

March 10, 2014

OSHA Document Office  
U.S. Department of Labor  
Room N-2625  
200 Constitution Avenue, NW  
Washington, DC 20210

Attention: Written Comments for the Notice of Proposed Rulemaking to Improve  
Workplace Injuries and Illnesses  
DOT Docket No: OSHA-2013-0023

Dear Sir or Madam:

The National School Transportation Association (NSTA) is pleased to offer written comments for the Occupational Safety and Health Administration's (OSHA) Notice of Proposed Rulemaking to Improve Workplace Injuries and Illnesses as published in Volume 78 of the *Federal Register* on November 8, 2013.

The National School Transportation Association (NSTA) is the membership organization for school bus companies engaged primarily in transporting students to and from school and school-related activities under contract to public school districts. Our members offer a range of services to our school district partners, from full turn-key service to management operations and specialized transportation. NSTA members range from small family businesses serving one district to large corporations operating thousands of buses across many states, all committed to the safe, efficient, and economical transportation of America's children.

Respectfully, rather than responding to OSHA's specific questions contained within the Notice of Proposed Rulemaking (NPRM), and to fairly represent all of NSTA's members, our comments refer to the NPRM in its entirety.

NSTA has great concerns with the proposals detailed in this NPRM. Specifically, we are concerned that making the data available to the general public as proposed does not serve the goal of improving the tracking of workplace injuries. In fact, making the data available to the general public is tantamount to "shaming" employers to their prospective employees and customers.

In addition, providing the general public access to employer injury data without an understanding of the causes of these injuries and illnesses can be misleading. Not all

employee injuries or illnesses are the result of employer failures to manage safety and health, and some occur despite the best efforts of employers to prevent them.

Third, the U.S. Bureau of Labor Statistics data has consistently shown that employers with between 50 and 250 employees experience the greatest frequency of injuries and illnesses (2012 Survey on Occupational Injuries and Illnesses, Total Recordable Nonfatal Occupational Injury and Illness Incident Rates by Employment Size, Private Industry, 2008-2012, U.S. Bureau of Labor Statistics, U.S. Department of Labor, November 2013). This proposed rule exempts employers with less than 250 employees from electronic injury/illness data submission, except for designated employers in "high hazard" industries with 20 or more employees. This exemption seems counterintuitive given the statistics.

Finally, we have concerns with the frequency and timing of the reporting requirements as proposed. For large employers with multiple locations, for example, quarterly data submission could be burdensome. We would instead suggest bi-annual or annual reporting requirements.

Without question, NSTA is fully committed to safety and fully supports such practices and encourages its members to fully comply with safety regulations designed to protect our collective employees from harm. We cannot and do not, however, support this proposal.

Thank you for the opportunity to provide these written comments. If you require further clarification, please contact me at (703) 684-3200.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronna Sable Weber". The signature is fluid and cursive, with a large initial "R" and "W".

Ronna Sable Weber  
Executive Director  
National School Transportation Association