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Occupational Safety & Health Administration Docket Office
29 CFR 1904 & 1952
Docket No. OSHA -3013-0023
U.S. Department of Labor Room N2625
200 Constitution Ave. NW
Washington, DC 20210

To Whom It May Concern:

Colorado Livestock Association (CLA) is a diverse, multi species, member organization, representing ranchers, beef and sheep feeders, dairy farmers, swine producers, and agri-business partners. The CLA works closely with our membership to ensure they are aware of any proposed changes and rulings. Our Association consists of a wide variety of agriculture and livestock producers who maintain 11 to 20 or more employees in an industry that is listed as a high risk industry. We appreciate the opportunity to voice our concerns regarding the proposed ruling as it is currently written.

Under current regulations, employers with eleven or more employees are required to keep and maintain OSHA 300, 300A, and 301 injury and illness logs that document work-related injuries. Though an employer is required to post its 300A summary form at the workplace from February 1st through April 30th every year, it is not required to make the 300A form public or provide any employee injury and illness information to the public. In fact, doing so may run afoul of various state and federal laws, including HIPAA, the ADA, and the FMLA. As a result, third parties of all kinds, including employees, community activists, and plaintiff's attorneys would be able to access injury and illness information and could use that information to demand concessions, protest an employer's activities, or bring lawsuits against the employer which will drive up costs to employers and increase unemployment. Additionally, access to personal information and the possibility of it being used for reasons other than what is required or intended is of great concern to our membership.

The stated purpose of the proposed changes is to "improve workplace safety and health through improved tracking of workplace injuries and illnesses" through the timely collection of data. But, OSHA's rationale is dubious as employers are already required to timely compile this data, and the agency already has the ability to access these records. The clerical task of uploading records to the agency does nothing to improve or advance safety in the workplace and may be especially difficult for those operations located in rural areas without access to high speed internet or broadband.

We respectfully ask for the reasons noted above that you give strong consideration to the potential negative impact that such enhanced reporting requirements will have on all livestock operations in the United States.

Sincerely,

William Hammerich, CEO
Colorado Livestock Association