

**The Maryland-National Capital Park and Planning Commission  
Office of the Inspector General**

**Commission Workplace Safety and OSHA Compliance  
CW-003-2024**

**April 11, 2024**

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## I. EXECUTIVE SUMMARY

### A. Overall Perspective

The Occupational Safety and Health Administration (OSHA)<sup>1</sup> was created to ensure safe and healthy working conditions for workers by setting and enforcing standards and by providing training, outreach, education and assistance. OSHA aids and encourages each State in their efforts to assure workplace safety by issuing 28 OSHA-approved state plans. The Maryland Occupational Safety and Health (MOSH) is one of the state plans created to promote and assure workplace safety and health while reducing workplace fatalities, injuries and illnesses. MOSH achieves its mission through various means, including inspections, consultation services, compliance assistance, outreach and education.

The Maryland-National Park and Planning Commission's (M-NCPPC or Commission) provides bi-county service for the Prince George's County and Montgomery County communities. Prince George's County Department of Parks and Recreation (DPR) is responsible for the public recreation program and provides access to indoor and outdoor facilities while stewarding natural, cultural, and historic resources. Montgomery County's Department of Parks provides its residents access to nature centers, recreational facilities, event centers, public gardens, lakes and nature trails.

The Commission's Risk Management and Safety Office (Safety Office) uses standards and requirements set forth by OSHA and MOSH to help ensure a safe work environment for all employees, and safe recreational facilities and programs for patrons and persons doing business with the Commission. The mission of the Safety Office is to prevent the loss of life, avoid injury, protect and secure Commission assets, and to keep the cost of managing such risk to a prudent minimum through sound risk controls and insurance coverage.

The Safety Office has seven employees including the Risk Management and Safety Manager, who provides oversight of the office, three Senior Safety Specialists, a Senior Worker's Compensation Specialist, a Corporate Liability Program Administrator, and a Deputy Risk and Safety Manager. They are responsible for maintaining and administering the programs and directives contained in the Commission's Risk Management and Safety Manual to include but not limited to:

- Implementation of safe practices through training and education<sup>2</sup>;

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<sup>1</sup> With the *Occupational Safety and Health Act of 1970* (Public Law 91-596), Congress created OSHA.

<sup>2</sup> Examples of training provided by the Safety Office includes Ladder Safety, Hazard Communication, Hand and Power Tools, Personal Protective Equipment, Emergency Preparedness, Defensive Driving Course and Bloodborne Pathogens.

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- Maintenance of employee safety and health through industrial hygiene, inspections, loss investigations, benefits management, and medical testing and monitoring;
- Facility inspections and design review; and
- Analysis and reporting of work-related injuries or illness and implementation of loss control programs.

Commission Department Heads are responsible for implementation of and compliance with Commission safety regulation policies and procedures. In addition, they are responsible for, but are not limited to the following:

- Providing oversight of the Commission's Risk Management and Safety programs and requesting assistance from the Safety Office for specialized needs;
- Ensuring that service, supplies, and equipment meet the standards of federal and state safety compliance agencies (e.g. OSHA and MOSH);
- Ensuring Commission facilities and services follow safe procedures;
- Inspecting and protecting areas and activities for which the Commission is responsible;
- Providing prompt investigation, review and remedial action where possible for all losses reported to the Commission; and
- Ensuring that Commission employees receive necessary safety awareness training.

The Commission is required to establish a Safety Committee(s), one in each county. The respective Department Head must appoint each Safety Committee to include a planning Department representative and persons from each Park and Recreation Division. The purpose of the Safety Committee is to assist with departmental safety and training, and provide Department Heads suggestions for improving and sustaining the Commission's loss control efforts.

## **B. Audit Objective, Scope, and Methodology**

### Audit Objective

The objective of this audit was to ensure: 1) inspections and audits are being conducted to ensure a safe work environment for employees and patrons; 2) required recordkeeping and reporting of work-related injuries is consistent; and 3) safety training for employees are in accordance with regulations, policies and procedures.

### Scope

The scope for the Commission Workplace Safety Compliance audit included, but was not limited to, the following audit procedures:

- Interviewed Safety Office staff, Department of Parks and Recreation and Department of Parks management personnel to obtain an understanding of workplace safety and risk management requirements;
- Interviewed Commission employees at various facilities to gain an understanding of the inspection process and work-related injury reporting.
- Reviewed pertinent federal and state regulations and Commission policies, procedures, notices, and manuals;
- Reviewed inspection and audit reports to evaluate findings within Commission facilities and the efforts to mitigate them.
- Reviewed implementation of safety training programs; and tracking of schedules, and documented training records;
- Reviewed a sample of OSHA 300 forms, logs, and work-related injury and illness documentation to ensure the Commission followed OSHA and MOSH reporting requirements;
- Ensured the Safety Office was conducting reviews of relevant federal and state regulations to assess any impact of Commission activities.

In addition, the audit scope was designed to identify possible fraud, waste, or abuse within the processes being audited. The period covered in this review was January 1, 2021 through October 31, 2023.

**Methodology**

During the audit, the auditor-in-charge conducted interviews with the Safety Office management and staff and reviewed relevant Commission policies and procedures. For our analysis, we obtained and reviewed various investigation and compliance reports, training documentation, and other relevant information that included the sample of supporting documentation to assess compliance with Commission Policies and Procedures.

This audit was conducted in accordance with *Generally Accepted Government Auditing Standards*. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

**C. Major Audit Concerns**

The results of our evaluation and testing procedures indicated no major audit concerns.

Additional information pertaining to these areas can be found in the Detailed Commentary and Recommendations section of this report.

#### D. Overall Conclusions

The results of our evaluation and testing procedures indicate no major weaknesses in the design or operation of internal controls for the Commission Workplace Safety Compliance. On an overall basis, we consider the controls to be satisfactory.

We believe all weaknesses identified and communicated are correctable and that management's responses to all recommendations satisfactorily address the concerns. It is the responsibility of management to weigh the possible additional costs of implementing our recommendations in terms of benefits to be derived and the relative risks involved.

We wish to express our appreciation to the Safety Office management and staff for the cooperation and courtesies extended during the course of our review.

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Deputy Inspector General

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Inspector General

April 11, 2024

#### Conclusion Definitions

<b>Satisfactory</b>	No major weaknesses were identified in the design or operation of internal control procedures.
<b>Deficiency</b>	A deficiency in the design or operation of an internal control procedure(s) that could adversely affect an operating unit's ability to safeguard assets, comply with laws and regulations, and ensure transactions are properly executed and recorded on a timely basis.
<b>Significant Deficiency</b>	A deficiency in the design or operation of an internal control procedure(s) which adversely affects an operating unit's ability to safeguard assets, comply with laws and regulations, and ensure transactions are properly executed and reported. This deficiency is less severe than a material weakness, yet important enough to merit attention by management.
<b>Material Weakness</b>	A deficiency in the design or operation of an internal control procedure(s) which may result in a material misstatement of the Commission's financial statements or material impact to the Commission.



## II. DETAILED COMMENTARY AND RECOMMENDATIONS

### 1. Reestablish Required Safety Meetings in Montgomery County

**Issue:** Montgomery County did not maintain their Safety Committee and did not participate in the Executive Safety Committee (ESC) quarterly meetings as required by Commission Administrative Procedures and the Risk Management and Safety Manual. We reviewed the number of ESC meetings held for each county from July 2021 through October 2023 and determined that Prince George's County met consistently, however Montgomery County has only participated in one ESC meeting since 2021. According to the Safety Office there have been discussions about Montgomery County revamping their Safety Committee. On October 10, 2023, approximately 2 years since their last ESC meeting, Montgomery County held a meeting to discuss reestablishing the Safety Committee and rules.

**Criteria:** M-NCPPC Administrative Procedures No. 04-04, *Risk Management and Safety Manual*, Section 6.01 states Safety Committees are appointed by the Director of Parks in Montgomery County and by the Director of Parks and Recreation in Prince George's County. Each Committee has a planning department representative, in addition to individuals from each Park and Recreation Division. Generally, responsibilities of both Committees include but are not limited to reviewing accident and injury data, inspections, and related activities; help promote and implement safety awareness and compliance training programs; advise Department Heads and the Risk Manager on ways for improving loss control efforts; and assist in safety awareness campaigns.

Per the Manual, the Safety Office must host quarterly ESC meetings and include the Chairperson from both counties. The ESC will provide training and guidance, as well as set agendas for Departmental Safety Committees.

**Cause:** Montgomery County has not participated in ESC meetings due to staff changes that included the retirement of several members and the Safety Committee Chair in November 2021<sup>3</sup>.

**Risk:** Failure of not having an established Safety Committee and participating in the quarterly ESC meeting weakens the Commission's ability to prevent and minimize the adverse effects of accidental losses and injuries, implementation of safety awareness and improve loss control efforts.

**Recommendation:** Montgomery County Department of Parks must appoint the appropriate employees to the Safety Committee and ensure timely participation in the Executive Safety Committee quarterly meetings.

**Issue Risk:** Medium

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<sup>3</sup> The current Safety Committie Chair was selected in July 2023.

**Management Response:** Montgomery Parks reestablished the Monthly Safety Committee Meeting on October 10, 2023. The Committee has been meeting on a regular basis. The Committee is made up of representatives from all the divisions of the department.

**Expected Completion Date:** October 2023

**Follow-Up Date:** May 2024

## 2. Post Summary of Work-Related Injuries and Illnesses

**Issue:** The OSHA Summary of Work-Related Injuries and Illnesses (Form 300A) was not distributed and posted at all Commission facilities as required. The Safety Office must generate a Form 300A for all Commission facilities, even if a work-related injury and illness was not reported. In addition, the Office of the Inspector General (OIG) identified the Safety Office did not adequately communicate Form 300A, posting instructions to all levels of Department management.

**Criteria:** M-NCPPC Administrative Procedures No. 04-04, *Risk Management and Safety Manual*, Section 5.21 requires annually, a Summary of Work-Related Injuries and Illnesses (Form 300A) for the prior calendar year to be compiled and posted at each location, even if there are zero applicable OSHA recordables. This posting must remain in place from February 1st through April 30th. After this time, facility postings can be removed and kept on file at the facility.

**Cause:** The Risk Management and Safety Manager did not provide sufficient oversight to ensure the Specialist within the Safety Office was fully aware that all Form 300A were to be generated and distributed to all Commission facilities.

DPR and Department of Parks management was not aware that Form 300A posting instructions needed to be communicated to management at all facilities to ensure the Form 300A were posted in a timely manner. There was a lack of awareness of policy within DPR and Department of Parks management to communicate posting instructions to all Commission facilities.

**Risk:** Failure to properly distribute and post Form 300A at all work locations within the Commission is a violation of OSHA standards and decreases safety awareness for employees within the Commission.

**Recommendation:** To ensure effective oversight of the Summary of Work-Related Injuries and Illnesses (Form 300A) are adequately communicated within the Department, we recommend the following:

- The Safety Office must generate all required OSHA forms regardless of OSHA recordable injuries and illnesses.
- The Safety Office must work with all levels of Department management when communicating the OSHA requirement regarding the posting of Form 300A at all Commission work locations.
- Department management must ensure the appropriate staff at all Commission work locations are aware of the OSHA requirement to post Form 300A.

**Issue Risk:** Medium

**Management Responses:**

The Safety Office Response:

- The Risk Management and Safety Manager met with the Specialist responsible for maintaining and distributing the OSHA reports to ensure the correct parameters are set in the system to generate all reports regardless of injuries.
- The Specialist will annually provide all supervisors with updated training in proper claims reporting and handling. This training will include posting requirements for the OSHA 300A Form.
- A copy of the report will be sent to the respective department's management team to ensure forms are properly posted and maintained. Managers will also be provided with a detailed explanation and directions for posting at the time of distribution.

DPR's Management Response:

- Communication will go out to all division staff of the OSHA requirement to post Form 300A upon receipt of form from Risk Management to include dissemination of M-NCPPC Administrative Procedures No. 04-04, *Risk Management and Safety Manual*.

Department of Parks Management Response:

- Form 300A will be posted in conspicuous locations at all work sites for the required timeframe of February 1, through April 30 of each year. To ensure compliance Risk Management should send the required forms to the Manager on site as well as the Division Chiefs and the Deputy Directors for the Department. This will ensure several levels of acknowledgement and compliance with the posting requirements.

**Expected Completion Date:** February 2025

**Follow-Up Date:** March 2025

### 3. Maintain Safety Training Records

**Issue:** The Safety Office did not properly maintain training records for annual training activities. The OIG reviewed seven training sessions that occurred in Fiscal Year 2023. We identified four training sessions that did not have supporting documentation maintained by the Safety Office as required.

**Criteria:** M-NCPPC Administrative Procedures No. 04-04, *Risk Management and Safety Manual*, Section 5.31 requires written records of all safety training, shall be maintained by the Training Office in each County. The Safety Office will also maintain certain training records which shall include the following information:

- Class or Topic
- Instructor
- Date
- Student name
- Signature
- Work location or Facility
- Division/Region

**Cause:** The Safety Office does not have a standardized procedure in place to ensure all training documentation are properly recorded and maintained.

**Risk:** Failure to maintain and properly document training in accordance with policy prevents the Commission from adequately evaluating training records, which weakens the Commission's ability to implement safety awareness.

**Recommendation:** The Safety Office should create an internal template to collect the required information for each training session provided throughout the year.

**Issue Risk:** Medium

**Management Response:** The Safety Office will utilize the Learning Central training system to announce, document and track training beginning March 2024. With this system, training will be standardized and properly tracked with the following captured:

- Class or Topic
- Instructor
- Date
- Student name
- Signature
- Work location or Facility
- Division/Region

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In cases where training cannot be captured on the Learning Central platform, sign-in sheets will be used to capture this information.

**Expected Completion Date:** March 2024

**Follow-Up Date:** May 2024