

OSHA RECORDKEEPING & POSTING

RECORDKEEPING REQUIREMENTS:

- All employers in manufacturing sectors with 11 or more employees must maintain records of occupational injuries and illnesses as they occur.
- An employer who reaches a total of 11 or more workers employed at one time during the previous calendar year, even if they are at different locations, must also keep these records.
- All employers, regardless of size, must keep exposure records for 30 years and medical records for the duration of employment plus 30 years.

Injury and Illness Records: Records must be maintained for each establishment -- that is, at a "Single physical location where business is conducted or where services are performed." If employees work at various locations, the records must be kept at the place where they report for work. If this location is also varied, then the records must be kept at the place from which they are paid.

An occupational injury usually results from a work-related accident involving a single incident in the work environment. Such things as cuts and sprains are considered recordable if treatment goes beyond first aid, requires any type of prescription or the worker has restricted activity.

New Injury and Illness Recordkeeping Rules: OSHA issued a Final Rule on recordkeeping, effective as of January 1, 2002, which includes mandatory new recordkeeping forms as well as significant changes in recordkeeping rules.

As of January 1, 2003, employers are required to record 10-decibel (dB) shifts from the employee's initial hearing test when they also result in an overall hearing level of 25 dB.

Major Changes: A list of the major changes from OSHA's old 1904 recordkeeping rule to the new rule employers use as of 2002 follows¹.

Forms

- The new OSHA Form 300 (Log of Work-Related Injuries and Illnesses) has been simplified and can be printed on smaller legal-sized paper.
- The new OSHA Form 301 (Injury and Illness Incident Report) includes more data about how the injury or illness occurred.
- The new OSHA Form 300A (Summary of Work-Related Injuries and Illnesses)

¹ Adapted from OSHA's document, "Major Changes to OSHA's Recordkeeping Rules"

provides additional data to make it easier for employers to calculate incidence rates.

- Maximum flexibility has been provided so employers can keep all the information on computers, at a central location, or on alternative forms, as long as the information is compatible and the data can be produced when needed.

Work related

- A "significant" degree of aggravation is required before a preexisting injury or illness becomes work-related.
- Additional exceptions have been added to the geographic presumption of work relationship; cases arising from eating and drinking of food and beverages, blood donations, exercise programs, etc. no longer need to be recorded. Common cold and flu cases also no longer need to be recorded.
- Criteria for deciding when mental illnesses are considered work-related have been added.
- Sections have been added clarifying work relationship when employees travel or work out of their home.

Recording criteria

- Different criteria for recording work-related injuries and work-related illnesses are eliminated; one set of criteria is used for both. (The former rule required employers to record all illnesses, regardless of severity).
- Employers are required to record work-related injuries or illnesses if they result in one of the following: death; days away from work; restricted work or transfer to another job; medical treatment beyond first aid; loss of consciousness; or diagnosis of a significant injury/illness by a physician or other licensed health care professional.
- New definitions are included for medical treatment and first aid. First aid is defined by treatments on a finite list. All treatment not on this list is medical treatment.
- The recording of "light duty" or restricted work cases is clarified. Employers are required to record cases as restricted work cases when the injured or ill employee only works partial days or is restricted from performing their "routine job functions" (defined as work activities the employee regularly performs at least once weekly).
- Employers are required to record all needlestick and sharps injuries involving contamination by another person's blood or other potentially infectious material.
- Musculoskeletal disorders (MSDs) are treated like all other injuries or illnesses: they must be recorded if they result in days away, restricted work, transfer to another job, or medical treatment beyond first aid.
- Special recording criteria are included for cases involving the work-related transmission of tuberculosis or medical removal under OSHA standards.

Day counts

- The term "lost workdays" is eliminated and the rule requires recording of days away,

days of restricted work, or transfer to another job. Also, new rules for counting that rely on calendar days instead of workdays are included.

- Employers are no longer required to count days away or days of restriction beyond 180 days.
- The day on which the injury or illness occurs is not counted as a day away from work or a day of restricted work.

Annual Summary

- Employers must review the 300 Log information before it is summarized on the 300A form.
- The new rule includes hours worked data to make it easier for employers to calculate incidence rates.
- A company executive is required to certify the accuracy of the summary.
- The annual summary must be posted for three months instead of one.

Employee involvement

- Employers are required to establish a procedure for employees to report injuries and illnesses and to tell their employees how to report.
- The new rule informs employers that the OSH Act prohibits employers from discriminating against employees who do report.
- Employees are allowed to access the 301 forms to review records of their own injuries and illnesses.
- Employee representatives are allowed to access those parts of the OSHA 301 form relevant to workplace safety and health.

Protecting privacy

- Employers are required to protect employee's privacy by withholding an individual's name on Form 300 for certain types of sensitive injuries/illnesses (e.g., sexual assaults, HIV infections, mental illnesses, etc.).
- Employers are allowed to withhold descriptive information about sensitive injuries in cases where not doing so would disclose the employee's identity.
- Employee representatives are given access only to the portion of Form 301 that contains information about the injury or illness, while personal information about the employee and his or her health care provider is withheld.
- Employers are required to remove employees' names before providing injury and illness data to persons who do not have access rights under the rule.

Reporting information to the government

- Employers must call in all fatal heart attacks occurring in the work environment.
- Employers do not need to call in public street motor vehicle accidents except those in a construction work zone.

- Employers do not need to call in commercial airplane, train, subway or bus accidents.
- Employers must provide records to an OSHA compliance officer who requests them within 4 hours.

OSHA's Injury and Illness Recordkeeping Web Page: It is recommended that you visit OSHA's web-site at www.osha.gov/recordkeeping/index.html. Here you will find a one-stop shop for new forms to download, training information and presentations, as well as the complete regulatory text and compliance directive.

POSTING REQUIREMENTS: Employers are responsible for keeping employees informed about OSHA and various safety and health matters in which they may be involved.

OSHA No. 300A: This form must be posted in a conspicuous place for all employees to see no later than February 1 for the previous calendar year and kept in place until May 1. Even if there were no injuries or illnesses during the year, the zeroes must be entered on the total lines and the results must be posted.

Job Safety and Health Protection: The new plain English federal poster, OSHA 3165 (also available in Spanish), or the state equivalent informing employees of their rights and responsibilities under the Act, must be displayed. Employers may still use the old OSHA 2203 until it is completely phased out. These new posters can be downloaded at www.osha.gov/OshDoc/Additional.html#posters1.

OSHA Citations and Violations: These must be posted at or near the location of the alleged violation for three days or until the violation is corrected, whichever is longer.

AVAILABILITY REQUIREMENTS: Employers must provide copies of the Act and relevant OSHA rules and regulations to the employees at their request.

Exposure Records: Any time monitoring is done for air contaminants or for measuring noise levels, etc., employers must make these records available to employees and keep them as part of their medical records.

If the monitoring results exceed the levels set by standards, the employer must inform employees of the fact and explain what corrective action is being taken.

Should you need a copy of the log or poster, please call Composites One's Department of Health, Safety & Environment at 800/621-8003. Information is available on changes to the recordkeeping requirements as well.