

Log and Summary of Occupational Injuries and Illnesses

Description:

OSHA Part 1904 requires employers in defined Standard Industrial Classification (SIC) groups, including LP-gas marketers, to record and report work-related fatalities, injuries and illnesses. Employers who have 10 or fewer employees during a calendar year have a partial exemption from record keeping requirements, although they must comply with the record keeping regulations, if notified by OSHA or the BLS that they must do so for a particular calendar year. All employers are required to immediately report to OSHA any workplace incident that results in a fatality or the hospitalization of 3 or more employees. Such an incident must be reported by telephone within eight (8) hours of the death or hospitalization of the employees.

Regulatory Reference

29 CFR § 1904, Subparts A through G Recording and Reporting Occupational Injuries and Illnesses

Applies to:

The OSHA log and record keeping standard applies to all employers who do not qualify for the 10-employee or less partial exemption, and to any employer with 10 or fewer employees that is notified by OSHA or the Bureau of Labor Statistics that the employer must comply.

General Requirements:

- (1) If your company had ten (10) or fewer employees at all times during the last calendar year, you do not need to keep OSHA injury and illness records unless OSHA or the BLS informs you in writing that you must keep records under § 1904.41 or § 1904.42. However, as required by § 1904.39, all employers covered by the OSHA Act must report to OSHA any workplace incident that results in a fatality or the hospitalization of three or more employees.
- (2) If your company had more than ten (10) employees at any time during the last calendar year, you must keep OSHA injury and illness records.
- (3) If you create records to comply with another government agency's injury and illness Record keeping requirements, OSHA will consider those records as meeting OSHA's Part 1904 record keeping requirements if OSHA accepts the other agency's records under a memorandum of understanding with that agency, or if the other agency's records contain the same information as Part 1904 requires you to record. You may contact your nearest OSHA offices or State agency for help in determining whether your records meet OSHA's requirements.
- (4) Each employer required by this Part to keep records of fatalities, injury and illness that:
 - (a) Is work-related; and
 - (b) Is a new case; and
 - (c) Meets one or more of the general recording criteria of § 1904.7 or the application of specific cases of § 1904.8 through § 1904.12. [§ 1904.8 through § 1904.12 relate to needle stick and sharps injury cases (bloodborne pathogens), tuberculosis, hearing

loss, medical remove (respirator and related standards), and musculoskeletal disorder cases].

A decision tree for determining whether an injury or illness is recordable is given in §1904.4 while criteria for determination of work-relatedness are given in §1904.5. Criteria for determining if an injury or illness is a new case can be found in §1904.6.

- (5) The employer must consider a work-related injury or illness to be recordable if it results in any of the following:
- (a) death,
 - (b) days away from work,
 - (c) restricted work or transfer to another job,
 - (d) medical treatment beyond first aid, or
 - (e) loss of consciousness.
- (6) OSHA Forms 300, 300-A, and 301 or equivalent forms must be used for recordable injuries and illness. Employers who were required to keep records of recordable illnesses or injuries for calendar year 2001 may use OSHA form 200 for calendar year 2001 records, but must convert to OSHA forms 300, 300A, and 301 for calendar year 2002 and afterwards.
- (a) Form OSHA 301, Injury and Illness Incident Report, is used to report a single reportable injury or illness, and the form must be completed within 7 calendar days of receiving information that a recordable illness or injury has occurred.
 - (b) Form OSHA 300, Log of Work-Related Injuries and Illnesses, is used to record all reportable injuries and illnesses as generated by 301A incident Reports. Certain illnesses or injuries must be handled as "privacy concern cases" as defined in §1904.29 (b)(6) through (10). A separate Form 300 must be kept for each establishment (such as bulk plants, loading or pipeline terminals at separate locations away from bulk plants, administrative offices or sales outlets located away from bulk plants) operated by the employer.
 - (c) After the end of the calendar year, form OSHA 300-A, Summary of Work-Related Injuries and Illnesses, is used to summarize the reportable cases from Form 300.
- (7) Annual Summary. At the end of each calendar year, the employer must:
- (a) review the OSHA 300 Log(s) to verify that the entries are complete and accurate, and correct any deficiencies identified;
 - (b) create an annual summary of injuries and illnesses recorded on the OSHA 300 Log for the establishment applicable for the OSHA 300 Log;
 - (c) certify the summary; and
 - (d) post the annual summary in a conspicuous place where notices to employees are customarily posted at the establishment to which it applies.

The annual summary for each establishment must be posted by February 1 of the year following the year covered by the records and remained posted until April 30. If the employer was required to keep OSHA 200 logs in 2001, the employer must post a 2001 annual summary from the OSHA 200 Log for each establishment from February 1 through April 30, 2002. OSHA forms 200 and 101 must be kept for five years, but are not required to be updated during the retention period.

- (7) Retention and Updating of Records. Employers must save the OSHA 300 log, the privacy case list (if one exists), the OSHA 300-A annual summary (summaries), and the OSHA 301 Incident Report forms for 5 years following the end of the calendar year that these reports cover. During the storage period, the OSHA 300 Logs must be updated to include newly discovered reportable injuries or illnesses and to show any changes that have occurred in the classification of previously recorded injuries and illnesses. If the description of the

outcome of a case changes, the original entry must be removed or lined out and the new information entered.

- (8) Employee Involvement. Employees and their representatives must be involved in the record keeping system in two ways.
- (a) The employer must inform each employee of how he or she is to report an injury or illness.
 - (b) The employer must provide limited access to injury and illness records for employees and their representatives.

Requirements for employee involvement are stated in § 1904.35.

- (9) Reporting fatality, injury and illness information to the Federal Government is the subject of §1904, Subpart E, § 1904.39 through § 1904.42. Within 8 hours of the death of any employee from a work-related incident or the in-patient hospitalization of 3 or more employees as a result of a work-related incident, the employer must orally report the incident by telephone or in person to the Area Office of the Occupational Safety and Health Administration that is nearest the site of the incident. The employer may also use the OSHA toll-free central telephone number, 1-800-321-6742. The report must include:
- (a) the establishment name;
 - (b) the location of the incident;
 - (c) the time of the incident;
 - (d) the number of fatalities or hospitalized employees;
 - (e) the names of any injured employees;
 - (f) the employer's contact person and his or her phone number; and
 - (g) a brief description of the incident.
- (10) Providing Records to Government Representatives. When an authorized government representative asks for records the employer keeps under Part 1904, the employer must provide copies of the records within 4 business hours. If the employer receives OSHA's annual survey form, it must be filled out and sent to OSHA or the designated person or agency as stated on the survey form. If a Survey of Occupational Injuries and Illness Form is received from the Bureau of Labor Statistics, the employer must promptly complete the form and forward it as directed.

Training Requirements:

Although there are no formal training requirements set out in the standard, employers may want to provide training to supervisors and managers that presents the requirements of 29 CFR § 1904, Subparts A through G. Special emphasis should be given to the mandatory 8-hour reporting requirement for any work-related fatality or incident resulting in in-patient hospitalization of 3 or more employees.

Employees will also need formal or informal training on how to report work-related injury or illness as required under the standard.

Maintenance and Review

Employers who were notified that they are required to keep work-related injury and illness records for calendar year 2001 should take steps to assure that the required OSHA forms and summary reports are completed and posted as required, and that the summary form is forwarded to either OSHA or BLS as instructed.

Employers that have 11 or more employees at any time during calendar year 2002 and later, must be sure that required records are kept during the calendar year, and that a summary is posted in each applicable establishment from February 1 through March 1 of the following year.

Periodic reviews of OSHA Form 300 Logs should be completed during the 5-year record retention period, and any required updates to Form 300 Logs should be made without delay.

Additional Information and Resources

OSHA has published an extensive (567 page) guide to 29 CFR Parts 1904 and 1952 that can be downloaded from the Internet by connecting to:

www.osha-slc.gov/FedReg_oseha_data/FED20010119.html.

The guide does not currently include information regarding the one-year delay in reporting work-related hearing loss and MSD requirements.