

**SUPPORTING STATEMENT FOR THE
INFORMATION COLLECTION REQUIREMENTS IN
THE OSHA STRATEGIC PARTNERSHIP PROGRAM (OSPP)
FOR WORKER SAFETY AND HEALTH
Office of Management and Budget (OMB)
Control Number 1218-0244 (December 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.**

Over the past several years, the Occupational Safety and Health Administration (OSHA) has expanded on its already substantial experience with voluntary programs by proposing and implementing various new cooperative initiatives in the National, Regional, and Area Offices. These efforts are designed to increase OSHA's impact on worker safety and health while minimizing the use of OSHA's resources. At the same time, these cooperative approaches allow willing employers and workers to initiate a working relationship with OSHA that is outside the scope of enforcement.

In 1998, the Agency initiated the OSHA Strategic Partnership Program (OSPP) for Worker Safety and Health. The program allows OSHA to enter into an extended, voluntary, cooperative relationship with groups of employers, workers, and worker representatives (sometimes including other stakeholders, and sometimes involving only one employer) to encourage, assist, and recognize their efforts to eliminate serious hazards and achieve a high level of worker safety and health. An OSHA Strategic Partnership (OSP) aims to have a measurable, positive impact on workplace safety and health that goes beyond what historically has been achieved through traditional enforcement methods. Additionally, OSPs allow OSHA to impact multiple worksites, which help leverage agency resources.

OSHA Instruction TED 8-0.2 was published on November 9, 1998, to provide guidance on partnership development and management. In 2001, the Agency began a review of the effectiveness of the OSPP. The review showed that partnership success is closely linked to the development of safety and health management systems, as well as to the other core elements required as part of a partnership. On February 10, 2005, the Agency issued OSHA Instruction CSP 03-02-002, which provides further clarity for program policies and procedures. The new Directive eliminates Comprehensive and Limited sub-classifications and streamlines the core elements, which are now required for all OSPs. On November 06, 2013, the Agency issued

OSHA Instruction CSP 03-02-003,¹ which eliminated deferrals and deletions from routine programmed inspections outside the scope of those provided to any employer who receives an enforcement inspection for new or renewed OSP agreements. The term “benefits” was changed to “incentives.” OSHA removed language allowing for an additional 10% good faith penalty reduction for OSP employers who have established safety and health management systems (SHMS). OSHA provided clarification for the use of the “phone & fax” procedures to handle some investigations. Area Offices may not expand the scope of the “phone & fax” investigation process beyond what is allowed by reference in the Field Operations Manual (FOM). OSHA added language on SHMS and worker involvement. These are two new required elements of all OSP agreements. With the addition of these two elements, the number of required core elements for all OSP agreements increased from eleven to thirteen. CSP 03-02-003, dated November 06, 2013, removes the requirement for approval of Regional OSPs by the Office of the Assistant Secretary. An OSP developed at the Regional Office level, whether it covers a geographical area within one Region or in multiple Regions, is reviewed by the appropriate National Office Directorate(s) and by the Director of the Directorate of Cooperative and State Programs (DCSP), with consultation from the National Office of the Solicitor as needed.

In the development of OSPP policy, OSHA considered the positive impact that OSPs can have on worker safety and health and how the agency, by collecting information and conducting ongoing evaluations, can ensure that these OSPs achieve the intended results. The need to collect information is an integral part of OSHA’s strategic planning process, and the OSPP, like other agency programs, is required to regularly provide information to the Agency. The Agency uses this information to evaluate the effectiveness of its programs, identify needed improvements, and ensure that resources are being used to maximum effectiveness.

During the development stage of each OSP, the partners determine what information will be needed. This process involves identifying the needed information, determining the best collection method, and clarifying how the information will be used. Because the participating private sector employers have strong input regarding information collection, OSHA is confident that data collection efforts are prudent and do not create an undue burden on the partners.

At a minimum, each OSP must identify baseline illness and injury data corresponding to all summary line items on the OSHA 300 log, and must track changes at either the worksite level or participant-aggregate level. No other specific measures are universally required for all OSPs. An OSP may also include other measures of success, such as training activity, self-inspections, and/or workers’ compensation data. OSHA’s experience with its Voluntary Protection Programs, Consultation Program, and various enforcement activities has shown that all of these measures can be useful in evaluating the effectiveness of safety and health management systems and other worker protection measures.

- 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.**

¹To view the directive, go to https://www.osha.gov/OshDoc/Directive_pdf/csp_03-02-003.pdf

Information is collected by the partners directly, by a third party in association with the partnership, or sometimes directly by OSHA (i.e., during onsite verification visits). OSHA and its partners use the information to evaluate the impact of the partnership in terms of improvements to baseline measures, number of sites and workers affected, and other successes. OSHA also uses this information to assess the Agency's progress in meeting strategic plan goals and strategies.

Over 1,923,000 workers and 28,000 employers have participated in the program since its inception. Partnerships address the most serious workplace safety and health issues and strive to reduce fatalities, injuries, and illnesses in a myriad of industries.

There are many successes achieved by participating employers resulting from information collected about their OSHA Strategic Partnerships. OSHA can demonstrate, in many instances, that the numbers of fatal accidents and occupational injury and illness rates for employers have been reduced to levels below those of the Bureau of Labor Statistics for the employers' industries. Achieving excellence in occupational safety and health is a key goal for all active partnerships. Data other than injury and illness rates are collected for the partnerships further demonstrating the commitment of partnering employers to the safety and health of their workers and their industries. Types of additional data collected include the number of hours of safety related training provided to workers, the numbers and results of site audits and verification visits conducted at partnering sites, and the number of hazardous conditions identified at a partners' sites and measures taken by those sites to correct the identified hazardous conditions.

OSHA's ability to gather this information allows the Agency to assess and promote the OSPP. More importantly, the success experienced by these OSP, when shared, can serve as a model to improve worker safety and health.

- 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 adapting this means of collection. Also, describe any consideration of using information technology to reduce burdens.**

Partnership participants may use improved information technology whenever appropriate when making, keeping, and preserving the required records. OSHA is only interested in what is collected, not how it is collected. Where the technology exists, OSHA welcomes the use of information technology to reduce the burden. However, OSHA does not require the use of technology for reporting.

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 A.2. above.

Each partnership is unique, and the information needed is available only from that partnership. OSHA generally requires existing data found in the OSHA 300 Log or information that is required by current OSHA standards and regulations. As a partnership is established, the participants will identify additional data that they determine are needed to assess the effectiveness of the OSP.

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

Members of each partnership determine what information collection is required to measure its success or failure. Including employers and workers in this process helps minimize the information collection burden. The only OSHA required burden on small businesses is the reporting of OSHA 300 Log data.

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.

The information collection frequency (on average once initially and again on an annual basis) is minimal. To eliminate or reduce the submission requirements would effectively cripple OSHA's ability to measure success as required by the Government Performance Results Act (GPRA) and OSHA's Operating Plan. There are no technical or legal obstacles to reducing the burden.

7. Explain 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 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.**

There are no special circumstances that would require the information to be collected in a manner that is inconsistent with the above guidelines.

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 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 three 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 (PRA-95) (44 U.S.C. 3506 (c)(2)(A)), OSHA published a notice in the *Federal Register* on June 19, 2015, (80 FR 35402) soliciting comments on its proposal to extend the Office of Management and Budget's approval of the information collection requirements specified by OSHA's Strategic Partnership Program for Worker Safety and Health (OSPP). This notice was part of a preclearance consultation program that provided the general public and government agencies with an opportunity to comment. The Agency did not receive any comments in response to this notice.

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

No payments or gifts are provided to the respondents.

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

Data collected regarding partnerships is considered public information. Therefore there is no assurance of confidentiality provided to respondents through statute, regulation, or agency policy.

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.

OSPP participants are not subjected to questions of a sensitive nature.

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 burden hour 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.**

Number of Partnerships

Estimates and summaries in this supporting statement are based on the information collected since the beginning of the last approval period. There were 65 open partnerships at the end of FY 2014. Based on program experience during the last approval period, OSHA estimates that 19 new partnerships will be added to the program each year, and approximately 29 partnerships will close each year due to expiration or termination of the project. Therefore, the average number of partnerships per year for the next three years will be 47.

Table 1

<i>Fiscal Year</i>	<i>Base (Open OSPs on October 1st)</i>	<i>New Partnerships (+)</i>	<i>Concluded (-)</i>	<i>Total</i>
2012	60	19	48	31
2013	59	20	24	55
2014	65	19	29	55
<i>Average</i>				47

Number of Respondent Employers

Information received through initial estimates and each partnership’s annual evaluation allows OSHA to track the number of participants in each partnership. Based on totals at the end of each

of the last three fiscal years, OSHA can estimate that each partnership has an average of 93 participant employers, and that the program overall has an average of 1,885 active participants each year.

Table 2

<i>Fiscal Year</i>	<i>Partnerships Open as of September 30th</i>	<i>Total Participant Employers</i>	<i>Average Participants/ Partnership</i>
2012	60	2,238	
2013	59	2,029	
2014	65	1,387	
<i>Average</i>	61	1,885	

Annual Burden Hours, Frequency, and Cost

Based on the averages gleaned from Tables 1 and 2, the following estimates can be established for burden hours and costs:

Table 3

Information Collection	Frequency	Number of Partnerships	Average Number of Participants per Partnership	Hours per Participant	Total Annual Hour Burden		Estimated Annual Costs	
					Employer	OSHA	Employer	OSHA
Partnership Establishment ²	Once	19	93					
Office Clerk@\$21.64 ³				11	19,437		\$420,617	
OSHA GS-13/01@\$43.52 ⁴				2		38		\$1,654
Partnership Implementation	Ongoing	47	93					
Professional@\$41.93 ⁵				8	34,968		\$1,466,208	
Measurement and Evaluation	Annual	47	93					
Office Clerk @\$21.64				3	13,113		\$283,765	
OSHA GS-13/01@\$43.52				3		141		\$6,136
Total					67,518	179	\$2,170,590	\$7,790

²Partnership Establishment includes the time needed to develop the partnership requirements, craft agreement language, and conduct an internal review process. OSHA estimates a total of 11 burden hours per participant and 2 burden hours for OSHA for establishing a partnership.

³The mean hourly wage rate of \$14.82 corresponds to OES code 43-9061, "Office Clerk" (Source: *Occupational Employment and Wages, May 2014*, Bureau of Labor Statistics, U.S. Department of Labor, May Data: (<http://www.bls.gov/oes/current/oes439061.htm>) including fringe benefits of 30.6% which was obtained from *Employer Costs for Employee Compensation News Release (March 2015)*, Bureau of Labor, U.S. Department of Labor (http://www.bls.gov/schedule/archives/ecec_nr.htm).

⁴SOURCE: (http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2015/DCB_h.pdf),

⁵This mean hourly wage rate is taken from the *Occupational Outlook Hand Book*, Bureau of Labor Statistics, U.S. Department of Labor for an Occupational Health Safety Specialist earning \$32.11 an hour (<http://www.bls.gov/ooh/healthcare/occupational-health-ans-safety-specialists.htm>). This wage rate includes fringe benefits of 30.6% which was obtained from *Employer Costs for Employee Compensation News Release (March 2015)*, Bureau of Labor, U.S. Department of Labor (<http://www.bls.gov/schedule/archives/ecec.nr.htm>).

13. Provide an estimate of the total annual cost burden to respondents or record keepers 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 a 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.**

Section 1320.7(b) (2) states that ... “the time, effort, and financial resources necessary to comply with a collection of information that would be incurred by persons in the normal course of their activities (e.g., in compiling and maintaining business records) will be excluded from the “burden” if the agency demonstrates that the reporting, record keeping, or disclosure activities needed to comply are usual and customary.” Any capital or start-up costs and operating costs associated with this data collection are customary and usual business practices attributable to achieving legal and regulatory requirements or to developing voluntarily an effective safety and health program, not to the collection of this data for OSHA’s Strategic Partnership Program. Start-up costs are included in the cost of preparing these submissions. The reporting costs to partners that may choose to have a third party collect their data are included in the cost estimates in Section 12. This section is therefore not applicable.

- 14. Provide estimates of annualized costs 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.**

Costs incurred by the Federal government include approximately two hours per each new partnership in development and establishment, and three hours annually for evaluation for a total cost of \$7,790 (see Table 3). The cost is computed using the hourly rate of a GS-13/step one (\$43.52) (see footnote 4 above). The costs incurred in conducting onsite verification visits are part of the routine cost of conducting OSHA compliance assistance and enforcement activity and not specific to the OSPP.

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

The Agency is requesting an adjustment decrease as a result of a decrease in the number of employers and participants. From a programmatic standpoint, many entities partner with OSHA for projects (mostly construction) that are time-limited in nature. When a construction project ends, the project-specific OSP also ends. A decline in the number of OSP in recent years is likely due to many mitigating factors such as the natural end date of a project specific OSP, the state of the nation's economy and the resources needed by employers to participate.

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 of the information, completion of report, publication dates, and other actions.

Information on partnerships will be used both internally and externally by the Agency to gauge its conformance with the goals and objectives outlined in OSHA's Strategic Plan. Additionally, the Agency is in the process of conducting an overall program evaluation for the OSPP which will be available internally to improve program performance and increase impact on worker safety and health.

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

OSHA lists current valid control numbers in §§1910.8, 1915.8, 1917.4, 1918.4 and 1926.5 and publishes the expiration dates in the Federal Register notice announcing OMB approval of the information collection requirement (see 5 CFR 1320.3(f) (3)). OSHA believes that this is the most appropriate and accurate mechanism to inform interested parties of these expiration dates.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This supporting statement does not contain any collection of information requirements that employ statistical methods.