

Census of Fatal Occupational Injuries Supporting Statement

This ICR seeks to obtain an extension for the Bureau of Labor Statistics (BLS) Census of Fatal Occupational Injuries (CFOI). The collection is unchanged since the last submission.

Part 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 Bureau of Labor Statistics (BLS) was delegated responsibility by the Secretary of Labor for implementing Section 24(a) of the Occupational Safety and Health Act of 1970. This section states that "the Secretary shall compile accurate statistics on work injuries and illnesses which shall include all disabling, serious, or significant injuries and illnesses..."

Prior to the implementation of the Census of Fatal Occupational Injuries (CFOI), the BLS generated estimates of occupational fatalities for private sector employers from a sample survey of about 280,000 establishments. Studies showed that occupational fatalities were underreported in those estimates as well as in those compiled by regulatory, vital statistics, and workers' compensation systems. Estimates prior to CFOI varied widely, ranging from 3,000 to 10,000 fatal work injuries annually. In addition, information needed to develop prevention strategies was often missing from these earlier systems.

In the late 1980s, the National Academy of Sciences study, *Counting Injuries and Illnesses in the Workplace: Proposals for a Better System*,¹ and another report, *Keystone National Policy Dialogue on Work-Related Illness and Injury Recordkeeping*, emphasized the need for the BLS to compile a complete roster of work-related fatalities because of concern about using a sample survey to estimate the incidence of occupational fatalities. These studies also recommended the use of all available data sources to compile detailed information for fatality prevention efforts.

In 1989 and 1990, the BLS, in conjunction with the Texas and Colorado Departments of Health and the Texas Workers' Compensation Commission, tested the feasibility of collecting fatality data in this manner. These studies, which can be found in Appendix A: Development of the Census of Fatal Occupational Injuries of BLS Report 845, April 1993, concluded that:

- Multiple sources are needed to yield a comprehensive count of fatal occupational injuries
- Collecting data from multiple sources is feasible
- Detailed information is commonly available from administrative sources

¹ See National Research Council. 1987. *Counting Injuries and Illnesses in the Workplace: Proposals for a Better System*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/18911>.

Census of Fatal Occupational Injuries

OMB Control Number: 1220-0133

OMB Expiration Date: 12/31/2022

The resulting CFOI was implemented in 32 states in 1991. National data—covering all 50 states, New York City, and the District of Columbia—have been compiled and published annually for years 1992 through 2020.

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 CFOI compiles comprehensive, accurate, and timely information on fatal work injuries needed to develop effective prevention strategies. The CFOI collects information about the worker, the employer, and the fatal incident. (Data elements collected are listed in Attachment 1A).

BLS is currently evaluating potential changes to some CFOI data elements, to methods, and to outputs for which a later request for a nonsubstantive change will be submitted. Potential changes being considered include:

- Discontinuing elements for which data are significantly missing or unknown, including Time Workday Began, Impairment Code, Union Status, Time in Position.
- Aligning CFOI data elements with the Current Population Survey (CPS), including replacing the concept of ownership currently used by CFOI with Class of Worker used in the CPS and replacing CFOI Employee Status with Pay Status used in the CPS.
- Aligning Race and Hispanic origin with CPS concepts and publishing race and Hispanic origin separately in CFOI.
- Aligning research variables, including alcohol/drug, contingent worker, and contractor, with CPS and the National Highway Transportation Safety Administration (NHTSA).
- Editing existing variables, including gender, nature, part, source, event, location, worker activity, industry, race, Hispanic origin, and foreign birthplace to include an unknown category to capture data more accurately. Also being considered is expanding gender to include non-binary.
- Evaluating changes to the variable Medical Complication to combine AIDS with Hepatitis, to split reactions into allergic and overdose, and to add suicide and PTSD.
- Evaluating methods for secondary disclosure protections to determine ways to provide additional high value data to users.
- Evaluating methods for improving the calculation of CFOI fatality rates.
- Evaluating how best to distinguish and publish information on latent fatality cases.
- Tailoring outputs to provide selected levels of aggregation, display taxonomy labels for published data, and publish zeros.

Various public and private safety and health organizations, including the Occupational Safety and Health Administration (OSHA), as well as many employers, worker advocates, and the public safety and health community use CFOI data to:

- Develop employee safety training programs
- Assess and improve workplace safety standards

Census of Fatal Occupational Injuries

OMB Control Number: 1220-0133

OMB Expiration Date: 12/31/2022

- Develop safety equipment
- Prioritize safety efforts
- Conduct research for developing prevention strategies
- Compare fatal work injuries between states to evaluate safety program.

In addition, state partners use the data to publish state reports, to identify state-specific hazards, to allocate resources for promoting safety in the workplace, and to evaluate the quality of work life in the state.

CFOI data were also used by the Department of Health and Human Services to measure fatal workplace injuries in their Healthy People 2020 initiative. The National Safety Council and other organizations have adopted the CFOI as the primary source of a comprehensive count of fatal work injuries for the U.S. The National Institute for Occupational Safety and Health (NIOSH) uses CFOI data for much of its fatal injury research. This official, systematic, verifiable count mutes controversy over the various counts from different sources. If this information were not collected, confusion over the number and patterns in fatal occupational injuries would hamper prevention efforts. In 2019 and 2020, 5,333 (pre-pandemic) and 4,764 (pandemic) workers, respectively, lost their lives because of fatal work injuries.

During 2020, the BLS national office alone responded to 148 requests for CFOI data from various researchers and organizations, including manufacturers, insurance companies, engineering firms, security services, universities, business associations, trade unions, government organizations, and news services. (This figure excludes requests received by the BLS regional offices and states.) As a result of the pandemic, the number of inquiries made for CFOI data during 2020 is lower than in years past. In addition, the CFOI page of the BLS website averaged about 7,015 users per month in 2020.

The CFOI research file, made available to safety and health groups under letters of agreement to protect confidentiality, is currently being used by 12 organizations to conduct studies on specific topics. (Attachment 1B lists data elements included on the research file.) Study topics include: fatalities by worker demographic category (young workers, older workers, Hispanic workers); by occupation or industry (construction workers, police officers, firefighters, landscaping workers, workers in oil and gas extraction); by event (heat-related fatalities; fatalities from workplace violence, suicides, and falls from ladders); or other research such as safety and health program effectiveness, the impact of fatality risk on wages, cost estimates of fatal injuries, and the value of a statistical life.

A list of research articles and reports that include CFOI data can be found at <http://www.bls.gov/iif/publications.htm>.

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.

Except for use of follow-back questionnaires described below, the CFOI does not solicit information directly from employers, rather the CFOI primarily uses existing administrative

Census of Fatal Occupational Injuries

OMB Control Number: 1220-0133

OMB Expiration Date: 12/31/2022

documents (e.g., death certificates, workers' compensation reports, Occupational Safety and Health Administration (OSHA) investigation reports) and news reports to identify and compile information on fatal occupational injuries. States are encouraged to use as many existing data sources as are available and necessary to compile a complete count of fatal occupational injuries. Instead of the administrative form itself, some agencies provide computer files or listings of the fatal work injury information. In addition, participating state partners make use of various public websites, and utilize the BLS CFOI Public Data Management System (C-PDMS) web scraper, to gather information on fatal work injuries. The lack of standardization in data among the various data sources and between states impedes additional automation.

State agencies use a follow-back questionnaire, BLS CFOI-1, where necessary to substantiate work relationship when only one source document is available as well as to obtain missing data as needed. This questionnaire is used for roughly 3 percent of total initiated fatal injury cases. The BLS CFOI questionnaire is designed so that respondents are only asked to complete parts of the questionnaire needed to obtain missing or more detailed data. Given the small number of respondents for which CFOI uses this form and the need to only complete one section of the questionnaire, developing an electronic form to replace the current paper questionnaire is not cost-efficient. Respondents submit the completed follow-back questionnaire electronically, by postal mail, or by fax.

Each of the participating state and territorial partners collect and process data for an average of about 101 fatal occupational injuries per year, or about 104 fatalities, including illnesses. States enter data into a web-based system provided by the BLS and code the variables using a uniform coding structure. The BLS validates the coding and publishes the results.

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.

During the development of the CFOI, the BLS met with representatives from OSHA, NIOSH, the National Center for Health Statistics (NCHS), and the Mine Safety and Health Administration (MSHA). The BLS keeps these and other agencies informed of CFOI data collection and availability.

The BLS keeps abreast of developments in this area by reviewing current literature, and publishing articles. Multiple articles have been published in BLS publications over the last couple of years. The CFOI program also works closely with OSHA and NIOSH surveillance staff, and actively participates in national safety and health conferences and meetings. Staff members regularly make presentations at safety and health conferences. For example, in May 2022, the CFOI program participated in the National Institute for Occupational Safety and Health's (NIOSH) National Occupational Injury Research Symposium (NOIRS) Conference.

As mentioned previously, the CFOI has been adopted by virtually all organizations involved in occupational safety and health as the primary source of a comprehensive count of fatal work injuries for the U.S. The CFOI data is far more comprehensive and timelier than the previous national fatal work injury surveillance system.

Census of Fatal Occupational Injuries

OMB Control Number: 1220-0133

OMB Expiration Date: 12/31/2022

The BLS receives and provides fatality reports to state partners from the following federal agencies: OSHA, the Division of Federal Employees, Longshore and Harbor Workers' Compensation (DFELHWC), U.S. Coast Guard, the National Transportation Safety Board (NTSB), and the Department of Transportation, specifically the Federal Railroad Administration (FRA) and the National Highway Traffic Safety Administration (NHTSA). Fatality reports from other federal agencies, such as MSHA, NIOSH, the Federal Emergency Management Agency (FEMA), and the Social Security Administration (SSA), are accessed by the participating state partners from the federal agencies' websites. States also obtain source documents, such as death certificates, workers' compensation reports, medical examiner reports, and highway fatality reports within their states.

Employers are not required to report fatalities to both the relevant regulatory agency and to the state partners operating the CFOI. Thus, the CFOI system is based primarily on administrative records received from federal, state, and local governmental agencies as well as from some private sector organizations. Employers or individuals are contacted only to clarify data or to obtain missing information.

Using multiple data sources and follow-back techniques, the CFOI:

- Compiles the most complete count of work-related fatal injuries in the United States
- Substantiates work relationship using a consistent definition
- Includes fatal occupational injuries to workers of all ages
- Identifies the industry, occupation, demographic information (such as race, ethnicity, and gender), and circumstances related to the fatal injury
- Provides detailed information about these fatal incidents on a timely basis to assist with developing and implementing prevention strategies
- Allows policymakers, researchers, and other users to conduct research using a single database, which assists in identifying relationships in serious workplace hazards that may not have otherwise been recognized.

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

The burden on small businesses is minimal because the CFOI relies on existing administrative and public data sources for most of the information used to identify, substantiate, and describe a fatal work injury. Employers are not the sole source used to substantiate work-relationship or to obtain required data elements missing from source documents. Follow-back questionnaires may also be sent to the certifying physician or coroner/medical examiner, or the informant named on the death certificate. An estimated 138 (79%) of the total (174) follow-back respondents for the 2019 CFOI were private sector employers. Data are not compiled to determine how many of these employers are small businesses.

Follow-back questionnaires to small employers are often necessary to ensure that fatal injuries occurring to workers in smaller establishments are included in the count of fatal work injuries and that information concerning these deaths is accurately reflected in the CFOI database.

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.

Data collection occurs on an ongoing basis throughout the year so that the BLS can compile and publish CFOI data in a timely manner and on a consistent schedule. The program currently releases data 12 months after the end of the reference year. By providing timely fatal occupational injury data, the CFOI provides employers, workers, and safety and health professionals the information necessary to respond to emerging workplace hazards. Several organizations use CFOI data annually in their publications, in their research, and for strategic planning or performance measurement. The CFOI provides the only comprehensive national source of fatal work injury data. If the CFOI collection was not conducted or if it was conducted less frequently, this would adversely impact data users' and policy makers' ability to make informed decisions that directly impact worker safety and health.

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 confidentiality to the extent permitted by law.**

The BLS asks that follow-back respondents complete and return the CFOI questionnaire as soon as possible to both reduce the number of nonrespondents due to relocation and to minimize recall problems for respondents.

Survey studies have shown that one's retention of information about an event declines over time. (See M. Warner, et al., "The effects of recall on reporting injury and poisoning episodes in the National Health Interview Survey," *Injury Prevention*, 11, October 2005, pp. 282-7, for a discussion of recall of information in survey studies.²) Timely follow-back is, therefore, essential for collecting accurate fatality data.

² See <https://injuryprevention.bmj.com/content/injuryprev/11/5/282.full.pdf>.

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.

One comment was received as a result of the Federal Register notice published in 87 FR 35573 on June 10, 2022. The comment, which was emailed to BLS on June 10, 2022, expressed the opinion that the BLS should take careful steps to track fatal reactions for employees that were required to take COVID-19 vaccines as a condition of their continued employment. Vaccine-related fatalities have always been in-scope for the Census of Fatal Occupational Injuries (CFOI) if there is an established link between these rare events and the decedent's work requirements.

BLS meets with or periodically consults with representatives from the following user groups:

- Occupational Safety and Health Administration (OSHA) and their advisory committees
- U.S. Department of Transportation (DOT)
- Centers for Disease Control and Prevention (CDC)
 - National Institute for Occupational Safety and Health (NIOSH)
 - National Center for Health Statistics (NCHS)
- Council of State and Territorial Epidemiologists (CSTE)
- National Safety Council (NSC)
- Center for Construction Research and Training (CPWR)
- Oil and gas extraction safety groups
- National Occupational Research Agenda (NORA) Service Sector Council
- NORA Contingent Worker Workgroup

In addition, BLS meets annually with the state partners receiving grants to conduct the fatality census and meets periodically with the BLS Data Users Advisory Committee (DUAC) to solicit their respective views on data availability, frequency of collection, data elements collected, and recommendations for program enhancements.

During the past several years, BLS staff participated in numerous national conferences and presented CFOI data to the following major organizations: National Safety Council (NSC), American Public Health Association (APHA), Occupational Safety and Health State Plan Association, Council of State and Territorial Epidemiologists (CSTE), National Academy of Sciences (NAS), American Industrial Hygiene Association (AIHA), and the NIOSH National Occupational Injury Research Symposium (NOIRS).

Census of Fatal Occupational Injuries

OMB Control Number: 1220-0133

OMB Expiration Date: 12/31/2022

Because of the usefulness of CFOI data in developing injury prevention programs, CFOI staff are often asked to participate in National workgroups, such as NIOSH NORA task forces and the NOIRS meetings. For example, BLS participated in the NOIRS winter partners meeting early in the pandemic to discuss collection of data on COVID-19 and participated more recently in the NOIRS 2022 annual meeting to present results from COVID collection and other topics. These exchanges provide the BLS with input from data users to improve the CFOI, promote the use of CFOI data, and provide the BLS with information about other data systems. Researchers who use the CFOI research file also frequently provide feedback for improving information on the research file. The ability for BLS staff to participate in external conferences has been significantly curtailed by the COVID-19 pandemic, as many of the public health conferences at which BLS would have had a presence have been canceled. BLS has recently participated in rescheduled conferences held virtually and intends to resume future participation in more external activities as restrictions are relaxed and organizations are again able to hold in-person conferences.

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

The BLS does not pay follow-back respondents to complete the questionnaire. However, some agencies providing source documents, such as the state vital statistics agencies, require a nominal fee to cover copying costs.

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 to the follow-back questionnaire 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 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.”

Census of Fatal Occupational Injuries

OMB Control Number: 1220-0133

OMB Expiration Date: 12/31/2022

The partner state agencies adhere to this policy and with any confidentiality provisions that the source agencies such as the vital statistics agency, workers' compensation agency, and other organizations that supply information may require. Documents supplied by these agencies are maintained by state partners. The BLS does not have access to these documents.

Starting with the reference year 2019, CFOI modernized its disclosure methodology further strengthening its protection of confidential data. As a result of these necessary protections there are fewer publishable counts in CFOI. Disclosure protection is always an ongoing balance between protecting confidential data from disclosure and providing useful data to users.

Those requesting access to confidential CFOI data either in person, at a Federal Statistical Research Data Center (FSRDC), or via the Virtual Data Enclave (VDE) must complete BLS confidentiality training (annually) and sign a letter of agreement stating that they will comply with the BLS's confidentiality and computer security provisions. Some data elements on the research file are masked to further reduce the risk of identifying individual decedents or companies.

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.

No questions of a sensitive nature are asked on the CFOI follow-back form.

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.**

The burden of providing information on fatal injuries falls on two primary groups: federal, state, local, and tribal government agencies that provide most source documents, and employers and individuals whose states may request to fill out the follow-back questionnaires when additional information is required. Federal, state, local, and tribal agencies may also be requested to provide information in a follow-back questionnaire if the fatally-injured person is a government employee. Because of the varying arrangements among the state, local, and tribal government agencies to provide fatality reports, the total number of source documents and follow-back questionnaires received is being used for the number of responses. All burden hours and costs

Census of Fatal Occupational Injuries

OMB Control Number: 1220-0133

OMB Expiration Date: 12/31/2022

were calculated using five-year maximum values for 2016-2020 data to best account for any possible fluctuation in the number of occupational fatalities.

The CFOI requires that two or more independent source documents be collected to substantiate work-relationship for each work-related fatality. When only one source document has been obtained for a fatality, the state agency may mail a follow-back questionnaire (Attachment 2A) to a business or person named on one of the source documents. The follow-back questionnaire is used to substantiate work relationship or to obtain missing information.

Source agency burden

During the startup of the CFOI, the BLS provided a template (Attachment 2B) to the state partners for use in setting up arrangements to obtain source documents from other agencies within the state. States occasionally use this template to confirm these arrangements—particularly during periods of staff turnover. Significant modifications to the letter are discussed with the BLS regional office beforehand. Some states use the fax form (Attachment 2C) to obtain a source document for a fatality that has been identified by another source.

From 2016 through 2020, an average of about 5,700 potentially work-related fatalities (injuries and illnesses combined) were identified by the state partners participating in the CFOI. Source agencies (including vital statistics agencies, workers' compensation agencies, and other state and federal regulatory agencies) provided about 15,000 source documents annually for reference years 2016-2020. This total excludes media reports and documents obtained from public websites, which the participating state partners collect themselves, and therefore do not result in public burden.

The burden to the government source agencies providing reports includes retrieving and reproducing the necessary documents. For state, local, and tribal agencies, we estimate an average of 10 minutes per document provided. For federal agencies providing electronic files, we estimate an average of 10 hours per year per agency or division providing these files. Note that some source agencies require a nominal fee to cover copying costs and some provide computerized files. The burden hours and associated costs shown should, therefore, be considered a maximum estimate.

Burden to follow-back respondents

The follow-back questionnaire (BLS CFOI-1) is used to determine whether fatalities identified by only one source document are work-related or to gather additional information about the fatality. About 3 percent of the fatalities need a follow-back questionnaire. Some cases require that a follow-back questionnaire be sent to more than one respondent. Based on previous years' counts, the total number of questionnaires for all respondents combined is estimated to be about 334 annually.

The BLS CFOI-1 has been designed so that only those sections pertinent to the respondent will be completed. The respondent completes only those questions relating to data that the state is

Census of Fatal Occupational Injuries

OMB Control Number: 1220-0133

OMB Expiration Date: 12/31/2022

missing. Therefore, the respondent burden may vary between 10 and 30 minutes, depending upon the information requested. This burden averages 20 minutes.

a. Federal Government

Source document administrative data

Number of respondents: In response to the letter requesting source documents, seven federal agencies or divisions currently provide data files containing fatality reports to the CFOI for fatalities that occur under the agency's jurisdiction. (BLS and state agencies access reports from an additional six federal agencies through their websites.)

Number of responses: One of the federal agencies provides a file each calendar quarter as well as one annual file (totaling five data files per year) while the other agencies each provide a single annual file (totaling six data files per year)—for a grand total of 11 data files (or federal responses) each year.

Time and cost burden: The federal agencies providing data files to the BLS do so by extracting the pertinent records from their administrative database and sending the information to BLS. We estimate that this takes on average 10 hours per agency or division per year—resulting in a total burden of 70 hours a year. We also estimate that the typical federal employee performing this work to be a GS 12/1 ([locality rate for Washington-Baltimore-NVA](#)), with a total compensation rate of \$54.73 per hour in 2021. (Total compensation rate was calculated using the hourly wage rate of \$41.78 plus the all civilian workers total benefits of 31.0% ([National Compensation Survey, Employer Costs for Employee Compensation –December 2021, Table 2](#)) to account for employer-paid benefits.) The total annual cost burden for all federal agencies submitting these files is estimated to be \$3,831 (70 hours x \$54.73).

BLS CFOI-1

Number of respondents: Each year, about 2 federal agencies respond to the CFOI follow-back questionnaire pertaining to a fatally injured employee of the agency.

Number of responses: Each agency typically responds to one questionnaire per year, for a total of 2 federal agency responses to the CFOI-1.

Time and cost burden: We estimate the federal agency burden to respond to the follow-back questionnaire to be approximately 40 minutes (2 x 20 minutes). We estimate that the typical federal employee performing this work to be a GS 12/1, with a total compensation rate of \$54.73 per hour. (Total compensation rate was calculated using the hourly wage rate of \$41.78 plus 31.0% to account for employer-paid benefits.) The cost burden is therefore \$36.49 (40 minutes x \$54.73).

b. Individuals or Households

Participating state partners are instructed to pursue other avenues for obtaining the necessary information before contacting individuals or households. If these attempts fail, the state sends a

Census of Fatal Occupational Injuries

OMB Control Number: 1220-0133

OMB Expiration Date: 12/31/2022

follow-back questionnaire to one of the individuals listed on the source document(s) that has been received. (Some states have policies against contacting the next-of-kin or other individuals and so do not conduct these follow-backs.) Individuals and households respond to an estimated 41 follow-back questionnaires annually. The burden hours for this response are estimated to be approximately 14 hours (41 x 20 minutes), and the cost burden is estimated to be \$565 annually. This estimate is based on a total compensation rate of \$40.35 per hour, which is the average hourly total compensation rate for all civilian workers ([National Compensation Survey, Employer Costs for Employee Compensation –December 2021, Table 1](#)).

c. Private Sector

Private sector employers (including businesses, nonprofit institutions, and farms) respond to an estimated 251 follow-back questionnaires annually. The burden hours for this response are estimated to be about 84 hours (251 x 20 minutes), and the cost burden is estimated to be \$4,881 annually. This estimate is based on a total compensation rate of \$58.11 per hour, which is the average hourly total compensation rate for all professional and related workers in private industry ([National Compensation Survey, Employer Costs for Employee Compensation – December 2021, Table 4](#)).

d. State, Local, or Tribal Governments

State, local, and tribal government agencies provide source documents for potentially work-related fatalities to the CFOI. Some agencies require a nominal fee to cover copying costs and some provide electronic files. Because these arrangements vary from state to state, it is difficult to adjust the burden estimates for reports sent electronically as was done for reports submitted by the federal agencies. The burden hours and associated costs shown should, therefore, be considered a maximum estimate.

Source document administrative data

Number of respondents: There are approximately 220 state, local, and tribal government agencies providing the CFOI with source documents (55 states/cities/territories x an average 4 source agencies per state).

Number of responses: State, local, and tribal government agencies provide an estimated 15,465 source documents.

Annual time and cost burden: A total of 220 state, local, and tribal government agencies actively provide an estimated 15,465 source documents to the CFOI, resulting in a burden of 2,578 hours a year (15,465 x 10 minutes), for which the cost burden is estimated to be \$98,119 annually. This estimate is based on a total compensation rate of \$38.06 per hour, which is the average hourly total compensation for all office and administrative workers in state and local government ([National Compensation Survey, Employer Costs for Employee Compensation – December 2021, Table 3](#)).

BLS CFOI-1

Number of respondents: We estimate 40 follow-back questionnaires completed by state, local, or tribal government agencies for fatally-injured employees.

Number of responses: We estimate 40 responses to the follow-back questionnaires completed by state, local, or tribal government agencies for fatally-injured employees.

Annual time and cost burden: State, local, and tribal government agencies undergo an estimated burden of roughly 13 hours (40 x 20 minutes) to respond to the follow-back questionnaires, for which the cost burden is estimated to be \$830 annually. This estimate is based on a total compensation rate of \$63.88 per hour, which is the average hourly total compensation rate for all professional and related workers in state and local government ([National Compensation Survey, Employer Costs for Employee Compensation – December 2021, Table 3](#)).

e. Information Collection Request (ICR) Summary of Burden

The following tables summarize the estimated annual burden for the various types of submission and types of respondents. Dollar amounts may not add up exactly due to rounding.

Total burden by document type							
Type of document	No. of respondents	No. of Responses per Respondent	Total Responses	Average Burden (Hours)	Total Burden (Hours)	Hourly Wage Rate	Total Burden Cost
TOTAL Form BLS CFOI-1	334	1	334	20 minutes per document	111.66	Var.	\$ 6,312
TOTAL Source documents	227	68	15,476	10 minutes per document	2,648	Var.	\$ 101,950
TOTAL	561		15,810		2,760		\$ 108,262

Total burden by respondent type							
Type of respondent	No. of respondents	No. of Responses per Respondent	Total Responses	Average Burden (Hours)	Total Burden (Hours)	Hourly Wage Rate	Total Burden Cost
Federal government -Form BLS CFOI-1	2	1	2	20 minutes per document	.66	\$54.73	\$ 36
Federal government -Source documents	7	2	11	10 hours per agency per year	70	\$54.73	\$ 3,831
TOTAL Federal government	9		13		71		\$ 3,867
Individuals &	41	1	41	20	14	\$40.35	\$ 565

Census of Fatal Occupational Injuries

OMB Control Number: 1220-0133

OMB Expiration Date: 12/31/2022

households -Form BLS CFOI-1				minutes per document			
TOTAL Individuals & households	41		41		14		\$ 565
Private sector -Form BLS CFOI-1	251	1	251	20 minutes per document	84	\$58.11	\$ 4,881
TOTAL Private Sector	251		251		84		\$ 4,881
State, local, and tribal governments -Form BLS CFOI-1	40	1	40	20 minutes per document	13	\$63.88	\$ 830
State, local, and tribal governments -Source documents	220	70	15,465	10 minutes per document	2,578	\$38.06	\$ 98,119
TOTAL State, local, and tribal governments	260		15,505		2,591		\$ 98,949
TOTAL	561		15,810		2,760		\$ 108,262

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.

Census of Fatal Occupational Injuries

OMB Control Number: 1220-0133

OMB Expiration Date: 12/31/2022

There are no additional costs to respondents or record keepers resulting from the information collection.

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 CFOI are funded on a 50/50 federal-state matching basis. The federal share of collection costs in Fiscal Year (FY) 2022 is \$2 million, an amount that is being matched by participating states. An additional \$3 million in FY 2022 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 scope of the fatality census, maintain data quality standards, produce and distribute counts and rates to the states, and publish the national data.

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

The increase in the annual number of responses from 15,604 to 15,810 is due in part to the use of revised methodology for counting federal source document responses. To better reflect the federal agency burden, the number of data files submitted by a federal agency is used for the number of responses rather than the total number of fatality reports as was done in previous estimates.

Burden and cost estimates are based on the maximum value over the five-year period from 2016-2020 data to account for any additional increase in future years. The overall decrease in burden hours from 2,808 to 2,760 reflects an overall decrease in the number of fatal occupational injuries during this period, which resulted in fewer follow-back questionnaires received.

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.

Data collection for each reference year begins January 1 and continues through November of the following year. State partners enter and code the data, with exception of one state for which data are collected and coded by BLS national office staff. The BLS reviews the coding and data to validate the accuracy of state data collection. Approximately twelve months after the end of the reference period, the BLS combines data from all 50 states, New York City, and the District of Columbia, generates various tabulations, and publishes reference year data for the entire nation and individual states.

BLS products of the CFOI include:

- An annual news release and various related tables
- Research articles on special topics published in national publications
- The CFOI limited-access research file (updated annually).

State partners also publish CFOI data in various formats like those listed above. Published data are distributed to individuals attending various state and national safety conferences, those requesting a specific publication, and those included on the CFOI mailing list. News releases, charts, tabulations (both BLS- and user-generated), and research articles are available through the BLS website. An electronic data retrieval tool called Online Profiles is also available to users on the BLS website. This system generates national and state profiles and publication tables of fatal work-related injuries based on user selections.

In addition to published tables, the BLS and participating state partners produce various data aggregations to fulfill data requests. In 2020, the BLS national office alone responded to approximately 148 requests for published and unpublished CFOI data. This figure excludes requests received by the BLS regional offices and state partners.

Each year, the CFOI creates a complete file of all work-related fatal injuries and makes most of this file available, upon written request and for statistical use only, to universities and safety and health organizations that conduct research on workplace injury. Data are masked to the extent possible to protect confidentiality of data sources without losing the details needed for research. State codes and personal identifiers have been removed from the file so that individual cases cannot be matched to other data sources.

The NIOSH currently has approximately 47 staff members registered to use the CFOI Research File. NIOSH has requested additional data elements beyond those available on the regular Research File for their use in conducting state-specific research and developing prevention programs. NIOSH has requested the following additional data elements: state codes, date of death, and industry and occupation narrative descriptions. BLS partners have agreed that the additional information could be provided to NIOSH for meeting NIOSH's education and research mission. To safeguard against unauthorized use of the file, each research organization, as well as all authorized researchers, requesting the file must complete BLS confidentiality training (annually) and agree in writing to adhere to the BLS confidentiality policy. (See Attachment 1B for a list of data elements made available to researchers.)

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 CFOI requests permission to continue to not display the expiration date on the BLS CFOI-1. This will allow the forms to be used in subsequent years and save printing costs and personnel time.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.