**OSHA’s Reporting & Recordkeeping Rule Guidelines**

The Occupational Safety and Health Administration (OSHA) has both reporting and recordkeeping requirements and listed here the guidelines to help you in your efforts

All employers**covered under the Occupational Safety and Health Act**must report:

All work-related fatalities within 8 hoursAll work-related inpatient hospitalizations within 24 hours Any amputation or loss of an eye within 24 hours

**Employers can report to OSHA by:**

1. Calling OSHA’s free and confidential number at 1-800-321-OSHA (6742)
2. Calling their closest OSHA Area Office during normal business hours
3. Report online at www.osha.gov

Be prepared to supply: Business name; names of employees affected; location and time of the incident, brief description of the incident; contact person and phone number.

Only fatalities occurring within 30 days of the work-related incident must be reported to OSHA. Further, for an inpatient hospitalization, amputation or loss of an eye, these incidents must be reported to OSHA only if they occur within 24 hours of the work-related incident. Previously work-related fatalities and hospitalization of 3 or more employees required reporting.

OSHA has also updated the Recordkeeping Rule. Employers with ten or fewer employees at all times during the previous calendar year are still exempt from routinely keeping OSHA injury and illness records unless OSHA or the Bureau of Labor Statistics (BLS) asks them to do so. However, the rule updates the list of industries that are exempt from the requirement to keep OSHA injury and illness records due to relatively low occupational injury and illness rates.

The employers listed below are newly required as of January 1, 2015 to keep records:

|  |  |
| --- | --- |
| **NAICS CODE** | **Title of NAICS Code**  |
| 3118 | Bakeries and tortilla manufacturing |
| 4411 | Automobile dealers |
| 4413 | Automotive parts, accessories, and tire stores |
| 4441 | Building material and supplies dealers |
| 4452 | Specialty food stores |
| 4453 | Beer, wine, and liquor stores |
| 4539 | Other miscellaneous store retailers |
| 4543 | Direct selling establishments |
| 5311 | Lessors of real estate |
| 5313 | Activities related to real estate |
| 5322 | Consumer goods rental |
| 5324 | Commercial and industrial machinery and equipment rental and leasing |
| 5419 | Other professional, scientific, and technical services |
| 5612 | Facilities support services |
| 5617 | Services to buildings and dwellings |
| 5619 | Other support services |
| 6219 | Other ambulatory health care services |
| 6241 | Individual and family services |
| 6242 | Community food and housing, and emergency and other relief services |
| 7111 | Performing arts companies |
| 7113 | Promoters of performing arts, sports, and similar events |
| 7121 | Museums, historical sites, and similar institutions |
| 7139 | Other amusement and recreation industries |
| 7223 | Special food services |
| 8129 | Other personal services |

The**North American Industry Classification System** (**NAICS**) is now used. Theold Standard Industrial Classification (SIC) codes can be cross referenced on the NAICS website.

**How do I Find My North American Industry Classification System Number?** Search “Manta” on the web then list company name and city.You should then see information on the company including Standard Industrial Classification (SIC Code) and North American Industry Classification System (NAICS) number. Your NAICS number is used in to identify your business including reporting and comparison of statistics.

**How do I Calculate My IncidenceRate?**An incidence rate of injuries and illnesses is computed from the following formula: (Number of injuries and illnesses X 200,000) / Employee hours worked = Incidence rate. The TCR includes all cases recorded on the OSHA Form 300 (Column G + Column H + Column I + Column J). The Dart includes cases recorded in Column H + Column I. The DAFWII includes cases recorded in Column H. For further information on injury and illness incidence rates, please visit the Bureau of Labor Statistics' webpage at <http://www.bls.gov/iif/osheval.htm>

OSHA Recordkeeping Guidelines

**What am I required to report?**All employers covered by the OSH Act must orally report to OSHA the death of any employee from a work-related incident within eight hours. The hospitalization of an employee; an amputation or loss of an eye as a result of a work-related incident must be reported within 24 hours. Only fatalities occurring within 30 days of the work-related incident must be reported to OSHA. For an in-patient hospitalization, amputation or loss of an eye, these incidents must be reported to OSHA only if they occur within 24 hours of the work-related incident. If there is a question that it was related to work, report it to OSHA for a determination.

**Am I required to prepare and maintain records?**Employers with eleven or more employees and whose establishments are not classified as a partially exempt industry must record work-related injuries and illnesses using OSHA Forms 300, 300A and 301.Employers who are required to keep Form 300, the Injury and Illness log, **must post Form 300A, the Summary of Work-Related Injuries and Illnesses, in a workplace every year from February 1 to April 30.** Current and former employees, or their representatives, have the right to access injury and illness records. Employers must give the requester a copy of the relevant record(s) by the end of the next business day.

**What is recordable under OSHA's Recordkeeping Regulation? -** Covered employers must record all work-related fatalities.  **-** Covered employers must record all work-related injuries and illnesses that result in days away from work, restricted work or transfer to another job, loss of consciousness or medical treatment beyond first aid (see OSHA's[**definition of first aid**](http://www.osha.gov/recordkeeping/index.html#firstaid)below). In addition, employers must record significant work-related injuries or illnesses diagnoses 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. Injuries include cases such as, but not limited to, a cut, fracture, sprain, or amputation. - Illnesses include both acute and chronic illnesses, such as, but not limited to, a skin disease (i.e. contact dermatitis), respiratory disorder (i.e. occupational asthma, pneumoconiosis), or poisoning (i.e. lead poisoning, solvent intoxication).

OSHA's definition of work-related injuries, illnesses and fatalities are those in which an event or exposure in the work environment either caused or contributed to the condition. In addition, if an event or exposure in the work environment significantly aggravated a pre-existing injury or illness, this is also considered work-related.

If a work-related injury or illness results in medical treatment beyond first aid, you must record it on the OSHA 300 Log. Below you will find what constitutes first-aid for OSHA recordkeeping purposes.

**Definition of first-aid for purposes of OSHA recordkeeping**

* Using a non-prescription medication at nonprescription strength (for medications available in both prescription and non-prescription form, a recommendation by a physician or other licensed health care professional to use a non-prescription medication at prescription strength is considered medical treatment for recordkeeping purposes)
* Administering tetanus immunizations (other immunizations, such as Hepatitis B vaccine or rabies vaccine, are considered medical treatment)
* Cleaning, flushing or soaking wounds on the surface of the skin
* Using wound coverings such as bandages, Band-AidsTM, gauze pads, etc.; or using butterfly bandages or Steri-StripsTM (other wound closing devices such as sutures, staples, etc., are considered medical treatment)
* Using hot or cold therapy
* Using any non-rigid means of support, such as elastic bandages, wraps, non-rigid back belts, etc. (devices with rigid stays or other systems designed to immobilize parts of the body are considered medical treatment for recordkeeping purposes)
* Using temporary immobilization devices while transporting an accident victim (e.g., splints, slings, neck collars, back boards, etc.)
* Drilling of a fingernail or toenail to relieve pressure, or draining fluid from a blister
* Using eye patches
* Removing foreign bodies from the eye using only irrigation or a cotton swab
* Removing splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means
* Using finger guards
* Using massages (physical therapy or chiropractic treatment are considered medical treatment for recordkeeping purposes)
* Drinking fluids for relief of heat stress
* The conduct of diagnostic procedures, such as x-rays and blood tests, including the administration of prescription medications used solely for diagnostic purposes (***e.g.***, eye drops to dilate pupils)

**Non-Mandatory Appendix A to Subpart B -- Partially Exempt Industries**

Employers are not required to keep OSHA injury and illness records for any establishment classified in the following [North American Industry Classification System (NAICS) codes](http://www.osha.gov/oshstats/naics-manual.html), unless they are asked in writing to do so by OSHA, the Bureau of Labor Statistics (BLS), or a state agency operating under the authority of OSHA or the BLS. **All** employers, including those partially exempted by reason of company size or industry classification, must report to OSHA within 8 hours any workplace incident that results in a fatality. The hospitalization of an employee, an amputation or the loss of an eye must be reported within 24 hours.

|  |  |  |  |
| --- | --- | --- | --- |
| **NAICS Code** | **Industry Description** | **NAICS Code** | **Industry Description** |
| 4412 | Other Motor Vehicle Dealers | 5411 | Legal Services |
| 4431 | Electronics and Appliance Stores | 5412 | Accounting, Tax Preparation, Bookkeeping, and Payroll Services |
| 4461 | Health and Personal Care Stores | 5413 | Architectural, Engineering, and Related Services |
| 4471 | Gasoline Stations | 5414 | Specialized Design Services |
| 4481 | Clothing Stores | 5415 | Computer Systems Design and Related Services |
| 4482 | Shoe Stores | 5416 | Management, Scientific, and Technical Consulting Services |
| 4483 | Jewelry, Luggage, and Leather Goods Stores | 5417 | Scientific Research and Development Services |
| 4511 | Sporting Goods, Hobby, and Musical Instrument Stores | 5418 | Advertising and Related Services |
| 4512 | Book, Periodical, and Music Stores | 5511 | Management of Companies and Enterprises |
| 4531 | Florists | 5611 | Office Administrative Services |
| 4532 | Office Supplies, Stationery, and Gift Stores | 5614 | Business Support Services |
| 4812 | Nonscheduled Air Transportation | 5615 | Travel Arrangement and Reservation Services |
| 4861 | Pipeline Transportation of Crude Oil | 5616 | Investigation and Security Services |
| 4862 | Pipeline Transportation of Natural Gas | 6111 | Elementary and Secondary Schools |
| 4869 | Other Pipeline Transportation | 6112 | Junior Colleges |
| 4879 | Scenic and Sightseeing Transportation, Other | 6113 | Colleges, Universities, and Professional Schools |
| 4885 | Freight Transportation Arrangement | 6114 | Business Schools and Computer and Management Training |
| 5111 | Newspaper, Periodical, Book, and Directory Publishers | 6115 | Technical and Trade Schools |
| 5112 | Software Publishers | 6116 | Other Schools and Instruction |
| 5121 | Motion Picture and Video Industries | 6117 | Educational Support Services |
| 5122 | Sound Recording Industries | 6211 | Offices of Physicians |
| 5151 | Radio and Television Broadcasting | 6212 | Offices of Dentists |
| 5172 | Wireless Telecommunications Carriers (except Satellite) | 6213 | Offices of Other Health Practitioners |
| 5173 | Telecommunications Resellers | 6214 | Outpatient Care Centers |
| 5179 | Other Telecommunications | 6215 | Medical and Diagnostic Laboratories |
| 5181 | Internet Service Providers and Web Search Portals | 6244 | Child Day Care Services |
| 5182 | Data Processing, Hosting, and Related Services | 7114 | Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures |
| 5191 | Other Information Services | 7115 | Independent Artists, Writers, and Performers |
| 5211 | Monetary Authorities - Central Bank | 7213 | Rooming and Boarding Houses |
| 5221 | Depository Credit Intermediation | 7221 | Full-Service Restaurants |
| 5222 | Nondepository Credit Intermediation | 7222 | Limited-Service Eating Places |
| 5223 | Activities Related to Credit Intermediation | 7224 | Drinking Places (Alcoholic Beverages) |
| 5231 | Securities and Commodity Contracts Intermediation and Brokerage | 8112 | Electronic and Precision Equipment Repair and Maintenance |
| 5232 | Securities and Commodity Exchanges | 8114 | Personal and Household Goods Repair and Maintenance |
| 5239 | Other Financial Investment Activities | 8121 | Personal Care Services |
| 5241 | Insurance Carriers | 8122 | Death Care Services |
| 5242 | Agencies, Brokerages, and Other Insurance Related Activities | 8131 | Religious Organizations |
| 5251 | Insurance and Employee Benefit Funds | 8132 | Grantmaking and Giving Services |
| 5259 | Other Investment Pools and Funds | 8133 | Social Advocacy Organizations |
| 5312 | Offices of Real Estate Agents and Brokers | 8134 | Civic and Social Organizations |
| 5331 | Lessors of Nonfinancial Intangible Assets (except Copyrighted Works) | 8139 | Business, Professional, Labor, Political, and Similar Organizations |

Some injuries and illnesses that occur in company parking lots are clearly caused by work conditions or activities -- *e.g.*, being struck by a car while painting parking space indicators on the pavement of the lot, slipping on ice permitted to accumulate in the lot by the employer -- and by their nature point to conditions that could be corrected to improve workplace safety and health. Interestingly enough, if an employee is injured in an accident while **travelingin** a motor vehicle in the employer’s parking lot it is not recordable.

Some cases may be covered by workers' compensation but are not recordable; other cases may be OSHA recordable but are not covered by workers' compensation. Cases should be evaluated solely on the basis of the OSHA requirements and definitions. **Just because an employer declines to certify a claim it does not release them from responsibility of recording the claim if it meets OSHA’s recordkeeping guidelines.**

|  |  |
| --- | --- |
| **1904.5(b)(2)** | **You are not required to record injuries and illnesses if ...** |
| (i)  | At the time of the injury or illness, the employee was present in the work environment as a member of the general public rather than as an employee. |
| (ii) | The injury or illness involves signs or symptoms that surface at work but result solely from a non-work-related event or exposure that occurs outside the work environment. |
| (iii) | The injury or illness results solely from voluntary participation in a wellness program or in flu shot, exercise class, racquetball, or baseball. |
| (iv) | The injury or illness is solely the result of an employee eating, drinking, or preparing food or drink for personal consumption (whether bought on the employer's premises or brought in). For example, if the employee is injured by choking on a sandwich while in the employer's establishment, the case would not be considered work-related. Note: If the employee is made ill by ingesting food contaminated by workplace contaminants (such as lead), or gets food poisoning from food supplied by the employer, the case would be considered work-related. |
| (v) | The injury or illness is solely the result of an employee doing personal tasks (unrelated to their employment) at the establishment outside of the employee's assigned working hours. |
| (vi) | The injury or illness is solely the result of personal grooming, self-medication for a non-work-related condition, or is intentionally self-inflicted. |
| (vii) | The injury or illness is caused by a motor vehicle accident and occurs on a company parking lot or company access road while the employee is commuting to or from work. |
| (viii) | The illness is the common cold or flu (Note: contagious diseases such as tuberculosis, brucellosis, hepatitis A, or plague are considered work-related if the employee is infected at work). |
| (ix) | The illness is a mental illness. Mental illness will not be considered work-related unless the employee voluntarily provides the employer with an opinion from a physician or other licensed health care professional with appropriate training and experience (psychiatrist, psychologist, psychiatric nurse practitioner, etc.) stating that the employee has a mental illness that is work-related. |

The employer is to account for weekends, holidays, and other days during which the employee was unable to work because of a work-related injury or illness during a period in which the employee was not scheduled to work. The rule requires the employer to count the number of calendar days the employee was unable to work or transferred (based on the physician’s recommendation) because of the work-related injury or illness, regardless of whether or not the employee would have been scheduled to work on those calendar days up to a maximum of 180 days for any injury.

OSHA issues final rule to make workers, employers, the public and OSHA better informed about workplace injuries, illnesses

The U.S. Department of Labor's [Occupational Safety and Health Administration](https://www.osha.gov/index.html) (OSHA) has issued a [final rule](https://www.osha.gov/recordkeeping/finalrule/index.html) that will modernize injury data collection to better inform workers, employers, the public and OSHA about workplace hazards. With this new rule, OSHA is applying the insights of behavioral economics to improve workplace safety and prevent injuries and illnesses.

Under the new rule, all establishments with 250 or more employees in industries covered by the recordkeeping regulation must electronically submit to OSHA injury and illness information from OSHA Forms 300, 300A, and 301. Establishments with 20-249 employees in certain [industries](https://www.osha.gov/recordkeeping/NAICScodesforelectronicsubmission.pdf) (listed below) must electronically submit information from OSHA Form 300A only.

The new requirements take effect Aug. 10, 2016, with phased in data submissions beginning in 2017. These requirements do not add to or change an employer's obligation to complete and retain injury and illness records under the [Recording and Reporting Occupational Injuries and Illnesses](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=12765) regulation.

OSHA will phase in implementation of the data collection system. In the first year, all establishments required to routinely submit information under the final rule will be required to submit **only the information from the Form 300A** (by July 1, 2017).In the second year, all establishments required to routinely submit information under the final rule will be required to submit all of the required information (by July 1, 2018). This means that, in the second year, establishments with 250 or more employees that are required to routinely submit information under the final rule will be responsible for submitting information from the Forms 300, 301, and 300A. Establishments with 20-249 employees in the effected industries will be responsible for submitting information from the Form 300A

In the third year, all establishments required to routinely submit under this final rule will be required to submit all of the required information (by March 2, 2019). This means that beginning in the third year (2019), establishments with 250 or more employees will be responsible for submitting information from the Forms 300, 301, and 300A and establishments with 20-249 employees in the effected industries will be responsible for submitting information from the Form 300A by March 2 each year. This will provide sufficient time to ensure comprehensive outreach and compliance assistance in advance of implementation

To ensure that the injury data on OSHA logs are accurate and complete, the final rule also promotes an employee's right to report injuries and illnesses without fear of retaliation, and clarifies that an employer must have a reasonable procedure for reporting work-related injuries that does not discourage employees from reporting. This aspect of the rule targets employer programs and policies that, while nominally promoting safety, have the effect of discouraging workers from reporting injuries and, in turn leading to incomplete or inaccurate records of workplace hazards. OSHA will post the establishment-specific injury and illness data it collects on its public website. Any personally identifiable information will be removed before posting.

Establishments in the following industries with 20 to 249 employees must submit injury and illness summary (Form 300A) data to OSHA electronically.

|  |  |
| --- | --- |
| **NAICS**  | **Industry** |
| 11  |  Agriculture, forestry, fishing and hunting |
| 22  | Utilities  |
| 23  | Construction  |
| 31-33  | Manufacturing  |
| 42  | Wholesale trade  |
| 4413  | Automotive parts, accessories, and tire stores  |
| 4421  | Furniture stores  |
| 4422  | Home furnishings stores  |
| 4441  | Building material and supplies dealers  |
| 4442  | Lawn and garden equipment and supplies stores  |
| 4451  | Grocery stores  |
| 4452  | Specialty food stores  |
| 4521  | Department stores  |
| 4529  | Other general merchandise stores  |
| 4533  | Used merchandise stores  |
| 4542  | Vending machine operators  |
| 4543  | Direct selling establishments  |
| 4811  | Scheduled air transportation  |
| 4841  | General freight trucking  |
| 4842  | Specialized freight trucking  |
| 4851  | Urban transit systems  |
| 4852  | Interurban and rural bus transportation  |
| 4853  | Taxi and limousine service  |
| 4854  | School and employee bus transportation  |
| 4855  | Charter bus industry  |
| 4859  | Other transit and ground passenger transportation  |
| 4871  | Scenic and sightseeing transportation, land  |
| 4881  | Support activities for air transportation  |
| 4882  | Support activities for rail transportation  |
| 4883  | Support activities for water transportation  |
| 4884  | Support activities for road transportation  |
| 4889  | Other support activities for transportation  |
| 4911  | Postal service  |
| 4921  | Couriers and express delivery services  |
| 4922  | Local messengers and local delivery  |
| 4931  | Warehousing and storage  |
| 5152  | Cable and other subscription programming  |
| 5311  | Lessors of real estate  |

|  |  |
| --- | --- |
| 5321  | Automotive equipment rental and leasing  |
| 5322  | Consumer goods rental  |
| 5323  | General rental centers  |
| 5617  | Services to buildings and dwellings  |
| 5621  | Waste collection  |
| 5622  | Waste treatment and disposal  |
| 5629  | Remediation and other waste management services  |
| 6219  | Other ambulatory health care services  |
| 6221  | General medical and surgical hospitals  |
| 6222  | Psychiatric and substance abuse hospitals  |
| 6223  | Specialty (except psychiatric and substance abuse) hospitals  |
| 6231  | Nursing care facilities  |
| 6232  | Residential mental retardation, mental health and substance abuse facilities  |
| 6233  | Community  |
| 6239  | Other residential care facilities  |
| 6242  | Community food and housing, and emergency and other relief services  |
| 6243  | Vocational rehabilitation services  |
| 7111  | Performing arts companies  |
| 7112  | Spectator sports  |
| 7121  | Museums, historical sites, and similar institutions  |
| 7131  | Amusement parks and arcades  |
| 7132  | Gambling industries  |
| 7211  | Traveler accommodation  |
| 7212  | RV (recreational vehicle) parks and recreational camps  |
| 7213  | Rooming and boarding houses  |
| 7223  | Special food services  |
| 8113  | Commercial and industrial machinery and equipment (except automotive and electronic) repair and maintenance  |
| 8123  | Dry-cleaning and laundry services

|  |  |  |  |
| --- | --- | --- | --- |
| **Submission year** | **Establishments with 250 or more employees** | **Establishments with 20-249 employees** | **Submission deadline** |
| 2017 | Form 300A |  Form 300A | July 1, 2017 |
| 2018 | Forms 300A, 300, 301 | Form 300A | July 1, 2018 |

2019 Forms 300A, 300, 301 Form 300A March 2, 2019 |

