



**National
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United**

The National Voice for Direct-Care RNs

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April 13, 2026

David Keeling
Assistant Secretary of Labor for Occupational Safety and Health
Occupational Safety and Health Administration
U.S. Department of Labor
OSHA Docket Office
Docket No. OSHA-2009-0043
200 Constitution Ave., NW
Washington, DC 20210

**Re: Docket No. OSHA-2009-0043, Access to Employee Exposure and Medical Records;
Extension of the Office of Management and Budget's (OMB) Approval of Information
Collection (Paperwork) Requirements**

Dear Assistant Secretary David Keeling:

On behalf of more than 225,000 registered nurse (RNs) members, National Nurses United (NNU), the largest labor union and professional association for RNs in the United States, submits these comments in response to the request for comments regarding the Occupational Safety and Health Administration's (OSHA) proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements contained in the Access to Employee Exposure and Medical Records Standard (Docket No. OSHA-2009-0043). The information collection requirements contained in the Access to Employee Exposure and Medical Records Standard are necessary for the proper performance of the agency's functions to protect workers and should be maintained.¹

OSHA's Access to Employee Exposure and Medical Records Standard gives employees, their representatives, and OSHA a legal right to examine and copy important records regarding workplace hazards. This includes information on toxic substances or harmful physical agents that workers may have encountered as well as any medical information on health impacts due to those exposures. Effective protection against occupational illnesses requires that workers are fully aware of site hazards and have direct access to relevant exposure and medical data. The standard promotes transparency and accountability by preventing employers from withholding information that may be critical in understanding, diagnosing, and treating occupational illnesses. Moreover, access to employee exposure and medical records is important in supporting workers' compensation claims as well as assessing the efficacy of workplace control measures.

The standard includes several important information collection requirements that are necessary to protect workers and should be maintained. For example, § 1910.1020(d) requires employers to preserve employee medical and exposure records, as well as analyses using exposure or medical

¹ 29 CFR § 1910.1020

records, for 30 years. Exposure records include environmental monitoring, biological monitoring, safety data sheets, or chemical inventories and indicate the hazardous substances that the worker may have been exposed to on the job. The preservation of records for 30 years is especially important for illnesses that have long latent periods and may not present themselves in the body until years or decades after exposure. Many occupational illnesses experienced by workers have long latencies, such as silicosis, asbestosis, mesothelioma, and many other cancers. RNs specifically face high rates of chronic disease due to occupational exposures to disinfectants, harsh cleaning chemicals, antineoplastic agents, radiation, surgical plume, and other worksite hazards.^{2,3}

Importantly, under § 1910.1020(e), employers must provide employees or their designated representatives with access to exposure and medical records within a reasonable time, place, and manner. If the records cannot be provided within 15 days, employers are required to provide the reason for the delay and the earliest date when the record can be made available. Illness symptoms are often time-sensitive and access to records in a timely manner prevents delays that may exacerbate dangerous health conditions. Timely access to records also aids physicians in accurately diagnosing and treating disease. These requirements are particularly important for RNs, who face higher rates of occupational illness and injury than other occupations in the U.S. In 2022-2023, RNs experienced almost 40 percent more nonfatal injuries or illnesses that required at least one day away from work than the average U.S. worker.⁴ Additionally, RNs were exposed to harmful substances or environments at nearly three times the average rate across industries.⁵ Access to employee exposure and medical records are critical to protect workers and minimize occupational illnesses and injuries.

Access to employee exposure and medical records also enables OSHA to monitor exposures to harmful substances and verify employer compliance with established occupational limits and relevant standards. Enforcement plays a key role in OSHA's mission to safeguard worker health and safety by ensuring that employers are adhering to regulations and adequately protecting workers from hazards through effective control measures. Accessible exposure and medical documentation are essential to accurately inspect workplaces, confirm employers have established safe working conditions, and thereby uphold the agency's mission.

In conclusion, access to employee exposure and medical records enables employees and their designated representatives to become directly involved in identifying and controlling occupational health hazards, as well as managing and preventing occupational disease.

² Dumas, O., Varraso, R., et al., "Association of Occupational Exposure to Disinfectants With Incidence of Chronic Obstructive Pulmonary Disease Among US Female Nurses," *JAMA Network Open*, 2019;2(10):e1913563

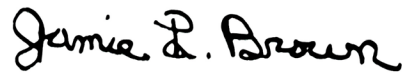
³ Xie, W., Dumas, O., et al., "Association of Occupational Exposure to Inhaled Agents in Operating Rooms With Incidence of Chronic Obstructive Pulmonary Disease Among US Female Nurses," *JAMA Network Open*, 2021;4(9):e2125749

⁴ "Survey of Occupational Injuries and Illnesses Data," U.S. Bureau of Labor Statistics, January 2026, <https://www.bls.gov/iif/nonfatal-injuries-and-illnesses-tables.htm#summary>.

⁵ *Id.*

Furthermore, providing OSHA with access to records allows the agency to verify compliance with the regulation, the recordkeeping requirements of OSHA's other health standards, and the efficacy of the employer's safety and health programs. The information collection requirements contained in the Access to Employee Exposure and Medical Records Standard should be maintained because they are necessary for OSHA's mission and obligation to protect worker health and safety.

Sincerely,

A handwritten signature in black ink that reads "Jamie L. Brown". The signature is written in a cursive, flowing style.

Jamie Lynn Brown, BSN, RN, CNRN
President, National Nurses United