

# Injury and Illness Recordkeeping Training

BLS/OSHA Statistics Unit  
Occupational Health & Safety Division  
Wisconsin State Laboratory of Hygiene

# BLS vs OSHA

# BLS

- Gather information about worker injuries
- Verify accuracy of information
- Analyze aggregate data and disseminate information to public
- Utilize OSHA and WC forms
- No enforcement

# OSHA

- Creates and enforces safety regulations
- Targets specific high risk industries for inspection
- Identify safety hazards and issues citations

# Survey Comparisons

## **BLS Survey of Occupational Injuries and Illnesses**

- January- July
- Longer survey
- 6000 companies sampled in WI
- Includes all industries, all sizes
- Case details submitted for more serious cases (DAFW and DJTR)

## **OSHA Work Related Injuries and Illnesses Data Collection**

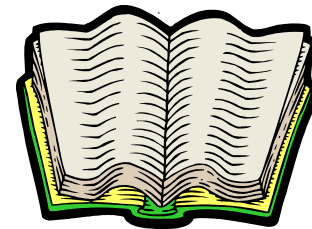
- June- September
- Short survey: OSHA 300A
- 2500 companies sampled in WI
- Includes high risk industries (non OSHA exempt)
- On site inspection for non compliance

# OSHA Recordkeeping Rule 29 CFR Part 1904

*Recording and Reporting Occupational Injuries  
and Illness*

# Organization of the Rule\*

- Subpart A - Purpose
- Subpart B - Scope
- Subpart C - Forms and recording criteria
- Subpart D - Other requirements
- Subpart E - Reporting to the government
- Subpart F - Transition
- Subpart G – Definitions



*\*Not all subparts will be covered this training. Find complete rule at [www.osha.gov](http://www.osha.gov)*

# Purpose

- To require employers to record and report work-related fatalities, injuries and illnesses
  - Note: Recording or reporting a work-related injury, illness, or fatality does not mean the employer or employee was at fault, an OSHA rule has been violated, or that the employee is eligible for workers' compensation or other benefits.
- OSHA injury and illness recordkeeping and Workers' Compensation are independent of each other

# Scope: Partial Exemption

- Employers that are partially exempt from the recordkeeping requirements because of their size or industry must continue to comply with:
  - 1904.39, Reporting fatalities and multiple hospitalization incidents
  - 1904.41, Annual OSHA injury and illness survey (if specifically requested to do so by OSHA)
  - 1904.42, BLS Annual Survey (if specifically requested to do so by BLS)



# Scope: Size Exemption

- 10 or fewer employees at all times during the last calendar year
- 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

# Scope: Industry Exemption

- All industries in agriculture, construction, manufacturing, transportation, utilities and wholesale trade sectors are not exempt
- In the retail and service sectors, some industries are partially exempt
- Appendix A to Subpart B lists partially exempt industries



# 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

# Recordkeeping Criteria

- Covered employers must record each fatality, injury or illness that:
  - Is work-related, and
  - Is a new case, and
  - Meets one or more of the criteria contained in sections 1904.7 through 1904.12

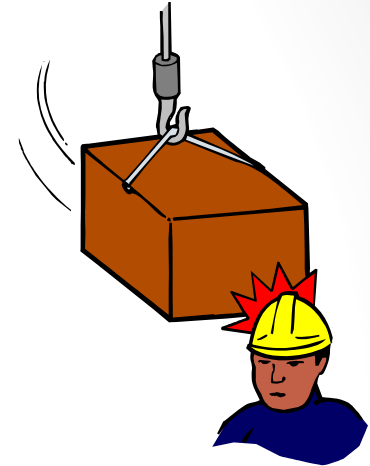
# Nine Exceptions to work relatedness



# New Case

A case is new if:

- The employee has not previously experienced a recordable injury or illness of the same type that affects the same part of the body; or
- The employee previously experienced a recordable injury or illness of the same type that affects the same part of the body, but had recovered completely.

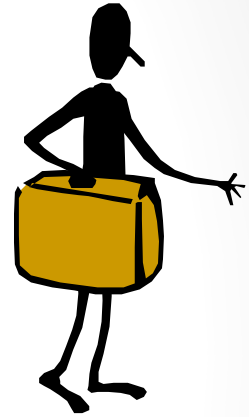


# Significant Aggravation

- A pre-existing injury or illness is significantly aggravated when an event or exposure in the work environment results in any of the following (which otherwise would not have occurred):
  - Death
  - Loss of consciousness
  - Days away, days restricted or job transfer
  - Medical treatment

# Travel Status

- An injury or illness during travel status is work-related if:
  1. It occurred while the employee was engaged in work activities in the interest of the employer
  2. Home away from home
  3. Detour for personal reasons is not work-related





# Work at Home

- Injuries considered work-related if they:
  - occur while the employee is performing work for pay or compensation in the home, and
  - are directly related to the performance of work rather than the general home environment

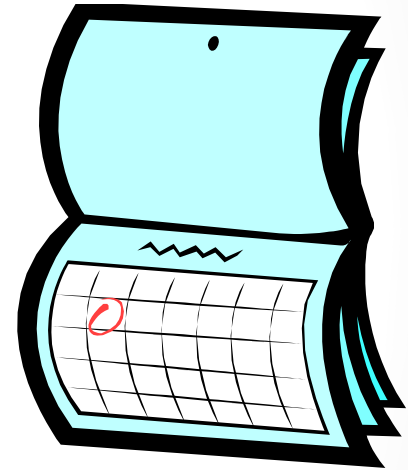


# General Recording Criteria

- 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

# Cases with Days Away From Work

- 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

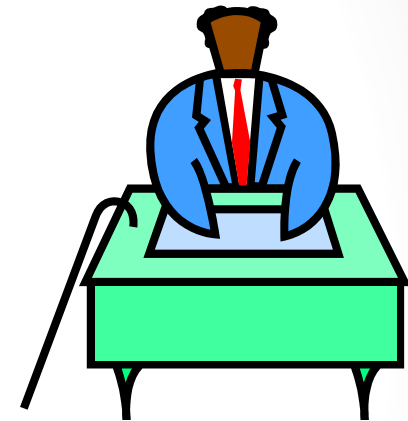


# Counting days away or restrictions

- 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

# 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



# Restricted Work

- Restricted work activity occurs when:
  - An employee cannot perform one or more routine functions (work activities the employee regularly performs at least once per week) of his or her job; or
  - An employee cannot work a full workday; or
  - A PLHCP recommends either of the above

# Job Transfer

- Job transfer
  - An injured or ill employee is assigned to a job other than his or her regular job for part of the day
  - A case is recordable if the injured or ill employee 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 vs. First Aid

- Medical treatment is the management and care of a patient to combat disease or disorder.
- It does not include:
  - Visits to a PLHCP solely for observation or counseling
  - Diagnostic procedures
  - First aid
  - All work-related cases involving loss of consciousness must be recorded



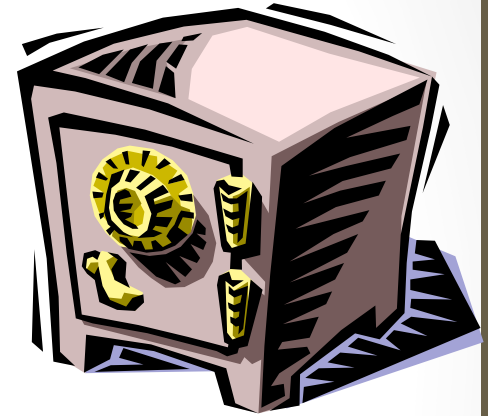
# Bloodborne Pathogens

- Record all work-related needlesticks and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material (includes human bodily fluids, tissues and organs; other materials infected with HIV or HBV such as laboratory cultures)
- 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



# Privacy Protection

- Do not enter the name of an employee on the OSHA Form 300 for “privacy concern cases”
- Enter “privacy case” in the name column
- Keep a separate confidential list of the case numbers and employee names



# Privacy Cases, Reporting, and Record Retention

# Privacy Protection

- Privacy concern cases are:
  - 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
  - Needlestick 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
- If you give the forms to people not authorized by the rule, you must remove the names first
  - Exceptions for:
    - Auditor/consultant,
    - Workers' compensation or other insurance
    - Public health authority or law enforcement agency

# 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



# Annual Summary

- Review OSHA Form 300 for completeness and accuracy, correct deficiencies
- Complete OSHA Form 300A
- Certify summary
- Post summary
- A company executive must certify the summary
- Must post from **February 1 to April 30** of the year following the year covered by the summary



# Retention and Updating

- Retain forms for 5 years following the year that they cover
- Update the OSHA Form 300 during that period

# Employee Involvement

- You must inform each employee of how to report an injury or illness
  - Must set up a way for employees to report work-related injuries and illnesses promptly; and
  - Must tell each employee how to report work-related injuries and illnesses to you





# Prohibition Against Discrimination

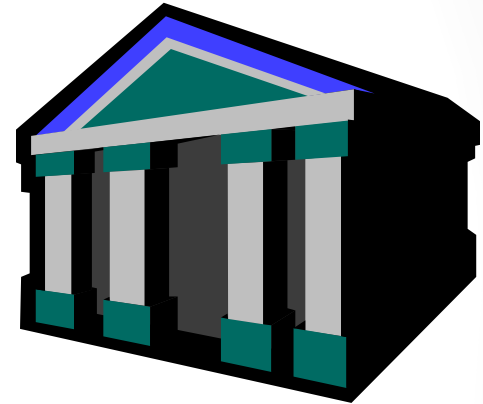
- Section 11(c) of the Act prohibits you from discriminating against an employee for reporting a work-related fatality, injury or illness
- Section 11(c) also protects the employee who files a safety and health complaint, asks for access to the Part 1904 records, or otherwise exercises any rights afforded by the OSH Act

# Fatality/Catastrophe Reporting

- Report orally within 8 hours any work-related fatality or incident involving 3 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

# Providing Records to Government Representatives

- Must provide copies of the records within 4 business hours
- Use the business hours of the establishment where the records are located



# OSHA FORMS:

300 A

300 log

301

# Forms

- OSHA Form 300, *Log of Work-Related Injuries and Illnesses*
- OSHA Form 300A, *Summary of Work-Related Injuries and Illnesses*
- OSHA Form 301, *Injury and Illness Incident Report*

# Forms

- Employers must enter each recordable case on the forms within 7 calendar days of receiving information that a recordable case occurred
- Forms can be kept on a computer as long as they can be produced when they are needed (i.e., meet the access provisions of 1904.35 and 1904.40)



# Most Common Recordkeeping Errors

# Recordkeeping Mistakes Boil Down to 4 Categories:

1. Miscalculations
2. Over-Reporting injuries
3. Missing Information
4. Illegible handwriting





# Miscalculations

- Counting days away from work and restrictions; not counting calendar days
- Counting DAFW case as a DJTR case
- No classification or misclassification of injuries (COLUMNS M1-M6)

# Over-Reporting Injuries

- Other recordable injuries
- Medical treatment vs. first aid only
- Double counting injuries



# Missing Information

- No employer information or signature
- No employee numbers or hours worked
- No days away from work or restricted days recorded in COLUMNS K and L
- Old OSHA logs: COLUMNS K and L are switched

# Recordkeeping Resources

**Wisconsin State Lab of Hygiene- BLS/OSH Statistics**

[www.slh.wisc.edu/bls](http://www.slh.wisc.edu/bls)

**Occupational Safety & Health Administration (OSHA)**

<http://www.osha.gov>

**Bureau of Labor Statistics (BLS)**

<http://www.bls.gov/iif>

**OSHA Recordkeeping Advisor**

<http://webapps.dol.gov/elaws/osha/recordkeeping/02.aspx>

**WisCon Onsite Safety and Health Consultation**

<http://www.slh.wisc.edu/wiscon/>

**Wisconsin Safety Council**

<http://www.wischamberfoundation.org/wcs/>

**National Institute for Occupational Health and Safety**

<http://www.cdc.gov/NIOSH/>

# Any questions?

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