INTERNATIONAL
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September 27, 2018

VIA EMAIL

The Honorable Loren Sweatt
Deputy Assistant Secretary of Labor
Occupational Safety and Health Administration
U.S. Department of Labor
200 Constitution Avenue, N.W.
OSHA Docket Office Room N-3653
Washington, DC 20210

> **Re: Docket No. OSHA-2013-0023**
> **Tracking of Workplace Injuries and Illnesses**

Dear Deputy Assistant Secretary Sweatt:

The International Brotherhood of Electrical Workers (IBEW) represents approximately 775,000 active members and retirees employed or previously employed in a variety of fields including utilities, construction, telecommunications, broadcasting, manufacturing, rail, and government. For decades the IBEW has worked with the Occupational Safety and Health Administration (OSHA), employer organizations, public health agencies, and public health professionals to improve the accuracy and completeness of workplace injury and illness data. The IBEW strongly opposes your proposal to rescind a portion of OSHA's 2016 Improve Tracking of Workplace Injuries and Illnesses rule.

Rescinding the requirement that establishments with 250 or more employees electronically submit OSHA Forms 300 and 301 would be a step backwards for worker safety. The availability and accessibility of workplace injury and illness information is essential for state agencies, trade associations, researchers, workers, and worker representatives. This data can be used to identify workplace injury and illness patterns or trends. With this information, OSHA can better target enforcement efforts and the groups mentioned above can develop responsive strategies to reduce incidents of workplace injury and illness. Collaboration by stakeholders and access to this data coincides with OSHA's mission of assuring safe and healthful working conditions for working men and women.

The IBEW appreciates the concern regarding worker privacy but believes it is a veiled attempt at protecting employers. If the privacy concern as discussed in the proposed rule is genuine, the IBEW believes two reasonable alternatives exist.

First, employers have already been asked not to report employee-specific information such as name on the OSHA Form 300. If despite this request employers continue to report employee name and removing employee name places an overwhelming burden on OSHA resources, the IBEW would suggest removing column "B" "Employee's Name" from the electronic version of Form 300 that employers utilize to report injury and illness data to OSHA under the injury tracking requirements. The employee name should remain on all OSHA 300 logs available in the workplace as has been the case since the first OSHA injury recordkeeping rules were put in place.

Second, OSHA should look to the Mine Safety and Health Administration's (MSHA) Mine Data Retrieval System. This system is publicly accessible via the internet and provides a wealth of data including injury and illness information. In addition to the Mine Data Retrieval System, MSHA has several other online, publicly available databases containing information related to injuries, illnesses, violations, and citations. MSHA has been collecting, utilizing, and making this information publicly available for years. I would strongly encourage you to consider their procedure and process rather than rescinding the requirement that Forms 300 and 301 be submitted and made electronically available.

On behalf of all IBEW members and their families, I strongly oppose the rescinding of requirements for employers to report OSHA Forms 300 and 301 electronically. Should you require additional information, please contact IBEW Safety and Health Department Director David Mullen at (202) 728-6040.

Sincerely yours,

Lonnie R. Stephenson
International President

LRS:lgd