

## **PRESENTER'S GUIDE**

# **"OSHA RECORDKEEPING FOR MANAGERS AND SUPERVISORS"**

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and Human Resources Library*

# **OUTLINE OF MAJOR PROGRAM POINTS**

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The following outline summarizes the major points of information presented in the program. The outline can be used to review the program before conducting a classroom session, as well as in preparing to lead a class discussion about the program.

- **Employers and managers like you have a powerful tool for making their facilities safer.**
  - It's OSHA's recordkeeping system... often referred to as "Part 1904," after its Federal Regulation part number.
  
- **The information, forms and procedures required by Part 1904 make it easy for you to:**
  - Document workplace injuries and illnesses.
  - Determine how they happen.
  - Make good decisions for the long-term improvement of your workplace safety program.
  
- **But Part 1904 does even more.**
  - It gets employees involved in the recordkeeping process as well, and protects their right to a safe workplace.
  
- **You play an important role in making this all happen. In this program we will explore how your contribution helps improve workplace safety for everyone, and...**
  - Why recordkeeping is so important.
  - How a few more records or some statistics can actually make your facility a safer place to work.
  - What part you play in the process.
  
- **By gathering and organizing more information on work-related injuries and illnesses, you can help determine whether they form patterns.**
  - This enables you to identify problems and then take steps to eliminate them.

- **Workplace injury and illness records can also help your employees to focus on the specific hazards that they may encounter in your facilities.**
  - Once they have this information, they'll be more likely to follow proper procedures and report dangerous conditions.
  - That's something that will make your workplace safer for everyone.
- **Comprehensive recordkeeping has another advantage, as well.**
  - The data that you collect helps OSHA get a sense of the hazards that are common to many work environments.
  - So OSHA can help other employers and employees avoid them.
- **By keeping good injury and illness records, you can participate in protecting millions of workers across the country, not just those in your own facility.**
- **But there are some misconceptions about injury and illness recordkeeping that you should be aware of.**
  - For example, recording a work-related injury or illness does not necessarily mean that an OSHA rule was violated.
  - Also, these records are not meant to "point a finger" at any particular person... or to determine who is eligible for workers' compensation or other benefits.
  - The records exist for one reason only, to make all companies safer.
- **Regardless of what industry you are in, it is your responsibility to know which, if any, of the OSHA recordkeeping requirements apply to you.**

- **Whether you have to keep injury and illness records, and if so what kind, can depend on a number of things.**
  - For example, if your organization had 10 or fewer employees during all of the last calendar year, it could be considered "partially exempt".
  
- **“As of January 1, 2024, by March 2<sup>nd</sup> of each year...**
  - All companies with more than 250 employees must submit Form 300A.
  - Companies in high industries with 20 to 249 employees must also submit Form 300A.
  - ... and companies in certain of these “high hazard” industries with 100 or more employees must also submit Forms 300 and 301”
  
- **OSHA has also updated the list of North American Industrial Classification System codes (NAICS) in Appendix A of the types of companies that must submit Form 300... and is adding an Appendix B, designating the types of industries that must submit Forms 300 and 301.**
  - However, certain types of businesses are exempt from these reporting requirements.
  
- **Industries that are partially exempt from the OSHA recordkeeping requirements are listed by NAICS code in an appendix to Part 1904.**
  - You can find this information on OSHA's website at [www.osha.gov](http://www.osha.gov).
  
- **If your business falls into one of OSHA’s "low-hazard" classifications, such as the retail, service, finance, insurance or real estate industries, it may also be partially exempt from recordkeeping.**
  
- **What does "partially exempt" mean?**
  - It means your organization is not required to keep injury and illness records for OSHA unless you are asked in writing to do so by OSHA, by the Bureau of Labor Statistics (the BLS) or by a state agency operating under the authority of OSHA or the BLS.

- **OSHA categorizes businesses based on the North American Industrial Classification System (NAICS for short), which is used by federal agencies to organize information about the U.S. economy.**
- **Industries that are partially exempt from the OSHA recordkeeping requirements are listed by NAICS code in an appendix to Part 1904.**
  - You can find this information on OSHA's website at [www.osha.gov](http://www.osha.gov).
- **You can also get information on the NAICS codes and recordkeeping exemptions by contacting your nearest regional OSHA office.**
- **If your company is not exempt from the OSHA recordkeeping requirements, you must:**
  - Record work-related employee injuries and illnesses.
  - Maintain these records, and make them available to OSHA and your company's employees.
- **What is OSHA's definition of "injuries and illnesses" under Part 1904?**
  - First of all, you don't have to worry about recording minor medical problems.
  - If a cut requires only an adhesive bandage, or a burn doesn't blister and needs just a bit of first-aid cream, then they aren't recordable injuries.
- **But if someone loses workdays, or is restricted from doing certain tasks, or if a worker requires special medical treatment or hospitalization, their injuries or illnesses may well be recordable.**
- **This is true no matter what position the person has with the company, so employees have equal protection under Part 1904 regardless of whether they are classified as:**
  - Labor or executive.
  - Hourly or salaried.
  - Part-time, seasonal, or migrant.

- **Recordable injuries and illnesses must also be recorded for employees who are not on your payroll if you supervise these employees on a day-to-day basis, such as some "contractors".**
- **Once you've determined that an injury or illness is serious, and that the affected worker is covered by the recordkeeping guidelines, you must make sure that the problem is work-related and a "new" case.**
  - Only these injuries and illnesses are recordable.
- **The definition of "work-related" covers so much ground that it's easier to explain when a condition is not work-related.**
  - Obviously, a medical problem is not work-related if it results from events that take place outside of work.
- **But a health issue is also not work-related if it occurs in the workplace during off-hours... or is unrelated to the injured employee's job.**
  - For example, let's say that a wood-worker in a small furniture-making company is building a chair for use in his own home.
  - One evening, outside of normal business hours, he is working on this personal project when he accidentally hurts his hand using a lathe.
  - Since this injury didn't occur during the employee's normal work day, and has nothing to do with his job, this is not considered a work-related injury under Part 1904.
- **If an injury or illness is due to voluntary participation in a recreational activity, such as playing softball on the company team, it is also not considered to be work-related.**
- **If, however, an employee gets sick from eating food that is contaminated by materials in a workplace such as lead, or if the food was supplied by their employer, the resulting illness would be work-related.**

- **Health problems and injuries are not work-related if they are due to:**
  - Personal grooming.
  - Self-medication for a non-work-related condition.
  - Intentionally self-inflicted injuries.
  
- **Neither are injuries caused by motor vehicle accidents on company parking lots or access roads while an employee is commuting to or from work.**
  
- **Common cold or flu infections aren't considered work-related either.**
  - But contagious diseases such as tuberculosis or hepatitis can be considered work-related if the employee is infected while performing their job.
  
- **As you can see, determining whether or not a condition is work-related can be complicated.**
  - Figuring out whether it's "new" or not can be tricky, too.
  
- **An injury or illness is considered "new" if:**
  - The employee hasn't had an injury or illness like it before.
  - The employee did have a health problem like it before, and recovered from it, only to have something in the workplace cause it to reoccur.
  
- **Sometimes finding these things out can require a bit of detective work on your part. For each case, you'll want to talk to several people, including...**
  - The sick or injured employee, to get the basic facts.
  - Your company's designated physician, for an expert medical opinion.
  - Coworkers who may have seen something that others missed.



- **It's crucial for the information to be accurate when you are investigating an injury or illness.**
  - So stick to the facts, and be careful of people "speculating" about an incident, even if they're trying to be helpful.
  - Be sure you don't do any speculating yourself, as well.
- **Once you've established that an injury or illness is both work-related and "new", it's time to fill out OSHA Form 300, the Log of Work-Related Injuries and Illnesses.**
  - This is the ongoing record of the injuries and illnesses that occur in a facility.
- **The form asks for information like who was involved, where and when the incident happened, and how it injured the employee or made them sick.**
- **Be sure to note the estimated number of days that any injured or sick employee will be on medical leave, or restricted from performing their normal work.**
- **Next comes Form 301, the Injury and Illness Incident Report, which asks you for more details about each incident.**
  - 301 forms must be filled out within seven days after the incident has occurred.
- **You don't need to complete Form 300A, the Summary of Work-Related Injuries and Illnesses, until near the end of the calendar year.**
- **Form 300A helps you to create an overview of employee injury patterns over the preceding year. That way you can make informed decisions on how to improve worker safety at your facility.**

- **The form divides all recordable medical problems into six categories:**
  - Injuries.
  - Skin disorders.
  - Respiratory conditions.
  - Poisonings.
  - Hearing loss.
  - A miscellaneous category called "All Other Illnesses".
  
- **You assign each recordable incident to the category that describes it best, then add up the totals for each category.**
  
- **The OSHA recordkeeping forms are written in plain language, and use a convenient question-and-answer format that makes information-gathering easier.**
  
- **OSHA can also provide additional materials with instructions, flowcharts and checklists to help you complete the forms.**
  
- **OSHA would like to use the injury and illness records that companies are collecting to create a database of this information that would be available to everyone.**
  - This would provide consolidated data about injury and illness trends across the county, by location, industry and other criteria.
  - It would also allow people to see how individual companies are doing at preventing recordable workplace incidents.

- **To accomplish these goals, OSHA's "Improve Tracking of Workplace Injuries and Illnesses" regulation requires some companies to submit electronic copies of their completed Form 300A to the agency.**
  - This requirement applies to companies with 250 or more employees, as well as those that have between 20 and 249 employees and are in industries with historically high occupational injury and illness rates.
  - For these organizations, each year's Form 300A must be forwarded to OSHA along with their Employer Identification Number by March 2 of the following year.
  - If you're not sure whether this applies to your company, contact OSHA for more information.
  
- **There are several important "employee rights" under OSHA's recordkeeping rules.**
  - First, information about workplace injuries and illnesses must be made available to all employees.
  - That's why Part 1904 requires you to post a year's Form 300A in a conspicuous place where notices to employees are normally displayed, from February 1 to April 30 of the following year.
  - The form must be visible at all times, never altered, defaced or covered by other material.
  
- **If they want more detailed information, employees must also be given access to specific injury and illness records (but not to materials that are considered "confidential").**
  
- **Remember though, reading reports isn't the only, or even the most important, way that employees get involved in the recordkeeping process.**
  - Employees are your "eyes and ears" as far as injury and illness situations are concerned.
  - So you need to be sure that they know how to report these incidents when they occur.
  
- **To help encourage employee participation in the recordkeeping process, Part 1904 prevents companies from discriminating against anyone who reports a work-related fatality, injury or illness.**

- **The Standard also protects workers who:**
  - File safety and health complaints.
  - Ask for access to Part 1904 records.
  - Exercise any rights afforded by OSHA.
- **As with any other system, OSHA recordkeeping has its share of "special situations" you may have to deal with.**
- **For example, OSHA wants to find out about some types of injuries and incidents almost as soon as they happen, so they can identify and reduce hazards in the workplace more effectively.**
  - That's why Part 1904 requires you to report any work-related fatalities to OSHA within 8 hours of their occurrence.
- **You must also report certain work-related injuries and illnesses within 24 hours, including...**
  - In-patient hospitalizations.
  - Amputations.
  - Loss of an eye.
- **These reports can be made by telephone or in person to your local OSHA office, or you can call OSHA's central telephone number.**
- **OSHA has also made it easy to submit these reports electronically.**
  - Just go to [www.osha.gov](http://www.osha.gov), and click on the "Report a death or severe injury" icon.
  - Then click on the "Report Online" link in the "To Make a Report" section and follow the prompts.
- **If your company is already complying with another government agency's injury and illness recordkeeping requirements, OSHA will accept those records in place of its "300 series" reports as long as...**
  - OSHA officially recognizes the other agency's records.
  - The other agency's records contain all of the same information that OSHA requires.

- **OSHA is also flexible regarding the 300 series forms themselves.**
  - If official 300, 301 and 300A forms are unavailable, "equivalent" forms may be used.
- **"Equivalent" forms must:**
  - Contain the same information as an official form,
  - Be as readable and understandable as an official OSHA form,
  - Be completed by following the same instructions as are used with the OSHA forms.
- **Some states operate their own OSHA programs, under the authority of a "state plan" approved by OSHA.**
  - Records kept for these state programs are also acceptable to OSHA as long as the states have occupational injury and illness reporting requirements that are identical to the requirements of Part 1904.
- **Keeping records organized and available is also important to OSHA.**
  - Once the 300, 301 and 300A forms are completed they must be retained for five years following the end of the calendar year that they cover.
- **During this storage period, OSHA 300 forms must be updated to include new information about the ailments they record, such as recurring illnesses or other medical conditions.**
  - If the description or outcome of a case changes, the original entry must be removed and the new information entered.
  - Keep in mind that these rules apply to OSHA 300 forms only (OSHA 301 and 300A forms do not have to be updated).
- **OSHA also wants to make sure that it has access to all of the information that your company has recorded.**
  - When an authorized government representative asks for the records you've kept under Part 1904, your company must provide copies within four business hours.

- **And if you receive OSHA's annual Audit and Verification Program survey form, you must also fill it out and return it in a timely fashion. Your response must include:**
  - The number of people employed at your facility in the specified year.
  - The number of hours worked by these employees.
  - Any information that OSHA requests from the records that you have kept under Part 1904.

**\* \* \* SUMMARY \* \* \***

- **OSHA recordkeeping enables you to help make your facility a safer place to work.**
- **To determine whether your company is "partially exempt" from OSHA recordkeeping, visit [www.osha.gov](http://www.osha.gov) or contact your nearest OSHA office.**
- **"Recordable" injuries and illnesses are generally severe enough that they require medical treatment or affect an employee's ability to do their job.**
- **Recordable incidents must also be "work-related" and "new."**
- **The "Log of Work-Related Injuries" and the "Injury and Illness Incident Report" are both critical forms in the day-to-day recordkeeping process.**
- **Form 300A, the year-end "Summary of Work-Related Injuries and Illnesses", must be posted for all employees to see.**
- **Some companies are required to submit electronic copies of Form 300A and their Employer Identification Number to OSHA.**
- **OSHA's recordkeeping regulations also protect an employee's rights when they report work-related injuries and illnesses.**

- **You must inform OSHA of work-related fatalities within 8 hours, and hospitalizations, amputations, and the loss of an eye within 24 hours.**
- **Your OSHA recordkeeping duties under Part 1904 aren't just "make-work" and "pushing paper". They are the core of how your company can learn from their experiences today, to become an even safer place to work tomorrow!**