

OSHA Record Keeping

Requirements for Occupational Injuries and Illnesses

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Goal

This training program summarizes the Occupational Safety and Health Administration "OSHA"'s record keeping requirements of *29 Code of Federal Regulations*, Part 1904, as amended in October, 2001. It will provide guidelines to assist employers in fulfilling their record keeping 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 access OSHA's criteria to help you determine if an injury or illness is recordable.

Introduction

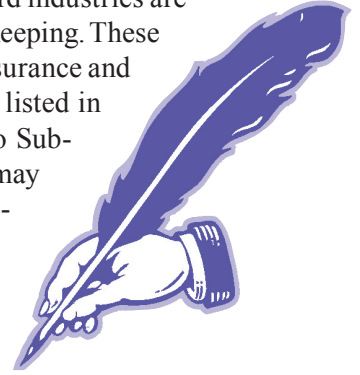
Lack of required record keeping has been a frequently cited violation since the standard was introduced, almost always ranking among the top ten violations cited nationwide for any given year. As an employer, you are required under the standard to prepare and maintain records of work-related personal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

- provide a basis for a statistical program which produces data that OSHA can measure and use to direct their prevention efforts;
- enable you and your employees to identify the factors which cause injuries and illnesses in your workplace; and
- aid you and your employees to take action to improve workplace safety.

Scope

Employers are classified in *29 CFR* Part 1904, Subpart B for record keeping requirements. In general, all employers who are covered by the Occupational Safety and Health Act are subject to record keeping 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 10 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. Establishments in certain low hazard industries are partially exempt from record keeping. These are retail, service, finance, insurance and real estate industries that are listed in *29 CFR* 1910, Appendix A to Subpart B. Although employers may be exempt from the record keeping requirements, they must report to OSHA, within eight hours, any single fatality or any incident that results in the hospital admission of three or more employees.



OSHA Record Keeping 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, 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, 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 voluntarily 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

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, *Form 300A* must remain available for review by employees, former employees, and their personal or authorized representatives. *Form 300A* summarizes the total number of deaths, the total number of cases with days away from work, the total number of cases with job transfer or restrictions, and the total number of 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.



OSHA's Form 301

Injuries and Illnesses Incident Report

Record each injury and illness case separately on one of these forms. Give it a case number that matches the number you use to record the case on the *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 and 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 301*'s must be retained for the same five-year period of time as the *300 Log*.

Please note that the Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) has additional record keeping requirements beyond OSHA's. Employers who carry workers' compensation insurance or certified self-insurers are required to report similar information on illnesses, injuries and fatalities using Forms *DWC-1*, *DWC-3* and *DWC-6*. Non-covered employers must report illnesses, injuries and fatalities on *Form DWC-7*. *Form DWC-1* can be substituted for *OSHA Form 301A*.

Recordable Case Determination

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

Determining if a case is recordable is often the most confusing part of record keeping.

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 section *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.

Transition from the former rule

Retain your *OSHA 200* Log from 2001 for a period of five years. You are not required to update it.

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 record keeping unless requested in writing by OSHA 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. c. 7 days.

Resources

Occupational Injuries and Illnesses - Subparts A through G' from OSHA's web site at www.osha.gov. The entire text is 38 pages long.

The Texas Department of Insurance, Division of Workers' Compensation (TDI/DWC) Resource Center offers a workers' health and safety video library. Call (512) 804-4620 for more information or visit our web site at www.tdi.state.tx.us.

Disclaimer: Information contained in this training program is considered accurate at time of publication. This publication can provide only a general outline of the record keeping standard.

You may access and download '29 CFR Part 1904 – Recording and Reporting Occupational Injuries and Illnesses - Subparts A through G' from OSHA's web site at www.osha.gov. The entire text is 38 pages long.