



January 7, 2002

Dear Customers,

Happy New Year! There has been much confusion over the new OSHA Record Keeping Rule, which just went into effect. After it was issued last January, there was a governmental stay for three months. Then, there were court challenges about some of the provisions.

As a result, delays in hearing loss and musculoskeletal provisions were issued in October. Due to these changes, OSHA has already had to re-vamp their newly designed OSHA Log 300. This revised log was effective January 1, 2002. There will be a slightly different format to use in 2003!!!

We have summarized the new rule to reflect the most up-to-date changes and to direct you where more information can be gathered if needed. Our apologies for the length of the Bulletin, but hopefully the attached two pages will provide helpful guidance.

Should you have any questions about the new record keeping provisions, please contact me at ndehmlow@compositesone.com or 800/621-8003, Ext. 4134.

Have a safe and happy 2002!

Sincerely,

Nancy Dehmlow
Vice President
Health, Safety & Environment

Enc.

--BULLETIN--

OSHA UPDATE

January 2002

New OSHA Record Keeping Rule Effective January 1, 2002

As of January 1, 2002, new forms for recording occupational injuries and illnesses must be used instead of the old OSHA 200 log. Forms can be downloaded at www.OSHA-SLC.gov/recordkeeping. We would also be happy to e-mail or fax copies to you. Phase-in dates and changes follow:

- 1/01/02** – Employer begins keeping data on OSHA 300 form
- 2/01/02** – Employer posts 2001 data on OSHA 200 form as always
- 3/01/02** – Employer may remove 2001 posting as always
- 1/01/03** – New record keeping provisions for occupational hearing loss and musculoskeletal disorders become effective
- 2/01/03** – Employer posts 2002 data on OSHA 300A form
- 5/01/03** – Employer may remove 2002 posting

Exemption: Employers are exempt from recording injuries or illnesses in the current year if they had 10 or fewer employees at all times during the previous year. However, reporting of fatality and catastrophic incidents must still be reported within 8 hours to OSHA (800/321-OSHA). Participation in the BLS Annual Survey is mandatory when selected to do so.

Differences in forms: The OSHA 300 log is smaller (8 ½” x 14”) than the OSHA 200 log, has fewer columns and is presented in a more logical, user-friendly design.

- Each injury and illness must be recorded within 7 calendar days
- 300-A Form replaces the summary portion of the former 200 log
- Summary must be completed at the end of year
- Review records for accuracy at end of year
- Additional certification of accuracy by company executive is required
- Additional data on average employment and hours worked at establishment is required
- OSHA 301 Incident Report replaces OSHA 101 Form

Establishment of work relationship for recordability:

- Work environment must have *significantly* aggravated pre-existing injury or illness before case becomes work-related
- Injuries on premises considered work-related **except:** where cases occurred in parking lot or recreational facility; where employee is on the work premises as a member of the general public and not as an employee; where symptoms arose at work but as a result of non-work-related injury or illness; during voluntary participation in wellness programs; while eating and drinking for personal consumption; for intentionally self-inflicted wounds; during personal grooming; or common cold/flu.

Elimination of different recording criteria for injuries and illnesses: The employer is no longer required to determine whether a case is an injury or illness. A case is recordable if it results in: death; days away from work; job restriction or transfer; medical treatment beyond first aid; loss of consciousness; or significant injury or illness diagnosed by physician.

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Days away and job restriction/transfer:

- Days away are now counted using *calendar* days and count may stop at 180 days. If a physician recommends that an employee stay at home but he comes to work anyway, the days are recordable whether taken or not!!!! If a worker is injured on a Friday, comes in on Monday and doesn't usually work on weekends, the days away are only recordable if the doctor indicates that he shouldn't have worked during time off.
- Restricted work/job transfers are determined on whether or not an employee is permitted to perform routine job functions (duties he would perform at least once per week before the injury or illness). If the restrictions don't affect his normal job, then the restricted days are not recordable. If a job is permanently modified to exclude routine functions employee was restricted from performing, then count of restricted days may stop. If he is limited only on the day of the injury and there is no other recording criteria met, then it is not recordable.

Changes in definitions of medical treatment and first aid (only medical treatment is recordable):

- Medical treatment doesn't include visits to physician for observation or counseling; conduct of diagnostic procedures (x-rays, blood tests, etc.) or first aid.
- Medical treatment *includes* all non-prescription drugs at prescription strength and any dose of prescription drugs
- Medical treatment includes any physical therapy/chiropractic treatment
- Medical treatment includes any use of oxygen
- First aid includes hot or cold therapy
- First aid includes butterfly bandages and Steri-Strips
- Second degree burns are not automatically recordable
- All needle sticks or sharp injuries involving human blood or other potentially infectious materials are recordable
- TB is recordable if active TB or positive skin test

Changes of ownership: Each owner is responsible for OSHA records *only* for that period of year that each owned the business. The prior owner must transfer records to the new owner.

Employee involvement: Set up a system for accepting injury and illness reports from employees. Tell each employee how to report work-related injury or illnesses. Inform them of the 3-month posting period. Employees have a right to 301 forms for his or her case.

Privacy protection: Separate, confidential lists of case numbers and employee names are to be kept on "privacy concern" cases.

Computerized and centralized records: Forms can be on computer and at alternate locations as long as they can be produced when needed.

Reporting fatalities and catastrophic incidents: If they are a result of commercial airlines, trains or buses, they are not reportable. Motor vehicle accidents on public highways are not reportable either.

Covered employees: Payroll and employees *not* on payroll if you supervise them on a day-to-day basis.

Record retention: Records must be kept for 5 years. You *must* update stored OSHA 300 logs to include newly discovered recordable injuries and illnesses or any changes in classifications.

New recording provisions for hearing loss and musculoskeletal disorders: Provisions, which were originally stated in the issuance of the Final Rule in the Federal Register on January 19, 2001, have now been delayed until January 1, 2003.

The OSHA website mentioned above is an excellent resource for more information. Should you have any questions, please don't hesitate to give us a call at 800-621-8003, or e-mail Nancy Dehmlow at ndehmlow@compositesone.com as always. Happy New Year!

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