Recordable/Reportable

CopperPoint Insurance
Loss Control and Risk Management Services
Objective

• OSHA Standards
  – OSHA Logs
  – New Standards

• Recordable Vs. Reportable Vs. Non-Recordable

• Employee Rights

• Examples

• Summary
OSHA Standards

Employers with 10 or more employees must:

• Maintain records of workplace injuries and illnesses

• OSHA 300, 300A, and 301 logs
OSHA Logs

• Post annual 300A log
  – Where?
  – When?

• Keep those records for 5 years
### OSHA’s Form 300 (Rev. 01/2004)

#### Log of Work-Related Injuries and Illnesses

You must record information about every work-related death and about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid. You must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional. You must also record work-related injuries and illnesses that meet any of the specific recording criteria listed in 29 CFR Part 1904.8 through 1904.12. Feel free to use two lines for a single case if you need to. You must complete an Injury and Illness Incident Report (OSHA Form 301) or equivalent form for each injury or illness recorded on this form. If you’re not sure whether a case is recordable, call your local OSHA office for help.

<table>
<thead>
<tr>
<th>Identify the person</th>
<th>Describe the case</th>
<th>Classify the case</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(A)</strong> Case no.</td>
<td><strong>(D)</strong> Date of injury or onset of illness</td>
<td>CHECK ONLY ONE box for each case based on the most serious outcome for that case:</td>
</tr>
<tr>
<td><strong>(B)</strong> Employee’s name</td>
<td><strong>(E)</strong> Where the event occurred (e.g., Loading dock north end)</td>
<td><strong>(G)</strong> Death</td>
</tr>
<tr>
<td><strong>(C)</strong> Job title (e.g., Welder)</td>
<td><strong>(F)</strong> Describe injury or illness, parts of body affected, and object/substance that directly injured or made person ill (e.g., Second degree burns on right forearm from arc welder torch)</td>
<td><strong>(H)</strong> Days away from work</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>(I)</strong> Job transfer or restriction</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>(J)</strong> Other unavailable on work</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>(K)</strong> Remained at work</td>
</tr>
</tbody>
</table>

- [ ] Death
- [ ] Days away from work
- [ ] Job transfer or restriction
- [ ] Other unavailable on work
- [ ] Remained at work
OSHA Inspection

• What’s the first thing they will ask for?
  – Copy of your OSHA 300 logs (3 years)

• Failure to keep records can result in a $12,675 fine per violation
  – You are given 4 business hours to produce those records
New OSHA Standards

• Online injury reporting
  – Who?

• Employers with 250 or more workers
  – 1904.41(a)(1)

• Or Employers with 20-249 workers in high rate industries
  – 1904.41(a)(2)
New OSHA Standards

• Why the big push?

  – By making records public OSHA hopes to encourage employers to focus more on safety

  – Allow for OSHA to compile and analyze data faster
High Rate Industries

- Utilities
- Construction
- Manufacturing
- Freight trucking
- Warehousing and storage
- General medical and surgical hospitals

https://www.osha.gov/recordkeeping/NAICScodesforelectronicsubmission.html
Online Injury Reporting

- 2016 OSHA 300A logs must be submitted electronically:
  - https://www.osha.gov/injuryreporting/ita/

- Create an account with a log in and user. Upload OSHA 300A log

- Enter data manually or Upload CVS file
Online Injury Reporting

• Originally proposed a July 2017 reporting date. However, that date has been pushed back to Dec 1, 2017.

• July 1, 2018 all 2017 logs must be submitted
Online Injury Reporting

- March 2, 2019 all 2018 logs must be submitted. Same for every year thereafter
  - 2018 submission year: Employers under 1904.41(a)(1) must submit 300, 300A, and 301
Recordable Injuries

• What injuries do employers have to record?

  – Define an OSHA recordable:
  – Workplace injury or illness that requires more treatment than first aid.
    - Medication
    - Additional treatment
    - Needle Stick
    - Loss of Consciousness
    - Days away or restrictions
    - Chemical hazard exposure
Recordable Injuries

“Section 1904.5(a) provides that injuries and illnesses must be considered 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 condition. For OSHA recordkeeping purposes, causality is established if work is a cause. The work event or exposure need only be a cause of the injury or illness; it need not be the sole or predominant cause. OSHA has stated that an event includes any identifiable incident, occurrence, activity or bodily movement that occurs in the work environment.”
Exceptions

- Employee present at work as a member of general public
- No discernable cause
- Symptoms occur at work but are solely from a non work related event or exposure
- Intentionally self-inflicted, personal grooming, or self medication for a non work related condition
Reportable Injuries

• What injuries do employers have to report?
  – Death: 8 hours from time of death

• As of January 2015: Must report within 24 hrs
  – In-patient Hospitalization’s
  – Amputations
  – Loss of eye
Reportable Injuries

• Who has to report them?
  – All employers: Even ones who aren’t required to keep records due to size restrictions

• How to report them
  – 1-800-321-OSHA or call local office
Reportable Injuries

• What if the reportable injury occurs after hours?
  – Can you leave a voice mail at your local OSHA office?
Reportable Injuries

Question:

Do you have to report a work-related fatality or in-patient hospitalization caused by a heart attack?
Non Recordable

• Injury or illness that results in first aid treatment
  – Observation / Counseling
  – Non prescription medication- Low dosage
  – X-Rays
  – Tetanus Shots
Non-Recordable

– Cleaning cuts/ wounds
– Band aids/ gauze
– Drinking fluids to combat heat stress
– Removal of splinters (not in the eye)
– Hot/ cold compresses
Employee Rights

The OSHA rule provides protection for the employee:

Employers are prohibited from discouraging employees to report injuries. No form of retaliation can be used or threatened to be used for any employee who reports an injury.
Example 1

Bob is hammering a floor joist into place when he strikes his thumb with a hammer.

- The injury occurs on a Friday
- Bob initially wraps the thumb in a bandage and finishes his shift. No work occurs over the weekend
- On Sunday Bob goes into the clinic because of increased pain and swelling. The physician removes the entire nail on his thumb.
- The physician report reads minor amputation.
- Bob is placed on restricted duty with limited use of his right hand. No time is lost

- Is this a recordable, reportable, or non-recordable?
Example 2

Sue is pushing a medical supply cart through a door when she smacks her elbow into the door

• Sue’s elbow immediately swells up and starts to bruise
• Sue feels minimal discomfort but her supervisor insists she seeks medical treatment.
• X-rays are negative and Sue is diagnosed with a contusion
• Sue returns to work with no restrictions and is instructed to use a cold compress on her elbow to help with swelling

• Is this a recordable, reportable, or non-recordable?
Workers Compensation

Workers’ Compensation doesn’t Impact whether the injury is an OSHA recordable, non-recordable or reportable.

- Some cases may be OSHA recordable and covered by workers compensation
- Some cases may be compensable, but not considered an OSHA recordable.
- Some cases may be OSHA recordable, but not compensable by workers compensation.
Summary

• Employers with 10 or more employees

• OSHA 300A log

• Employers with 250 or more employees
  – Do part time, temp, and seasonal workers count?

• Employers with 20-249
Summary

- December 1, 2017
- July 1, 2018
- March 2, 2019

- Recordable injury
  - Workplace injury or illness that requires more treatment than first aid.
Summary

• Reportable
  – Death
  – In-patient Hospitalization’s
  – Amputations
  – Loss of eye

• Non-recordable
  – First aid
References

•  www.OSHA.gov