

OSHA Recordkeeping and Reporting

Requirements for Occupational Injuries and Illnesses

Goal

This training program summarizes the Occupational Safety and Health Administration's (OSHA)'s recordkeeping requirements of 29 Code of Federal Regulations (CFR), Part 1904, as amended in October 2001 and January 2015. It will provide guidelines to assist employers in fulfilling their recordkeeping and reporting obligations.

Objective

You will be able to identify and use the required OSHA forms for recording injuries and illnesses. You will be able to determine if an injury or illness is recordable and if the injury or illness must be reported to OSHA.

Introduction

Lack of required recordkeeping has been a frequently cited violation by OSHA since the standard was introduced, almost always ranking among the top ten violations cited nationwide for any given year. As an employer, you are required under the standard to prepare and maintain records of work-related personal injuries and illnesses that occur in your place of business. The purpose of these records is to:

- provide data that OSHA can use to direct their prevention efforts;
- enable you and your employees to identify the factors that cause injuries and illnesses in your workplace; and
- help you and your employees take action to improve workplace safety.

Recordkeeping

Employers are classified in 29 CFR Part 1904, Subpart B for recordkeeping requirements. In general, all employers who are covered by the Occupational Safety and Health Act are subject to recordkeeping if they have 11 or more employees, including any temporary contracted employees who they directly supervise, at any given time in a year. If they have ten or fewer employees, they must keep records only if OSHA, the Bureau of Labor Statistics (BLS) or any state agency operating under the authority of OSHA or BLS has informed them in writing that they must do so. Some employees are exempt from

these recordkeeping requirements. A complete list of exempt employers can be found at OSHA's website <https://www.osha.gov/>. The most recent revision to the exempt employer list took effect January 1, 2015.



OSHA RECORDKEEPING FORMS

OSHA's Form 300

Log of Work-Related Injuries and Illnesses

Use this log to assign a case number and record the name of the employee and their job title. Describe the case by entering the date of the injury or onset of the illness, the location where the event occurred, and a short description of the injury/illness that includes the parts of the body affected and the object or substance that directly injured or made the person ill. Classify the case by checking one of a selection of six choices; injury, skin disorder, respiratory condition, poisoning, hearing loss, or all other illnesses. Injuries are caused by instantaneous events and illnesses are the result of exposure over a period of time. Columns are also included to record the number of days the employee was away from work, the number of days they were on restricted duty or transferred to another job, other recordable cases, or if they died.

Keep the Form 300 on the basis of a calendar year, not a fiscal year. You must record cases on the log within seven calendar days after you receive notification of the injury or illness. Retain the Form 300 for a minimum of five years following the completed calendar year. You are also responsible for maintaining the log during the five-year period and are required to add or update cases as necessary. You may choose not to use the Form 300, but you must maintain a record that includes all of the information required on that form.

OSHA recognizes that employees may have privacy concerns and has provided for six conditions under which certain information, including the employee's name, can be omitted from the log and substitute entries made. These conditions are: an injury or illness to an intimate body part or the reproductive system; an injury or illness

resulting from a sexual assault; mental illnesses; HIV infection/hepatitis/tuberculosis; needle sticks or cuts with sharp objects contaminated with another person's blood or other potentially infectious material; and any other illness if the employee requests that his or her name not be entered on the log. If such information is not recorded on Form 300, you must maintain a confidential record of it. Any confidential record must be retained for the same period of time as the Form 300.

OSHA'S FORM 300A

Summary of Work-Related Injuries and Illnesses

The Form 300A summarizes the total number of: deaths, cases with days away from work, cases with job transfer or restrictions, and all other recordable cases. Additional items that you must record on Form 300A include your average number of employees for the given year and the total number of hours worked by all employees. The owner or an officer of the company must certify the accuracy of the summary and that person's signature must be placed on the form.

Use this form to post the annual summary of all cases recorded on Form 300. You must complete and post it in a conspicuous place in the workplace by February 1st of the year following the year covered by the Form 300 log. You must post it even if no injuries or illnesses occurred during the year. It must remain posted until April 30th. After the mandatory posting period, the Form 300A must remain available for review by employees, former employees, and their personal or authorized representatives.



OSHA'S FORM 301

Injuries and Illnesses Incident Report

Record each injury and illness case separately on this form. Give it a case number that matches the number you use to record the case on the form 300 log. You must fill out a Form 301 within seven calendar days after you are notified of the injury or illness. Details that you must include are the employee's name, address, date of birth, and the date they were hired. Enter health care information, including the name of the provider and the address of any facility where the employee was treated away from the work place. You must show if the employee was treated in an emergency room or admitted to a hospital as an overnight in-patient. Record these details of the case: the date of the injury or illness; the time it

occurred; and the time that the employee started work on that day. Write a short description of what the employee was doing just prior to the incident, as well as a statement describing how the injury or illness occurred. Describe the illness or injury, as well as the object or substance that caused it. The part of the body that was affected must be a part of this description. In the case of a fatality, record the date of death. The person who fills out a Form 301 must enter their name, title, a contact phone number, and the date. Form 301s must be retained for the same five-year period of time as the form 300 log.

Recordable Case Determination

Determining if a case is recordable is often the most confusing part of recordkeeping. OSHA has provided guidelines for this process. You can find help for determining the recordability of an incident in 29 CFR 1904.4, where a sample of a 'decision tree' diagram is given. 29 CFR 1904.7 gives the general recording criteria. The basic requirement statement reads, "You must consider an injury or illness to meet the general recording criteria, and therefore to be recordable, if it results in any of the following: death, days away from work, restricted work or transfer to another job, medical treatment beyond first aid, or loss of consciousness. You must also consider a case to meet the general recording criteria if it involves a significant injury or illness diagnosed by a physician or other licensed health care professional, even if it does not result in death, days away from work, restricted work or job transfer, medical treatment beyond first aid, or loss of consciousness."

How to determine work-relatedness is found in 29 CFR 1904.5. This section establishes a basic requirement with this statement, "You must consider an injury or illness to be work-related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing injury or illness. Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the work environment, unless an exception in 29 CFR 1904.5(b)(2) specifically applies." Nine exceptions to the requirement are given.

Reporting

OSHA Reporting Requirements

You, as an employer, are responsible for reporting all work-related injuries and illnesses.

Effective January 1, 2015, the OSHA standard expands the list of severe work-related injuries and illnesses that all employers who are covered by the Occupational Safety and Health Act must report to OSHA, even those employers who are exempt from maintaining injury and illness records.

Employers must report the following to OSHA:

- All work-related fatalities within 8 hours;
- All work-related in-patient hospitalizations of one or more employees within 24 hours;
- All work-related amputations within 24 hours (refer to OSHA for the new definition of amputations); and
- All work-related losses of an eye within 24 hours.

DWC Reporting Requirements

The Texas Department of Insurance (TDI), Division of Workers' Compensation (DWC) has additional reporting requirements beyond those of OSHA. Employers who carry workers' compensation insurance and certified self-insurers are required to report similar information on illnesses, injuries and fatalities using DWC Forms-001, -003 and -006.

Employers without workers' compensation insurance (non-subscribers) must report illnesses, injuries and fatalities on the DWC Form-007. Additional information about these reporting requirements, including timeframes and related forms, can be found on the TDI website at <http://www.tdi.texas.gov/wc/employer/index.html> or by calling 1-800-252-7031.

Review

1. For OSHA purposes, harm from an instantaneous event is recorded as:
 - a. an injury.
 - b. an illness.

2. True or False? Employers who have 10 or fewer employees at any time in a given calendar year are partially exempt from recordkeeping unless requested in writing by OSHA or BLS to do so.
3. True or False? You must retain and maintain the Form 300 for a period of five years after the year in which it was completed.
4. True or false? You must assign the same case number to an incident or illness on both Form 300 and Form 301.
5. Within how many calendar days of receiving notification of an injury or illness must it be entered on the Form 300 or equivalent log?

Answers:

1. a. an injury
2. True.
3. True.
4. True.
5. 7 days.

Resources

OSHA's Recording and Reporting Occupational Injuries and Illnesses standard, 29 CFR Part 1904, Subparts A - G, related forms, reporting instructions, and other educational information on this topic can be found on the OSHA website at <https://www.osha.gov>.

Disclaimer: Information contained in this document is considered accurate at time of publication.

For other free DWC safety publications on this and other safety topics, visit the TDI website at <http://www.tdi.texas.gov/wc/safety/videoresources/index.html>.

The DWC features a free occupational safety and health audiovisual loan library. Call 1-800-252-7031, option 2 for more information or visit the TDI website at <http://www.tdi.texas.gov/wc/safety/videoresources/avcatalog.html>.