

## **Recordkeeping (OSHA Log)**

Injury and illness records must be kept for each establishment covered by the Occupational Safety and Health Act. The regulations require that records be located and maintained to:

- Assist government agencies in administering and enforcing the act.
- Increase employer-employee awareness.
- Promote injury and illness prevention.

In January 2001 OSHA published a new, completely revised recordkeeping regulation. The new rule is designed to improve the system employer's use to track and record workplace injuries and illnesses by combining previous regulatory requirements and interpretations and simpler forms into one document. The new recordkeeping regulation is effective on January 1, 2002 and affects approximately 1.3 million establishments. Although the transition period has passed (through December 31, 2001) there are still employers who have not upgraded to the new regulation and forms. During the past year your ASA of Baltimore held a training class to assist interested companies in the process of upgrading and understanding the new requirements and forms. Recording an injury or illness under the OSHA system does not necessarily imply that management was at fault, that the worker was at fault, that a violation of an OSHA standard has occurred, or that the injury or illness is compensable under workers' compensation or other systems.

### **Covered employers**

The recordkeeping requirements of the Occupational Safety and Health Act of 1970 apply to most private sector employers. Employers with 10 or fewer employees are exempt from most requirements of the regulation, as are a number of industries classified as low-hazard retail, service, finance, insurance, and real estate sectors. However, as required by Section 1904.39, all employers covered by the OSH Act must report to OSHA any workplace incident that results in a fatality or the in-patient hospitalization of three or more employees.

### **What is recordable?**

The new rule eliminates different criteria for recording work-related injuries and work-related illnesses — one set of criteria is used for both. (The former rule requires employers to record all illnesses, regardless of severity). Covered employers must record any work-related injury or illness resulting in one of the following:

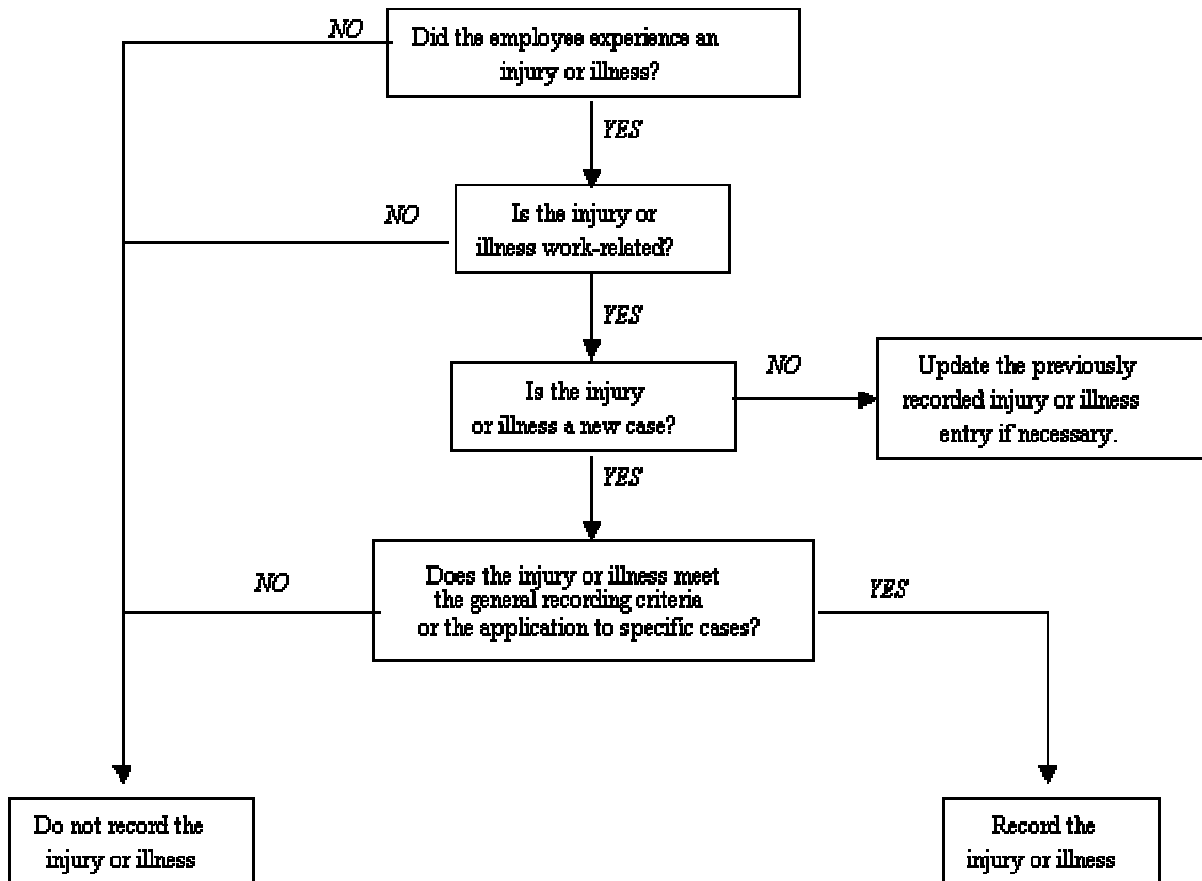
- Death;
- Days away from work;
- Restricted work or transfer to another job;
- Medical treatment beyond first aid;
- Loss of consciousness; or
- Diagnosis of a significant injury/illness by a physician or other licensed health care professional.

The decision-making process consists of four steps:

- Did the employee experience an injury or illness?
- Is the injury or illness work-related?
- Is the injury or illness a new case?
- Does the injury or illness meet the general recording criteria or the application to specific cases?

If the answers to these four questions are "yes" the employer is to record the injury or illness.

The decision tree for recording work-related injuries and illnesses below shows the steps involved in making this determination.



## OSHA Forms

Three forms are used for OSHA recordkeeping.

**OSHA Form 300** — Log of work-related injuries and illnesses: simplified and printed on smaller legal sized paper (replaces the OSHA 200 Log).

**OSHA Form 301** — Injury and illness incident report: includes more data about how the injury or illness occurred (replaces the OSHA 101 Log).

**OSHA Form 300-A** — Summary of work-related injuries and illnesses: a separate form for the annual posting. The Summary must be posted from February 1 through April 30 in a visible location so that employees are aware of the injuries and illnesses occurring in their workplace. A company executive is required to certify the summary.

### **Location of records**

Employers must keep a separate OSHA 300 Log for each establishment that is expected to be in operation for one year or longer. The records for all of an employer's establishments can be kept at a headquarters or other central location if information on injuries and illnesses can be transferred from the establishment to the central location within seven calendar days and if records at the central location can be sent to establishments within acceptable time frames (i.e., records for an establishment that are requested by a government representative, employees, former employees, or employee representatives.)

### **Retention of records**

Employers must save the OSHA 300 Log, annual Summary, and the OSHA 301 Incident Report forms for five years following the end of the calendar year that these records cover.

### **Maintenance of the log (OSHA 300 Log)**

If, during the 5-year retention period, there is a change in the extent or outcome of an injury or illness which affects an entry on a previous year's OSHA 300 Log, then the first entry should be lined out and a corrected entry made on that log. Also, new entries should be made for previously unrecorded cases that are discovered or for cases that initially weren't recorded but were found to be recordable after the end of the year in which the case occurred. The entire entry should be lined out for recorded cases that are later found non-recordable.

Stay Safe,  
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