

**JUSTIFICATION FOR NON-MATERIAL CHANGE FOR THE INFORMATION  
COLLECTION REQUIREMENTS OF REGULATIONS CONTAINING  
PROCEDURES FOR HANDLING OF RETALIATION COMPLAINTS  
OFFICE OF MANAGEMENT AND BUDGET (OMB) CONTROL NO. 1218-0236  
(April 2014)**

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 to incorporate the Interim Final Rule (IFR), 29 CFR 1985, Procedures for Handling Retaliation Complaints Under the Employee Protection Provision of the Consumer Financial Protection Act of 2010. As further explained in the next paragraph, the underlying statutory provision already is included as an authority for this collection and the interim final rule does not materially change the information collection process currently in existence. The non-material change process where OSHA is simply adding a citation is outlined in the last paragraph of item 1 of the current ICR justification supporting statement.

The Consumer Financial Protection Act of 2010 (CFPA or the Act), was enacted as Title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act), Pub. L. 111-203, 124 Stat. 1376, on July 21, 2010. Section 1057 of the Dodd-Frank Act, codified at 12 U.S.C. 5567 and referred to throughout the IFR as CFPA, provides protection to covered employees, and authorized representatives of such employees, against retaliation because they engaged in activity protected by the Act. OSHA began enforcement of CFPA on July 21, 2010, using its statutory authority and general procedures. The CFPA statute is already referenced in the existing ICR as a statutory authority (submitted to OMB for approval in June 2013 and approved by OMB in July 2013). In addition, CFPA complaints received by OSHA are already accounted for in the 2,872 estimated complaints reported in the existing ICR. Thus, promulgation of the IFR will not change the process, number of responses, burden hours or costs of this ICR.