

Guidelines for Ensuring and Maximizing the  
Quality, Objectivity, Utility, and Integrity of Disseminated Information &  
Procedures for the Public to Seek Correction of Disseminated Information

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## **I. BACKGROUND**

The Occupational Safety and Health Review Commission (Review Commission) is an independent, adjudicatory agency created by the Occupational Safety and Health Act (Act) of 1970. Its mission is to provide an impartial forum for the just and prompt adjudication of workplace safety and health disputes involving the Department of Labor, employers and employees, and/or their representatives under the Act.

Section 515 of the Treasury and General Government Appropriations Act for FY 2001 (Public Law 106-554) (known as the “Information Quality Act” or “IQA”) directs the Office of Management and Budget (OMB) to issue guidance to Federal agencies to ensure and maximize the quality, objectivity, utility, and integrity of the information that agencies disseminate. The IQA directs agencies to develop procedures for reviewing and substantiating (by documentation or other means selected by the agency) the quality, objectivity, utility, and integrity of information before it is disseminated by the agency. The IQA also directs agencies to allow the public to seek and obtain the correction of information disseminated by the agency under implementing guidelines. These guidelines have been developed to comply with the IQA, the OMB Guidelines, and additional guidance from OMB. See [OMB Memo M-19-15, \*Improving Implementation of the Information Quality Act\* \(April 24, 2019\)](#).

## **II. COVERAGE**

These procedures apply to any agency information disseminated by the Review Commission that is subject to the OMB guidelines and placed on the agency website, <https://www.oshrc.gov>, or disseminated through other methods. Such information includes guides to agency procedures and agency reports. These procedures do not apply to agency information that is not disseminated to the public, including documents intended only for inter-agency and intra-agency communication. Section 515 of the OMB guidelines focus primarily on the dissemination of substantive information (e.g., reports, studies, summaries), rather than on information pertaining to basic agency operations.

The agency’s pre-dissemination review will apply to information that the agency first disseminated on or after October 1, 2002. The agency’s administrative mechanisms for correcting information and the guidelines in this document will apply to information that the agency disseminates on or after October 1, 2002, regardless of when the agency first disseminated the information.

Consistent with OMB guidelines, these procedures do not apply to the dissemination of information relating to adjudicative processes, such as “the findings and determinations that an

agency makes in the course of adjudications involving specific parties.” 67 FR 8452, 8454 (Feb. 22, 2002). The agency agrees with OMB’s statement in the Federal Register that there are “well established procedural safeguards and rights to address the quality of adjudicatory decisions and to provide persons with an opportunity to contest decisions.” *Id.* Excluded categories of information include, but are not limited to, decisions, orders, opinions, subpoenas, and briefs. Therefore, the agency will not impose additional requirements during its adjudicative proceedings or establish additional rights of challenge or appeal through this administrative procedure.

These data quality guidelines:

- Are not a regulation and do not change any existing regulatory requirements or trigger any regulatory obligations;
- Do not create any legal rights or impose any legally binding requirements or obligations on the Review Commission or the public;
- Do not affect any otherwise available judicial review of agency action; and
- May be revised periodically.

### **III. PROCESS**

#### **A. Goals for Ensuring Quality of Information**

The Review Commission has established strategic goals and annual agency performance goals to assist in performing its mission. These goals are set forth in the agency’s current [Strategic Plan](#) and apply to the agency’s pre-dissemination activities and its dissemination of information to the public.

#### **B. Procedures for Ensuring Quality of Information**

1. Each agency office head follows the agency Strategic Plan and Annual Performance Plan in performing its mission-related functions and validating its performance measures. Each office head also follows applicable Review Commission and government-wide style manuals in the preparation of written documents. Although agency decisions are not covered within the scope of these guidelines, agency offices have implemented, and will continue to implement, standards for maximizing the quality of such decisions.
2. The IQA and OMB Guidelines require agencies to conduct a pre-dissemination review of their information products. Before the dissemination of any information, Review Commission employees will:
  - a. Review information for dissemination to the public in all automated information systems on a periodic basis;

- b. Analyze the data and information to be included in materials for dissemination to the public to ensure accuracy, quality, objectivity, utility, and integrity, prior to providing the information;
- c. As appropriate, verify data and information by conducting test runs of the data prior to dissemination to ensure that information is input and updated on a timely basis (e.g., conduct quarterly and semi-annual reviews of the data to ensure the accuracy of test runs and of reports produced), and make available sufficient supporting documentation about each data-set;
- d. Ensure that whenever the Review Commission disseminates information to the public that was originally collected or developed by another Federal agency in a cross-agency dissemination (e.g. joint report), the Review Commission maintains and communicates its responsibility for the quality of information it contributes;
- e. Coordinate corrections to discrepancies in data or information with appropriate offices and reach concurrence with regard to the accuracy, quality, objectivity, utility, and integrity, prior to providing information for public dissemination;
- f. Comply with agency information and computer security policies to ensure that information is protected from unauthorized revision, corruption, and falsification, as well as intentional or inadvertent destruction (e.g., the responsible agency office head will ensure that sensitive data is identified and safeguarded, and recordkeeping requirements are met);
- g. Provide a memorandum or e-mail to the agency's Supervisory Information Technology Specialist to accompany agency information intended for website placement. (This serves as documentation that the information meets all applicable agency and government-wide requirements covering the quality, utility, objectivity and integrity of information disseminated through the agency website.);
- h. Provide a memorandum or e-mail to the agency's Supervisory Information Technology Specialist to accompany applicable agency information intended for distribution through mechanisms other than the agency website. (This serves as documentation that the information meets all applicable agency and government-wide requirements covering the quality, utility, objectivity, and integrity of information disseminated through mechanisms other than the agency website.); and
- i. Notify the CIO, within 10 working days of the correction, when errors of oversight, omission, inadvertence, or calculation are detected and corrected.

### 3. Identification and Review of Influential Information

- a. Under the OMB guidelines, the term "influential" when used in the phrase "influential scientific, financial, or statistical information" means information which is reasonably likely to have a clear and substantial impact on public policies or private sector decisions if disseminated.

NOTE: The Review Commission does not produce or sponsor information subject to OMB's "[Final Information Quality Bulletin for Peer Review](#)," which establishes guidance for enhancing the practice of peer review of government science documents. *See* OMB Memo M-05-03 (Dec. 16, 2004).

- b. Each agency office head is responsible for determining whether any information product produced by that office contains any influential information.
- c. Before disseminating any information product to the public, the head of the originating agency office will conduct a pre-dissemination review of the information product to determine whether and to what extent the product contains information that may be influential. Such information may be contained within reports and summaries of agency financial data and procurement practices, such as Buy American Reports, Budget Requests, and Performance Accountability Reports.
- d. If information is determined to be "influential," the agency office head will independently review such information (and any supporting documentation, including documents concerning the process of collection and methods of analysis, from which it derives) for quality, objectivity, utility, and integrity.

### **C. Procedures to Correct the Quality, Objectivity, Utility, and Integrity of Disseminated Agency Information**

Any request from the public to correct information covered by these procedures will be processed as noted below.

#### **1. Submitting a Request for Correction (RFC)**

- a. A written notice must be provided to the CIO when it is believed that the agency has disseminated information that does not comply with these and applicable OMB guidelines (67 FR 8452, February 22, 2002). A correction to the quality, objectivity, utility, and integrity of disseminated information to which these guidelines apply is appropriate if it relates to errors of oversight, omission, inadvertence, or miscalculation. Also, requesters should be aware that they bear the burden of proof with respect to the necessity for correction and the type of correction they seek.
- b. Written requests seeking correction of agency-disseminated data must include the following information:
  - A description of the information the requestor seeks to have corrected;
  - An explanation of how the requestor is an affected person with regard to that information;
  - A clear statement of the specific information believed to be in error, including the document containing the information, the source, the date of issuance, and a detailed statement of the factual basis for believing the

information fails to comply with OMB's and/or the Review Commission's guidelines;

- A proposed resolution for correcting the information believed to be in error;
  - A statement explaining any potential consequences of not implementing the proposed correction;
  - Any supporting documentation referenced in the written request and additional information the requestor believes would be helpful to resolve the matter; and
  - The requestor's contact information, including name, address, telephone number, and e-mail address.
- c. Requests for correction may be submitted via first-class mail or e-mail. A request for correction may be mailed to the agency's national office in Washington, DC at the following address:

Chief Information Officer  
Occupational Safety and Health Review Commission  
9<sup>th</sup> Floor  
1120 20<sup>th</sup> Street NW  
Washington, DC 20036

An e-mailed request may be sent to [information.quality@oshrc.gov](mailto:information.quality@oshrc.gov) (include "Information Quality Request for Correction" in the subject line).

## **2. Agency Response**

- a. Requesters will receive a written response within 30 working days of receipt of their written notification that they believe the agency has disseminated information that does not comply with these and other applicable quality, objectivity, utility, and integrity guidelines. If the request requires more than 30 working days to resolve, the agency will inform the requester that more time is required, identify the reason why, and provide an estimated decision date.
- b. For all requests, the agency will respond within 120 days to a request for correction without the concurrence of the party that submitted the request.
- c. The agency will share draft responses to requests for correction and any appeals with OMB for assessment prior to release to the requestor.
- d. If information is corrected by the agency, the agency will inform requesters of the correction through the use of errata, memoranda, a letter, or other written communication. Such notices will also be published on the agency's website. In addition, all requests for correction and the agency's formal response will be posted on the Review Commission's website.

## **3. Appealing a Decision Regarding a Request for Correction**

- a. Requesters who disagree with the agency's initial response may seek reconsideration of such a response by writing to the agency Chairman for an independent review. To ensure the integrity of the appeals process, the Chairman shall not be involved in the initial review and response to the request for correction.
- b. The written request for reconsideration should include: (1) a copy of the original request for correction, (2) a copy of the agency's initial response to the request, and (3) a brief statement describing why the requestor disagrees with the initial response.
- c. The Chairman will respond within 60 working days of receiving the request for reconsideration. If the request requires more than 60 working days to resolve, the agency will inform the requester that more time is required, identify the reason why, and provide an estimated decision date.

#### **IV. Reporting Requirements**

In accordance with the OMB Guidelines, the Review Commission will submit to the OMB Director an annual fiscal-year report, providing information (both quantitative and qualitative, where appropriate) on the number, nature, and resolution of complaints received by the agency regarding its perceived or confirmed failure to comply with these guidelines or the OMB Guidelines. Annual reports will be posted on the agency's website.

#### **V. Definitions**

*Adjudicative Processes* refer to the findings and determinations made in the course of formal or informal adjudications involving specific parties. Examples of adjudicative processes include, but are not limited to, cases before administrative law judges, settlement negotiations, cases directed for review by the agency's Commissioners, and notices, opinions, or orders issued during the course of such processes. These guidelines do not apply to adjudicative processes. Additionally, these guidelines do not provide parties to such adjudicative proceedings any additional rights of challenge or appeal.

*Affected Person(s)* are people who may benefit or be harmed by information disseminated by the agency. This includes persons who are seeking to address information about themselves as well as persons who use agency information.

*Chief Information Officer (CIO)* is the agency's Executive Director. The Executive Director carries out the responsibilities of the Review Commission under the Paperwork Reduction Act, 44 U.S.C. § 3501, Section 515 of the Treasury and General Government Appropriations Act (Public Law 106-554), and other information management rules and regulations.

*Dissemination* means agency initiated or sponsored distribution of information to the public. Dissemination does not include distribution limited to: government employees or agency contractors; intra- or inter-agency use or sharing of government information; and

responses to requests for agency records under the Freedom of Information Act, Privacy Act, or Federal Advisory Committee Act, or other similar laws. Dissemination also does not include distribution limited to correspondence with individuals or persons, archival records, public filings, subpoenas, or adjudicative processes. In addition, dissemination does not include distribution limited to press releases, unless the release contains new substantive information not covered by a previous dissemination subject to the guidelines.

**Government information** is all information created, collected, processed, transmitted, disseminated, used, stored, or disposed of by the Federal Government.

**Influential** is a specialized term for information that the Review Commission determines is reasonably likely to have a clear and substantial impact on public policies or private sector decisions if disseminated. The term “influential” applies only to certain financial or statistical information and does not apply to policy decisions that the information may support.

**Information** is any communication or representation of knowledge such as facts or data, in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual. This includes information that an agency disseminates from a web page, but does not include hyperlinks to information that others disseminate. This does not include opinions, where the agency’s presentation makes it clear that what is being offered is someone’s opinion rather than fact or the agency’s views.

**Information dissemination product** means any book, paper, map, machine-readable material, audiovisual production, or other documentary material, regardless of physical form or characteristics, an agency disseminates to the public. This definition includes any electronic document, CD-ROM, or web page.

**Integrity** refers to the security of the information and its protection from unauthorized access or revision, to ensure that the information is not compromised through corruption or falsification.

**Objectivity** involves two distinct elements, presentation and substance. This includes whether disseminated information is presented in an accurate, clear, complete, reliable, and unbiased manner. It also includes whether that information itself is accurate, clear, complete, reliable, and unbiased.

**Quality** is an encompassing term comprising utility, objectivity, and integrity.

**Utility** refers to the usefulness of the information to its intended users, including the public. In assessing the usefulness of information that the agency disseminates to the public, the agency should consider the uses of the information not only from the perspective of the agency, but also from the perspective of the public.

## **VI. References**

[“Information Quality Act,” Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 \(Pub. L. 106-554\).](#)

[OMB Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies, 67 Fed. Reg. 8452 \(Feb. 22, 2002\) \(final guidelines\).](#)

[OMB Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies, 66 Fed. Reg. 49718 \(Sept. 28, 2001\) \(interim final guidelines with request for comments\).](#)

[Paperwork Reduction Act of 1995 \(Pub. L. 104-13\).](#)

[Office of Management and Budget \(OMB\) Circular A-130.](#)