

**SUPPORTING STATEMENT FOR  
THE INFORMATION COLLECTION REQUIREMENT ON  
REPORTS OF INJURIES TO EMPLOYEES OPERATING  
MECHANICAL POWER PRESSES (29 CFR 1910.217(g))<sup>1</sup>  
OFFICE OF MANAGEMENT AND BUDGET (OMB)  
CONTROL NO. 1218-0070 (October 2018)**

**This ICR seeks to extend authorization without change.**

**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 (“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 (“OSHA” or “the Agency”) published a provision at 29 CFR 1910.217(g) for general industry titled “Reports of Injuries to Employees Operating Mechanical Power Presses” (“the Provision”).<sup>2</sup> Items 2 and 12 below describe in detail the specific information collection requirement of the Provision.

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<sup>1</sup> The purpose of this Supporting Statement is to analyze and describe the burden hours and costs associated with this Provision 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.

<sup>2</sup>The Agency has additional collections of information with different OMB Control Numbers in its Standard on Mechanical Power Presses (e.g., inspection, maintenance, and modification of presses (29 CFR 1910.217(e)(1)(i) and (ii)) (OMB Control No. 1218-0229) and Presence Sensing Device Initiation (PSDI) (29 CFR 1910.217(h)) (OMB Control No. 1218-0143)).

**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.**

In the event a worker is injured while operating a mechanical power press, 29 CFR 1910.217(g) requires the employer to report, within 30 days of the occurrence, all point-of-operation injuries to operators or other employees to either the Director of the Directorate of Standards and Guidance at OSHA, U.S. Department of Labor, Washington, DC 20210 or electronically at <http://www.osha.gov/pls/oshaweb/mechanical.html>; or to the State Agency administering a plan approved by the Assistant Secretary of Labor for Occupational Safety and Health. This information includes the employer's and worker's names, workplace address and location, injury sustained, task being performed when the injury occurred, number of operators required for the operation and the number of operators provided with controls and safeguards, cause of the accident, type of clutch, safeguard(s), and feeding method(s) used, and means used to actuate the press stroke. These reports are a source of up-to-date information on power press machines. Particularly, this information identifies the equipment used and conditions associated with these injuries.

**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 burdens.**

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 requirement 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 purposes described in Item A.2. above.**

The OSHA 300 log requires employers to record the name and job title of the worker, as well as the date of injury, location of injury, and a description of the injury. It does not, however, require the employer to provide details such as the type of clutch, safeguard(s), and feeding method(s) used, and the means used to actuate the press stroke. Thus, much of the information required by 29 CFR 1910.217(g) is not otherwise required to be provided to OSHA. This additional information is particularly useful to OSHA in understanding the causes of injuries related to the operation of mechanical power presses.

OSHA's mechanical power press injury reporting requirement at 1910.217(g) is a separate injury reporting requirement from OSHA's severe injury reporting requirements which are part of 1904.39. Under 1904.39, employers must, within 24 hours, report to OSHA any work-related

injury requiring hospitalization as well as work-related incidents resulting in an amputation or loss of an eye. The Mechanical Power Presses Standard requires employers to report all injuries involving operation of a power press to OSHA or an appropriate state agency within 30 days. Injuries that must be reported under 1910.217(g) include those that are also reportable under 1904.39 as well as those that are recordable under the recordkeeping standard (29 CFR 1904).

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

The information collection requirements 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 not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

The collection of information is for the purpose of worker safety and health in the workplace and is the minimum amount necessary and appropriate. Employers submit information when a worker is injured when operating a mechanical power press.

**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 secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentially to the extent permitted by law.**

No special circumstances exist that require employers to collect information using the procedures specified by this item. The requirement is 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 prior to 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, 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.**

Pursuant to the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), OSHA published a notice in the Federal Register on April 19, 2018 (83 FR 17449) soliciting public comments on its proposal to extend the Office of Management and Budget's approval of the information collection requirements specified by the Reports of Injuries to Employees Operating Mechanical Power Presses (29 CFR 1910.217(g)). This notice was part of a preclearance consultation program that provided the general public and government with an opportunity to comment. The Agency received one comment in response to its 2018 notice from Mr. Norb Dickmann (OSHA-2012-0017-0010). The commenter, for the reasons discussed below opposes the continuation of the collection of point-of-operation injuries in the Mechanical Power Press Standard. Mr. Dickmann made similar comments in response to the 2012 ICR. OSHA's responses to his comments are included below.

**Comment:**

The commenter stated that section 1904 clearly establishes injury recordkeeping and reporting requirements and nowhere does it mention the additional reporting requirements found in the Mechanical Power Press Standard. He further indicated that OSHA should not hide reporting requirements in the Standard where people are unlikely to identify the requirements and are unlikely to comply.

**OSHA's Response:**

The point-of-operation reporting requirement in the Mechanical Power Press Standard is not hidden. This requirement only applies to those employers whose employees operate mechanical power presses. Employers whose employees operate mechanical power presses must adhere to the requirements of the Mechanical Power Press Standard and will therefore know of this particular injury reporting requirement. Furthermore, employers who do not use mechanical power presses would not need to comply with this provision and incorporating it into part 1904 would be unnecessary.

In addition, section 1904 and section 1910.217(g) represent distinct reporting requirements. As item 4 of this Supporting Statement indicates: “[T]he OSHA 300 log requires employers to record the name and job title of the worker, as well as the date of injury, location of injury, and a description of the injury. It does not, however, require the employer to provide details such as the type of clutch, safeguard(s), and feeding method(s) used, and the means used to actuate the press stroke. Thus, much of the information required by 29 CFR 1910.217(g) is not otherwise required to be provided to OSHA. This additional information is particularly useful to OSHA in understanding the causes of injuries related to the operation of mechanical power presses.

OSHA’s mechanical power press injury reporting requirement at 1910.217(g) is a separate injury reporting requirement from OSHA’s severe injury reporting requirements which are part of 1904.39. Under 1904.39, employers must, within 24 hours, report to OSHA any work-related injury requiring hospitalization as well as work-related incidents resulting in an amputation or loss of an eye. The Mechanical Power Presses Standard requires employers to report all injuries involving operation of a power press to OSHA or an appropriate state agency within 30 days. Injuries that must be reported under 1910.217(g) include those that are also reportable under 1904.39 as well as those that are recordable under the recordkeeping standard (29 CFR 1904).”

**Comment:**

The commenter asked why OSHA has singled out mechanical power press injuries from special reporting and what purpose this information serves.

**OSHA's Response:**

When the final rule was published, OSHA determined it was necessary to include this point-of-operation injury reporting provision in the Standard due to the limited data that was available regarding point-of-operation injuries for mechanical power presses. OSHA determined it was necessary to acquire reliable data on these injuries for mechanical power presses and to monitor the effectiveness of the Standard. In addition, the information collected in each report is extremely important in learning the causes of point-of-operation injuries and how to avoid them.

**Comment:**

The commenter inquired if anyone actually uses these injury reports for any useful purpose.

**OSHA's Response:**

OSHA compiles the reports it receives and develops a table depicting the total number of accidents, the type of injury, types of guards, and the causes of the accident along with other information. Point-of-operation injury reports are provided to OSHA area offices, which in turn may lead to an OSHA inspection.

**Comment:**

The commenter referenced a discussion he had with OSHA staff member in the 1990's who indicated that the injury reporting requirement was inserted due to pressure from an individual pressing the Agency to change its policy that all injuries should be reported to OSHA.

**OSHA's Response:**

The Agency has no way to verify past conversations with staff members. OSHA develops its standards based on available data and public comments obtained during the rulemaking process. OSHA determined that this reporting requirement was necessary as there was a lack of data on point-of operation injuries to learn the causes of these accidents, and for the need to determine the effectiveness of its Standard.

**Comment:**

The commenter indicated that reports submitted to OSHA would always trigger an inspection by OSHA and that OSHA's estimates of the time to submit reports of injuries is not accurate. He suggested that the time and cost involved in the inspection should also be factored into the estimate of time (i.e., informal hearing, inspection process, and use of legal counsel).

**OSHA's Response:**

As the Paperwork Reduction Act of 1995 does not cover collections of information "during the conduct of an administrative action, investigation, or audit involving an agency against specific individuals or entities" (see 5 CFR 1320.4(a)(2)), thus, OSHA cannot account for burden hours and costs for these activities in this analysis.

**Comment**

The commenter asserted that requiring the reporting of mechanical power press injuries specifically results in OSHA's inspection and enforcement program being "irrationally skewed" toward mechanical power press injuries.

**OSHA's Response:**

The Agency disagrees. Injuries of *any* kind are grounds for an OSHA inspection; specific inspection decisions are then based upon available enforcement resources and policy considerations left to the Agency's discretion by the Act. As indicated previously, OSHA has determined that there are ample grounds for requiring the reporting of injuries specifically related to mechanical power presses. Any enforcement activity taken as a result of the information obtained is within the Agency's discretion. Regardless, as explained above, OSHA's inspection activity is not subject to the Paperwork Reduction Act. See 5 CFR 1320.4(a)(2).

**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.**

The paperwork requirement specified by the Provision does not require the collection of 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.**

The provision does not involve the collection of 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**

Previously, OSHA based its estimates on the actual number of reports the Agency received from employers. Upon reviewing the comments, OSHA sought assistance from its Office of Statistical Analysis. Staff indicated that the Bureau of Labor Statistics (BLS) estimated that there were 1,200 injuries (which would produce reports) with days away from work caused by presses, other than printing presses, in 2016.<sup>3</sup> Based on this information, the Agency will use the 1,200 as the number of reports received.

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: February 6, 2018]. (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; released 10:00 AM (EDT), December 15, 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 rate by 1 minus the fringe benefit.

**Table 1- Estimated Wage Rates**

<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)/(1-(B))</b>
<b>First-Line Supervisor of Production and Operating Workers</b>	51-1011	\$29.54	.317	\$43.25
<b>Clerical Worker</b>	43-4121	\$13.20	.317	\$19.33

<sup>3</sup>See *Injuries, Illnesses, and Fatalities; Occupational Injury and Illness Classification Manual*, Bureau of Labor Statistics, U.S Department of Labor.



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OSHA estimates that it takes an employer fifteen minutes to obtain information and to prepare the written report; and five minutes for a secretary to submit the report to OSHA. The time per response is considered reasonable based on informal discussions with employers who have submitted these reports.

**Burden hours:** 1,200 reports x 15/60 hours = 300 hours

**Burden hours:** 1,200 reports x 5/60 hours = 100 hours

**Cost:** 300 hours x \$43.25 = \$12,975

**Cost:** 100 hours x \$19.33 = \$1,933

**Total Burden Hours:** 400

**Total Cost:** \$14,908

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**Table 2 – Estimated Annualized Respondent Hour and Cost Burden**

<b>Information Collection Requirements</b>	<b>Type of Respondent</b>	<b>Number of Respondents</b>	<b>Number of Responses per Respondent</b>	<b>Total Number of Responses</b>	<b>Avg. Burden per Response (In Hrs.)</b>	<b>Total Burden Hours</b>	<b>Avg. Wage Rate</b>	<b>Total Burden Costs</b>
3 <sup>rd</sup> Party	Supervisor	1,200	1	1,200	15/60	300	\$43.25	\$12,975
Reporting	Clerical	1,200	1	1,200	5/60	100	\$19.33	\$1,933
<b>GRAND TOTALS</b>		--	--	<b>2,400</b>	--	<b>400</b>	--	<b>\$14,908</b>

**13. Provide an estimate for 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 collections services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondent (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 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.**

The cost determinations made under Item 12 account for the total annual cost burden to respondents or recordkeepers resulting from this collection of information requirement.

**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), 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 into a single table.**

OSHA estimates that a federal worker (GS-12, step 5), with an hourly wage rate of \$39.85<sup>4</sup>, will spend about fifteen minutes to review and file 1,200 injury reports into a data base. Therefore, the total cost of these paperwork requirements to the Federal government is:

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<sup>4</sup> Source: This wage rate of \$39.85 for a GS-12, step 5 federal worker including benefits is taken from the U.S. Office of Personnel Management, *General Schedule and Locality Tables, Salary Table 2018-RUS*, [https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2018/RUS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2018/RUS_h.pdf)

**Cost:** 1,200 reports x 15/60 hours x \$39.85 = \$11,955

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

The Agency reports an adjustment increase of 1,190 responses (from 1,210 to 2,400). There was an error in calculating the number of responses in the previously approved paperwork package. The burden hours remain the same.

**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 Provision.

**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 lists current valid control numbers in §§1910.8, 1915.8, 1917.4, 1918.4, 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)). The most recent expiration date will be added to the form under this clearance. 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.**

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