



March 4, 2014

OSHA Docket Office
Docket Number OSHA-2013-0023
U.S. Department of Labor
Room N-2625
200 Constitution Avenue, MW
Washington, DC 20210

Re: Improve Tracking of Workplace Injury and Illnesses
RIN 1218-AC49

The American Federation of State County and Municipal Employees (AFSCME) represents 1.6 million members and retirees in healthcare and emergency services, corrections, public works, transportation education and other sectors. AFSCME appreciates the opportunity to comment on the proposed rule "Improve Tracking of Workplace Injuries and Illnesses" published in the Federal Register November 8, 2013 (Vol. 78, No. 217). AFSCME supports the rulemaking and believes it will lead to more timely, complete and useful information for OSHA as well as workers, their representatives and their employers.

The proposed rule requires employers with 250 or more employees to submit the information already required by OSHA quarterly through electronic means. Employers with over 20 employees would submit this information annually. This update to the regulation is reasonable considering the wide use of electronic databases and information management systems already in use by most employers for everything from inventory to payroll.

Data is important to strategic planning. It allows employers to make sound decisions on the use of resources. Purchases, maintenance and training must be driven by good data to have an effective safety management system. Conversely, poor quality and/or incomplete data or outdated information may lead to unnecessary injuries as needed interventions are not implemented. This is of great concern in the public sector, as these decisions require the appropriation of taxpayer dollars. Therefore, it is in all employers' best interests to compile and rely upon accurate data.

Although most public employers use some type of electronic data system, many smaller municipalities and school districts maintain paper log sheets. AFSCME has reviewed paper OSHA logs in injury investigations and grievance complaints, and can attest to the inaccuracy or incompleteness of many employer logs. By having these

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employers transition to electronic reporting, more timely and accurate data will be available to our members and their representatives.

Updates to the recordkeeping standard must include emphasis on ensuring that employees are not discouraged, either purposefully or incidentally, from reporting injuries and illnesses. OSHA must prohibit programs that discourage reporting of injuries in the workplace. Such a provision must be enforceable through citations and penalties comparable to violations of other provisions of the recordkeeping rule.

The current practice in which OSHA receives data from employers has many drawbacks. Incompleteness and inaccurate reports are recurring problems with the OSHA 300 logs. These paper logs must be reviewed and information inputted by hand. Currently, information received by OSHA has a year lag time. The receipt of injury and illness records electronically rather than in paper form will allow OSHA to use its staff resources more efficiently. Quarterly reporting will ensure that new trends by sector will be made public and interventions put in place sooner, protecting workers' lives.

The design of the electronic forms could be done in such a way as to prompt the user to correctly input the data. This would provide the employer and OSHA with more complete and accurate information.

AFSCME recommends that OSHA provide guidance to state plans on how to incorporate the rule changes, especially in the public sector. Having more accurate and timely injury and illness information in the public sector will assist AFSCME greatly in determining where to direct resources to our affiliates concerning health and safety. Lessons learned concerning the public sector in the state plans can then be shared with our members and employers in non-plan states.

Thank you for the opportunity to comment on the proposed rule "Improve Tracking of Workplace Injuries and Illnesses".

Respectfully submitted,



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DMB/dd