

**SUPPORTING STATEMENT FOR THE
INFORMATION COLLECTION REQUIREMENTS OF THE
STUDENT DATA FORM
OFFICE OF MANAGEMENT AND BUDGET (OMB)
CONTROL NO. 1218-0172 (September 2010)**

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 education and training courses. These courses must educate an adequate number of qualified personnel to fulfill the purposes of the OSH Act, provide them with short-term training, inform them of the importance and proper use of safety and health equipment, and train employers and workers to recognize, avoid, and prevent unsafe and unhealthful working conditions.

Under Section 21 of the OSH Act, the OSHA Training Institute (the “Institute”) provides basic, intermediate, and advanced training and education in occupational safety and health for Federal and State compliance officers, Agency professionals and technical support personnel, employers, workers, organizations representing workers and employers, educators who develop curricula and teach occupational safety and health courses, and representatives of professional safety and health groups. The Institute provides courses on occupational safety and health at its national training facility in Arlington Heights, Illinois.

Students attending Institute courses complete a one-page Student Data Form (SDF; OSHA Form 182) on the first day of class. The form provides information under five major categories titled “Course Information,” “Personal Data,” “Employer Data,” “Emergency Contacts,” and “Student Groups.” The OSHA Office of Training and Education compiles, for each fiscal year, the following information from the “Course Information” and “Student Groups” categories: Total student attendance at the Institute; the number of students attending each training course offered by the Institute; and the types of students attending these courses (for example, students from Federal or State occupational safety and health agencies).

- 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 Agency uses the information compiled from the SDF by its Office of Training and Education to demonstrate, in an accurate and timely manner, that it is providing the training and worker education mandated by Section 21 of the OSH Act. This information is also helpful in evaluating training, and in making decisions regarding program/course revisions, budget support, and tuition costs. In addition, the information collected under the “Course Information,” “Personal Data,” and “Employer Data” permits the Agency to identify private sector students so

that it can collect tuition costs from them or their employers as authorized by 31 U.S.C. 9701 (“Fees and Charges for Government Services and Things of Value”); Office of Management and Budget Circular A-25 (“User Charges”); and 29 CFR part 1949 (“Office of Training and Education, Occupational Safety and Health Administration”). The information in the “Personal Data” and “Emergency Contacts” categories allows OSHA to contact students who are residing in local hotels/motels if an emergency arises at their home or place of employment, and to alert supervisors/alternate contacts of a trainee’s injury or illness.

- 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 burdens.**

Students must complete the SDF manually because it is not available using advanced information technology and the collection is made in a classroom setting.

- 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 SDF are specific to each student involved, 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 student).

- 5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

The information provided on the SDF has no direct impact on any business regardless of size because the Agency collects the information as part of the training course attended by the student who completes the form; accordingly, this paperwork requirement does not have a significant impact on a substantial number of 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 on the SDF, or obtained it less frequently, the Agency would not have a record or data to use in: documenting its timely and full compliance with section 21 of the OSH Act; planning timely program/course revisions, budget support, and tuition costs; collecting tuition from private-sector students as required by existing federal regulations; and effectively managing student-related emergencies that arise during training.

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.

The Agency believes that no special circumstances exist that would cause it to collect the information required by the SDF in a manner, or using procedures, that differ from the description provided in Item 2 above.

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 July 8, 2010 (75 FR 39279, Docket No. OSHA-2010-0022) soliciting comments from the public and other interested parties on its proposal to extend the Office of Management and Budget's approval of the information collection

requirements specified by the Student Data Form (SDF). The notice was part of a preclearance consultation program that provides the general public and government agencies with an opportunity to comment on OSHA's request for an extension by OMB of a previous approval of the information collection requirements found in the SDF. The Agency did not receive any comments in response to its notice.

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 the student who completes the SDF.

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 SDF 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 SDF 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.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections 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.**

About 2,000 students attended the Institute during the previous fiscal year (FY 2009), and each student completed one SDF on the first day of class. OSHA estimates that it takes 5 minutes (.08 hour) for a student to complete the form, resulting in a total of 160 burden hours for 2,000 students to complete the form (i.e., 2,000 students x .08 hour = 160 burden hours). The Agency collects the information as part of the training course attended by the student who completes the

form, and the average student will attend only that course during the fiscal year. Nevertheless, the typical federal employee (student) attending an Institute training course is an Occupational Safety and Health Specialist (GS-7, step 1) with an hourly rate (including benefits) of \$19.75 per hour. Assuming that the hourly rate for non-federal workers (students) (e.g., from state-plan states or the private sector) is similar, then the total cost to complete the SDF is \$3,160 (i.e., 160 hours x \$19.75 = \$3,160).

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 provides the total cost of the information collection requirement associated with completing the SDF.

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.

OSHA estimates that the total annual cost to the Federal government of collecting and maintaining the information collected by the SDF is about \$8,332. The Agency based this cost on the determinations provided in the following table:

| Description | Total Hours | Hourly Rate | Cost (rounded) |
|---|------------------------------------|-------------|----------------|
| 1 Management Services Specialist ¹ | 208 hours | \$35.07 | \$7,295 |
| 1 Training and Education Assistant ² | 24 hours | \$24.35 | \$584 |
| 1 Professional ³ | 6.8 hours | \$48.98 | \$333 |
| Annual record storage costs of forms | \$35/square foot x 2.0 square feet | | \$70 |
| Annual printing cost | | | \$50 |
| Total Annual Cost: | | | \$8,332 |

¹**Title and grade (Management Services Specialist, GS 11, step 7);** based on spending 10% of time (2080 hrs/yr times 10% equals 208 hrs/yr, \$35.07/hr times 208 hrs/yr equals \$6,843.20) on tuition collection activities such as, determining tuition status, collecting tuition from private sector students, and maintaining tuition collection financial records.

²**Title and grade (Training and Education Assistant, GS 7, step 8);** based on spending 2hrs/mo (12mo times 2hr/mo equals 24 hrs/yr; \$24.35/hr times 24 hrs/yr equals \$548.16) collecting and processing the SDFs into course files, by month and fiscal year.

³**Title (Occupational Safety and Health Specialist, or Industrial Hygienist, GS 13, step 6);** based on Institute instructors spending a total of .05 hours in each of 82 courses distributing and collecting the SDFs, and answering questions about them.

15. Explain the reasons for any program changes or adjustments.

The Agency is requesting a 7 hour burden adjustment decrease (from 167 burden hours to 160 burden hours). The decrease is a result of standardizing the 5 minute time estimate used for students to complete the SDF (i.e., 2,000 forms x .08 hour = 160 burden hours rather than 2,000 forms x 5 minutes/60 = 167 hours) to conform with the five minute time estimates used in other Agency Information Collection Requests.

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 SDF.

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.

OSHA will publish the OMB expiration number on the OSHA Form 182.

18. Explain each exception to the certification statement in ROCIS.

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