



Safety Scene

Recordkeeping: Complying with OSHA's Requirements (Part 2 of 2)

by Molly E. Butz

“Even if you were fortunate enough not to have a single claim during the year, OSHA forms still need to be completed, updated and posted.”

—Richard Langton,
Bowermaster & Associates

It's that time of year again; time to reconcile your OSHA recordkeeping logs, update the proper paperwork and post the Summary. With any luck, and a comprehensive preventative program (WTCA Operation Safety, anyone?), those logs are short and the summary is practically non-existent. Unfortunately, no matter how short the log may be, it still needs to be done correctly and in a timely manner.

Hopefully you're not asking yourself, "What on earth is she talking about?" But if you're just a little fuzzy on the details, or need some help with something specific, you're in the right place for OSHA Recordkeeping information.

Though some companies are exempt (those with ten or fewer employees or those in specific service and retail industries), all business establishments classified as manufacturing are required by law to keep OSHA records. Some businesses may qualify for a partial exemption from the keeping OSHA records. But for our purposes, it is important to note that business establishments classified in agriculture, mining, construction, manufacturing, transportation, communication, electric, gas and sanitary services, or wholesale trade are not eligible for the partial industry classification exemption.

If your recordkeeping is not up to par, OSHA will assess fines for every item not in compliance.

The OSHA records we're speaking of include the Log of Work-Related Injuries and Illnesses (OSHA Form 300), the Injury and Illness Incident Report (OSHA Form 301), and the Summary of Work-Related Injuries and Illnesses (OSHA Form 300A). For an injury or illness, filling out the right paperwork is sufficient, while a fatality calls for more drastic measures. That may be over-simplifying, so continue reading for the details, and trust me, they're important.

Defining Work-Related

If the injury or illness resulted from an event or "exposure" that happened at work, we can assume that it's work related. In addition, OSHA describes people working away from the primary establishments as carrying a "bubble of work environment" wherever they go when they are on company time, so these cases are also work related. This also applies to employees who travel for your company, although it's only considered work related when the employee is engaged in work activities. And in certain circumstances, an employee working from home may also have an injury/illness case that could be classified as work related.

There are some exceptions to these conditions, which include:

- Your employee's presence in your facility as a member of the general public (e.g., if an employee was injured in a rowdy ping-pong tournament after hours on the company's table).
- Symptoms that present themselves at work that are not work related and generally caused by an event or exposure from outside of the work environment.
- Injuries and illnesses that arise from participating in voluntary wellness programs (such as an after-work fitness class held on the company grounds).
- Eating, drinking or preparing food or beverages for personal consumption.

at a glance

- ❑ It's time to reconcile your OSHA recordkeeping logs.
- ❑ If an injury or illness resulted from an event or "exposure" that happened at work, assume it is work related.
- ❑ There are some exemptions to what is defined as work related, such as an employee using company property for personal tasks outside his/her assigned work hours.
- ❑ A fatality is ALWAYS recordable.

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richard says:

“In the case of a serious accident or fatality, OSHA will come to inspect the location where the incident occurred and they will arrive quickly. If your recordkeeping is not up to par, OSHA will assess fines for every item not in compliance. These fines can add up to significant dollars very quickly. Therefore, it is in your best financial interest to keep your recordkeeping current. Even if you were fortunate enough not to have a single claim during the year, the forms still need to be completed, updated and posted. Maintaining proper records will not just help you avoid a potential fine, it also gives you helpful information to improve and monitor your safety program and claims frequency. Take this information and look for trends, areas or operations that promote the most injuries and determine what can be done to minimize or avoid similar claims in the future.” —Richard Langton, Bowermaster & Associates

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An injury/illness is also not considered work related if an employee:

- Uses company property for personal tasks outside his/her assigned work hours (like using the pneumatic nail gun to build a picnic table for your aunt's birthday present after your shift is over).
- Creates self-harm through grooming, medication or intentional self-infliction.
- Is involved in a motor vehicle accident coming to or leaving work at the beginning or end of his/her shift, or running a personal errand in the middle of a shift.

And although it probably goes without saying, you don't need to worry about the flu or the common cold. All of these situations are NOT considered work related and do not need to be recorded.

What IS a Recordable Injury or Illness?

Let's get one thing squared away: a fatality is ALWAYS recordable, and it must be reported to OSHA "orally" within eight hours. Otherwise, a work-related injury is recordable if it results in one or more of the following:

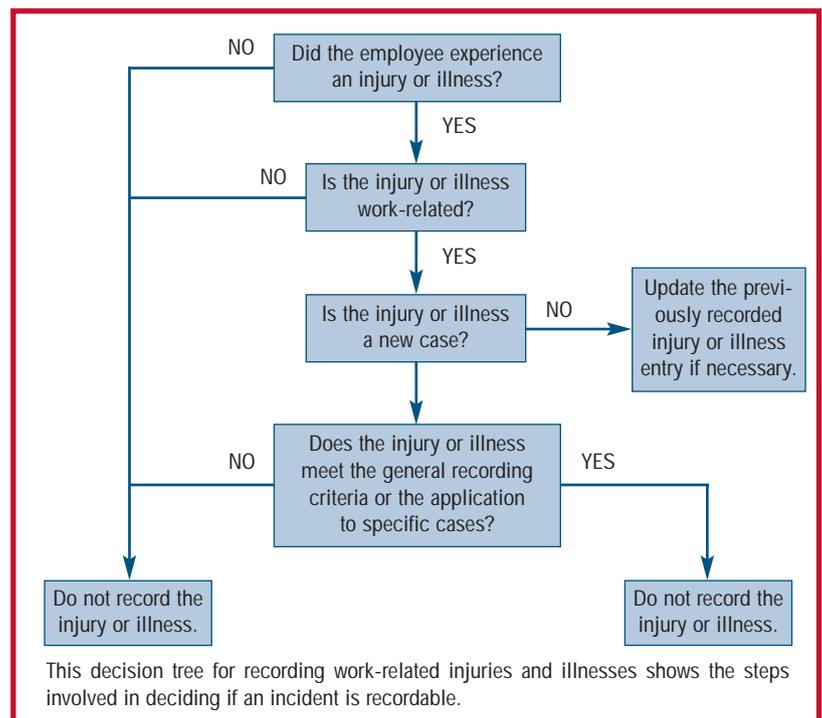
- Days away from work
- Restricted work activity
- Transfer to another job
- Medical treatment beyond first aid
- Loss of consciousness
- Significant injury or illness diagnosed by a physician or other licensed health care professional (PLHCP)

For clarification, "medical treatment" does not include counseling or follow-up visits to a PLHCP and also does not include diagnostics such as x-rays, blood tests or MRIs. The list also notes "medical treatment beyond first aid." There is a well

defined list of procedures that are considered first aid. That list includes:

- Using nonprescription medication at nonprescription strength
- Tetanus immunizations
- Cleaning, flushing or soaking surface wounds
- Using wound coverings such as bandages, butterfly bandages or gauze
- Hot or cold therapy
- Non-rigid means of support, including elastic bandages, wraps and non-rigid back belts
- Temporary immobilization for transporting (splints, slings, neck collars, etc.)
- Drilling a fingernail or toenail to relieve pressure, draining fluids from blisters
- Eye patches
- Removing objects from the eye by irrigation or using a cotton swab
- Finger guards
- Massages
- Drinking fluids to relieve heat stress

An update to OSHA's Recordkeeping regulation, (29 CFR Part 1904), became effective January 1, 2004. (See **Support Docs** at www.sbcmag.info for this regulation's full text.) The new regulation included, among other things, a requirement that employers record work-related hearing loss cases "when an employee's hearing test showed a marked decrease in overall hearing." (For more information please see **SBC Magazine**, November 2004 **Safety Scene**: "Hearing Conservation Programs.")



Fill in the Blanks

As previously mentioned, OSHA requires three forms for proper recordkeeping: the Log, the Incident Report and the Summary. Let's look at what really should be done with these simple forms.

The **Log** is used to describe, classify and note the extent of the injury or illness. When an incident occurs, the Log should be used to record the specific details. The **Incident Report** should also be filled out for each event or exposure and allows for more details to be recorded, including a "timeline" for before, during and immediately after the incident.

The **Summary** is just that, a summary of the work-related injury and illness totals for the year, separated by category. And the Summary is what brings us here today. At the end of the year, for instance, you'll need to review the Log and Incident Reports and make any necessary corrections. The next step is to complete the Summary form, certify it and then post it. Certification simply means that a "higher level management official" must give their blessing on the information on the Summary. OSHA defines a higher level official at a company as: an officer of the corporation, the highest ranking person at the establishment, or his or her boss. The Summary needs to be posted by February 1 of the following year and should be kept posted until April 30 of the same year. (This year, for example, the Summary should be posted by February 1, 2006 and left posted until April 30, 2006.) Then, find a safe place to keep all of the forms filed for five years following the year that the records cover.

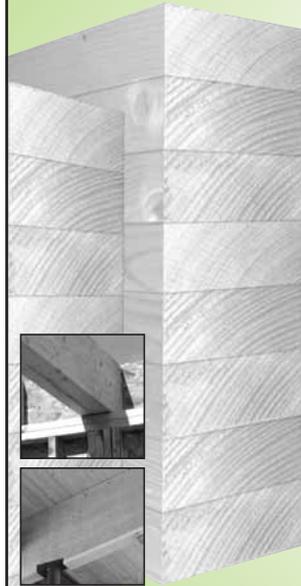
One important thing to note is that, "recording or reporting a work-related injury, illness or fatality does not mean the employer or employee was at fault, an OSHA rule has been violated, or that the employee is eligible for workers' compensation or other benefits" (www.osha.gov). Workers' compensation records are a completely separate issue and should be kept apart from OSHA Recordkeeping. The purpose of requiring employers to collect injury and illness information is to provide information for OSHA and employers to use for managing safety and health concerns. You can use the data in-house to analyze the performance of your safety program or discover an unknown hazard at your facility.

So roll-up your sleeves, uncap a new ballpoint and dig in! If you need more help along the way, check out OSHA's comprehensive Recordkeeping PowerPoint® presentation; read OSHA's Recordkeeping Fact Sheet; or download the forms, complete with a packet of information that includes a worksheet to help you fill out the Summary, and an optional "Calculating Injury and Illness Incidence Rates" page all available from **Support Docs** at www.sbcmag.info **SBC**

To pose a question for this column or to learn more about WTCA's Operation Safety Program, contact WTCA Staff at 608/274-4849, email wtca@woodtruss.com, or view the Operation Safety demonstration online at www.wtcatko.com.

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Privacy Protection

Some injuries and illnesses bring privacy issues along with them. There are a few specific cases in which the name of the person involved in the event or exposure should not be entered in the Log of Work-Related Injuries and Illnesses because they are sensitive circumstances. These situations arise when specific criteria are met, that criteria include:

- An injury to an intimate body part or the reproductive system
- An injury or illness resulting from sexual assault
- Mental illness
- HIV infection, hepatitis or tuberculosis
- Needlestick and sharp injuries that are contaminated with another person's blood or other infection material
- Illness cases where the employee independently and voluntarily requests that their name not be entered on the log

In these instances, the employee's name should be entered as "privacy case" and the words used to describe the case can be altered or lessened so that the employee's identity is not revealed. For example, a sexual assault could be entered as simply "assault." In addition, a confidential list of the employee's names and case numbers should be filed separately and provided only to an OSHA inspector.

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