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Thank you, Chairman Miller, Congressman McKeon, and members of the Committee, for inviting me to talk about the workplace injury and illness statistics produced by the US Bureau of Labor Statistics. The BLS provides annual estimates of workplace injuries, illnesses and fatalities from two separate data programs. These are the Census of Fatal Occupational Injuries and the Survey of Occupational Injuries and Illnesses, often called SOII. It is this Survey that has been the focus of much of the undercount allegations, so it will be the focus of my remarks.

This Survey is a Federal-State cooperative program that estimates the number and rate of new non-fatal workplace injuries and illnesses. The data are obtained from a sample of employers, who gather their information from OSHA logs and supplementary materials they keep throughout the year. Because the data come from OSHA logs, the injuries and illnesses counted by our Survey are OSHA-recordable cases only. These cases may differ from those counted in other data systems, such as workers' compensation.

An important advantage of this BLS Survey is that it provides the most complete occupational injury and illness counts available for the nation and consistently across states. This includes estimates by State and industry that State policy makers use to track their own injury and illness experience compared to similar States. Other surveillance systems do provide some estimates of occupational injuries and illnesses. However, these other systems tend to collect only a small amount of data or they are not consistent across states.

Recently, some academic studies have asserted that our Survey undercounts the total number of workplace injuries and illnesses. A review of this literature suggests that three different types of undercount are asserted. First, it is pointed out that the Survey does not count most long-latent occupational illnesses such as cancer. The BLS has long acknowledged this point. Many work-related illnesses take years to develop and may be difficult to attribute to a specific workplace. A system based on employer records, like our Survey, does not capture most of these illnesses. Instead, the overwhelming majority of new reported illnesses in the Survey are those that relate more directly to a workplace.

The undercount literature also mentions that we do not count occupational injuries and illnesses incurred by workers outside of the Survey's scope. That is, the Survey does

not include all public sector workers, the self-employed, workers in households and on small farms. To partially address this, we are expanding our Survey to include government workers. Starting with the 2008 survey, BLS will collect State and local government data for all states. This will allow us to release estimates for some high hazard public sector occupations such as police and firefighters. In addition, BLS is exploring with OSHA ways to collect data for Federal government agencies.

It is more difficult to collect data for other groups of workers. These workers, principally the self-employed, are not covered by the Occupational Safety and Health Act and are not required to record injuries and illnesses. In addition, BLS samples establishments from a list of those on state unemployment insurance roles. The self-employed are rarely on this list. BLS has held discussions with the National Institute for Occupational Safety and Health (or NIOSH) and with other groups on ways to utilize other data to estimate workplace injuries and illnesses for these non-covered groups of workers.

The last undercount allegation is that our Survey does not count some worker injuries and illnesses that are within the scope of the Survey. These allegations come from academic studies that match individual case data in the Survey to data in other surveillance systems such as workers' compensation. The studies typically find that the Survey and the other data systems each miss a substantial number of cases.

The BLS takes claims of potential underreporting seriously and has begun a number of activities to understand and, if necessary, address the issue.

First, in 2007, BLS conducted a quality assurance survey that indicated that the Survey accurately captured the data entered on employers' OSHA logs.

Second, BLS has instituted a program of research to examine and extend previous data matching work. The goal is to learn if certain types of cases and respondents show greater apparent undercounting and to determine what factors might explain these findings.

Third, BLS is undertaking a pilot program of employer interviews to learn about injury reporting and illnesses on OSHA logs and other data systems. This is not an audit of employers' OSHA logs, which is an activity outside of BLS's jurisdiction.

Fourth, BLS has discussed with NIOSH the possibility of conducting research in partnership.

BLS has already begun research with matched workers compensation and survey data for a single state. Some preliminary findings suggest that a variety of factors may explain apparent undercount results.

One explanation is that there are legitimate differences between the types of cases that are included in the different systems. The academic undercount research mentioned previously tries to account for these differences.

Another explanation is that some workers' compensation cases for a particular year are entered into the data base long after the end of that year. In order to be timely, the Survey collects data soon after the end of a calendar year, perhaps before some of these cases have been recognized.

Finally, there are some methodological issues that might magnify research estimates of the Survey undercount. For example, our Survey collects data for establishments, while workers' compensation data are reported by company. When a company has multiple establishments, it is difficult to determine in the workers' compensation data from which establishment a particular case comes. This makes matching of individual cases difficult.

In summary, the BLS believes that a variety of factors may account for the research showing differences between the cases captured in the Survey of Occupational Injuries and Illnesses and in other data systems. The BLS has initiated a program of research to understand and explain these differences. Within the constraints of its mission as a statistical agency, BLS will continue to work to ensure that the Survey accurately measures within-scope workplace injuries and illnesses.

I look forward to addressing your questions.