

**SUPPORTING STATEMENT FOR  
Survey of Occupational Injuries and Illnesses**

**OMB CONTROL NO. 1220-0045**

This ICR seeks clearance for the revision of the Bureau of Labor Statistics (BLS) Survey of Occupational Injuries and Illnesses (SOII) to begin collection of details for cases involving days of job transfer or restriction (DJTR) from all sampled establishments on a permanent basis beginning in 2022.

**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.**

Section 24(a) of the Occupational Safety and Health Act of 1970 (the Act) requires the Secretary of Labor to develop and maintain an effective program of collection, compilation, and analysis of statistics on occupational injuries and illnesses. Section 24 also authorizes and encourages the Federal government to enlist the aid of states in developing and conducting statistical programs to meet the data needs of the states as well as its own. Sections 8(c)(1), (2), 8(g)(2), 24(a), and 24(e) of the Act specifically require the Secretary of Labor to design and implement a system requiring employers covered by the Act to maintain records of occupational injuries and illnesses and to submit periodic reports to the Secretary of Labor upon request.

In Secretary's Order No. 5-02, the Secretary of Labor delegated to the Commissioner of Labor Statistics the responsibility for "Furthering the purpose of the Occupational Safety and Health Act by developing and maintaining an effective program of collection, compilation, analysis and publication of occupational safety and health statistics."

The Bureau of Labor Statistics (BLS) fulfills this responsibility by conducting the Survey of Occupational Injuries and Illnesses (SOII) in conjunction with participating state statistical agencies. The survey reflects employers' incorporation of the Occupational Safety and Health Administration (OSHA) recordkeeping regulations that were implemented by the Department of Labor (DOL).

Included in this package are the following documents used in the data collection process for the SOII:

1. The survey form – BLS 9300
2. Fax forms
3. Email notification messages
4. Notification letter and associated materials to be sent to all participants in the 2021 survey
5. Informed Consent letter

6. Voluntary letter for state and local government agencies
7. Nonresponse follow-up letters for mandatory and voluntary participants
8. IDCF screenshots

**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 purpose of the information, as stated in Section 2(b) of the Act, is to assure, as far as possible, every working man and woman in the Nation safe and healthful working conditions. The BLS SOII provides the Nation's primary indicator of the progress towards achieving this goal. BLS is the principal federal statistical agency responsible for measuring labor market activity, working conditions, price changes, and productivity in the United States economy to support public and private decision making. Like all federal statistical agencies, the BLS executes its mission with independence from partisan interests while protecting the confidentiality of its respondents and their data. BLS serves the general public, the U.S. Congress, DOL and other federal agencies, state and local governments, and business and labor by providing data products that are accurate, objective, relevant, timely, and accessible, as well as providing technical assistance and consulting services. SOII's mission is to produce the estimates necessary for the safety and health community to save lives and reduce workplace injuries and illnesses. To that end, the survey measures the overall rate of occurrence of work injuries and illnesses by industry; and for the most serious cases by occupation, worker characteristics, and case circumstance. The SOII program is vital to the safety of America's workers. Without these necessary estimates, the safety and health community would be less able to focus on enforcement efforts, research prevention practices, and put in place mitigating strategies which lead to fewer occupational fatalities, injuries, and illnesses.

SOII estimates are used by a wide range of stakeholders to assess the Nation's progress in improving the safety and health of America's work places; to prioritize scarce federal and state resources; to guide the development of injury and illness prevention strategies; and to support OSHA and state safety and health standards and research. These stakeholders include OSHA, the National Institute for Occupational Safety and Health (NIOSH), Congress, public policy analysts, state public health officials, safety and health advocates, researchers, and the media. Data are essential for evaluating the effectiveness of Federal and state programs for improving work place safety and health. For these reasons, it is necessary to provide estimates separately for participating states.

The Bureau of Economic Analysis uses the BLS injury and illness survey data to prepare the economic accounts of the United States. The survey information is used to estimate employer contributions for workers' compensation by industry. The workers' compensation contributions are a component of the employer contributions for social insurance and other labor income in the national income and product account.

NIOSH and the Council of State and Territorial Epidemiologists (CSTE) identified twenty-two occupational health indicators intended to improve the surveillance of workplace injuries and illnesses by state health agencies. Each health indicator is comprised of one or more frequency measures. The BLS SOII contributes three frequency measures to these health indicators.

The SOII estimates the number and frequency (incidence rates) of workplace injuries and illnesses by industry. Since 1992, the SOII also began collecting additional information for the subset of nonfatal cases that involved at least 1 day away from work (DAFW), beyond the day of injury or onset of illness, thought to be the most severe injury cases. The SOII provides detailed information on the injured/ill worker (age, sex, race, industry, occupation, and length of service), the time in shift, and the circumstances of the injuries and illnesses classified by standardized codes (nature of the injury/illness, part of body affected, primary and secondary sources of the injury/illness, and the event or exposure that produced the injury/illness). Race data categories reflect the Office of Management and Budget (OMB) recommended categories for non-self-reported classification. Optional information on the general job category is used to improve coding for non-descriptive job titles, such as "Customer Service Representative." A check-off for before/during/after work shift is included to identify the events that occurred before or after the work shift.

Beginning with survey year 2008, the SOII published national estimates of workplace injuries and illnesses sustained by state and local government workers, including those in such relatively high hazard and high profile occupations as police, firefighters, paramedics, and other public health workers. The BLS collects data from state and local government agencies in all states to support both state and national estimates. The BLS regards the collection of these data as a significant expansion in its overall coverage of the American workplace.

Days of job transfer or restriction (DJTR) cases have become more prevalent since 1992, when detailed data were first collected for DAFW cases. In the two decades prior to the OSHA recordkeeping changes in 2002, incidence rates for cases with days away from work decreased significantly while incidence rates for cases with only restricted work activity increased significantly. In 1992, DJTR cases accounted for 21 percent of total days away from work, days of restricted work activity, or job transfer (DART) cases. By 2011, DJTR accounted for 40 percent of these cases. Both the incidence rate and number of cases of DJTR has exceeded that of DAFW in the manufacturing industry sector since the late 1990s. Since the BLS previously collected case and demographic data only for cases with days away from work, data were not collected for this growing type of injury and illness case.

Beginning with the survey year 2011, BLS began testing the collection of case and demographic data for injury and illness cases that require only days of job transfer or restriction. BLS began a series of three 3-year pilot studies from 2011-19 to collect DJTR case details for select industries. Industry subsectors were selected based on their DJTR incidence rate (and to some degree the number of cases) in years before the first pilot study. Some industries were selected if the DJTR incidence rate was greater than or equal to the DAFW incidence rate in the respective industry. Data from these pilots can be found at <https://www.bls.gov/iif/soii-data.htm#djtr>.

Analysis of DJTR data from these pilots showed that their inclusion provides a more complete understanding of the circumstances leading to occupational injuries and illnesses than DAFW cases alone can provide. For example, DJTR cases as a percentage of DART cases in the Food services and drinking places industry remained the same regardless the age of the worker. While in the Amusement, gambling, and recreation industry, workers under the age of 45 had a higher percentage of DJTR cases than DAFW cases. If studying only a few selected industries, policy makers and

researchers would be unable to determine the complete picture of this phenomenon. If all industries could be analyzed, safety resources and return-to-work strategies could be developed to address the unique work experiences by the age of the worker or by other characteristics.

Based on the findings from these studies and the depth of information they produced, as well as the recommendation from the National Academy of Sciences (NAS) *A Smarter National Surveillance System for Occupational Safety and Health in the 21st Century*,<sup>1</sup> particularly, Recommendation A from Chapter 4 of the NAS report noted, “BLS should routinely collect detailed case and demographic data for injuries and illnesses resulting in job transfer or restricted duty as well as those resulting in days away from work.” The report further notes that this could be easily accomplished in the short term with minimal impact to respondent burden due to the fact that these data are already recorded by employers.

The BLS will begin collecting information on DJTR cases for all industries starting with survey year 2021. BLS regards the collection of these cases with only job transfer or restriction as significant in its coverage of the American workforce. To retain the level of currently published detail for DAFW cases and produce a similar level of detail for DJTR cases, BLS will combine case data for two years of collection and produce biennial case and demographic estimates. The annual summary estimates of counts and incidence rates by detailed industry and case type will remain unchanged. The first set of biennial case and demographic estimates covering DAFW and DJTR cases will combine survey year 2021 and 2022 data and will be released in November, 2023.

BLS has previously maintained the subsampling process for employers to limit to 15 the number of cases each employer needs to submit. BLS pilot tests and simulations demonstrated that collecting both DJTR and DAFW case types increases both the number of employers who will have to report case details and the number of employers who would be eligible for subsampling. In order to maintain the same level of burden on employers and keep a neutral workload on participating state agencies, as well as neutral resource obligations, BLS will reduce the number of cases each employer needs to submit to a maximum of 8 cases. BLS has estimated that this will result in approximately the same number of cases collected annually across the two case types.

**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 covered under the Act are in one of two categories: (1) Employers who maintain OSHA records on a regular basis; and (2) employers who are normally exempt from OSHA recordkeeping. Each year a sample of exempt employers is required to keep records and participate in the SOII. In December, prior to the survey reference year, sampled employers who are normally exempt from recordkeeping will be notified by the BLS or participating state agencies to record their injuries and illnesses on the OSHA recordkeeping forms, which will be provided by the BLS. The BLS will also

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<sup>1</sup> See <https://www.nap.edu/catalog/24835/a-smarter-national-surveillance-system-for-occupational-safety-and-health-in-the-21st-century>.

provide a courtesy copy of the required OSHA recordkeeping forms to all other survey participants for that reference year.

The survey's sample selection process employs stratified random sampling to reduce the burden on private sector establishments. The BLS Internet data collection facility (IDCF) was first introduced for the SOII in 2003, and is currently being used for the 2020 survey. For the most recent completed (2019) SOII, a total of 145,325 establishments with 185,258 cases involving days away from work, job transfer or restriction (DART) reported using IDCF, accounting for 77 percent of survey responses and 80 percent of reported cases. An additional 24,704 establishment responses were reported electronically via our keyed data file upload process, accounting for another 13 percent of responses for the 2019 SOII. This keyed data file upload is an internal process used by SOII data collectors to upload formatted files collected directly from large employers with many establishments in the sample for which they are able to report injury and illness data centrally. As of April 26, 2021, a total of 126,915 establishments responded to the 2020 SOII via IDCF with 155,476 individual cases reported.

Employers still may attach a copy of their OSHA 300A summary form to complete Part I of the survey when submitting the hard copy version of the data collection form. In addition, they will continue to be offered the option of attaching an alternative record that contains the requested worker and case circumstances information on the data collection case form. Alternative forms could be workers' compensation first report of injury forms, company accident reports, insurance forms, or the OSHA supplemental case form.

The survey allows respondents to opt in to receive by email the notification of the requirement to respond to the SOII. For the 2021 SOII, over 45,000 establishments were notified of their requirement to maintain injury and illness records required to respond to the SOII. And 48,000 establishments were emailed during data collection processes for the on-going 2020 SOII. The respondent must make a positive selection to opt in for email notification; this selection will be retained. The BLS will email these respondents in subsequent years if the respondent is selected to participate in the survey. The email is pre-filled from the registration email but the respondent may change the email address at any time during the data collection process, if desired. The survey will use email for notification of responsibility to participate in the survey as well as for data collection in accordance with BLS policy on the use of email for data collection.

**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 work injury and illness data to be collected in the survey are not available from any other source. The only existing large body of work on work injury and illness information is located in workers' compensation programs; however, many states do not include all of the specific kinds of work-related cases which the Act requires employers to record and to report. Additionally, coverage and reporting differences among states and lack of uniformly complete records prevent the workers' compensation programs from providing statistically accurate data for national estimates. Workers' compensation data also do not provide a uniform measure of the severity of the injury or illness, such as the number of days away from work, and many are missing the OSHA required data

elements such as time of event. Therefore, data from state workers' compensation programs cannot serve as a replacement for the annual Survey. Since employers may have recorded demographic and injury/illness circumstances information on a workers' compensation first report of injury/illness form, company accident report, or other document, the survey form allows employers to attach copies of these documents in lieu of entering responses to covered questions on the survey instrument.

As nearly all employers in the private sector are covered by the Occupational Safety and Health Act, the SOII is able to produce statistics for almost all industries by itself. However, to provide comprehensive, private sector estimates, it is necessary to secure data from other federal agencies having statutory authority affecting the safety and health of employees in coal, metal, and other nonmetal mining, and on railroads. Comparable data are provided by the Mine Safety and Health Administration, U.S. Department of Labor, for mining employers and by the Federal Railroad Administration, U.S. Department of Transportation, for railroad employers.

OSHA requires establishments in covered industries<sup>2</sup> to record on paper logs and retain data similar to those collected by the SOII. The BLS collects information from OSHA logs from a sample of establishments representative of the entire U.S. economy, including establishments that maintain OSHA records on a regular basis (non-exempt) as well as establishments that are normally exempt from OSHA recordkeeping. The burden of recording information on the OSHA logs for those employers who normally must keep records is already reflected in OSHA's clearance. (See section 12 for additional detail on SOII burden for OSHA exempt and non-exempt establishments.)

Beginning with calendar year (CY) 2016, OSHA amended its recordkeeping regulations to require employers with 250 or more employees in all industries, and employers in certain industries with 20 to 249 employees, to submit 300A Summary form injury and illness information electronically to OSHA. OSHA developed the Injury Tracking Application (ITA) to electronically collect records. The OSHA rule did not add to or change any employer's obligation to complete and retain injury and illness records under OSHA's regulations for recording and reporting occupational injuries and illnesses, but it modified employers' obligations to transmit electronically information from these records to OSHA. Some establishments in private industry are required to report to both the SOII and OSHA under the ITA rule.

At the time that OSHA amended their recordkeeping rules, OMB requested that BLS evaluate using the OSHA-collected electronic injury and illness data as an input to SOII estimates. The OSHA rule, and therefore the data collected electronically by that rule, covers a subset of the US economy, necessitating the development of new methodologies to use the OSHA electronic data along with the SOII reported data to produce nationally representative estimates, while protecting the confidentiality of the SOII sampled establishments as required by the Confidential Information Protection and Statistical Efficiency Act (CIPSEA). Also, measuring nonresponse is critical to creating accurate and reliable estimates.

From 2016 through February 2017, BLS and OSHA formed a working group to examine

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<sup>2</sup> See <https://www.osha.gov/recordkeeping/presentations/covered> for list of OSHA covered industries. Employers in non-covered industries are required to keep OSHA injury and illness records for any establishment if they are asked in writing to do so by OSHA, the Bureau of Labor Statistics (BLS), or a state agency operating under the authority of OSHA or the BLS.

ways to reduce duplicative burden where possible. BLS and OSHA were largely able to align OSHA electronic collection with the SOII and BLS shared electronic data collection expertise. BLS continues to work closely with OSHA to inform on-going research efforts.

It is important to BLS that the identities of establishments are verified and that the record for each submitted establishment include the Employer Identification Number (EIN). For survey year 2018, BLS began collecting the unique OSHA-assigned establishment identification numbers on a voluntary basis from SOII internet respondents required to submit data to OSHA and to BLS. This identification number was used to improve matching OSHA data and BLS data. In 2019, OSHA further amended their recordkeeping rules to require covered employers to submit their EIN electronically along with their injury and illness data submission for this purpose.

Beginning with survey year 2020, SOII IDCF users who also are required to report to OSHA ITA are prompted to enter their assigned OSHA ID which is used to link to reported data in OSHA ITA. BLS is able to determine, based on industry and employment, which SOII sampled establishments are also required to report to OSHA ITA and only these “eligible” establishments encounter a screen in SOII IDCF for matching and import of data from ITA. If a match is found for an establishment in the SOII sample, additional matching criteria are applied to ensure a definitive establishment match. For matched establishments, summary establishment data are imported from OSHA ITA into the SOII IDCF database, reducing duplicative reporting burden. SOII respondents that have reported cases involving days away from work would then be required to report only detailed case information that OSHA does not collect. As of May 3rd, 2021, 24 percent of eligible users attempted to use the import feature in SOII IDCF. Of those users, one-third were successful at importing their OSHA ITA data into SOII IDCF (8 percent of all eligible users). BLS will continue to coordinate with OSHA on changes necessary for the successful implementation of a technological solution to reduce reporting burden.

The accuracy, integrity, and confidentiality of respondent data remains a critical priority for BLS. In order to ensure the accuracy and integrity of data necessary to produce statistically reliable estimates, BLS ensured that the design of this technological solution safeguards the confidentiality of SOII respondents. Design features of this technological solution includes unidirectional transfer of data from OSHA ITA to BLS. BLS believes that the pledge of confidentiality to ensure the use of respondent data only for statistical purposes is essential to fostering a willingness among respondents to share their data. BLS will adhere to all existing confidentiality protections described in the section on Confidentiality below for the implementation of this technological solution. Data collected from SOII respondents is neither accessible to nor shared with OSHA.

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

The BLS minimizes the burden upon small employers by using a highly efficient stratified random sampling plan. Under this sampling plan, the smaller employment units within an industry have a lower probability of selection. In addition, using the electronic data collection option enables small employers with no days-away-from-work cases to simply enter information from the summary form for the survey on the Internet which completes their response.

**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.**

Operational and budgetary issues, along with the data uses described above, make collecting survey data annually essential. The annual survey is a cooperative program with state agencies, which are partially funded by the federal government to collect and process the survey data. States share the data with the BLS for generating national estimates. State grant agencies must finance half the costs by appropriation requests to their own state legislatures, many of which convene and appropriate funds over a cycle that may be different from the federal budget cycle. Therefore, it is likely that many states would be unable to participate in a program of less frequent scheduling. If states do drop out, the federal government must assume the collection of the data at an increased cost. In addition, the complex data collection and coding activities require a fully trained staff. With less frequent collection, and the associated unbalanced workloads, states would be unable to maintain the skilled staff needed to implement the survey.

At a joint meeting of the Occupational Safety and Health Statistics Committee of the Labor Research Advisory Council (LRAC) and the Business Research Advisory Council (BRAC) on August 4, 1977, a resolution was adopted opposing a change in the frequency of the survey. The resolution asserted that a less frequent survey would be "less responsive to the needs and considerations of the profession, Congress, and the public if carried out at less frequent periods."

**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 demonstrate that it has instituted procedures to protect the information's confidentially to the extent permitted by law.**

Survey data are collected once annually. Respondents have thirty days to complete survey forms and no additional copies are required. The BLS does not require survey record retention for respondents.

The survey provides valid and reliable estimates that reflect the worker injury and illness experience for the universe of private sector and state and local government employers. Incident information for injuries and illnesses resulting in days away from work, job transfer, or restriction is classified by the BLS and participating state agencies using the BLS Occupational Injury and Illness Classification System (OIICS) which was submitted to OMB with the initial program redesign clearance in 1991. An updated version of this classification system was submitted to OMB in 2011.

**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.**

#### **Federal Register Notice.**

The Federal Register notice was published in 86 FR 28905 on May 28, 2021. One comment was received. It was from the Bureau of Economic Analysis in support of the SOII collection.

*The Bureau of Economic Analysis (BEA) supports the proposal of the Bureau of Labor Statistics, to collect case circumstance and worker characteristic data for days of job transfer or work restriction cases in select NAICS industries. In addition, BEA strongly supports the continued collection of the other data reported on Form 9300. The data collected from this form are important elements in the derivation of major components of BEA's economic statistics.*

*BEA uses data on occupational injuries/illnesses and days away from work to*

*prepare estimates of employer contributions for workers' compensation by industry; a component of employer contributions for employee pension and insurance funds in national income.*

### **Consultations.**

Semiannually, the BLS meets with both the Data Users Advisory Committee (DUAC) and the BLS Technical Advisory Committee (TAC) to review programs and to solicit advice and recommendations for program enhancement. The BLS also meets periodically with the Federal Economic Statistics Advisory Committee (FESAC).

The BLS holds periodic conferences with the state agencies which receive grants to conduct the survey.

The BLS meets periodically with representatives of the OSHA and NIOSH.

### **9. Explain any decision to provide any payments or gifts to respondents, other than remuneration of contractors or grantees.**

No payments or gifts are provided to respondents.

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

The Confidential Information Protection and Statistical Efficiency Act (CIPSEA) safeguards the confidentiality of individually identifiable information acquired under a pledge of confidentiality for exclusively statistical purposes by controlling access to, and uses made of, such information. CIPSEA includes fines and penalties for any knowing and willful disclosure of individually identifiable information by an officer, employee, or agent of the BLS.

Based on this law, the BLS provides respondents with the following confidentiality pledge/informed consent statement:

*The Bureau of Labor Statistics, its employees, agents, and partner statistical agencies, will use the information you provide for statistical purposes only and will hold the information in confidence to the full extent permitted by law. In accordance with the Confidential Information Protection and Statistical Efficiency Act (44 U.S.C 3572) and other applicable Federal laws, your responses will not be disclosed in identifiable form without your informed consent. Per the Cybersecurity Enhancement Act of 2015, Federal Information systems are protected from malicious activities through cybersecurity screening of transmitted data.*

BLS policy on the confidential nature of respondent identifiable information (RII) states that "RII acquired or maintained by the BLS for exclusively statistical purposes and under a pledge of confidentiality shall be treated in a manner that ensures the information will be used only for statistical purposes and will be accessible only to authorized individuals with a need-to-know."

The 2021 reporting form, BLS No. 9300, and the related Internet data collection site, will

carry the confidentiality statement referenced above.

State and territory statutes vary—for example, in New Jersey, Maine, Wisconsin, Illinois and Guam—and allow the disclosure of state and local government records. Therefore the BLS does not pledge confidentiality to the state and local government units included in their samples.

**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 name of the injured/ill worker is obtained for DAFW and DJTR cases and used to facilitate recontacts with employers when data clarifications are required. BLS does not publish or release the name of the injured/ill worker. BLS policy on Personally Identifiable Information (PII) states that, “No employee shall disclose PII to any individual or entity except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains. Disclosure of the record to individuals with a need-to-know is allowable. Any individual may inspect records of which they are the subject within 30 days of requesting access, unless access is specifically exempt under the provisions of the Privacy Act or other legal authorities.” OSHA recordkeeping also allows employers to substitute “privacy case” for the name of the worker for cases of a sensitive nature.

The race of the injured/ill worker is requested at the option of the respondent. This information can be used to analyze workplace injury and illness rates by race and to compare to health information by race from other sources.

**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. General, 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.**

Multiple factors contribute to the estimate of employer burden for the survey. First, the BLS individual case recording burden estimates are consistent with the burden estimates used by OSHA. Second, the 'Total Hours Worked' and the 'Employment Average' data elements requested in our Survey form 9300 are required on the OSHA Summary form 300A and is a simple transfer of data to the BLS form. Therefore, the burden of calculating hours and employment for those employers who normally must keep the OSHA 300A is already reflected in OSHA's burden hours.

**Reporting Burden for the SOII Survey Data Collection (Form 9300).**

As noted above, with the implementation of the OSHA Summary Form 300A, the completion of the SOII requires transferring totals or photocopying the summary form for Part 1 of survey form 9300. The BLS estimates each of the 232,800 sample units will spend an average of 10 minutes to complete Part 1 of the form. Therefore, the total burden for Part 1 of the form is 38,800 hours [(232,800 sample units x 10 minutes)/60 = 38,800 hours].

**Table 1. Reporting Burden for Form 9300 – Part I**

Sector	Sample units	Average Burden (Minutes)	Total Burden Hours
Private	211,800	10	35,300
Public (mandatory)	14,800	10	2,467
Public (voluntary)	6,200	10	1,033
Total	232,800	10	38,800

In Part 2 of the form, a burden allowance is provided to permit respondents to report up to 300,000 days-away-from-work and days-of-job-transfer or restriction cases. The respondent copies the occupation and number of days away from work or days of job transfer or restriction for each sampled injury/illness from the corresponding line of their Log of Work-Related Injuries and Illnesses. The other required information about the injured/ill worker and the incident is generally available from a workers' compensation report, a company accident report, an insurance form, or the OSHA supplemental case form. The employer is given the option of attaching such a document in lieu of copying the data to the data collection form. The questions on race and type of job are optional. With an average burden of 10 minutes per case, the total burden for Part 2 is 50,000 hours [(300,000 cases x 10 minutes)/60 = 50,000 hours].

**Table 2. Reporting Burden for Form 9300 – Part II**

Sector	Days away from work cases and days of job transfer and restriction cases	Average Burden (Minutes)	Total Burden Hours
Private	255,000	10	42,500
Public (mandatory)	37,500	10	6,250
Public (voluntary)	7,500	10	1,250
Total	300,000	10	50,000

The BLS further estimates that the approximately 78,000 private sample units and 3,400 public sector units that have responsibility to report to OSHA and to the BLS will spend approximately 2 minutes on average reporting the OSHA ITA establishment identification number. With an average burden of 2 minutes to report the OSHA ITA establishment identification number, the total burden for this element is 2,713 hours [(81,400 sample units x 2 minutes)/60 = 2,713 hours].

**Table 3. Burden to Report EIN**

Sector	Sample Units	Average Burden (Minutes)	Total Burden Hours
Private	78,000	2	2,600
Public (mandatory)	3,400	2	113
Total	81,400	2	2,713

Total burden for the survey data collection Form 9300 is, therefore, 91,513 hours (80,400 + 8,830 + 2,283). The average reporting burden is then 24 minutes or 0.4 hours per respondent (91,513 hours/232,800 sample units = 0.4 hours per sample unit).

**Table 4. Total Reporting Burden for the SOII**

Sector	Total Burden Hours
Private	80,400 (35,300 + 42,500 + 2,600)
Public (mandatory)	8,830 (2,467 + 6,250 + 113)
Public (voluntary)	2,283 (1,033 + 1,250)
Total	91,513

**Recording Burden for SOII Pre-notification Recording.**

Recording burden for normally exempt employers who are pre-notified to keep records for a survey year is 96,346 hours. The BLS is using the OSHA estimate stated on the Log (OSHA form 300) that each new entry on the Log requires, on average, 14 minutes. OSHA estimates that completion of the OSHA Injury and Illness Incident Report (OSHA form 301) will require, on average, 22 minutes. OSHA further estimates that completion of each summary form (OSHA form 300A) will require, on average, 58 minutes.

**Table 5. Recording Burden for Form 9300 – Part I**

Sector	Sample units	Average Burden (Minutes)	Total Burden Hours
Private	80,000	58	77,333
Public (voluntary)	6,200	58	5,993
Total	86,200	58	83,326

The BLS sample will include approximately 80,000 normally exempt private sector employers. It is expected that they will record approximately 20,500 cases on the Log form for a total burden of 4,783 hours [(20,500 cases x 14 minutes)/60 = 4,783] and on the OSHA Injury and Illness Incident Report for 7,517 burden hours [(20,500 cases x 22 minutes)/60 = 7,517]. All 80,000 normally exempt prenotified employers will need to complete the 58 minute summary form for a burden of 77,333 hours [(80,000 sample units x 58 minutes)/60 = 77,333]. The total recordkeeping burden for this normally exempt group of employers will be 89,633 hours (4,783 + 7,517 + 77,333).

The BLS sample will include approximately 6,200 normally exempt public sector employers. The estimate for state and local government agencies will increase recording burden by 10,493 hours;  $(6,200 \text{ sample units} \times 58 \text{ minutes})/60 = 5,993 \text{ hours}$ ;  $(1,200 \text{ cases} \times 14 \text{ minutes})/60 = 280 \text{ hours}$ ; and  $(1,200 \text{ cases} \times 22 \text{ minutes})/60 = 440 \text{ hours}$ .  $5,993 + 280 + 440 = 6,713 \text{ hours}$ . The burden estimates are stated on the OSHA forms that will be provided to employers.

**Table 6.** Recording Burden for Form 9300 – Part II

Sector	Days away from work cases and days of job transfer or restriction cases	Average Burden (Minutes)	Log hours	Average Burden (Minutes)	Incident report hours
Private	20,500	14	4,783	22	7,517
Public (voluntary)	1,200	14	280	22	440
Total	21,700	14	5,063	22	7,957

**Table 7.** Total Recording Burden for the SOII Pre-Notification

Sector	Hours
Private	89,633 (4,783 + 7,517 + 77,333)
Public (voluntary)	6,713 (5,993 + 280 + 440)
Total	96,346

**Total SOII Burden.**

Combined burden for recording (96,346) plus reporting (91,513) on the BLS Form 9300 is 187,859 hours.

**Table 8.** Total SOII Recording and Reporting Burden

Sector	Sample units	Total Burden Hours
Private	211,800	170,033 (35,300+42,500+2,600+89,633)
Public (mandatory)	14,800	8,830 (2,467+6,250+113)
Public (voluntary)	6,200	8,996 (1,033+1,250+6,713)
Total	232,800	187,859

**SOII Burden Hours for SY2021 through SY2023.**

**Table 9.** SOII Burden Hours, SY2021-2023

Year	Sector	Reporting	Recording	Total Burden (Hours)	Hourly Wage Rate	Total cost
2021	Private	80,400	89,633	170,033	\$28.99	\$ 4,929,257
	Public (m)	8,830	--	8,830	\$28.99	\$ 255,982
	Public (v)	2,283	6,713	8,996	\$28.99	\$ 260,794
	Total	91,513	96,346	187,859	\$28.99	\$ 5,446,032
2022	Private	80,400	89,633	170,033	\$28.99	\$ 4,929,257
	Public (m)	8,830	--	8,830	\$28.99	\$ 255,982
	Public (v)	2,283	6,713	8,996	\$28.99	\$ 260,794
	Total	91,513	96,346	187,859	\$28.99	\$ 5,446,032
2023	Private	80,400	89,633	170,033	\$28.99	\$ 4,929,257
	Public (m)	8,830	--	8,830	\$28.99	\$ 255,982
	Public (v)	2,283	6,713	8,996	\$28.99	\$ 260,794
	Total	91,513	96,346	187,859	\$28.99	\$ 5,446,032

Respondent cost for the SOII (Private sector) is estimated at \$4.929 million based on an employer cost of \$28.99 an hour (170,033 \* \$28.99 = approximately \$4.929 million). With the addition of state and local government units, this respondent cost is estimated at \$5.446 million based on an employer cost of \$28.99 an hour (187,859 \* \$28.99 = approximately \$5.446 million). The employer cost is based on employer costs for wages, salaries, and employee benefits for sales and office workers reported by the BLS in [Employer Costs for Employee Compensation--June 2021, USDL-21-1094](#).

**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 service 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 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.**

No capital costs or startup costs are incurred in the recordkeeping or reporting functions of this survey. Respondents are provided all materials needed to complete the survey. The costs of generating, maintaining, and disclosing the information requested are direct burden hours as specified in item 12. The recordkeeping practices require only manual recording of information, thereby, no systems work would be required. Employers who have chosen to keep records electronically need only access them for survey purposes.

**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.**

Collection costs for the survey are funded on a 50/50 federal-state matching basis. The federal share of survey collection costs in Fiscal Year (FY) 2021 is around \$5.5 million, an amount that is being matched by participating states. In addition, approximately \$16 million in FY 2021 non-collection expenses is being incurred by the BLS, for the purpose of providing and maintaining the computers, telecommunications capacity, and software needed to capture the data, as well as retaining the staff who refine the design of the survey, select new survey samples each year, maintain data quality standards, produce and distribute estimates to the states, and publish the national data, as well as other related activities.

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

There is an estimated net decrease in respondent burden of 4,128 hours (187,859 – 191,987) per year. Fewer cases are expected to be reported due to the decrease of the case subsampling threshold from 15 to 8 for the number of DAFW and DJTR cases that respondents will be required to report. DJTR was collected on a test basis beginning in survey year 2011 through survey year 2019. BLS will collect DJTR cases on a permanent basis starting with survey year 2021. BLS has previously maintained the subsampling process for employers to limit to 15 the number of cases each employer needs to submit. BLS pilot tests and simulations demonstrated that collecting both DJTR and DAFW case types increases both the number of employers who will have to report case details and the number of employers who would be eligible for subsampling. In order to maintain the same level of burden on employers and keep a neutral workload on participating state agencies, as well as neutral resource obligations, BLS will reduce the number of cases each employer needs to submit to a maximum of 8 cases. BLS has estimated that this will result in approximately the same number of cases collected annually across the two case types.



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

Results from the survey are published in a news release. Data also are published in the President's Report on Occupational Safety and Health, an annual report to the U.S. Congress. Survey data also are available on the BLS Internet. The SOII news release presenting industry rates and counts. Beginning with the first biennial release of RY 2021-2022 DJTR and DAFW data in the fall of 2023, case and demographic data will only be disseminated every other year, and in biennial estimate form. Since there is no DJTR collection for RY 2020, only DAFW data will be released in the fall of 2021. After the publication of RY 2020 case data, the next scheduled release of case and demographic data will take place in the fall of 2023, for which biennial estimates for RY 2021-2022. BLS will continue to publish summary industry estimates annually.

Listed below is a summary timetable that identifies the major collection phases and tentative dates for publishing the data.

**Table 9.** Summary Timetable for Major SOII Collection Phases

December	Pre-notification mailing
January	Initial mailing of BLS No. 9300 forms to sample units
March	Second request mailing to nonrespondents
April	Third request mailing to nonrespondents
May	Telephone, mail, or email follow-up of key nonrespondents
July	Active collection of data closed
November	SOII news release highlighting industry rates and counts (characteristics and circumstances of work place injuries and illnesses will be a biennial release).

**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.**

The BLS requests an exemption from the display of the expiration date on the BLS 9300 survey form. This allows for a savings in printing costs by providing the printer with final forms at an earlier date.

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

No exceptions to the certification statement are requested.