

**SUPPORTING STATEMENT FOR THE
INFORMATION-COLLECTION REQUIREMENTS OF THE
TRAINING GRANT APPLICATION
(OMB CONTROL NO. 1218-0020 (September 2007))**

JUSTIFICATION

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

Section 21 of the Occupational Safety and Health Act of 1970 (the “OSH Act”) (29 U.S.C. 670) authorizes the Occupational Safety and Health Administration (“OSHA” or the “Agency”) to conduct directly, or through grants and contracts, education and training courses. These courses must ensure an adequate number of qualified personnel to fulfill the purposes of the Act, provide them with short-term training, inform them of the importance and proper use of safety and health equipment, and train employers and employees to recognize, avoid, and prevent unsafe and unhealthful working conditions.

Consistent with the training mandate specified by Section 21, the Agency awards grants to nonprofit organizations to provide part of the required training. To obtain such a grant, an organization must complete the Training Grant Application (TGA).¹ The following list provides the title of each of the 11 information-collection documents contained in the TGA, the information collected by the document, the purpose for collecting this information, and the statutory and/or regulatory requirement, if any, for the information:

- 1. Title:** Application for Federal Assistance (Standard Form 424 (Rev. 10-05), Prescribed by OMB Circular A-102)

Information Collected: Identifier data (e.g., name, organizational DUNS number, address, identification number), type of application and applicant organization, title and description of project, estimated funding and funding sources, whether or not the application is subject to State Executive Order (EO) 12372 process, and whether or not the applicant organization is delinquent on any Federal debt.

Purpose: To obtain basic information about the applicant organization and application, as well as certification by the applicant organization that States having established review and comment procedures under EO 12372, and that the selected program for this process, had an opportunity to review the application.

Statutory/Regulatory Requirement: 29 CFR 95.12; Department of Labor (DOL)

- 2. Title:** Program Summary

Information Collected: Basic information about the applicant organization (its name; project director’s and certifying representative’s name, title, address, and telephone number), requested

¹This ICR refers to an organization that is completing the TGA as an “applicant organization.”

Federal and non-Federal funding, applicant organization's background (e.g., its mission, a description of the membership (if any)), and a summary of the proposed training program.

Purpose: Used by Agency officials to review and evaluate the highlights of the overall proposal.

Statutory/Regulatory Requirement: None

3. Title: Budget Information (Standard Form 424A (Rev. 7-97), Prescribed by OMB Circular A-102)

Information Collected: A budget summary providing a brief description of program functions or activities, Federal domestic assistance numbers, an estimate of Federal and non-Federal unobligated funds, and a new budget for Federal, non-Federal, and total funding; data for budget categories (i.e., object-class categories (e.g., personnel, travel, supplies, indirect charges)) arranged by program functions or activities, and funding totals for these budget elements; estimated income (if any) generated from the proposed project; identifier and funding data on non-Federal resources that the applicant organization will use to support the project; quarterly estimates of cash needs from Federal and non-Federal resources; yearly estimates of Federal resources needed for the duration of project; and a summary of direct and indirect charges.

Purpose: To determine the appropriateness of proposed costs, and to assist OSHA in allocating its training grant resources.

Statutory/Regulatory Requirement: 29 CFR 95.12, DOL

4. Title: Detailed Budget Backup

Information Collected: Proposed allocation of Federal and non-Federal funds to programmatic and administrative costs for the funding determinations made in Standard Form 424A; and a detailed analysis of the estimated income (if any) generated from the proposed project (i.e., total income, sources (e.g., classes, books, pamphlets), basis of the income (e.g., number of students taught, books sold), and allocation of the income (to non-Federal resources contribution or to increase the total grant amount).

Purpose: To determine if the budget information provided on Standard Form 424A is appropriate to the proposed training activities.

Statutory/Regulatory Requirement: 29 CFR 95.25, DOL

5. Title: Program Narrative

Information Collected: Describes the hazards addressed by the proposed training program, the trainee population (in terms of geographic locations and the number of employers and employees), and the applicant organization's need for Federal funds and ability to manage the grant program (in terms of managerial experience and organizational and staff experience). Also provides a work plan that describes the training activities and tasks, quarterly training milestones, the training materials produced, and how the applicant organization will evaluate training effectiveness.

Purpose: Used to evaluate the merit and competitiveness of the proposed project in terms of the number of safety and health hazards addressed; the training needs and geographical distribution of the trainee population; a recruitment plan for trainees; a training evaluation plan; the applicant organization's occupational safety and health background, including organizational

and staff training experience; organizational experience in managing a variety of programs and grants; and a budget that is reasonable, appropriate, complies with Federal cost principles, and has an adequate matching share, if required.

Statutory/Regulatory Requirement: None

6. Title: Assurances—Non-Construction Programs (Standard Form 424B (Rev. 7-97), Prescribed by OMB Circular A-102)

Information Collected: Signature of the authorized certifying official, the title of this official, the name of the applicant organization, and the date it submitted the form.

Purpose: To obtain legally-binding certification from the applicant organization that it: Has the legal authority to apply for Federal assistance; has the managerial and financial capability to plan, manage, and complete the proposed project; will give Federal officials access to, and the right to examine, grant-related documents; will establish an appropriate accounting system; will develop safeguards to prevent employees from using their positions in a manner that results in their personal gain, places them or the applicant organization in a conflict of interest, or gives the appearance of personal gain or a conflict of interest; will complete the proposed project as planned; and will comply with the requirements of applicable Federal laws, executive orders, regulations, and policies, including those requirements that govern personnel management, employee discrimination, displaced-persons relocation rights, political activities of employees funded by the Federal government, labor standards for federally-assisted construction subagreements, the purchase of flood insurance, environmental quality, preservation of historic property, protection of human and animal subjects, use of lead-based paint, and financial auditing of Federally-supported projects.

Statutory/Regulatory Requirement: 29 CFR 95.12, DOL

7. Title: Certifications (OSHA Form 189, 5/98 edition) consisting of: Certification Regarding Drug-Free Workplace; Certification Regarding Debarment, Suspension and Other Responsibility Matters; and Lobbying Certification.

Information Collected: Mailing address of the worksite(s) funded by the grant (optional), signature of the certifying representative, date of signature, name and title of the representative, and the name of the applicant organization.

Purpose: To obtain legally-binding certification from the applicant organization that it: Will comply with 12 specified conditions for maintaining a drug-free workplace; is not under debarment, suspension, proposed debarment, a declaration of ineligibility, or a voluntarily exclusion prohibiting covered transactions with the Federal government; within the last three years, had no civil judgments rendered against it for commission of fraud and no criminal convictions involving a public (Federal, State, or local) transaction, violation of Federal or State antitrust statutes, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property, nor is it under indictment, nor are any civil or criminal charges pending against it, for these offenses; and, within the last three years, had no public transactions terminated for cause or default.

Statutory/Regulatory Requirement: 29 CFR 98.630, DOL (drug-free workplace); 29 CFR 95.13, DOL (debarment, suspension, etc.); and 29 CFR 93.110; DOL (lobbying certification).

8. Title: Organization Chart

Information Collected: An organizational chart for the applicant organization showing the location of the project staff relative to other staff members and the total number of full- and part-time staff employed by the organization.

Purpose: To ensure that adequate personnel resources are available to implement and complete the proposed project.

Statutory/Regulatory Requirement: None

9.. Title: Evidence of Nonprofit Status

Information Collected: A copy of an IRS letter granting the applicant organization nonprofit status.

Purpose: To ensure that the applicant organization meets the requirement that grant recipients be nonprofit organizations.

Statutory/Regulatory Requirement: None

10. Title: Accounting System Certification

Information Collected: A statement signed by the certifying representative that the applicant organization: Has a functioning accounting system that meets seven specified conditions; or is designating a qualified entity by name and address that will maintain such a system.

Purpose: To prevent fraud and other misuse of grant funds by ensuring that the applicant organization accounts for these funds using appropriate and accepted accounting practices.

Statutory/Regulatory Requirement: None

11. Title: Survey On Ensuring Equal Opportunity For Applicants (OMB No. 1890-0014)

Information Collected: Nonprofit private organization voluntarily completes survey identifying if it has 501(c)(3) status, number of employees, if it is a faith-based/religious organization or non-religious community-based organization, if it will manage the grant on behalf of other organizations, has ever received a government grant or contract, and whether or not it is a local affiliate of a national organization.

Purpose: To ensure that all qualified applications have an equal opportunity to complete for Federal funding.

Statutory /Regulatory Requirement: None

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the Agency has made of the information received from the current collection.

The list in Item 1 above describes the purpose served by each of the 11 information-collection documents contained in the TGA. In summary, the Agency uses this information to evaluate: The applicant organization's competence to provide the proposed training (including the qualifications of the personnel who manage and implement the training); the goals and objectives of the proposed training program; the program activities that the applicant organization proposes to implement to meet these goals and objectives; the appropriateness of the proposed costs; and the applicant organization's compliance with Federal statutes, laws, and regulations governing drug use in the workplace, nonprocurement debarment, suspension, and related matters, and lobbying activities.

Also required is a program summary that Agency officials use to review and evaluate the highlights of the overall proposal.

After awarding a training grant, OSHA uses the work plan and budget information provided in the application to monitor the organization's progress in meeting training goals and objectives, as well as planned expenditures. The initial grant award is for one year.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

Beginning in FY 2007, applicant organizations may submit their TGA electronically through the Grants.gov process. The Grant Application is also available for downloading via the OSHA web site.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The paperwork requirements of the TGA are specific to each applicant organization, and no other source or agency duplicates these requirements or can make the required information available to OSHA (i.e., the required information is available only from the applicant organization).

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

OSHA receives applications from various non-profit organizations, some large and some small. Traditionally larger organizations apply for grants. This information collection does not have a significant economic impact on small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If OSHA could not collect the information provided by the TGA, or obtain the information less frequently (than annually), it would not have a record or data to use in evaluating: An applicant organization's competence to provide the proposed training; the appropriateness of the goals and objectives of the proposed training program; the tasks that the applicant organization will implement to meet these goals and objectives; the appropriateness of the proposed costs; and compliance with Federal regulations governing nonprocurement debarment and suspension, maintaining a drug-free workplace, and lobbying activities. Without this information, the Agency would be unable to determine the extent to which an application meets OSHA's overall training goals and objectives, including the training mandate specified by Section 21 of the Act.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **Requiring respondents to report information to the Agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the Agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

Beginning in fiscal year 2007, the Agency will be accepting grant applications submitted through the Grants.gov electronic grants process.

8. If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the Agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the Agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the Agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)), OSHA published a notice in the **Federal Register** on June 21, 2007 (72 FR 34299), Docket No. OSHA-2007-0056 requesting public comment on its proposed extension of the information collection requirements contained in the Training Grant Application. This notice was part of a preclearance consultation program intended to provide those interested parties the opportunity to comment on OSHA's request for an extension by the Office of Management and Budget (OMB) of a previous approval of the

information collection requirements found in the above Application. The Agency received no comments in response to its notice to comment on this request.

9. Explain any decision to provide any payment or gift to respondents, other than reenumeration of contractors or grantees.

OSHA will not provide payments or gifts to any applicant organization, or any employee of such an organization, to complete the TGA.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or Agency policy.

The Agency provides no assurance of confidentiality regarding the information collected by the TGA because it believes that none of this information is confidential.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the Agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The Agency believes that none of the information collected by the TGA is sensitive.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimate for estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collection of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

During the last three years, OSHA has received an average of 184 TGAs a year. The Agency estimates that it takes staff members for each applicant organization 55.25 hours to complete an application, including the narrative and budget components. OSHA divides the 55.25 hours per application as follows: 37 hours of professional time, for a total of 6,808 hours for 184 applications; and 18.25 hours of clerical time, for a total of 3,358 hours for 184 applications. The Agency uses an hourly wage rate of \$50.45 for professional time and \$19.31 per hour for clerical time. Therefore, the annual burden hours and cost of this paperwork requirement are:

Burden Hours: 184 applications x 55.25 hours = 10,166 hours

Cost: (6,808 hours x \$50.45 (professional time)) + (3,358 hours x \$19.31 (clerical time)) = \$408,307

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)

· The cost estimate should be split into two components: (a) A total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

· Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) Prior to October 1, 1995; (2) to achieve regulatory compliance with requirements not associated with the information collection; (3) for reasons other than to provide information or keep records for the government; or (4) as part of customary and usual business or private practices.

Item 12 above provides the total cost of the information collection requirement associated with completing the TGA.

14. Provide estimates of the annualized cost to the Federal Government. Also provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into single table.

The Federal government would incur a cost whenever it reviews a TGA. As noted above under Item 12 above, OSHA determined that it receives an average of 184 such applications each year. The Agency estimates that it takes a professional, Program Analyst², GS-13, at a wage rate of \$50.45 per hour, 10 hours to review and analyze each application. In making this cost determination, OSHA

²Hourly wages for professional staff were based on the government pay scale for a Chicago area GS-13, step 10 (\$50.45). Usually applications are submitted by PhDs, certified safety professionals, certified Industrial Hygienists, and other professional staff.

Hourly wages for clerical staff were based on the government pay scale for a Chicago area GS-5, step 10 (\$19.31). Clerical elements are performed by secretaries and accounting staff.

does not account for other occupational costs (e.g., equipment, overhead, and support staff expenses) since these costs are normal expenses and would occur without this requirement. Therefore, the total annual cost for the Federal government to review these reports is:

$$184 \text{ reports} \times 10 \text{ hours} \times \$50.45 = \$92,828$$

15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.

The Agency is requesting a decrease of 4,647 hours due to a reduction in the number of grant applications received during the last three fiscal years (FY-06 – FY-04) from 250 per year to an average of 184.

16. For collections of information whose results will be published, outline plans for tabulations and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of the report, publication dates, and other actions.

OSHA will not publish the information collected by the TGA.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The expiration date will be displayed on the training grant application instructions.

18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-1.

OSHA is not seeking an exception to the certification statement in Item 19.