

Illnesses: Characteristics and Resulting Time Away From Work, 2000 (April 10, 2002), available on the BLS Internet site.

A second category of statistics is concerned with the total number and incidence rate of non-fatal cases of all types. Statistics in this series indicate, for each sector of private industry, the total number of non-fatal injuries and illnesses reported as well as the number of these cases with lost-workdays and the number of cases without lost-workdays. This series also includes the incidence rate of non-fatal injuries and illnesses by industry calculated as the number of cases per 100 full time employees. See the BLS report *Workplace Injuries and Illnesses in 2000* (December 18, 2001).¹ Together these two types of statistics—case characteristic data and overall incidence data—present a wealth of information about occupational injuries and illnesses across the nation.

Why the MSD Column Would Not Significantly Improve the BLS Statistics

If the MSD column were implemented, employers participating in the BLS survey would report annually the total number of MSD cases checked on the Log. This information would enable BLS to publish the total number and incidence rates of MSDs of all types. Thus, the statistical tables depicting the total number and incidence rates of non-fatal injuries and illnesses by industry would include an additional column for total MSD cases. (See, e.g., *Workplace Injuries and Illnesses in 2000*, Tables S14 and S16)

These new statistics would add only marginally to the information currently available. As described above, the BLS case characteristic data already present a comprehensive picture of the most severe MSDs, including separate statistics on the total number and incidence rate of these disorders. Accordingly, the MSD column would add minimally to the national statistics on MSDs that resulted in days away from work.

The new data would be relevant primarily for the purpose of estimating the number of MSDs that do not result in days away from work. The number of these MSDs could be approximated by subtracting the number of days away from work MSD cases reported by BLS from the total number of MSDs of all types produced by the column. However this estimate would have limited utility

because the absence of case characteristic data for cases that do not result in days away from work MSDs precludes analysis of them.

As noted above, the BLS survey elicits descriptive information only on injuries and illnesses, including MSDs, resulting in days away from work. The BLS database of case-characteristics has never included information on or analyses of cases that do not result in days away from work. Accordingly, BLS cannot analyze the characteristics of these injuries and illnesses as it can days away from work cases. Adding an MSD column to the Log would not change the basic structure of the survey, and would not produce any additional descriptive data on the less severe cases. Significant changes in the survey itself would be required before BLS could collect this type of data.

Because an MSD column would not enable BLS to collect case characteristic data on all MSDs, any new statistic reporting the aggregate total number of such cases would be difficult to interpret. There would be no way to distinguish among different types of these disorders, determine possible causal factors, evaluate demographics, or perform the other analyses. OSHA believes that total number of MSDs, standing alone, would not be useful without the ability to analyze the underlying data.

Having a column requirement might be warranted if a specific injury or illness was substantially misrepresented in the BLS statistics for cases with days away from work. For example, OSHA recently found that the estimate of days away from work occupational hearing loss cases, which totaled only 316 cases in the year 2000, probably represents only a tiny fraction of the total hearing loss cases in the Nation because workers commonly suffer hearing loss and never require a day away from work. (See, e.g., 67 FR 77168 explaining the need for a hearing loss column on the Log.) In the 2001 Recordkeeping rule, OSHA stated that it believed that many cases of hearing loss, probably numbering in the thousands, do not result in days away from work and are therefore not represented in the BLS statistics. (66 FR 6005). Because the BLS statistics on hearing loss represented only a minor fraction of the hearing loss experienced by workers, OSHA believed that a column was necessary to obtain useful data on hearing loss cases. In contrast, BLS produces a wealth of useful information about MSDs. The BLS statistics for the year 2000 included over 577,800 MSDs with days away from work, accounting for more than eleven percent of all private sector

occupational injuries and illnesses. (See *Lost-worktime Injuries and Illnesses: Characteristics and Resulting Time Away From Work, 2000*, page 3.) This is a large number of cases, representing those MSDs with the most serious outcomes. Moreover, this total figure can be broken down and analyzed in many different ways using BLS's case characteristics. Thus, there is no need for a column to obtain useful data for MSDs, as there was for hearing loss cases.

OSHA does not believe that altering the definition used to trigger the column requirement would produce more useful data. As some, including the AFL-CIO, have observed, the § 1904.12 definition is similar in some ways to definitions OSHA has used in the past, and that BLS and other agencies now use. OSHA believes that this definition can be useful for some purposes. Different definitions might also be appropriate in some contexts. For example, in evaluating the effectiveness of an ergonomics program targeted to certain specific risk factors, it might be useful to define MSDs to include injuries likely to be caused by exposure to such factors. This is very different from using an MSD column to generate a single aggregate statistic. Regardless of how MSDs are defined for purposes of the OSHA recordkeeping rule, a column requirement would produce only an aggregate total of cases that could not be further analyzed for significance. No such statistic would be useful without a means of understanding and interpreting it.

Finally OSHA has considered whether the BLS survey should be modified to gather case-characteristic data for all recordable MSDs, regardless of type or severity. The Agency believes that it is reasonable for BLS to collect detailed characteristic data only for injuries and illnesses that result in days away from work at this time. BLS cannot collect comprehensive data on every aspect of every injury or illness. The current survey was designed and implemented with the support and assistance of the safety and health community and the 40 participating States to capture detailed information on the most severe cases. (See *BLS Handbook of Methods*, Ch. 9, Occupational Safety and Health Statistics) The statistical system, of which the survey is a part, fulfills the statutory requirement to "compile accurate statistics on work injuries and illnesses," 29 U.S.C. 673, by producing data on the overall number and incidence rate of injuries and illnesses, by industry, and by providing detailed statistics on case characteristics of

¹ The reports *Lost-worktime Injuries and Illnesses: Characteristics and Resulting Time Away from Work, 2000* and *Workplace Injuries and Illnesses in 2000*, were two of three reports issued by BLS for calendar year 2000. In August 2001, BLS issued a report covering work-related fatalities.