ventilation, workplace not handicap accessible, and other safety and health issues	2/5/2010
43	Milwaukee Central Library	Poor air quality on the first floor: dust, mold, fungus	3/24/2010
44	UW-Stevens Point - Communication Arts Center	Asbestos exposure	5/26/2010

Appendix 3

Public Sector Safety Program Complaint Investigation Results¹

FY 2007-08 through FY 2009-10

Complaint Site	Description of Allegation	Investigation Results	
		No Violations Found	Orders Issued
1 Hamilton Middle School	Asbestos exposure	✓	
2 Rufus King High School	Inadequate ventilation in the school's kitchen	✓	
3 Town of Three Lakes, Town Shop	Exposure to fumes and noise; building structural problems		✓
4 County Highway U	Monroe County Highway Department, inadequate culvert trenching safety procedures	✓	
5 Village of Pulaski	Unsafe operation of village backhoe		✓
6 UW-Madison - Marshfield Agricultural Research Station	Hazardous chemical exposure and communication problems between management and staff regarding safety issues		✓
7 UW-Madison - Marshfield Agricultural Research Station	Hazardous chemical exposure and communication problems between management and staff regarding safety issues		✓
8 Milwaukee Secure Detention Facility	Poor air quality	✓	
9 Pewaukee Central Fire Station	Inadequate vehicle exhaust ventilation	✓	
10 UW-Stevens Point - Science Building	Custodial staff exposure to chemicals in regular trash of chemistry classroom		✓
11 City of Two Rivers, Old Cemetery	Unsafe conditions and inadequate safety equipment for employees working in the roadways		✓
12 Ben Franklin Elementary School	Asbestos exposure		✓
13 Monroe County Administrative Center, Storage Shed	Working with possibly unhealthy materials without proper protective equipment		✓
14 Milwaukee County Economic Support Division	Workplace carpet not promptly and adequately cleaned after being soaked by toilet overflow	✓	
15 UW-Madison - 1985 Research Tower	Diesel fumes entering building and employee exposure to dust and construction debris		✓
16 Oconto Middle School	Employee developing swollen eyes due to workplace conditions	✓	
17 Waupun Correctional Institution	Poor air quality in the welding shop and the adjacent paint booth		✓
18 Milwaukee Police Administration Building	No fire exits, fire alarms, smoke detectors, or sprinkler systems; possible asbestos exposure	✓	
19 Waupun High School	Safety hazards in science room, such as direct student access to hazardous chemicals		✓

Complaint Site	Description of Allegation	Investigation Results	
		No Violations Found	Orders Issued
20 Town of Highland	Noncompliance with fire department safety and health standards		✓
21 Town of Highland	Noncompliance with fire department safety and health standards		✓
22 Town of Highland	Noncompliance with fire department safety and health standards		✓
24 Town of Highland	Noncompliance with fire department safety and health standards		✓
23 UW-Stout - General Services Building	Asbestos exposure		✓
25 UW-Stout - Price Commons	Asbestos exposure		✓
26 City of Cumberland, City Hall	Water damage, mold, inadequate ventilation	✓	
27 UW-Stout - Harvey Hall	Asbestos exposure	✓	
28 UW-Stout - Harvey Hall	Asbestos exposure	✓	
29 Beaver Dam Middle School	No immediate access to eye-washing stations in the Technology Education Room		✓
30 UW-Stevens Point - Communication Arts Center	Asbestos exposure		✓

¹ The program investigated 30 of the 44 complaints it received from FY 2007-08 through FY 2009-10.