Recording and Reporting Occupational Injuries and Illnesses
29 CFR Part 1904

Cari Gray, CSP
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Reportable vs. Recordable

- **Reportable** – BWC…report claims ASAP – there are only two reasons to report injuries to OSHA
- **Recordable** – OSHA term – record the incident on your OSHA log

Why Track Injuries?

- Compliance
- Fines
- Trend analysis
- Create / Update audits
- Safety council semi – annual reports

1904.1 – Size Exemption

- If your company had 10 or fewer employees at all times during the last calendar year, you do not need to keep the injury and illness records.

- The size exemption is based on the number of employees in the entire company.

- Include temporary employees who you supervised on a day to day basis in the count.

OSHA Regional News Release

U.S. Department of Labor
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Region 5

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Contact: Rhonda Butler Scott Allen
Phone: 312-255-5070 312-255-6070
Email: rhonda.butler@bls.gov allan.scott@bls.gov

UL Labor Department’s OSHA from Lemo’s Rockford Distribution Center

ROCKFORD, Ill. — The U.S. Department of Labor’s Occupational Safety and Health Administration has cited the Rockford, Ill., distribution center of Lemo, Inc., a manufacturer of electrical connectors, with proposed penalties of $15,000 for willful and repeat recordkeeping violations.

As a result of a May 2010 OSHA inspection, Lemo issued Lemo’s Rockford Distribution Center, Inc., four willful violations with proposed penalties of $15,000 for willful violations for willful and/or repeat recordkeeping violations. OSHA requires employers to record and maintain all occupational injuries and illnesses on the OSHA 300 log. A willful violation is one committed with intentional, knowing or voluntary disregard of the standard, or plain indifference to employee safety and health.

The distribution center also received two repeat violations with proposed penalties of $10,000 for each

1904.2 - Industry Exemption

- All industries in agriculture, construction, manufacturing, transportation, utilities and wholesale trade sectors are covered.
- In the retail and service sectors, some industries are partially exempt.
- Appendix A to Subpart B lists partially exempt industries.
So how do I tell if an incident goes on my OSHA log?

The Recordable Decision Tree

1904.5 – Work-Relatedness

- Work-relatedness = work environment
  - A case is presumed work-related if,
    - discernable cause of the injury or
    - illness or of a significant aggravation to a pre-existing condition.

1904.5 – Work Environment Definition

- Establishment and other locations where one or more employees are working or present as a condition of employment
  - Includes not only physical locations, but also the equipment or materials used by employees while working

Work Related Exceptions

- Present as a member of the general public
- Symptoms arising in work environment that are solely due to non-work-related event
- Voluntary participation in wellness program, medical, fitness or recreational activity
- Eating, drinking or preparing food or drink for personal consumption

Work Related Exceptions

- Personal tasks outside assigned working hours
- Personal grooming, self medication for non-work-related condition, or intentionally self-inflicted
- Motor vehicle accident in parking lot/access road during commute
- Common cold or flu
- Mental illness, unless medical opinion affirms work-relatedness
1904.5 – Travel Status

- Work-related if it occurred while the employee was engaged in work activities in the interest of the employer
- Home away from home
- Detour for personal reasons is not work-related

1904.5 – Work at Home

- Work-related if they:
  - occur while the employee is performing work for pay or compensation in the home;
  - are directly related to the performance of work rather than the general home environment.

The Recordable Decision Tree

1904.6 – New Case

- If there is a medical opinion regarding resolution of a case, the employer must follow that opinion
- If an exposure triggers the recurrence, it is a new case (e.g., asthma, rashes)
- If signs and symptoms recur even in the absence of exposure, it is not a new case (e.g., silicosis, tuberculosis, asbestosis)

1904.6 – New Case

- A case is new if the employee:
  - No previous recordable injury or illness (same type & same body part);
  - Completely recovered injury, re-injured.

The Recordable Decision Tree
1904.7 – General Recording Criteria

- An injury or illness is recordable if it results in one or more of the following:
  - Death;
  - Days away from work;
  - Restricted work activity;
  - Transfer to another job;
  - Medical treatment beyond first aid;
  - Loss of consciousness;
  - Significant injury or illness diagnosed by a PLHCP.

1904.7(b)(3) - Days Away Cases

- Record if the case involves one or more days away from work
- Check the box for days away cases and count the number of days
- Do not include the day of injury/illness

1904.7(b)(3) – Days Away Cases

- Day counts (days away or days restricted)
  - Count the number of calendar days the employee was unable to work (include weekend days, holidays, vacation days, etc.)
  - Cap day count at 180 days away and/or days restricted
  - May stop day count if employee leaves company for a reason unrelated to the injury or illness
  - If a medical opinion exists, employer must follow that opinion

1904.7(b)(4) - Restricted Work Cases

- Record if the case involves one or more days of restricted work or job transfer
- Check the box for restricted/transfer cases and count the number of days
- Do not include the day of injury/illness

1904.7(b)(4) – Restricted Work Cases

- Restricted work activity exists if the employee is:
  - Unable to work the full workday he or she would otherwise have been scheduled to work; or
  - Unable to perform one or more routine job functions
- An employee’s routine job functions are those activities the employee regularly performs at least once per week

1904.7(b)(4) – Job Transfer

- Job transfer
  - Assigned to a job other than his or her regular job for part of the day
  - Performs his or her routine job duties for part of a day and is assigned to another job for the rest of the day
Medical Treatment Beyond First Aid Criteria

See Handout

1904.7(b)(6) – Loss of Consciousness

- All work-related cases involving loss of consciousness must be recorded

1904.7(b)(7) – Significant Diagnosed Injury or Illness

- The following work-related conditions must always be recorded at the time of diagnosis by a PLHCP:
  - Cancer;
  - Chronic irreversible disease;
  - Punctured eardrum;
  - Fractured or cracked bone or tooth.

1904.8 – Bloodborne Pathogens

- Record all work-related needlesticks and cuts from sharp objects that are contaminated with another person’s blood or other potentially infectious material
- Record splashes or other exposures to blood or other potentially infectious material if it results in diagnosis of a bloodborne disease or meets the general recording criteria

1904.9 – Medical Removal

- If an employee is medically removed under the medical surveillance requirements of an OSHA standard, you must record the case
- The case is recorded as days away from work or days of restricted work activity
- If the case involves voluntary removal below the removal levels required by the standard, the case need not be recorded

1904.10 – Hearing Loss

- Must record all work-related hearing loss cases where:
  - Employee has experienced a Standard Threshold Shift STS:
  - Employee’s hearing level is 25 decibels (dB) or more above audiometric zero [averaged at 2000, 3000, and 4000 hertz (Hz)] in the same ears as the STS.

1 An STS is defined in OSHA’s noise standard at 29 CFR 1910.95(g)(10)(i) as a change in hearing threshold, relative to the baseline audiogram, of an average of 10 dB or more at 2000, 3000, and 4000 Hz in one or both ears.
1904.29 - Forms
- Employers must enter each recordable case on the forms within seven calendar days of receiving information that a recordable case occurred.

Where to Find?
- R for recordkeeping
- Recordkeeping forms

1904.29 – Privacy Protection
- Privacy concern cases
  - An injury or illness to an intimate body part or reproductive system
  - An injury or illness resulting from sexual assault
  - Mental illness
  - HIV infection, hepatitis, tuberculosis
  - Needle stick and sharps injuries that are contaminated with another person’s blood or other potentially infectious material
  - Employee voluntarily requests to keep name off for other illness cases

1904.30 – Multiple Business Establishments
- Keep a separate OSHA Form 300 for each establishment that is expected to be in operation for more than a year
- May keep one OSHA Form 300 for all short-term establishments
- Each employee must be linked with one establishment
1904.31 – Covered Employees
- Employees on payroll
- Employees not on payroll who are supervised on a day-to-day basis
- Exclude self-employed and partners
- Temporary help agencies should not record the cases experienced by temp workers who are supervised by the using firm

1904.32 – Annual Summary
- Review OSHA Form 300 for completeness and accuracy, correct deficiencies
- Complete OSHA Form 300A
  - Certify summary (highest ranking official in company)
  - Post summary (Feb 1 – Apr 30)

1904.33 – Retention and Updating
- Retain forms for five years following the year that they cover
- Update the OSHA Form 300 during that period
- Need not update the OSHA Form 300A or OSHA Form 301

1904.39 – Fatality/Catastrophe Reporting
- Report orally within eight hours any work-related fatality or incident involving three or more in-patient hospitalizations
- Do not need to report highway or public street motor vehicle accidents (outside of a construction work zone)
- Do not need to report commercial airplane, train, subway or bus accidents

1-800-321-OSHA

Partially Exempt Industries
- Still have to report fatalities, hospitalizations, amputation and loss of eye to OSHA
- Still have to provide information/ and or keep records if requested from OSHA
- OSHA switched from SIC to NAICS

Jan 2015 Reporting Requirements
- Changes to partially exempt industries
- All fatalities – Report within 8 hours
- Work related inpatient hospitalization (1+ employee), all amputation, all loss of an eye within 24 hours
### Fatalities
- 8 hour report to OSHA
- Occur within 30 days of the work-related incident
- Same as the current regulation

### Hospitalization
- Definition – a formal admission to the in-patient service of a hospital or clinic for care or treatment
  - Not observation or diagnostic testing
- Admission within 24 hours of the work-related incident
- REPORT within 24 HOURS

### Amputation
- Definition – the traumatic loss of a limb or other external body part. Amputations include a part, such as a limb or appendage, that has been severed, cut off, amputated (either completely or partially), fingertip amputation with or without bone loss, medical amputation resulting from irreparable damage, amputation of body parts that have been attached,

### Amputation – DO NOT INCLUDE
- Avulsions – layers or skin torn away exposing underlying structure
- Enucleations – eye popping out
- Deglovings – loosing the skin
- Scalping – loosing the hair or scalp
- Severed ears
- Broken or chipped teeth

### Amputation
- Amputate within 24 hours of the work-related incident
- REPORT within 24 HOURS

### Loss of an eye
- Lose eye within 24 hours of the work-related incident
- REPORT within 24 HOURS
- Does not include Enucleation – (eye popping out)
How to Report to OSHA

- Call OSHA's free and confidential number
- 1-800-321-OSHA (6742)
- Call your closest OSHA Area office during normal business hours
- Use *NEW* online form

Semi-Annual Reports

So where do you Rank?

- (# Injuries/ # Hours) * 200,000 = Injury Rate

- To determine for NAICS code go to:
  [http://www.census.gov/epcd/naics02/](http://www.census.gov/epcd/naics02/)

- For Bls numbers go to:
  [http://www.bls.gov/iif/home.htm](http://www.bls.gov/iif/home.htm)
  click on “Current Injury, Illness and Fatality Data”

Is this OSHA Recordable?

- On Tuesday, September 16th, Ralph Boccella, laborer, said he felt “something give” in his lower back while moving boxes in the packaging department. For the remainder of the day he just took it easy. However, upon seeing his doctor that evening, his doctor diagnosed a back strain and told him to apply ice to his back, take an over the counter pain reliever, and to stay off his feet for three days.

- Jarrod Daniels, machine operator, got some dust in his right eye while cleaning off his milling table with compressed air on Wednesday, October 22nd. He was taken to the Sure-Care Clinic where a particle (that had adhered to his eye) was removed with tweezers. He returned to work on the production floor that afternoon.