

# 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 hours

All 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](http://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:

<b>NAICS CODE</b>	<b>Title of NAICS Code</b>
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. The old 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 Incidence Rate?** 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](#) below). In addition, employers must record significant work-related injuries or illnesses 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. 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-Aids™, gauze pads, etc.; or using butterfly bandages or Steri-Strips™ (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](#), 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 **traveling** in 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)	<p>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.</p> <p>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.</p>
(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 (OSHA) has issued a final rule 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 (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 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.

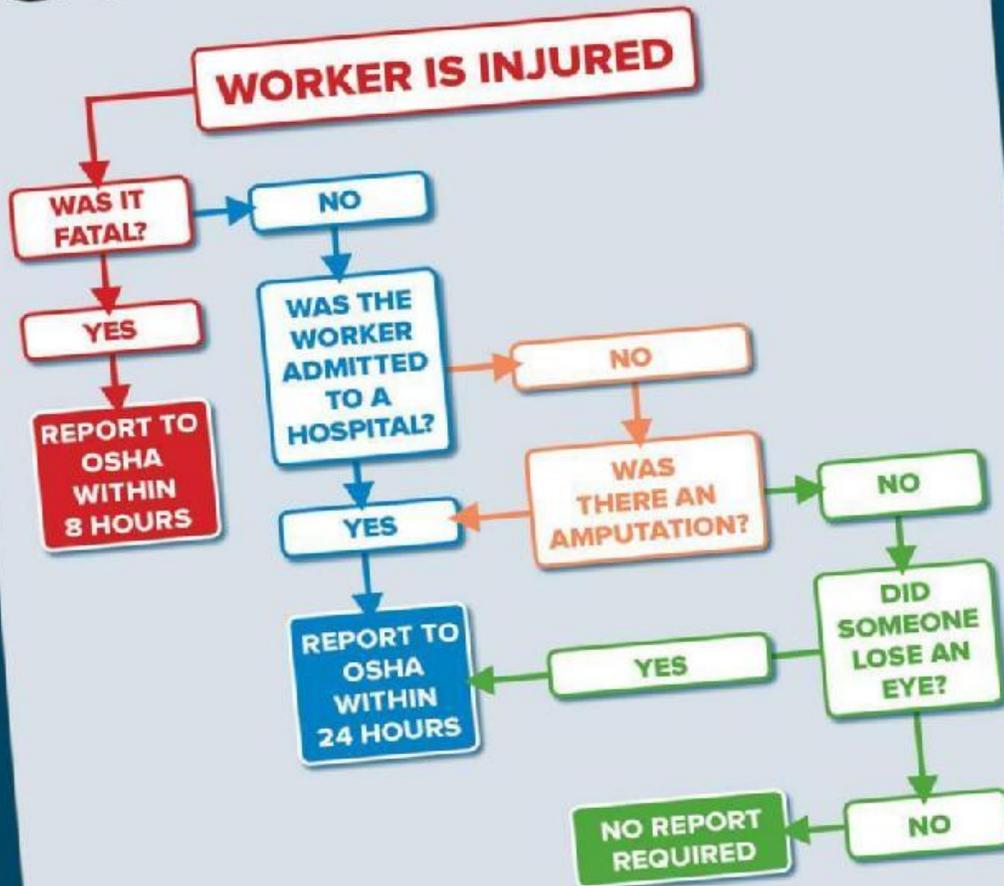
<b>NAICS</b>	<b>Industry</b>
11	Agriculture, forestry, fishing and hunting
22	Utilities
23	Construction
31-33	Manufacturing
42	Wholesale trade
4413	Automotive parts, accessories, and tire stores
4421	Furniture stores
4422	Home furnishings stores
4441	Building material and supplies dealers
4442	Lawn and 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

<b>Submission year</b>	<b>Establishments with 250 or more employees</b>	<b>Establishments with 20-249 employees</b>	<b>Submission deadline</b>
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

# OSHA's NEW REPORTING EXPLAINED



## HOW DO I REPORT?

Call 1-800-321-OSHA (6742) or your local OSHA office  
Report online at [www.osha.gov/report\\_online](http://www.osha.gov/report_online)