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section 1904.51 provides for notification to representatives of business entities and persons handling personal information. when a covered employer discloses to such a party, or to a person handling personal information, the employer must inform the representative that the disclosure may be used, among other things, for communications and marketing. the employer must also inform the representative of possible uses for the disclosure, and that the representative may object, in writing, within 30 days of the notice. when responding to a complaint about possible violations of the following health standards, the employer shall include a summary of the activity, the pertinent provisions of the standard, and the corrective action taken. the summary shall be included in the final osha inspection report. in addition, when a complaint is filed or complaint investigation is conducted, employers should also notify the complainant in writing of the complaints or complaints investigation. the written notification may contain the information required by section 1904.5 of this final rule. the final rule on health standards for a work relationship does not include requirements for employers to conduct or supervise medical examinations or to report medical or health issues. however, the final rule, at section 1904.23, provides that the guidelines for medical examinations, contained at section 1904. osha believes that this requirement is both regulatory and protective. the recordkeeping requirement enables osha to obtain important information for use in conducting enforcement activities. it is important that employees suffering work-related injuries and illnesses continue to report them to their employer; if employees do not report the injury or illness, then osha will not be able to acquire this information. osha's ability to identify hazardous health or safety conditions at osha's inspection stations is an important element in protecting the nation's employees.

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although the final rule allows employers to use the 800 number for oral reporting of fatal, multiple hospitalization incidents and of the deaths of certain employees, the proposal provided in the advance notice of proposed rule making was to require written reports for all such information. a commenter (ex. 36: 13) expressed concern about the potential burden that a written report would place on employers, such as in situations where an employee is first examined by a physician or other health care professional but is later determined to be unable to work, in which case the written report must be filed in order for osha to make an investigation determination. that commenter was also skeptical about the viability of the 800 number option to report fatalities and multiple hospitalizations, since information about a fatality or multiple hospitalization incident may arise only after the death or hospitalization and, under the proposal, the employer would have no means to report it. osha believes that the new provision will resolve this concern by providing employers with the ability to report deaths and multiple hospitalizations at any time, in accordance with the provisions of the final rule. osha also believed that a written report would be helpful to both the employer and osha if an employee is first examined by a physician or other licensed

health care professional and is later determined to be unable to work. under the final rule, an employer who learns that an employee is unable to work (perhaps due to a workplace injury or illness) is required to report it to osha's area office. other commenters were concerned about the potential burden on the reporting process (see, e.g., ex. 5ec8ef588b

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