

SUPPORTING STATEMENT FOR THE INFORMATION COLLECTION

REQUIREMENTS FOR THE STRATEGIC PARTNERSHIPS FOR WORKER SAFETY AND HEALTH (OSP)

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.

Background

Over the past several years, OSHA has expanded on its already substantial experience with voluntary programs by proposing and implementing various new cooperative initiatives in the National, Regional, and Area Offices. These efforts are designed to increase OSHA's impact on worker safety and health while maximizing OSHA's resources. At the same time, these cooperative approaches allow willing employers and employees to initiate a working relationship with OSHA that is outside the scope of enforcement.

In 1998 the agency initiated the OSHA Strategic Partnership Program for Worker Safety and Health (OSPP). The program's key characteristic is its diversity. Each partnership is unique regarding the participants involved and the safety or health hazards to be addressed. The challenge for this program is to strike a balance between consistency and flexibility so that the established boundaries are not so rigid as to inhibit innovation.

OSHA Instruction TED 8-0.2 was published on November 9, 1998 to provide guidance on partnership development and management. In 2001 the agency began a review of the effectiveness of the OSP. OSHA's experience to date has shown that partnership success is closely linked to the development of safety and health management systems, as well as to the other core elements required as part of a Comprehensive partnership. Based on this experience, a revision of the TED has been drafted and is expected to be in final by First quarter FY2003. Copies of the existing Instruction and proposed revision are attached to this submission.

Strategic Partnerships for Worker Safety and Health (OSP)

OSHA Strategic Partnerships for Worker Safety and Health (OSP) are available for all industries and federal agencies. The program allows OSHA to enter into an extended, voluntary, cooperative relationship with groups of employers, employees, and employee representatives (sometimes including other stakeholders, and sometimes involving only one employer) to encourage, assist, and recognize their efforts to eliminate serious hazards and achieve a high level of worker safety and health. An OSHA Strategic Partnership aims to have a measurable, positive

impact on workplace safety and health that goes beyond what historically has been achievable through traditional enforcement methods and that are focused on individual worksites.

The current Instruction allows for two types of partnerships, Comprehensive and Limited. The new Instruction will allow for only Comprehensive partnerships. Therefore the agency anticipates that the existing Limited partnerships will be phased out over the next three to five years.

Data Collection

Each partnership agreement sets goals and objectives to help guide partnership activity and determine partnership success. Measurements that relate directly to those goals and objectives are then defined and agreed upon by all partners. By definition, the measurements will require information collection on the part of OSP partners.

In the development of its Strategic Partnership policy, OSHA has paid careful heed to the requirements and spirit of the Government Performance and Results Act (GPRA) of 1993. OSHA has considered the positive impact that partnerships can make on worker safety and health and how the agency, by collecting information and conducting ongoing evaluations, can ensure that these programs achieve the intended results. The need to collect information to gauge program success is an integral part of OSHA's strategic planning process, and OSP's, like other agency activities must be regularly tracked. The agency uses OSP information to evaluate the program's effectiveness, identify needed improvements, and ensure that resources are properly allocated.

During the development stage of each partnership, partners identify what information to collect. This process involves identifying information needs, determining data collection methods, and finalizing how the information will be used. Because private sector worksites have significant input into the OSP development, OSHA is confident that data collection efforts will be prudent and will not create undue burden on the partners. Information not needed to gauge the results of the partnership effort will be excluded from the data collection, and existing information will be used whenever possible.

At a minimum, each partnership must identify baseline illness and injury data corresponding to the summary line items on the OSHA 200/300 logs and must track changes at either the employer level or participant-aggregate level. No other specific measures are universally required. A partnership may also include other measures of success, such as productivity, absenteeism, employee turnover, and/or workers' compensation data. OSHA's experience in its Voluntary Protection Programs, Consultation Program, and various enforcement activities has shown that all of these measures can be useful in evaluating the effectiveness of safety and health management systems and other worker protection measures.

Generic PRA Request

OSHA is requesting in this submission that the previous generic approval be extended for OSHA's Strategic Partnerships for Worker Safety and Health. OSHA anticipates entering into approximately 50 new partnerships per year. The agency believes a generic PRA approval is appropriate for the following reasons:

- The information collected for each partnership can be estimated and categorized.
- The life of an OSP, including development and implementation, must occur within a specified and limited time period. Obtaining individual PRA approvals for each partnership will delay implementation and reduce the period of time the partnership has to obtain intended results.
- OSHA will reap significant savings if it does not have to repeatedly devote resources to individual PRA approval applications for very similar activities.

It has been OSHA's experience that in order to maintain the enthusiasm and willingness of employers engaged in such voluntary cooperative efforts, it is important that the partnerships get up and running as quickly as possible. Employers and employees need to see tangible results as soon as possible. Moreover, and certainly as important, the sooner the partnership can begin functioning, the sooner this activity can begin saving lives and preventing injuries and illnesses. The agency believes that this compelling need to better protect workers is a strong argument in favor of a generic approval. OSHA understands that it will be expected to keep the Office of Management and Budget (OMB) informed as new partnerships are established which make use of a generic approval. OSHA will be happy to comply because the agency believes that, without a generic approval process, OSHA cannot effectively administer this important program.

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 information will be collected directly by the partners, by a third party, or sometimes directly by OSHA (i.e., during onsite verification visits). OSHA and its partners will use the information to evaluate OSP effectiveness in achieving partnership goals. OSHA will also use the information to assess OSHA's impact on worker safety and health, i.e., reductions in fatalities, injuries and illnesses. Finally, OSHA will use the information to help fulfill its obligations under the Government Performance Results Act (GPRA), including meeting the goals established in the agency's Strategic Plan.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques, or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adapting this means of collection. Also describe any consideration of using information technology to reduce burden.

Partnership participants may use improved information technology whenever appropriate when making, keeping, and preserving the required records. OSHA is only interested in what is collected, not how it is collected. Where technology exists, OSHA welcomes the use of information technology to reduce the burden. However, OSHA does not require the use of technology for reporting.

OSHA is in the process of establishing an online paperwork reduction act information form. This will eliminate the need to collect information on forms and to reenter the data into the computer database. This process improvement will reduce the information collection burden and support the Government Paperwork Elimination Act (GPEA).

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 2 above.

Each partnership is unique, and the information needed is available only from that partnership. OSHA only requires the collection of data already required by OSHA standards and regulations, e.g., data included on the required OSHA 200/300 Logs. Some partnerships collect additional data, but this only occurs when all partnership participants agree.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 81-I), describe any methods used to minimize burden.

Members of each partnership will determine what information collection is required to measure its success or failure. Including employers and employees in this process will help minimize the information collection burden. The only OSHA required burden on small businesses would be the reporting of OSHA 200/300 Log data. In most cases (employees with 10 or more employees), the collection of this data is required by statute.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The information collection frequencies, on average once per year per partnership, are minimal. To eliminate the submission would effectively cripple OSHA=s ability to form partnerships and to measure success as required in GPRA and OSHA=s Strategic Plan.

There are no technical or legal obstacles to reducing the burden.

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.

There are no special circumstances that would require the information to be collected in a manner that is inconsistent with the above guidelines.

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 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.

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)), OSHA will publish a notice in the Federal Register requesting public comment on its proposal to extend the Office of Management and Budget=s approval of the information-collection requirements specified by the Provision. This notice is part of a pre-clearance consultation program that provides the general public and government agencies with an opportunity to comment on this request.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration to contractors or grantees.

No payments or gifts are provided to the respondents.

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

Data collected regarding partnerships is considered public information. Therefore there is no assurance of confidentiality provided to respondents through statute, regulation, or agency policy.

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.

There are no questions of such a sensitive nature to answer; therefore, this question is not applicable.

12. Provide estimates of the hour burden of the collection of information. The statement should:

Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.

Provide estimates of annualized cost to respondents for the hour burdens for collection 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 hours and other estimated numbers contained in this information collection request are based on the information collected over the past three years from OSHA’s ten Regional Offices and from National Office partnerships, as well as PRA submittals from partnership participants.

Number of Partnerships

The OSPP includes 150 open partnerships at this time. Based on our experience since 1998, OSHA estimates that 50 new partnerships will be added to the program each year, and approximately 20 partnerships will close each year due to expiration or termination of the project. Therefore, the average number of partnerships per year for the next three years will be 210.

	<i>Base</i>	<i>New Partnerships (+)</i>	<i>Expired (-)</i>	<i>Total</i>
FY >03	150	50	20	180
FY >04	180	50	20	210
FY >05	210	50	20	240
			Total	630
			Average/Year	210

Table 1

Type of Partnerships

OSHA anticipates that the new Training and Education Directive (TED) for OSHA Strategic Partnerships will become final in the first quarter of FY2003. One of the fundamental changes in that document is the elimination of limited partnerships. Therefore, after that date, no new limited partnerships will be accepted, and the existing ones will be phased out as they expire.

Twenty-three limited partnerships are currently active. Based on their scheduled expiration dates, OSHA anticipates the following number of limited partnerships during the next three years:

FY >03	23
FY >04	9
FY >05	4
<i>Average/Year</i>	<i>12</i>

Table 2

In summary, we will average a total of 210 partnerships per year for the next three years. 198 of those partnerships will be comprehensive, 12 will be limited.

Number of Participants and Burden Hours

Based on 50 Paperwork Reduction Act submittals, OSHA has collected enough information to reasonably calculate the average number of participants and burden hours for participating employers. Those submittals yielded the following information:

	<i>Total Burden Hours</i>	<i>Total Participants</i>	<i>Average # Participants/ Partnership</i>	<i>Average Total Burden Hours/ Participant</i>
<i>Limited</i>	2,345	432	36	5
<i>Comprehensive</i>	8,138	641	17	13

Table 3

Reasonably, participants in limited partnerships estimated their time commitments to be less than those in comprehensive partnership.

Summary of Annual Employers and Burden Hours

Information Collection	Number of Partnerships ¹	Number of Participants ²	Frequency	Annual Hour Burden ³	Estimated Annual Costs ⁴	Federal Govt Review Costs ⁵
Partnership	50		Once	1500	\$38,355	

Establishment ⁶						
Measurement ⁷	210	4410	Annual	13,230	\$195,672	\$6,686
Safety & Health Management Systems ⁸	198	3366	Annual	33,660	\$860,686	0
Hazard Specific ⁹	12	432	Annual	864	\$22,092	0
Total	210	4410		49,194	\$1,116,805	\$6,686
Average/ Participant				11	\$253	\$32

Table 4

¹ Refer to Tables 1 and 2.

² Refer to Table 3.

³ The total number of participants multiplied by the average burden hours.

⁴ The total annual burden hours multiplied by a representative hourly wage. Base hourly wages were determined using the Bureau of Labor Statistics (BLS) Occupational Employment Statistics for 2000, the most recent year available.

Adjusted Rates

Office Clerk, general	\$ 14.79
Professional specialty and technical	\$ 25.57

⁵ Review costs are based on an hourly wage of a GS 13 (01), which is \$31.84.

⁶ Based on experience to date, OSHA estimates that it will require 30 hours of professional time to establish each partnership. This includes the time needed to develop the partnership requirements, craft the language of the agreement, and determine measures.

⁷ Based on previous PRA submittals the agency has estimated that approximately 3 hours of clerical time is expended per participant on measurement data collection and submittal. This would include the collection of injury and illness data needed to complete OSHA 200/300 logs, which most employers are already performing in conformance with OSHA's Recordkeeping standard. One hour of OSHA time per partnership is required to review the data.

Comprehensive partnerships have the additional responsibility of formulating and maintaining safety management systems. Total burden hours are computed using an average of 10 professional hours per participant.

Limited partnerships must collect and report on hazard specific data. This activity requires approximately 2 professional burden hours per participant.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected

useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software, monitoring, sampling, drilling and testing equipment, and record storage facilities.

If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment 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 a 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.

Section 1320.7(b)(2) states that ... “the time, effort, and financial resources necessary to comply with a collection of information that would be incurred by persons in the normal course of their activities (e.g., in compiling and maintaining business records) will be excluded from the burden if the agency demonstrates that the reporting, record keeping, or disclosure activities needed to comply are usual and customary. Any capital or start-up costs and operating costs associated with this data collection are customary and usual business practices attributable to achieving legal and regulatory requirements or to developing voluntarily an effective safety and health program, not to the collection of this data for OSHA’s Strategic Partnership Programs. Start-up costs are included in the costs of preparing these submissions. The reporting costs to partnerships that may choose to have a third party collect their data are included in the cost estimates in Section 12 (above). This section is therefore not applicable.

14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

There is no cost to the Federal Government to collect this information. The costs of reviewing the measurement data submitted to OSHA from the 210 partnerships, an average of one hour per partnership by a GS-13 (\$31.84), is \$6,686. The costs incurred in random onsite validation visits are usually part of the routine cost of conducting OSHA compliance activity and not specific to the Strategic Partnership Program.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

There were no program changes or substantive adjustments that affected items 13 or 14.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of the information, completion of report, publication dates, and other actions.

Information on Partnerships will be used both internally and externally by the agency to gauge its conformance with the goals and objectives outlined in OSHA=s Strategic Plan. At the end of FY2002 and each year thereafter, this data will be summarized in an annual report.

17. If seeking approval not to display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

OSHA is not seeking such approval.

18. Explain each exception to the certification statement identified in Item 19, ACertification for Paperwork Reduction Act Submissions,@ of OMB Form 83-I.

There are no exceptions to the certification statement identified in Item 19.