

NOTE TO REVIEWERS

REVISION TO:

SUPPORTING STATEMENT FOR THE INFORMATION COLLECTION REQUIREMENTS OF REGULATIONS CONTAINING PROCEDURES FOR HANDLING OF RETALIATION COMPLAINTS OFFICE OF MANAGEMENT AND BUDGET (OMB) CONTROL NO. 1218-0236 (February 2013)

OSHA is requesting a non-substantive change to the currently approved collection of information requirements contained in the “Regulations Containing Procedures for Handling of Retaliation Complaints” ICR in anticipation of publication of the Interim Final Rule (IFR), 29 CFR 1984, Procedures for the Handling of Retaliation Complaints under Section 1558 of the Affordable Care Act of 2010. The purpose of the non-substantive change request is to add the IFR as a supplementary document to this ICR. The IFR was published on February 27, 2013.

The Patient Protection and Affordable Care Act, Pub. L 111-148 (the “ACA”) was signed into law on March 23, 2010 and was amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. 111-152 on March 30, 2010. OSHA began enforcing Section 1558 of the ACA, which amended the Fair Labor Standards Act (“FLSA”) to add section 18C, 29 U.S.C. 218C, on the date of enactment using its statutory authority and general procedures. 29 U.S.C. 218C is already referenced in the existing ICR as a statutory authority (submitted to OMB for approval in January 2011 and approved by OMB in May 2011). In addition, ACA complaints received by OSHA are already accounted for in the 2,507 estimated complaints reported in the existing ICR. Thus, promulgation of the IFR will not change the number of responses, burden hours or costs of this ICR.