

TOSHA INSTRUCTION

DIRECTIVE NUMBER: TED-TN 01-00-020

EFFECTIVE DATE: 10/08/2015

SUBJECT: Mandatory Training Program for TOSHA Discrimination Investigators

ABSTRACT

- Purpose:** This instruction provides TOSHA personnel with policy and guidelines for implementing competency-based training programs for TOSHA Discrimination Investigation personnel.
- Scope:** This instruction applies TOSHA-wide.
- References:** (1) OSHA Instruction CSP 01-00-002 (STP 2-0.22B), State Plan Policies and Procedures Manual, March 21, 2001; (2) OSHA Instruction CSP 01-00-003 (STP 2.22A, CH-3) Changes to the State Plan Policies and Procedures Manual, February 27, 1990; (3) OSHA Instruction EAA 01-00-004, Management Accountability Program, September 15, 2010; (4) OSHA Instruction PER 05-00-001 (PER 10-1.1), OSHA Training Policy, December 14, 1979; (5) 29 CFR 1902, State Plans for the Development and Enforcement of State Standards; (6) 29 CFR 1956, State Plans for the Development and Enforcement of State Standards Applicable to State and Local Government Employees in States without Approved Private Employee Plans.
- Cancellations:** None
- State Impact:** This instruction describes a Federal program change that affects state programs. Notice of intent and equivalency are required. See paragraph VI.
- Action Offices:** State Offices.
- Originating Office:** OSHA Directorate of Training and Education.

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By and Under the Authority of

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Executive Summary

This instruction provides guidance and direction to the Tennessee Occupational Safety and Health Administration (TOSHA) Offices concerning TOSHA's policies and procedures for training Discrimination Investigators. It is essential that Discrimination Investigators have the requisite knowledge, skills, capability and varied professional backgrounds to accomplish TOSHA's mission of promoting workplaces free from retaliation due to asserting the right to a safe and healthy workplace. In this instruction, TOSHA provides detailed guidance for training required during a Discrimination Investigator's career, including recommended training that assists the Discrimination Investigator in preparing for professional certification exams. This instruction identifies training paths that provide assistance to the regions in managing their training programs.

The goal of this instruction is to assist Discrimination Investigators, their supervisors and managers with direction, guidance and training options that directly contribute to the Discrimination Investigator's ability to represent TOSHA with a high degree of professional expertise. In addition, the Discrimination Investigator training program identifies a correlation between Discrimination Investigator competency and achieving respected credentials in the fields of investigation and mediation such as Professional Certified Investigator (PCI)[®], Certified Mediator, and Certified Fraud Examiner.

Significant Changes

This instruction describes the new training program for TOSHA Discrimination Investigation personnel. The new requirements include:

- Implementing a three-year approach to mandatory training:
 - Year One – Each Discrimination Investigator will be required to complete Whistleblower Investigation Fundamentals Course #1420 offered by the OSHA Training Institute (OTI) during the first year of his/her assignment as a Whistleblower Investigator.
 - Years Two and Three – Whistleblower Investigators may complete four additional technical courses during the next two years of his/her career. The order and sequence of these courses are described in this instruction.
- This instruction gives notice that other courses designated as mandatory by TOSHA's Administrator may be added to the Discrimination Investigator's training program at any time.

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I. Purpose.

This instruction provides TOSHA personnel with policy and guidelines for implementing competency-based training programs for TOSHA Discrimination Investigators.

II. Scope.

TOSHA-wide.

III. References.

- A. [OSHA Instruction CSP 01-00-002 \(STEP 2-0.22B\)](#), State Plan Policies and Procedures Manual, March 21, 2001.
- B. [OSHA Instruction CSP 01-00-003 \(STP 2.22A, CH-3\)](#), Changes to the State Plan Policies and Procedures Manual, February 27, 1990.
- C. [OSHA Instruction EAA 01-00-004](#), Management Accountability Program, September 15, 2010.
- D. [OSHA Instruction PER 05-00-001 \(PER 10-1.1\)](#), OSHA Training Policy, December 14, 1979.
- E. [29 CFR 1902](#), State Plans for the Development and Enforcement of State Standards.
- F. [29 CFR 1956](#), State Plans for the Development and Enforcement of State Standards Applicable to State and Local Government Employees in States Without Approved Private Employee Plans.

IV. Cancellations.

None.

V. Action Offices.

- A. Responsible Office. Training and Education Section.
- B. Action Offices. TOSHA Central Office.

VI. DELETED

VII. Goals and Objectives of Discrimination Investigator Training.

The goal of this instruction is to provide Discrimination Investigators and their management with training options that will directly contribute to the Discrimination

Investigator's professional expertise.

A. Competency-Based Curriculum.

1. The OSHA Training Institute offers formal training for Whistleblower Investigators with a competency-based approach to curriculum, using the Whistleblower Investigator Functional Competency Model as a guide. A copy of the Competency Model and related OTI curriculum can be found on OSHA's Directorate of Training and Education (DTE) Intranet web pages.
2. It is important to note that competence cannot be achieved through formal training alone. Proficiency requires a mix of experiences over time, personal initiative to develop to the highest level of professionalism possible, and structured on-the-job training, as well as formal training.

B. The Training Program. OTI has developed a flexible program that incorporates technology-enabled learning, self-study packages, on-the-job experiences and formal training to accommodate varying levels of experience and competence. The training program includes basic requirements as well as advanced competencies to ensure continued career development.

1. Course #1420 Whistleblower Investigation Fundamentals: Each Discrimination Investigator will be required to complete the #1420 Whistleblower Investigation Fundamentals course offered by OTI during their first year of employment.
2. Technical Courses: Each Discrimination Investigator may complete four additional technical courses during the first three years of employment.
3. Federal Statute Webinars: Whistleblower Investigators will be assigned to view Federal Statute webinars as the Region determines a need. These webinars will address each Federal Statute enforced by OSHA's Whistleblower Protection Program and will be available at any time the Discrimination Investigator needs to learn about or review a statute.

C. Administrator Training Requirements. This instruction gives notice that other courses designated as mandatory by TOSHA's Administrator may be added to the Discrimination Investigator training program at any time.

VIII. Mandatory Discrimination Investigator Training.

Figure 1, below, illustrates the recommended training path.

- A. Course #1420 Whistleblower Investigation Fundamentals Course: This course must be completed within the first year of a Discrimination Investigator's assignment. It is a pre-requisite for all additional courses. During the first year, additional courses can be taken at the TOSHA Administrator's discretion.
- B. Technical Courses: The TOSHA Administrator will approve the chronological order in which technical courses will be taken by Discrimination Investigators based on TOSHA needs and in accord with this instruction.
- Course #1610: Interviewing Techniques for Whistleblower Investigators
 - Course #1630: Written Communication and Report Writing for Whistleblower Investigators
 - Course #2710: Legal Concepts for Whistleblower Investigators
 - Course #2720: Whistleblower Complaint Resolution and Settlement Negotiations

1st Year

- Course #1420: Whistleblower Investigation Fundamentals

2nd & 3rd Year

- Course #1610: Interviewing Techniques for Whistleblower Investigators
- Course #1630: Written Communication and Report Writing for Whistleblower Investigators
- Course #2710: Legal Concepts for Whistleblower Investigators
- Course #2720: Whistleblower Complaint Resolution and Settlement Negotiations

Figure 1: Recommended Training Path

IX. Organizational Responsibilities.

- A. National Office. National Office Directorates shall support the training program, as appropriate, by providing resources, supplying current information on the status of agency programs, statutes, regulations, and directives, ensuring program consistency, and auditing Regional Office training programs. (Not applicable to TOSHA.)
- B. The Directorate of Administrative Programs. The Director, Directorate of Administrative Programs, will ensure to the extent possible that funding is budgeted and available to Regions for OSHA personnel to complete all mandatory training. Note that other courses designated as mandatory by OSHA’s Assistant Secretary will be included in the Whistleblower Investigator’s training program, thus requiring additional funding support. (Not applicable to TOSHA.)
- C. The Directorate of Whistleblower Protection Programs. The Director, Directorate of Whistleblower Protection Programs, will support the training program as appropriate, by providing policy guidance, subject matter expertise through Directorate staff or Whistleblower Investigator field personnel, and current information on the status of agency programs, statutes, regulations and directives. Additionally, the Director will assist in assuring program consistency and in auditing Regional Office training programs, if requested. (Not applicable to TOSHA.)
- D. The Directorate of Training and Education. The Director, Directorate of Training and Education, shall be responsible for educating and training OSHA personnel in the skills and knowledge required to perform their duties. Responsibilities include (Not applicable to TOSHA):
 - 1. Planning, developing and conducting Agency technical and specialized training courses and seminars.
 - 2. Conducting needs assessments and gap analyses to identify training needs.
 - 3. Maintaining and updating competency-based training information on the OSHA Intranet.
 - 4. Maintaining and updating the technology-enabled OTI course catalog on the OSHA Intranet.
 - 5. Conducting evaluations of training courses and programs.
 - 6. Annotating the Whistleblower Investigator training records to reflect waived required training and time extensions for required

training.

7. Preparing a courtesy report for the Regions, the Assistant Secretary, the Deputy Assistant Secretary, and the Director of the Directorate of Whistleblower Protection Programs listing the courses that have been waived and time extensions granted by the Regional Administrator within the past twelve months. The report will be made available once per fiscal year and will reflect data from the previous twelve months only.

E. The OSHA Training Institute. The OSHA Training Institute Director shall be responsible for the scheduling and delivery of Whistleblower Investigator training. Specific responsibilities include:

1. Overseeing and conducting courses and seminars for Federal and State Whistleblower/Discrimination Investigators, Regional and National Office staff and other Federal Agency personnel.
2. Participating in the design and development of technical and specialized courses, including development of course materials, detailed lesson plans, and other educational aids.

F. TOSHA Administrator. The TOSHA Administrator shall direct the execution of the state-wide training and education program in accord with TOSHA policy, through the designated Manager of Training and Education. Specifically, the TOSHA Administrator will:

1. Approve courses in the Discrimination Investigator's training path, primarily the Whistleblower Investigation Fundamentals course during the first year
2. Add subsequent technical courses in subsequent years as Discrimination Investigator.

G. Manager of Training and Education. The Manager of Training and Education shall serve as a focal point for the state, assisting the TOSHA Administrator in coordinating and managing TOSHA's training and education programs. Specifically the Manager of Training and Education shall:

1. Provide guidance and assistance to Discrimination Investigators concerning information contained in this instruction as well as in Department of Labor and Workforce Development, Department of Labor (DOL), and OSHA training policies and procedures.
2. Implement the TOSHA training and education program.
3. Process training requests, maintain training records, and provide

training registration information to Managers, Supervisors and Discrimination Investigators.

4. Evaluate and monitor all records of training.

H. TOSHA Administrator. The TOSHA Administrator or his/her designee shall be responsible for ensuring the professional development of the Discrimination Investigators they supervise. Specifically, the he/she shall:

1. Ensure the professional development of Discrimination Investigators in accord with this instruction and Appendix A.
2. Identify and document through an Individual Development Plan (IDP) the training needs of Discrimination Investigators.
3. Provide guidance consistent with the IDP process to meet the objectives outlined in this instruction.
4. Review training progress with each Discrimination Investigator during the performance reviews.
5. Assign, as needed, experienced personnel to assist in the on-the-job training of new Discrimination Investigators.
6. Assess and document Discrimination Investigator's abilities.

I. Discrimination Investigator: The Discrimination Investigator has the responsibility to perform to the best of his/her ability in all training programs. Specifically, the Discrimination Investigator shall:

1. Discuss performance and training progress with his/her Supervisor.
2. Participate in the planning of training activities.
3. Fully attend, participate in, and complete all assigned training courses, seminars and other events.

X. OSHA Training Institute Courses for Whistleblower Investigators.

- A. Required Training. Discrimination Investigators will attend all the required courses outlined in this instruction offered by the OSHA Training Institute. The Directorate of Training and Education Intranet page offers up-to-date information on course descriptions and prerequisites.
- B. Blended Courses. Blended courses include at least one web-based training requirement plus an instructor-led training requirement. The web-based training must be completed **prior** to attending the instructor-led session. There is no waiver process or equivalent to completing the online

prerequisite of an OTI course. This strict requirement is due to the close link between the training offered online and the subsequent classroom (i.e., instructor-led) training.

- C. Course Sequence. The #1420 Whistleblower Investigation Fundamentals course must be completed in year one of the Discrimination Investigator training program. It is recommended that the courses listed below should be completed in a sequence optimal to attaining professional development goals and at the discretion of the TOSHA Administrator.
1. Course #1420: Whistleblower Investigation Fundamentals Course. This blended course covers the fundamentals of conducting whistleblower investigations, with an emphasis on Section 11(c) of the *Occupational Safety and Health Act* (OSH Act). Discrimination Investigators will learn to conduct intakes and screenings, plan and prepare for investigations, conduct opening conferences, collect evidence, analyze information, conduct closing conferences, and prepare basic memoranda, letters, and reports.
 2. Course #1610: Interviewing Techniques for Whistleblower Investigators. The goal of this course is to provide a practical guide for interviewing. The specific topics include interview preparation, nonverbal communication, types of interviewees, multi-cultural interviewing, empathy, and active listening. This course requires role playing and students will be assessed on the application of techniques learned. The role playing will focus on one-on-one controlled interviewing situations.
 3. Course #1630: Written Communication and Report Writing for Whistleblower Investigators. This course is designed to cover business writing, evidentiary documentation, and written analysis. Students will learn to effectively communicate complex concepts and ideas in writing and in a manner that is appropriate for the intended audience. Students will be coached to produce documents that require minimal editing and are technically sound, accurate, thorough, logical, concise, and completed in a timely manner.
 4. Course #2710: Legal Concepts for Whistleblower Investigators. The course introduces the student to frequently encountered federal statutes (e.g. Occupational Safety and Health Act (OSHA), Surface Transportation Assistance Act (STAA), Federal Railroad Safety Act (FRSA), Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21), and the Sarbanes-Oxley Act (SOX)). The instruction includes the essential elements of conducting investigations, including interviewing, analyzing information related to investigations, legal and regulatory sufficiency, and organizing and documenting information. Students will apply legal

concepts to multiple case studies such as but not limited to, contributing vs. motivating factors, cat's paw theory, equitable tolling, work refusals, leeway doctrine, retaliation by association and testimonial evidence.

5. Course #2720: Whistleblower Complaint Resolution and Settlement Negotiations. This course covers complaint resolution policies, programs, and techniques related to whistleblower statute enforcement. An emphasis will be placed on strategies to successfully resolve complaints throughout the investigative process, including the Alternative Dispute Resolution (ADR) process, Complainant's right to withdraw, and kick-out provisions. Students will learn to negotiate and prepare OSHA settlement agreements to include preserving public policy, including calculation of appropriate damages, and review and evaluate third-party agreements in accord with established guidelines.
6. Federal Statute Webinars. The webinars on the statutes enforced by the OSHA Whistleblower Protection Programs will emphasize unique attributes of the statutes with respect to Whistleblower investigations. The Federal Statute webinars are non-mandatory and can be assigned by Supervisors or accessed by the Discrimination Investigator to review or learn about particular statutes. The webinars will be reviewed periodically to maintain accurate content. The webinars will present statutes in the categories of:
 - a. Transportation Statutes Webinar
 - b. Environmental Statutes Webinar
 - c. Product-Related Statutes Webinar
 - d. Financial Statutes Webinar
 - e. Energy Statutes Webinar

Additional webinars will be created when new whistleblower statutes authorizing DOL enforcement are enacted.

XI. Waiver from Required Training Program.

- A. Waiver Conditions. The training program outlined in this instruction is expected to be completed during the first five years of a Discrimination Investigator's career. The TOSHA Administrator has discretion to waive any of the required courses listed.
- B. Assessment and Documentation. The TOSHA Administrator (or designee) must assess and document that the Discrimination Investigator has demonstrated mastery of the tasks listed in the course objectives for the course being waived. The waiver will document why the Discrimination Investigator does not need to attend the specified course. The documentation will include how the Investigator has acquired the levels of knowledge, skills and abilities taught in the course for which the waiver is being requested. The documentation shall also indicate that the Investigator has institutional understanding of TOSHA-specific policies and procedures.
- C. Waivers. Only the TOSHA Administrator can grant a waiver.
- D. Training Record Annotated. The Manager of Training and Education shall annotate the Discrimination Investigator's training record to reflect courses waived by the Regional Administrator.

XII. Time Extensions.

The time requirements for completing required courses specified in this instruction must be met. Only the TOSHA Administrator can grant a time extension.

- A. Time Extension Conditions. If there are circumstances that prevent the Discrimination Investigator from completing the required course(s), the TOSHA Administrator can extend the time for completion.
- B. Time Extension Documentation. Time extensions shall be documented by the TOSHA Administrator. Documentation shall include the reason(s) additional time is needed.
- C. DELETED
- D. Training Record Annotated. The Manager of Training and Education shall annotate the Discrimination Investigator's training record to reflect the extension of time.

XIII. Monitoring the Training Program.

Monitoring the Discrimination Investigator's progress is critical to ensure the success of the training program. Monitoring determines the benefits and effectiveness of the training received and evaluates the ability of the Discrimination Investigator to achieve training goals and objectives.

A. The TOSHA Administrator. The TOSHA Administrator or his/her designee shall:

1. Ensure that each Discrimination Investigator has completed the necessary prerequisites before attending mandatory OSHA training courses.
2. Review the Discrimination Investigator's performance of recommended self-instruction (SI) and on-the-job training (OJT) assignments, such as those listed in Appendix A.
3. Conduct a review with the Discrimination Investigator following each recommended SI and OJT activity. This review identifies areas requiring further training.
4. Determine when the Discrimination Investigator has sufficient experience to participate fully in complaint investigation; the OJT review may be discontinued when this has been successfully accomplished.

XIV. Continuation of Discrimination Investigator Development.

A. Continuing Education. Non-mandatory. After year three the Whistleblower Investigator should continue to develop the knowledge and skills necessary to conduct investigations. There are many training opportunities outside traditional OSHA Training Institute courses, including but not limited to:

1. Local community college and university courses related to grammar, writing, and financial, business, and environmental sectors.
2. Online courses offered through Learning Link and private sector training groups.
3. Technical training sessions at conferences related to whistleblower protection.
4. Public sector training institutes that offer courses related to discrimination investigation.
5. Independent study on topics related to discrimination investigation.

The Discrimination Investigators should be provided time to attend training sessions and/or conduct independent study on materials related to investigations.

B. Role of Individual Development Plans. Mandatory. An Individual

Development Plan (IDP) is a dynamic plan that helps the Discrimination Investigator achieve organizational and career goals by documenting progress. An IDP can help a Whistleblower Investigator:

1. Acquire knowledge and skills required to achieve the functional competencies of a Discrimination Investigator.
2. Build expertise as a TOSHA Discrimination Investigator.
3. Continue professional development throughout his/her career.

C. IDPs for the First Three-Year Period. The IDP should reflect:

1. Mandatory training required during the first three-year period as outlined in this instruction.
2. TOSHA training requirements.
3. Other developmental training as determined by the TOSHA Administrator. For example:
 - a. Supplemental training at the regional level that includes formal and/or informal mentoring by senior personnel and/or Discrimination Investigators with specialized experience.
 - b. Participation in investigations involving various statutes or legal complexity in a variety of business sectors.

D. IDPs Developed after the Three-Year Period.

1. The IDP should follow the guidance outlined in [OSHA Instruction PER 05-00-001 \(PER 10-1.1\)](#) OSHA Training Policy.
2. An IDP helps the Discrimination Investigator improve performance and prepare for more responsible work in accord with his/her abilities, interests and the needs of the Agency.

E. Professional Certification. Non-Mandatory. The course required for the Discrimination Investigator's first year provides a foundation for professionalism and proficiency. The required technical courses provide a higher level of knowledge and skill. Professional certification can further enhance the Discrimination Investigator's knowledge in the technical areas of discrimination investigations.

The Professional Certified Investigator (PCI)® credential provides demonstrable proof of an individual's knowledge and experience in case management, evidence collection, and preparation of reports and testimony to substantiate findings. Those who earn the PCI are ASIS International board-

certified investigators (www.asisonline.org).

The National Association of Certified Mediators provides certification for individuals who want to focus on fundamental and practical techniques of dispute resolution, arbitration and mediation (www.mediatorcertification.org).

The Association of Certified Fraud Examiners offers the Certified Fraud Examiners (CFE) Program. The CFE denotes expertise in fraud prevention, detection and deterrence (www.acfe.com).

XV. Evaluation.

The TOSHA Administrator evaluates the effectiveness of the training program for TOSHA personnel.

- A. Established evaluation criteria include:
1. Maintaining accreditation through third-party evaluations such as the International Association of Continuing Education and Training (IACET). OTI and DTE have been accredited by IACET since 2002. Retaining accreditation requires periodic internal reviews and reaccreditation not less than every five years.
 2. Meeting or exceeding the Department of Labor and Workforce Development's goals for effective management of personnel. This includes an annual review of the relationship between OTI training programs and the level of Discrimination Investigator competency at various points in the Discrimination Investigator's career.
- B. OTI and DTE distribute course evaluation surveys at the end of each class. They provide valuable feedback from the student's perspective to determine the perceived value and impact of instruction. It also serves as a tool to affect changes to course objectives, course content and presentation methods.
- C. OTI and DTE administer written tests to students both at the beginning (pre-test) and at the end (post-test) of all instructor-led courses. The pre- and post-test results can be compared to measure the effectiveness of the training to convey the objectives of the course. The results of the comparison serve as a tool for continued improvement of course content and delivery.
- D. Following attendance in an instructor-led course at OTI, after a particular time interval, DTE and OTI request feedback from the student and the student's supervisor to assess the transference of learning from the classroom to practical application in the field. This feedback contributes to continued improvement in the course and the curriculum.

Appendix A. Recommended Discrimination Investigator Training Activities

Background and Description of Appendix A. This Appendix is recommended as a guideline for Supervisors of Discrimination Investigators.

The OSHA Training Institute (OTI) offers formalized training for Discrimination Investigators through its competency-based approach to curriculum. As a professional, the Discrimination Investigator will acquire additional knowledge, skills, abilities and behaviors through other sources such as Self-Instruction (SI) and On-the-Job Training (OJT) which enhance the formal training a new Discrimination Investigator receives at OTI. This Appendix offers recommendations for both SI and OJT.

Time allotted to accomplish SI and OJT assignments should be compatible with the Discrimination Investigator's current knowledge, skill and experience. The Supervisor should verify the Discrimination Investigator's successful completion of SI and OJT assignments. Training assignments may also be supplemented by other comparable tasks deemed appropriate and/or equivalent by the Supervisor.

Type of Activity	Activity Description	Date Completed
OJT	Where does the Discrimination Investigator fit into the Agency <ul style="list-style-type: none"> • TOSHA Administrator • Manager of Training and Education • Discrimination Investigator responsibilities • Statutes enforced by the Agency 	
OJT	Review the Discrimination Investigator Training and Education Directive <ul style="list-style-type: none"> • Manager of Training and Education's role • Course descriptions • Individual Development Plans • Training plan for the first three years • Appendix A 	
OJT	Investigate Resources and Tools <ul style="list-style-type: none"> • The DWPP website, www.whistleblowers.com – statutes, regulations, forms, instructions and memos • Other useful websites commonly used by Discrimination Investigators 	
OJT	Receive and become familiar with equipment including: <ul style="list-style-type: none"> • Laptop • Smartphone capabilities 	
SI	Review and become familiar with the Whistleblower Investigation Manual CPL 02-03-003	
OJT	Describe and apply the elements of a prima facie case and	

Type of Activity	Activity Description	Date Completed
	understand the law on the timeliness of complaints	
SI	Review closed cases involving various statutes and various outcomes (dismiss, withdraw, merit, non-merit, settled, settled other)	
SI	Read 29 CFR Part 1977 after reading and reviewing Section 11(c) and other relevant sections of the OSH Act, as well as the TOSH Act(see below)	
SI	Read and review the OSH Act: <ul style="list-style-type: none"> • Which employers and employees are covered • Responsibilities of employers and employees • Section 11(c) • Section 8(a) 	
SI	Review <ul style="list-style-type: none"> • Secretary’s Order 1-2012 (Delegation of Authority) • National Office whistleblower related policy memos and directives http://intranet.osha.gov/dwpp/index.html	
OJT	Shadow Senior Whistleblower Investigator to experience: <ul style="list-style-type: none"> • Complaint intake and screening • Opening with the Complainant • Docketing/preparation and sending letters • Preparation for investigation • Opening with Respondent • Interviews • Request for data/documents • Reviewing Respondent’s position statement • Complainant’s rebuttal • Compose Report of Investigation (ROI) • Closing with Respondent and Complainant • Compose Commissioner’s Findings • Creating, organizing, and maintaining a case file • Settlement and negotiation • State Plan review and Complaints About State Plan Administration (CASPA)s and Federal Annual Monitoring Evaluations (FAMES), as applicable 	
OJT	Conduct intake and screening of complaints	
SI	Review statutes commonly used, such as OSH Act, TOSH Act	
SI	Review relevant case law and legal doctrine. Consult with the TOSHA Legal Counsel for guidance	
OJT	Receive IMIS password and learn how to input and retrieve certain complaint data; download IMIS reports	

Type of Activity	Activity Description	Date Completed
SI	Review responsibilities and coverage of other anti-retaliation investigative agencies, e.g., EEOC, NLRB	
SI	Describe the fundamentals of OSHA’s whistleblower protection programs to the general public, employee/employer associations, unions, other government agencies and stakeholders	
SI	Become familiar with Regional State Plan Whistleblower programs. Review State Plan equivalent to Section 11(c) statutes, regulations, and investigation procedures. Review applicable whistleblower State Plan Complaint About State Plan Administration (CASPA) and Federal Annual Monitoring and Evaluation (FAME) findings.	