

Occupational Safety and Health Act Recordkeeping and Reporting  
Occupational Injuries and Illnesses (29 CFR Part 1904)  
1218-0176  
May 2015

**Note To Reviewer**

OSHA is proposing to amend its recordkeeping regulations to clarify that the duty to make and maintain accurate records of work-related injuries and illnesses is an ongoing obligation. The duty to record an injury or illness continues for as long as the employer must keep records of the recordable injury or illness; the duty does not expire just because the employer fails to create the necessary records when first required to do so. This proposal simply reiterates and clarifies employers' existing obligations to record and maintain work-related injuries and illnesses and does not add any new information collection requirements. Earlier estimates assumed 100 percent compliance; therefore, there are no increases or decreases to the Recording and Reporting Occupational Injuries and Illnesses burden hour and cost estimates.

As the Agency is not seeking comment on all the information collection requirements approved under this control number, the current expiration date will be maintained. In addition, the Agency anticipates public comments; the agency requests that OMB "file comment" on this ICR with an instruction to review any public comment on the information collection.

**SUPPORTING STATEMENT FOR THE  
INFORMATION COLLECTION REQUIREMENT ON RECORDKEEPING  
AND REPORTING OCCUPATIONAL INJURIES AND ILLNESSES  
(29 CFR PART 1904)  
OFFICE OF MANAGEMENT AND BUDGET (OMB)  
CONTROL NO. 1218-0176  
(June 2015)**

**A. 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.**

Public Law 91-596, the Occupational Safety and Health Act of 1970, section 24(a) states that:

The Secretary . . . shall develop and maintain an effective program of collection, compilation, and analysis of occupational safety and health statistics.

Further:

. . .the Secretary may promote, encourage, or directly engage in programs of studies, information and communication concerning occupational safety and health statistics.

Section 8(c)(2) of the OSH Act also prescribes that:

The Secretary shall prescribe regulations requiring employers to maintain accurate records of and to make periodic reports on, work-related deaths, injuries and illnesses. . .

Recordkeeping regulations are contained in Title 29 of the Code of Federal Regulations (CFR) 1904.

Recordkeeping forms are promulgated under 29 CFR 1904, and consist of the OSHA Form 300, the Log of Work-Related Injuries and Illnesses; the OSHA Form 300A, Summary of Work-Related Injuries and Illnesses; and the OSHA Form 301, the Injury and Illness Incident Report. The use of the recordkeeping forms by employers helps to ensure the uniformity of the safety and health data utilized by OSHA and the Bureau of Labor Statistics (BLS).

**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 OSHA Forms package and 29 CFR 1904 provide employers with the means and specific instructions needed to maintain records of work-related injuries and illnesses. Response to this collection of information is mandatory for employers covered by the regulations, as specified in

Occupational Safety and Health Act Recordkeeping and Reporting  
Occupational Injuries and Illnesses (29 CFR Part 1904)  
1218-0176  
May 2015

29 CFR 1904, subpart B. Approximately 1.5 million establishments are regularly required to maintain the forms.

Employers required to keep the occupational injury and illness records pursuant to 29 CFR 1904 must maintain the required records at each establishment, and comply with the annual certification and posting requirements of 29 CFR 1904.32. These employers are required to comply with the requirements of 29 CFR 1904.35, which provide access to records for employees, former employees and their representatives. These employers are also required to comply with the reporting requirements of 29 CFR 1904 Subpart E, which provides for reporting fatality, injury and illness information to the government. (Note: The burden associated with the requirements of §1904.42 are covered under OMB Control Number 1220-0045.)

The records kept pursuant to part 1904 are used for many purposes. Generally, hard data are necessary to define the nature and extent of existing occupational health and safety problems, or lack thereof. Hard data on occupational injuries and illnesses provide a baseline for use in evaluating efforts to solve existing health and safety problems. Accurate worksite data are indispensable for use in outcome-oriented efforts to improve the safety and health of America's workers.

Specifically, the records kept pursuant to part 1904 are used primarily by government, employers, employees, and labor organizations. OSHA has used the information gathered from part 1904 records during its annual data collection to target its programmed inspections and outreach efforts and to comply with the Government Performance and Results Act (GPRA). OSHA also uses information provided in individual employer's part 1904 records when its compliance officers review them as a part of an on-site OSHA inspection. The information in the records can provide a roadmap for the compliance officer to focus the inspection on the most hazardous aspects of the operation. In short, accurate records are necessary for the optimal prioritization of the use of OSHA's scarce resources.

In addition to OSHA, others use information generated by the part 1904 records. The Bureau of Labor Statistics (BLS) uses the information collected from the part 1904 records of participants in its annual statistical survey (which is covered under a separate PRA approval) to produce national statistics on occupational injuries and illnesses. Employers and employees use the records to see—in a snapshot—the health and safety record for the establishment. The records provide accurate injury and illness information for each worksite; information that is indispensable for use by the employer as well as employees in accomplishing databased problem solving and hazard identification to improve the health and safety conditions of the worksite.

The reporting of fatalities, hospitalizations, amputations, and the loss of an eye provide OSHA with more information about serious workplace injuries and illnesses. This information allows OSHA to carry out timely investigations of these events as appropriate, leading to the mitigation of related hazards and the prevention of further events at the workplaces where the events occurred. This information also helps OSHA establish a comprehensive database that the

Occupational Safety and Health Act Recordkeeping and Reporting  
Occupational Injuries and Illnesses (29 CFR Part 1904)  
1218-0176  
May 2015

Agency, researchers, and the public can use to identify hazards related to reportable events and to identify industries and processes where these hazards are prevalent.

**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.**

Paragraph 29 CFR 1904.39(a) requires the employer of any employees so affected to report fatalities, hospitalizations, and other reportable incidents by telephone or in person to the Area Office of the Occupational Safety and Health Administration (OSHA), U. S. Department of Labor, that is nearest to the site of the incident, or by using the OSHA toll-free central telephone number. Employers may also submit the report electronically using OSHA's public Website ([www.osha.gov](http://www.osha.gov)).

Employers may maintain the required part 1904 records using computers, if the computerized forms contain the same detail and are as readable and comprehensible to the average person as are the part 1904 forms. On its Website, OSHA has made available to the public the OSHA Forms 300, 300A and 301 as a Microsoft Excel spreadsheet and in a fillable PDF format. The use of such technology, including the advantages of centralization, reduces employer burden.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose(s) described in A.2 above.**

OSHA knows of no similar data that are comparable to the data recorded on the OSHA Form 300. Workers' compensation data are not a viable substitute for the data required by part 1904 because State workers' compensation regulations that define which injuries and illnesses are compensable vary. Furthermore, workers' compensation data are not made available to OSHA by every State.

The OSHA Form 300 and the OSHA Form 301 do not duplicate any existing Federal documents. For each recordable occupational injury or illness, as defined by 29 CFR part 1904, subpart C, an employer must complete a line item on OSHA Form 300 and also complete the OSHA Form 301. Employers may use other forms, such as insurance forms or State workers' compensation forms, in lieu of the OSHA Form 301 if the substitute forms contain all the information required by the OSHA Form 301 or are supplemented to do so. OSHA estimates that 60 percent of employers will use substitute forms in lieu of the OSHA Form 301.

BLS captures and publishes data on work-related fatalities through its Census of Fatal Occupational Injuries (CFOI) program. There are two key reasons why this information cannot be used in place of the collection of fatality data addressed by this ICR. The BLS data are not identified by employer and location, and the BLS data are not timely enough for effective enforcement purposes. OSHA uses the captured data to initiate inspections and investigations of the sentinel events. Knowing the specific location of the fatality is necessary for OSHA to conduct investigations. Furthermore, OSHA must have the information immediately to investigate the scene of the accident to ensure that the hazard that led to the fatality has been

Occupational Safety and Health Act Recordkeeping and Reporting  
Occupational Injuries and Illnesses (29 CFR Part 1904)  
1218-0176  
May 2015

abated. Publication of the BLS fatality data lags from 8 months to almost 2 years after the occurrence.

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

Small employers with fewer than 11 employees in all sectors of the economy and all employers in certain low hazard industries are exempt from OSHA recordkeeping, unless pre-notified that they must keep records. Of the 7.5 million establishments covered by OSHA and the State Plans, approximately 6 million fall under these exemptions. These exemptions do not apply to the requirement that employers must report to OSHA a fatality, in-patient hospitalization, amputation, or loss of an eye as a result of a work-related incident. *See* 29 CFR 1904.39.

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

Efforts to fulfill the Congressional mandate to assure “safe and healthful working conditions for working men and women . . .” would be severely hampered if OSHA did not require employers to maintain the records required by 29 CFR 1904, or if OSHA required that the records be kept on less than an annual basis. As explained more fully above in answer to question 2, the records kept pursuant to part 1904 are used for many purposes. The absence of these records, or any change in the system which would result in less frequent generation of these records, would adversely impact many programs. The government and private sector’s ability to define— using hard data—the nature and extent of existing occupational safety and health problems, and to evaluate occupational safety and health programs, would be severely hampered. Specifically, OSHA and BLS would be unable to continue their respective annual collections of information generated from the part 1904 records, and thus their respective programs that utilize those data— such as OSHA’s programmed inspection program, and BLS’s generation of national occupational injury and illness statistics—could be irreparably harmed. OSHA compliance officers would not have the benefit of current part 1904 records that help to focus their on-site inspections more effectively. In short, OSHA’s ability to optimize the use of its scarce resources would be crippled. Furthermore, employers and employees would also lose a valuable resource -- an up-to-date “snapshot” of the safety and health record for the establishment -- if the part 1904 records ceased to exist, or were maintained on a less frequent basis.

**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;**

Occupational Safety and Health Act Recordkeeping and Reporting  
Occupational Injuries and Illnesses (29 CFR Part 1904)  
1218-0176  
May 2015

- **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 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 prove that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

While this information collection does not give a confidentiality assurance, in some circumstances the information recorded in compliance with part 1904 may be confidential in nature. OSHA considers such information to be potentially confidential, and, as appropriate, follows the procedures set forth in 29 CFR 70.26, which require OSHA to contact the employer which submitted the information prior to any potential release under the Freedom of Information Act, 5 U.S.C. § 552(b)(4). Additionally, section 15 of the OSH Act protects the confidentiality of trade secrets. *See* 29 U.S.C. § 664. *See also* 18 U.S.C. § 1905.

Furthermore, §§ 1904.29(b)(6) through (b)(9) provide for the confidentiality of employees who experience 6 different types of injuries and illnesses, including any illness case in which an employee voluntarily requests that his or her name not be entered on the log. Employers are required to code these injury and illness cases and maintain a separate confidential list of employee names associated with the codes. Also, § 1904.29(b)(10) requires that, if an employer voluntarily discloses the forms to persons other than those granted access under §§ 1904.35 and 1904.40, the employer must remove or hide the employees' names and other personally identifying information, except under the limited circumstances contained in §§ 1904.29(b)(10) (i) through (iii). This ensures the employee's privacy is protected.

Employers under 29 CFR 1904.29(b)(3) are required to enter each recordable injury or illness on the OSHA 300 Log and 301 Incident Report within seven (7) calendar days of receiving information that a recordable injury or illness has occurred. Also, §1904.39(a) requires employers to report fatalities to OSHA within 8 hours, and amputations, the loss of an eye, and in-patient hospitalizations to OSHA within 24 hours. OSHA's fatality/catastrophe investigations are most effective when accidents are reported immediately following their occurrence. Any delay in OSHA's receipt of these reports can seriously hinder the Agency's efforts to determine the cause of the accident, as the accident scene can change significantly in a short period of time.

Under 29 CFR 1904.33, employers are required to retain the recordkeeping forms for five years following the end of the calendar year that the records cover. Employers must also update the stored 300 logs to reflect changes that have occurred with respect to previously recorded injuries and illnesses. The five-year retention requirement for OSHA injury and illness records enables

Occupational Safety and Health Act Recordkeeping and Reporting  
Occupational Injuries and Illnesses (29 CFR Part 1904)  
1218-0176  
May 2015

employers, employees, and researchers to obtain sufficient data to discover patterns and trends of illnesses and injuries and, in many cases, to demonstrate the statistical significance of such data. OSHA has concluded that the five-year retention period adds little additional cost or administrative burden, since relatively few cases will surface more than three years after the injury and illness occurred, and the vast majority of cases are resolved in a short time and do not require updating.

This information collection is otherwise consistent with 5 CFR 1320.5.

**8. If applicable, provide a copy and identify the date 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.**

OSHA consulted with the Advisory Committee on Construction Safety and Health (ACCSH) on this rulemaking. The Agency provided ACCSH with a summary and explanation of this proposal and a statement regarding the need for the proposed revisions to 29 CFR part 1904. On December 4, 2014, ACCSH voted to recommend that OSHA proceed with this proposal. OSHA is collecting comments from the public through a Notice of Proposed Rulemaking.

Concurrent with submission of this ICR submission, OSHA issued a Notice of Proposed Rulemaking that provides a 60-day period for the public to comment on the proposed change to the collection of information. In addition, the NPRM instructed that comments on the information collections in the proposed rule could be sent directly to OMB during a 30-day period.

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

The Agency will not provide payments or gifts to the respondents.

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

While there is no assurance of confidentiality covering information recorded on these forms and documents, the part 1904 regulations include several provisions to protect the privacy of injured or ill employees. While in the possession of the employer, the records are subject to the

Occupational Safety and Health Act Recordkeeping and Reporting  
Occupational Injuries and Illnesses (29 CFR Part 1904)  
1218-0176  
May 2015

requirements for access outlined in 29 CFR 1904.35 and 1904.40. Records obtained by OSHA or other Federal government representatives would be disclosed by the government only in accordance with the Freedom of Information Act (FOIA). Exemption 4 of FOIA protects “trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential.” See 5 U.S.C. § 552(b)(4). Exemption 6 of FOIA enables an agency to exempt certain information from disclosure which would be “a clearly unwarranted invasion of personal privacy.” See 5 U.S.C. §552(b)(6).

As discussed in question 7 of this supporting statement, §§ 1904.29(b)(6) through (b)(9) provide for the confidentiality of employees who experience 6 different types of injuries and illnesses, including any illness case for which an employee voluntarily requests that his or her name not be entered on the log. Employers are required to code these injury and illness cases and maintain a separate confidential list of employee names associated with the codes. Also, § 1904.29(b)(10) requires that, if an employer voluntarily discloses the forms to persons other than those granted access under §§ 1904.35 and 1904.40, the employer must remove or hide the employees’ names and other personally identifying information, except under the limited circumstances contained in §§ 1904.29(b)(10)(i) through (iii).

Furthermore, the OSHA 300 and 301 Forms contain the following statement: “This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.”

These provisions will help to ensure the employee’s privacy is protected.

Under the reporting requirements in §1904.39, employers are required to provide to OSHA a brief description of the incident that led to the fatality, amputation, loss of an eye, or in-patient hospitalization that is being reported. These narratives may contain personally identifiable information (PII). Employers are also required to provide to OSHA the names of the victims. Exemption 6 of FOIA enables an agency to exempt certain information from disclosure that would be “a clearly unwarranted invasion of personal privacy.” See 5 U.S.C. §552(b)(6).

**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.**

Column F of the OSHA Form 300 requires the employer to “Describe injury or illness, parts of body affected, and object/substance that directly injured or made person ill.” Asking this question is necessary for OSHA to comply with its statutory mandate. [The Occupational Safety and Health Act of 1970 requires the Secretary to “prescribe regulations requiring employers to maintain accurate records of and to make periodic reports on, work-related deaths, injuries, and illnesses . . .” 29 U.S.C. 657. The OSH Act further requires the Secretary to “develop and maintain an effective program of collection, compilation, and analysis of occupational safety and



Occupational Safety and Health Act Recordkeeping and Reporting  
Occupational Injuries and Illnesses (29 CFR Part 1904)  
1218-0176  
May 2015

health statistics . . . The Secretary shall compile accurate statistics on work injuries and illnesses . . . ” and the Secretary may “promote, encourage, or directly engage in programs of studies, information and communication concerning occupational safety and health statistics.” 29 U.S.C. 673.] This is not a situation where the government is prying into the private behavior of individuals; the government is seeking information from employers about occupational injuries and illness in order “to assure so far as possible every working man and woman in the Nation safe and healthful working conditions. . .”

Further, OSHA believes that the regulation does provide protection against “inappropriate” disclosure. The entire log is not disclosable to anybody who wants to see it. The regulation requires disclosure only to: (1) people who, by statute, have official government responsibilities related to occupational safety and health or (2) people who either work or have worked at the establishment, or (3) people who represent people who work or have worked at the establishment. As discussed above, §§ 1904.29(b)(6) through (b)(9) provide for the confidentiality of employees who experience 6 different types of injuries and illnesses, including any illness case which an employee voluntarily requests that his or her name not be entered on the log. In addition, if the employer voluntarily discloses the log to persons other than those granted a right of access, the employer must remove or hide the employees’ names and other personally identifying information in most cases.

OSHA’s historical practice of allowing employee access to all of the information on the log—including the description of the injuries and illnesses—permits employees and their designated representatives to be informed about the occupational injuries and illnesses recorded in the workplace as well as the employer’s recordkeeping practices.

**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 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 should be included in Item 13.**

The NPRM does not change the existing burden hour or cost estimates, which are described below.

Occupational Safety and Health Act Recordkeeping and Reporting  
Occupational Injuries and Illnesses (29 CFR Part 1904)  
1218-0176  
May 2015

The recordkeeping burden varies greatly from establishment to establishment, depending upon industry, size, expertise, the use of equivalent forms and computer resources. Another important factor to be considered is that an establishment in a high-risk industry such as meatpacking may have 200 recordable cases in one year requiring 200 line entries on the OSHA Form 300 log, while a telephone communications company establishment of the same size would average approximately 20 recordable cases.

Estimates of the total burden of injury and illness recordkeeping are dependent on the number of establishments required to maintain the records and the number of cases recorded on the forms. These elements vary from year-to-year. The data used to develop the burden estimates are CY 2008-2012 injury and illness estimates from the BLS Survey of Occupational Injuries and Illnesses and 2008-2011 establishment counts from County Business Patterns.

The following assumptions are used to develop the burden estimates:

(A) Time required completing an entry on the OSHA 301 (including research) averages 22 minutes. Based on information gathered from 800 recordkeeping audit inspections, OSHA estimates approximately 40 percent of the cases will be recorded on the OSHA Form 301. Many employers will use an equivalent form such as a State workers' compensation form, insurance form, etc.

(B) Time required to complete an entry (other than a needlestick) on the OSHA Form 300 (including research in the regulation) ranges from 5 minutes to 30 minutes and averages 14 minutes;

(C) Time required to record a needlestick on the OSHA Form 300 averages 5 minutes;

(D) A line entry on a confidential list for a "privacy concern case," as defined under §1904.29(b)(6), will average 3 minutes. All needlestick injuries are considered privacy concern cases. Based on BLS injury and illness counts (see BLS Case and Demographic data at <http://www.bls.gov/iif/oshcdnew.htm> using Part of Body Code 34 (excluding 341), Nature code 62 and Event code 1116). OSHA estimates 0.5% of cases other than needlesticks are privacy concern cases.

(E) Employers are required by 29 CFR 1904.32 to complete, certify, and post a summary of occupational injuries and illnesses for each establishment. This applies to all establishments covered by the regulation, regardless of whether the establishment experienced a recordable case or not. OSHA estimates this will require 58 minutes to complete: Complete OSHA Form 300A - 20 minutes; Company official certification - 30 minutes; Posting summary - 8 minutes;

(F) Employers are also required by 29 CFR 1904.35 to make records available to employees, former employees and employee representatives upon request. OSHA assumes that employers will require five minutes to pull the relevant form and make it available to the person requesting access. OSHA estimates 7% of establishments will receive a request to access the OSHA Form 300. This estimate is based on information obtained during approximately 800 recordkeeping

Occupational Safety and Health Act Recordkeeping and Reporting  
Occupational Injuries and Illnesses (29 CFR Part 1904)  
1218-0176  
May 2015

audit inspections. OSHA estimates 10% of injured or ill workers will request access to their OSHA Form 301;

(G) Employers must report to OSHA when an employee experiences a work-related incident resulting in the death of the worker, in-patient hospitalization, an amputation, or the loss of an eye. Each report will take about 30 minutes to complete, including the time to gather, review and report the information required (employees' names, establishment name, location of incident, time of the incident, number of fatalities or hospitalized employees, contact person, phone number, and a brief description of the incident).

(H) OSHA estimates the turnover of personnel is such that about 20 percent of recordkeeping personnel must learn the basics of the recordkeeping system every year and will require a one hour orientation to learn the basics of the recordkeeping system.

(I) Employers who wish to maintain records in a manner different than required by part 1904, may submit petitions for recordkeeping exemptions containing specific information as outlined in §1904.38. In the over 40 year history of this regulation, OSHA has received one petition for a variance to the recordkeeping requirements. That petition was filed and granted in 1972. OSHA does not expect to receive any petition for variances under the time period of this ICR and; therefore, assigns 0 burden hours to these requirements.

Occupational Safety and Health Act Recordkeeping and Reporting  
Occupational Injuries and Illnesses (29 CFR Part 1904)  
1218-0176  
May 2015

<b>Estimated Burden Hours</b>			
Actions entailing paperwork burden	Number of cases	Unit hours per case	Total burden hours
1904.4 - Complete OSHA 301 (Includes research of instructions and case details to complete the form)	1,015,702	0.367	372,763
1904.4 - Line entry on OSHA Form 300 other than needlesticks (Includes research of instructions and case details to complete the form)	2,201,610	0.233	512,975
1904.8 - Line entry on OSHA Form 300 for needlesticks (Includes research of instructions and case details to complete the form)*	337,645	0.083	28,025
1904.29(b)(6) - Entry on privacy concern case confidential list	359,661	0.05	17,983
1904.32 - Complete, certify and post OSHA Form 300A (Includes research of instructions)	1,594,040	0.967	1,541,437
1904.35 - Employee Access to the OSHA Form 300	111,583	0.083	9,261
1904.35 - Employee Access to the OSHA Form 301	253,926	0.083	21,076
1904.39 - Report fatalities/catastrophes	119,028	0.5	59,514
Learning Basics of the Recordkeeping System - turnover of personnel	318,808	1	318,808
1904.38 - Request for variance	0	0	0
<b>Total Burden Hours</b>			<b>2,881,842</b>

\*Guang X. Chen, and E. Lynn Jenkins 2007. Potential Work-Related Bloodborne Pathogen Exposures by Industry and Occupation in the United States Part 1: An Emergency Department Based Surveillance Study AM. J. Ind. Med. 50:183-190 Published 2007 Wiley-Less, Inc.

OSHA expects the following two job categories to be involved with the injury and illness recordkeeping requirements of this ICR: the employer's Occupational Health and Safety Specialist - day-to-day recordkeeping duties (i.e. all items included in the Estimated Burden Hours table except for 797,020 hours included in the 1904.32 requirements); Industrial Production Manager - Certification of Annual Summary (see discussion under (E) above). The average hourly rate (including a 44% addition for benefits) for an Occupational Health and

Occupational Safety and Health Act Recordkeeping and Reporting  
Occupational Injuries and Illnesses (29 CFR Part 1904)  
1218-0176  
May 2015

Safety Specialist (SOC code 29-9011) is estimated to be \$48.78<sup>1</sup>. The average hourly rate for an industrial production manager (including a 44% addition for benefits) is estimated to be \$70.37<sup>2</sup> (SOC code 11-3051, Industrial Production Managers. May 2014 BLS OES estimates are used for these calculations.

Annual Year Costs			
Occupation	Time (hours)	Rate	Total
Occupational Health and Safety Specialist	2,084,821	\$48.78	\$101,697,568
Industrial Production Manager	797,020	\$70.37	\$56,086,297
Total			<b>\$157,783,865.78</b>

**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.)**

There are no increases in the total annual cost burden to respondents as a result of this rulemaking. All of the costs to the regulated community are included in item 12.

**14. Provide estimates of 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 in a single table.**

The NPRM does not increase the costs to the Federal government. However, the Agency updated the agency personnel annual salaries and hourly wage rates to reflect the 1% pay increase to the General Schedule in 2015.

OSHA estimates the total cost to the Federal government is \$1,305,937. The estimated cost for the recordkeeping program is comprised of the following personnel salaries<sup>3</sup>: one GS13, step 4 employee dedicated to interpreting the requirements of part 1904 and one quarter GS15, step 4 overseeing the program ( $\$99,905 + (.25 * \$138,871) = \$134,623$ ). OSHA estimates it takes an

<sup>1</sup> This mean hourly wage rate corresponds to SOC code 29-9011, “Occupational Health and Safety Specialist” (Source: *May 2013 National Occupational Employment and Wage Estimates*, United States, U.S. Department of Labor, Bureau of Labor Statistics. May Data: <http://www.bls.gov/oes/current/oes299011.htm> ). Archived Data: <http://www.bls.gov/oes/tables.htm>

<sup>2</sup> This mean hourly wage rate corresponds to SOC code 11-3051, “Industrial Production Manager ” (Source: *May 2013 National Occupational Employment and Wage Estimates*, United States, U.S. Department of Labor, Bureau of Labor Statistics. <http://www.bls.gov/oes/current/oes113051.htm> Archived Data: <http://www.bls.gov/oes/tables.htm>

<sup>3</sup>The Annual Rate is from the “Pay & Leave, Salaries & Wages, 2015 (General Schedule (GS) Locality Pay Table “United States. U.S. Office of Personnel Management, 2015 Data: <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2015/general-schedule/> Archived Data: <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>

Occupational Safety and Health Act Recordkeeping and Reporting  
Occupational Injuries and Illnesses (29 CFR Part 1904)  
1218-0176  
May 2015

average of 15 minutes of GS12, step 4 time to receive and enter each reported amputation, loss of an eye and in-patient hospitalization for a total of \$1,171,314 (116,375 new reports \* .25 hours \* \$40.26 per hour).

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

There are no changes in burden hours or costs as a result of this rulemaking. However, OSHA is requesting a 219,847 burden hour adjustment reduction as a result of employers becoming familiar with the September 18, 2014 NAICS update and report rulemaking recordkeeping requirements.

**16. For collections of information whose results will be published, outline plans for tabulation 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 information, completion of report, publication dates, and other actions.**

This ICR does not result in published data; however, information collected by the BLS under 1220-0045, Survey of Occupational Injuries does result in published data.

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

OSHA seeks approval not to display the expiration date for the OMB approval of this information collection on its forms. The expiration date, however, will be published in the Federal Register. The forms contained in this ICR do not change from year to year nor do they expire. Inclusion of an expiration date on the forms could mislead the regulated community to believe they are not required to comply with the 29 CFR part 1904 requirements beyond that date. For example, if an employer has an old copy of the forms package, which is still relevant, but contains an expiration date that has already passed, the respondent may mistakenly believe they are no longer required to maintain these forms.

**18. Explain each exception to the certification statement.**

OSHA is not seeking such an exception.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This Supporting Statement does not contain any collection of information requirements that employ statistical methods.