



AMERICAN SOCIETY OF
SAFETY PROFESSIONALS

May 16, 2022

U.S. Department of Labor
Occupational Safety and Health Administration, [OSHA]
200 Constitution Avenue, N.W.
Washington DC, 20210

OSHA PROPOSED RULE:
IMPROVE TRACKING OF WORKPLACE INJURIES AND ILLNESSES

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Per direction of the March 29 Federal Register announcement, we submit the following correspondence and attached materials:

OSHA is proposing to amend its occupational injury and illness recordkeeping regulation to require certain employers to electronically submit injury and illness information to OSHA that employers are already required to keep under the recordkeeping regulation. Specifically, OSHA proposes to amend its regulation to require establishments with 100 or more employees in certain designated industries to electronically submit information from their OSHA Forms 300, 301, and 300A to OSHA once a year. Establishments with 20 or more employees in certain industries would continue to be required to electronically submit information from their OSHA Form 300A annual summary to OSHA once a year. OSHA also proposes to update the classification system used to determine the list of industries covered by the electronic submission requirement. In addition, the proposed rule would remove the current requirement for establishments with 250 or more employees, not in a designated industry, to electronically submit information from their Form 300A to OSHA on an annual basis. OSHA intends to post the data from the proposed annual electronic submission requirement on a public website after identifying and removing information that reasonably identifies individuals directly, such as individuals' names and contact information. Finally, OSHA is proposing to require establishments to include their company name when making electronic submissions to OSHA.



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The [American Society of Safety Professionals \(ASSP\)](#) is the oldest society of safety professionals in the world. Founded in 1911, we represent over 36,000 professionals advancing workplace safety and health in every industry, in every state and around the globe. ASSP members have set the occupational safety and health (OSH) community's standards for excellence, ethics and practice for more than 100 years.

ASSP notes its [overall position](#) on this overall issue:

Injury and Illness Recordkeeping Required by OSHA

ASSP believes that data and injury rates derived from the current rule (29 CFR 1904) reveal limited, to no, leading information regarding injury causation, hazards and safety performance. Instead, they reveal more about injury management than safety management.

ASSP further believes that a revision to the rule will help OSHA better achieve the purpose of developing “information regarding the causes and prevention of occupational accidents and illnesses” as set forth in the OSH Act. Such revision will also help align employer focus on leading metrics of performance as recommended by OSHA, called for in modern occupational safety and health management systems such as ANSI/ASSP Z10 and promoted by ASSP members.

Approved by ASSP Board of Directors on June 8, 2019

In addition, the language below is from the [ASSP OSHA Blueprint](#):

Tackle injury and illness recordkeeping

OSHA's recordkeeping rule has long been the subject of debate in the OSH profession. The rule's emphasis on data collected after injuries and fatalities occur incentivizes employers to focus energies only on these so-called lagging indicators. In practice, this focus can consume limited safety resources, and divert management's attention from assessing and eliminating risks that endanger workers.

ASSP advocates a comprehensive risk-based approach that measures leading as well as lagging indicators. Leading indicators provide critical information about an organization's true commitment to safety and health, at times acting as a better gauge of a system's vulnerabilities or effectiveness than lagging indicators.

Publishing limited lagging information misleads the public about an employer's true commitment to worker safety and health. Even worse, the misguided emphasis on lagging indicators





encourages the public to view the absence of adverse injury and illness data as indicative of a highly functioning safe and healthy workplace when in fact the employer could be improperly classifying injuries and illnesses (intentionally or unintentionally) or simply lucky.

OSHA's focus on lagging injury and illness data has at times created a stumbling block to systemic safety program improvements by actively discouraging employers from embracing a holistic risk-based approach. ASSP members desire a balanced set of performance metrics that are intuitive, efficient and provide data to aid safety professionals in assessing and mitigating workplace risks.

ASSP recommends that OSHA develop guidance on leading indicators and overhaul the current recordkeeping system to use both leading and lagging indicators as indicators of the effectiveness of a business' safety and health management system.

In regard to leading indicators, ASSP recently announced the approval of our [ANSI/ASSP Z16.1-2022](#) standard. OSHA and the Department of Labor have been active in the development of this standard. We suggest that OSHA reference this document for technical guidance on the use of indicators to move OSH forward.

Background information on ANSI/ASSP Z16.1-2022, Safety and Health Metrics and Performance Measures, is listed below:

This standard defines requirements and expectations for organizations to establish effective measurement systems that assess safety and health performance, reduce risks, identify gaps in safety and health management systems, and drive needed improvements. It applies to all organizations and provides flexibility based on their size, type of management system and level of organizational risk. The standard can supplement requirements from government agencies, non-government organizations and other groups such as rating agencies that may have their own private or public reporting requirements.

This standard broadens the scope of metrics beyond incident rates and other failure metrics. It promotes the use of leading metrics, metrics related to success, and business impact. Business impacts include effects on productivity, quality, worker well-being, recruitment, retention, morale and engagement, absenteeism, company reputation, financial health, and shareholder value.

ASSP will be sending OSHA a hardcopy of this standard for review and consideration.

Finally, if requested, ASSP stands ready to apprise our membership of this proposed rule.



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Our members will have significant interest in this proposed rule, and we believe the Society can proactively and positively contribute.

Thank you for your time and attention to our comments. If we can be of any assistance in this matter, please feel free to contact ASSP.

Respectfully Submitted,

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The primary staff contact if you should have any questions is listed below:

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