



Multnomah County Auditor's Office

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Date: May 24, 2023

To: Jessica Vega Pederson, Multnomah County Chair and Library District Board Chair
Vailey Oehlke, Library Director

From: Nicole Dewees, Principal Management Auditor
Caroline Zavitkovski, Principal Management Auditor
Mical Yohannes, Management Auditor

RE: Early communication about Library safety committee risks

Dear Chair Vega Pederson and Director Oehlke,

Government auditing standards direct our office to communicate with management and those charged with governance when we see circumstances that require prompt corrective action.

Therefore, we are using this letter to alert you to our concerns that the Library's four safety committees may not be meeting some Oregon OSHA requirements. In particular, we are concerned about whether:

- Safety committees are meeting frequently enough and are active
- Meeting minutes are available to employees
- Inspections are occurring and being documented
- Members are receiving training
- The Neighborhood Library Safety Committee is receiving annual reviews

We observed these risks during a performance audit of the Library. We are writing this letter now, rather than waiting until we release our audit report, so you can take prompt action to prevent further possible occurrences of noncompliance.

We examined documentation and saw that some aspects of safety committees may be out of compliance with Oregon OSHA rules under OAR 437-001-0765. Please note that we are not making determinations about compliance. Rather, we are highlighting areas at risk of being out of compliance.

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We also examined the Library's policies and processes and determined that they were not sufficient to ensure that safety committees are meeting Oregon OSHA rules.

We describe the areas at risk of noncompliance in more detail on the following pages. We are also attaching the Oregon Administrative Rules that describes requirements of safety committees. Oregon OSHA requirements should be considered the minimum steps that organizations take to promote safety.

Corrective action

We encountered these risks as part of a performance audit currently underway at the Library. We also will be reporting on this matter in our audit report. If Library managers provide us with verification of corrective steps they have taken, prior to our report completion, we will incorporate that into our audit report. We encourage Library managers to both address immediate issues and implement processes to prevent similar issues from arising in the future.

Thank you for taking the time to read this communication and taking our concerns seriously. Please let us know if you have any questions.

Thank you,

Nicole Dewees, MBA, CIA
Principal Management Auditor

Caroline Zavitkovski, MPA, CIA
Principal Management Auditor

Mical Yohannes
Management Auditor

CC:

Sharon Meieran, Multnomah County
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Potential areas of non-compliance

The Neighborhood Library Safety Committee meets quarterly instead of monthly

OR-OSHA Rule (5): Your safety committee must meet on company time as follows:

- Quarterly in situations where employees do mostly office work.
- Monthly for all other situations (except the months when quarterly worksite inspections are performed).

The Neighborhood Library Safety Committee meets quarterly. Under Oregon OSHA rules, safety committees must meet monthly, unless employees do mostly office work. Since neighborhood libraries are not office environments, the Neighborhood Library Safety Committee should be meeting monthly. We spoke with an Oregon OSHA representative, who clearly stated that libraries would not fall under the office work category.

However, according to representatives from Risk Management and the Library, Oregon OSHA has previously approved the Library branches' approach to meet quarterly. This has created a lack of clarity. We are unclear how long it has been since Oregon OSHA last approved this approach. A Library representative said that Oregon OSHA last reviewed this arrangement in 2013 or possibly more recently. Meeting minutes said that Oregon OSHA last reviewed the approach in 2006.

Meeting minutes also indicate that in June 2022 a Risk Management representative raised the point that Oregon OSHA typically requires monthly meetings and said that Risk Management would look into whether the quarterly meetings are still adequate.

In a recent email, a Risk Management representative said that monthly meetings would be required if more than half of library branch workers do work other than office work. A Library manager told us that the Library is willing to change its approach to match Risk Management's guidance.

The Central Library Safety Committee has low attendance and little documentation

OR-OSHA rule (6): You must keep written records of each safety committee meeting for three years that include:

- Names of attendees.
- Meeting date.
- All safety and health issues discussed, including tools, equipment, work environment, and work practice hazards.
- Recommendations for corrective action and a reasonable date by which management agrees to respond.
- Person responsible for follow up on any recommended corrective actions.
- All reports, evaluations, and recommendations made by the committee

OR-OSHA rule (8) excerpt: Your safety committee must evaluate all accident and incident investigations and make recommendations for ways to prevent similar events from occurring.

OR-OSHA rule (2): If you have 20 or fewer employees you must have at least 2 members. If you have more than 20 employees you must have at least 4 members.

OR-OSHA Rule (5): Your safety committee must meet on company time as follows:

- Quarterly in situations where employees do mostly office work.
- Monthly for all other situations (except the months when quarterly worksite inspections are performed).

The meeting minutes for the Central Library Safety Committee indicate low participation and little documentation of the discussion of safety and health issues. This is despite Central being the Library location with the highest number of incidents. Oregon OSHA rules state that meeting minutes should include notes on the safety and health issues discussed and as well as recommendations for corrective action.

The Central Library Safety Committee notes are sparse. The committee uses a template that is often not filled in. There is a spot on the template to discuss accident reports. This section has been filled in with descriptions of discussions only three times since August 2021. It is possible that the committee is discussing accident reports without documenting them. The committee was also missing meeting minutes altogether for two months in the last year. It is possible that these were missed due to quarterly inspections, as allowed by Oregon OSHA rules. However, that was not documented.

Membership in the Central Library Safety Committee may also be at risk of falling below the required four members. Since August 2021, attendance at the Central Library Safety Committee has ranged from 1 to 4 members, not counting a liaison from Risk Management. Recent meeting minutes document that Risk Management recommended checking if members are active and recruiting new members. They also note that the member list on the intranet is out of date.

The Macadam and Pettygrove (formerly Isom) Safety Committee is missing meeting documentation for five of the last 12 months

OR-OSHA rule (6): You must keep written records of each safety committee meeting for three years that include:

- Names of attendees.
- Meeting date.
- All safety and health issues discussed, including tools, equipment, work environment, and work practice hazards.
- Recommendations for corrective action and a reasonable date by which management agrees to respond.
- Person responsible for follow up on any recommended corrective actions.
- All reports, evaluations, and recommendations made by the committee

OR-OSHA Rule (5): Your safety committee must meet on company time as follows:

- Quarterly in situations where employees do mostly office work.
- Monthly for all other situations (except the months when quarterly worksite inspections are performed).

The Macadam and Pettygrove Safety Committee is slated to meet monthly. In the last year, five out of 12 months are missing meeting minutes. It is possible that some of these were missed due to quarterly inspections, as allowed by Oregon OSHA rules. However, that was not documented. Library representatives told us that this safety committee had either met or did a quarterly inspection every month in the last year, but some minutes were missing. We could not verify through documented meeting minutes or documented inspections that either a meeting or inspection occurred in those five months.

Library Administration at Lloyd may not be meeting or represented on a safety committee

OR-OSHA Rule (4) excerpt: Your safety committee members must represent major activities of your business.

OR-OSHA Rule (5): Your safety committee must meet on company time as follows:

- Quarterly in situations where employees do mostly office work.
- Monthly for all other situations (except the months when quarterly worksite inspections are performed).

As far as we can tell, Library Administration at Lloyd Corporate Plaza is not currently represented on a safety committee. The Library Administration Safety Committee used to meet jointly with the Environmental Health Division of the Health Department. Library Administration is in the same building complex as Environmental Health. Different groups in the same building may meet together under Oregon OSHA rules.

However, the August 2022 meeting minutes state that the Library Administration may be pulling out of the joint Safety Committee. Library Administration does not appear to have been involved in this joint Safety Committee in recent months. The issues described in the meeting minutes are also specific to Environmental Health. However, Library Administration has not yet created its own new safety committee.

Meeting minutes had not been posted to the intranet until our request, probably since 2020

OR-OSHA rule (8) excerpt: Your safety committee must make safety committee meeting minutes available for all employees to review.

Oregon OSHA rules require that safety committees make meeting minutes available for all employees to review. When we first looked for safety committee meeting minutes on the Library intranet, it looked like the websites had not been updated with minutes since 2020. Therefore, employees may not have had ready access to meeting minutes for several years.

We are not certain what Oregon OSHA's exact expectations are for making meeting minutes available to employees. However, the Library's Workplace Injury and Illness Prevention Plan states that safety committees should post meeting minutes to the intranet and that had been the Library's prior practice. After we requested meeting minutes, Library staff updated the intranet pages.

Not all required inspections are documented

OR-OSHA rule (7): Your safety committee must establish procedures for conducting workplace safety and health inspections. Persons trained in hazard identification must conduct inspections as follows:

Where	Who	When
Primary fixed locations	Employer and employee representatives	Quarterly
Office environments	Employer and employee representatives	Quarterly

Oregon OSHA requires quarterly workplace safety and health inspections. At the Library, each safety committee coordinates inspections for the locations covered under their safety committee. This means that for the Neighborhood Libraries Safety Committee there should be 18 inspections each quarter, for each neighborhood branch. Library representatives provided documentation to us for around half of the required quarterly inspections that should have occurred since August 2021. This is across all four safety committees. For the quarters missing documentation, we are not clear whether inspections occurred and were not tracked or whether they did not occur at all.

Some safety committee members may not have completed training requirements

- OR-OSHA Rule (4) excerpt: Your safety committee members must
- Have training in the principles of accident and incident investigations for use in evaluating those events.
 - Have training in hazard identification.

To comply with Oregon OSHA training requirements, the County has created three trainings for Safety Committee members: 1) Safety Committee Roles and Responsibilities, 2) Hazard Identification, and 3) Accident and Incident Analysis. According to our analysis, only about half of safety committee members have taken all three trainings.

To evaluate whether these trainings were taken, we reviewed the list of trainings completed by Safety Committee member using Workday Learning reports. The list of Safety Committee members was based on the attendees included in the three most recent meeting minutes for the Neighborhood Libraries, Central, and Macadam/Pettygrove Safety Committees. It is possible that some members may have taken trainings before Workday was implemented in 2019.

The Neighborhood Libraries Safety Committee is missing some annual comprehensive reviews

OR-OSHA rule (9) excerpt: If you rely on a centralized committee, you must also have a written safety and health policy that includes an annual written comprehensive review of the committees' activities to determine effectiveness.

The Neighborhood Libraries Safety Committee is made up of 18 locations, all of the library branches except Central. This is allowed under Oregon OSHA rules but has additional requirements. One of the requirements is an annual comprehensive review. This committee is missing documentation for annual comprehensive reviews for 2020 and 2021. While the pandemic affected branch operations during this time, some staff were still in the buildings.

Additional observations

We have additional observations that also warrant examination. First, we noted above that the minutes for Central were sparse. While the other committees had more robust minutes, we found little documentation in any of the committee's minutes of recommendations for corrective action.

Second, we have heard varying perspectives on how safety committees should approach discussing security issues. We understand that, to the extent that security issues affect employee safety and health, they are covered under Oregon OSHA safety laws. Library leaders could provide additional clarity on the safety committee's role for addressing security issues.

Third, another requirement of having a centralized committee is to have a written policy. The Library does have a Workplace Injury and Illness Prevention Plan. This plan appears to address the topics that Oregon OSHA requires. However, the plan is not easy to find on the Library intranet. Furthermore, it does not appear that the plan has been updated in 10 years.

Internal controls assessment

We assessed the library's internal controls¹ to ensure that safety committees are meeting Oregon OSHA standards. The Library's Workplace Injury and Illness Prevention Plan states that a manager in Library Facilities will monitor safety committee meeting minutes and inspections and notify the committees if they are not meeting frequently enough. Otherwise, responsibilities fall to safety committees, with no other oversight or controls in place. Based on this assessment and the risk areas noted above, we believe that internal controls are not sufficient to ensure compliance with Oregon OSHA rules for safety committees and should be strengthened.

¹ Internal control is comprised of processes that management should use to run operations efficiently and effectively, report reliable information about its operations, and comply with applicable laws and regulations.