



September 20, 2011

OSHA Docket Office
Docket Number OSHA-2010-0019
U.S. Department of Labor
Room N-2625
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Via electronic submission

RE: Comments on the Occupational Injury and Illness Recording and Reporting Requirements – NAICS Update and Reporting Revisions Proposed Rule (Docket No. OSHA-2010-0019)

IPC – Association Connecting Electronics Industries appreciates the opportunity to comment on the Occupational Safety and Health Administration’s Occupational Injury and Illness Recording and Reporting Requirements – NAICS Update and Reporting Revisions Proposed Rule (hereafter referred to as the proposed rule). IPC and our member facilities are dedicated to ensuring the utmost protection in the workplace to ensure worker safety. IPC supports OSHA’s intent in proposing this rule and we sincerely believe our suggestions will make a final rule more effective in protecting America’s workers. However, we are concerned that the proposed rule will require burdensome reporting that without any accompanying plan to use the data to increase worker protections. Before requiring burdensome reporting, OSHA must clearly explain how the data will be used to increase worker safety. IPC also encourages OSHA to revise the Field Operations Manual to include the definition of amputation as defined on page 36419 of the proposed rule in order to encourage consistency and avoid confusion among the regulated community and OSHA inspectors. IPC appreciates the opportunity to offer these comments which detail our concerns and suggestions.

IPC, a global trade association, represents all facets of the electronic interconnection industry, including design, printed board manufacturing and electronics assembly. Printed boards and electronic assemblies are used in a variety of electronic devices that include computers, cell phones, pacemakers, and sophisticated missile defense systems. IPC has over 3,200 member companies, 2,200 of which are located in the U.S. As a member-driven organization and leading source for industry standards, training, market research and public policy advocacy, IPC supports programs to meet the needs of an estimated \$1.7 trillion global electronics industry.

OSHA should clearly state their intended use of the data that would be gathered from additional recordkeeping and reporting of work-related fatalities, work-related in-patient hospitalizations, and work-related amputations as described in the proposed rule. It is uncertain how extra data

will provide increased protections in the workplace. Without clearly stating an intended use of the data and potential benefits to industry, OSHA risks adding regulatory and recordkeeping burdens on industry with no commensurate benefit. OSHA does not make clear how the data received will be managed or how the Agency intends to use the data. In the interest of transparency, OSHA must inform the regulated community and the general public how the data will be used to enforce regulations and protect America's workers. OSHA should explicitly state how they intend to use the data collected from additional recordkeeping and reporting of work-related fatalities, work-related in-patient hospitalizations, and work-related amputations and how that data will benefit industry in the final rule.

IPC fully supports the proposed definition of amputation in the proposed rule and encourages OSHA to amend the Field Operations Manual (FOM) to include the definition. IPC believes the proposed definition of amputation will help avoid confusion as to what injuries could be classified as amputations by virtue of its high level of specificity. Amputation in the proposed rule is defined as:

“[T]he traumatic loss of a limb or other external body part, including a fingertip. In order for an injury to be classified as an amputation, bone must be lost. Amputations include loss of a body part due to a traumatic incident, a gunshot wound, and medical amputations due to irreparable traumatic injuries. Amputations exclude traumatic injuries without bone loss and exclude enucleation (eye removal)” (FR Vol. 76, No. 129, June 22, 2011 pg. 36419).

Replacement of the broad and somewhat ambiguous existing definition of amputation in the FOM will improve the accuracy of reporting. The existing definition¹ of amputation references “loss of all or part of a bodily appendage.” This definition is extremely broad and could lead to an employer mistakenly reporting an injury such as a loss of a finger nail as an amputation since the finger nail is technically part of a bodily appendage. Employers and OSHA inspectors rely on the FOM to comply with and enforce regulations, respectively. OSHA should strive for consistency between their regulations and guidance documents for employers and inspectors to follow. Having consistent definitions of terms that require reporting is essential to ensuring employers comply with regulations and workers remain safe. The definition of amputation in the FOM should be replaced with the definition in the proposed rule.

In conclusion, IPC strongly encourages OSHA to ensure that the final rule adequately describes how the data will be used to accomplish Agency goals. The regulatory community and the general public should be fully aware of how additional data will further protect the workforce. In finalizing the rule, OSHA should revise its FOM to reflect the definition of amputation in the proposed rule in order to ensure consistency among definitions of key terms. IPC believes clarifying the use of additional data received as a result of a final rule amending reporting and recordkeeping requirements and revising the FOM in order to be consistent will make a final rule much more effective in ensuring workplace safety.

¹ OSHA's Field Operations Manual (FOM). Chapter 4, paragraph 3, pg. 4-11.
http://www.osha.gov/OshDoc/Directive_pdf/CPL_02-00-148.pdf.