

**SUPPORTING STATEMENT FOR  
THE INFORMATION COLLECTION REQUIREMENTS OF  
THE TELECOMMUNICATIONS STANDARD (29 CFR 1910.268)<sup>1</sup>  
OFFICE OF MANAGEMENT AND BUDGET (OMB)  
CONTROL NO. 1218-0225 (June 2018)**

This ICR seeks to extend, without change, PRA authority the Telecommunications Standard information collections codified in regulations 29 CFR 1910.268.

**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.**

The main objective of the Occupational Safety and Health Act of 1970 (i.e., “the Act”) is to “assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources” (29 U.S.C. 651). To achieve this objective, the Act authorizes “the development and promulgation of occupational safety and health standards” (29 U.S.C. 651).

With regard to recordkeeping, the Act specifies that “[e]ach employer shall make, keep and preserve, and make available to the Secretary . . . such records . . . as the Secretary . . . may prescribe by regulation as necessary or appropriate for the enforcement of this Act . . .” (29 U.S.C. 657). The Act states further that “[t]he Secretary . . . shall . . . prescribe such rules and regulations as [he/she] may deem necessary to carry out [his/her] responsibilities under this Act, including rules and regulations dealing with the inspection of an employer’s establishment” (29 U.S.C. 657).

Under the authority granted by the Act, the Occupational Safety and Health Administration (i.e., “OSHA” or “the Agency”) published at 29 CFR 1910.268 a safety standard for general industry titled “Telecommunications” (i.e., “the Standard”). Paragraph 1910.268(c) requires that training certification records be generated and maintained for all workers covered by the standard.

**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.**

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<sup>1</sup>The purpose of this Supporting Statement is to analyze and describe the burden hours and cost associated with the provision of this Standard that contains a paperwork requirement; this Supporting Statement does not provide information or guidance on how to comply with, or how to enforce, the provision.

The Telecommunication Standard specifies one information collection requirement. The following section describes who uses the information collected under the requirement, as well as how they use it. The purpose of this requirement is to ensure that workers have been trained as required by the Standard to prevent risk of death or serious injury.

Training (paragraph (c)). Under the paperwork requirement specified by paragraph (c) of the Standard, employers must certify that his or her workers have been trained as specified by the training provision of the Standard. Specifically, employers must prepare a certification record which includes the identity of the person trained, the signature of the employer or the person who conducted the training, and the date the training was completed. The certification record shall be prepared at the completion of training and shall be maintained on file for the duration of the worker's employment. The information collected would be used by employers as well as compliance officers to determine whether workers have been trained according to the requirements set forth in 29 CFR 1910.268(c).

**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.**

Employers may use automated, electronic, mechanical, or other technological information-collection techniques, or other forms of information technology (e.g., electronic submission of responses) when establishing and maintaining the required records. The Agency wrote the paperwork requirements of the provision in performance-oriented language (i.e., in terms of what data to collect, not how to record the data).

**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.**

The requirement to collect and maintain information is specific to each employer and worker 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 employers).

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

The information collection requirement specified by the Standard 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 or is not conducted less frequently, and any technical or legal obstacles to reducing the burden.**

The Agency believes that the information collection frequencies required by the Standard are the minimum frequencies necessary to effectively regulate telecommunications systems, and thereby fulfill its mandate “to assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources” as specified in the Act at 29 U.S.C. 651. Accordingly, if employers do not perform the required information collection, or delay in providing this information, workers involved in repairing, maintaining, and installing telecommunication systems have an increased probability of death and serious injury.

**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 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.**

No special circumstances exist that require employers to collect information using the procedures specified by this item. The requirements are within the guidelines set forth in 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 before submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to those 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, revealed, 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 mitigate against 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 January 12, 2018 (83 FR 1632) soliciting comments on its proposal to extend the Office of Management and Budget's approval of the information collection requirements specified by the Telecommunications Standard (29 CFR 1910.268).

The Agency received one comment from Liz Niederegger, a nurse practitioner from Taylor Mill, Kentucky. Ms. Niederegger commented that "I agree that there should be adequate training ease of us[e], and non-intimidating ways to ensure employee reporting of job safety issues in a computer based, non-paper system...." The Agency appreciates the time and effort it took for Ms. Niederegger to comment on OSHA's proposed Telecommunications Information Collection Request.

While there is no requirement in the Telecommunications Standard to keep training records via an electronic system, nothing prohibits an employer from using such automated systems if desired for their own training records. Because the Telecommunications Standard does not require use of electronic records systems, the ICR does not include burden hours or costs related to electronic system familiarization.

Moreover, the Agency is engaged in rulemaking actions related more generally to recordkeeping reporting to OSHA. The commenter may wish to direct her comments to that rulemaking docket, “Tracking of Workplace Injuries and Illnesses” (RIN Number: 1218–AD17) when next open for public comments.

**9. Explain any decision to provide any payments 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.**

The paperwork requirement specified by the Standard does not involve confidential information.

**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.**

None of the provisions in the Standard require sensitive information.

**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 cost should be included in item 14.  
 Respondent Burden Hour and Cost Burden Determinations**

The Agency estimates that there are 35,742 establishments employing 205,360 workers covered by the Standard.<sup>2,3</sup>

The Agency determined the wage rate from mean hourly wage earnings to represent the cost of employee time. For the relevant standard occupational classification category, OSHA used the wage rates reported in the Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Employment Statistics (OES), May 2016* [date accessed: November 21, 2017]. (OES data is available at <https://www.bls.gov/oes/tables.htm>. To access a wage rate, select the year, “Occupation Profiles,” and the Standard Occupational Classification (SOC) code.)

To account for fringe benefits, the Agency used the Bureau of Labor Statistics’ (BLS) *Occupational Employment Statistics (OES) (2017)*. Fringe markup is from the following BLS release: *Employer Costs for Employee Compensation* news release text; for release 10:00 AM (EDT), June 9, 2017 (<https://www.bls.gov/news.release/pdf/ecec.pdf>). BLS reported that for civilian workers, fringe benefits accounted for 31.7 percent of total compensation and wages accounted for the remaining 68.3 percent. To calculate the loaded hourly wage for each occupation, the Agency divided the mean hourly wage by 68.3 percent.

<b>WAGE HOUR ESTIMATES</b>				
<b>Occupational Title</b>	<b>Standard Occupation Code</b>	<b>Mean Hour Wage Rate (A)</b>	<b>Fringe Benefits (B)</b>	<b>Loaded Hourly Wage Rate (C) = (A)/(B)</b>
Secretaries, Except Legal, Medical, and Executive	43-6014	\$17.38	.683	\$25.45

**Training Certification Record (§ 1910.268(c))**

<sup>2</sup> Source: *Industries at a Glance: Telecommunications: NAICS 517*, Bureau of Labor Statistics, U.S. Department of Labor, 2016. The Agency used all telecommunications equipment installers and repairers, except line installers (154,800); and all telecommunications lines installers and repairers (50,560) (for a total of 205,360 workers) would be covered by this Standard (<https://www.bls.gov/iag/tgs/iag517.htm>).

<sup>3</sup>The number of workers for training certification only includes telecommunication installers and repairers for lines and equipment, not customer service representatives.

OSHA assumes that all workers have been trained as required in the training requirements of the Standard and that the training certification records have been generated (except for new hires) and are being maintained.

There are 205,360 workers that are affected by the Standard and 90% (184,824) of these workers are not new workers or will not be receiving new or refresher training. These are the existing workers that need their training records to be maintained. OSHA estimates that it will take one minute for a secretary to maintain these records.

**Burden hours:** 184,824 existing workers x 1/60 hours = 3,080 hours

**Cost:** 3,080 hours x \$25.45 = \$78,386

There may be new hires and some workers will receive refresher training. Records will have to be generated and maintained for this group of workers. OSHA is using an estimate of 33.1 percent of the total number of workers (68,064) to represent the number of new workers and workers receiving refresher training. This estimate is taken from the BLS Job Openings and Labor Turnover Survey (JOLTS).<sup>4</sup> OSHA estimates that it takes two minutes to generate the certification record for these workers.

**Burden hours:** 68,064 new hires/workers receiving refresher training x 2/60 hours  
= 2,269 burden hours

**Cost:** 2,269 hours x \$25.45 = \$57,746

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4 Source: Table 14, [https://www.bls.gov/news.release/archives/jolts\\_03162018.htm](https://www.bls.gov/news.release/archives/jolts_03162018.htm).

Estimated Annualized Respondent Hour and Cost Burden Table								
Information Collection Requirements	Type of Respondent <sup>5</sup>	Number of Respondents	Number of Responses per Respondent	Total Number of Responses	Avg. Burden per Response (In Hrs.)	Total Burden Hours	Avg. Hourly Wage Rate	Total Burden Costs
<b>Training Certification Record ((§ 1910.268(c))</b>								
	Secretaries-Existing Workers	35,742	5.171059	184,824	1/60	3,080	\$25.45	\$78,386
	Secretaries-New Hires or Workers Receiving Refresher Training	35,742	1.904314	68,064	2/60	2,269	\$25.45	\$57,746
<b>GRAND TOTALS</b>		--	--	<b>252,888</b>	--	<b>5,349</b>	--	<b>\$136,132</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.)**

- **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**

<sup>5</sup> For purposes of entry into the ROCIS system, all respondents are “Private Sector: Business and for-profit.”



**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 above provides the total cost of the information collection requirement specified by the Standard.

**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), 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 a single table.**

There is no cost to the Federal government associated with this information collection request. The Agency has no annualized cost associated with enforcing the Standard. OSHA would only review records in the context of an investigation of a particular employer to determine compliance with the Standard. These activities are outside the scope of the PRA. See 5 CFR 1320.4(a)(2).

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

OSHA is proposing an adjustment increase to the existing burden hour estimate for the information collection requirements specified by the Standard from 4,532 hours to 5,349 hours, for a total increase of 817 hours. Based on updated data, the Agency found that the number of establishments and workers have decreased. However, this decrease was offset by an increase in the number of burden hours for maintaining and certifying training records. Those burden hours rose from 647 to 2,269 due to updated and more accurate data on new hires. This new data indicated a turnover rate over three times higher than the previous turnover estimate.

**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.**

OSHA will not publish the information collected under the Standard.

**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 lists current valid control numbers in 1910.8, 1915.8, 1917.4, and 1926.5 and publishes the expiration date 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.**

OSHA is not seeking an exception to the certification statement.

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

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

**Table 2: Requested Burden Hours and Cost Adjustment**

<b>Information Collection Requirements</b>	<b>Current Burden Hours</b>	<b>Requested Burden Hours</b>	<b>Adjustment</b>	<b>Cost Under Item 12</b>	<b>Responses</b>	<b>Explanation</b>
Maintaining Training Certification Record 1910.268(c)	3,885	3,080	-805	\$78,386	184,824	Adjustment decrease based on updated data; the number of workers decreased from 215,810 to 205,360.
Generate and Maintain of Certification Training Records	647	2,269	1,622	\$57,746	68,064	There is an increase in the number of burden hours from 647 to 2,269 due to updated data, because a more accurate measurement of new hires was used; this new measurement was over three times larger than the previous turnover measurement (see footnote 4).
<b>Total</b>	<b>4,532</b>	<b>5,349</b>	<b>817</b>	<b>\$136,132</b>	<b>252,888</b>	