Injury and illness records must be kept for each establishment covered by the Occupational Safety and Health Act. The regulations require that records be located and maintained to:

- Assist government agencies in administering and enforcing the act.
- Increase employer-employee awareness.
- Promote injury and illness prevention.

In January 2001 OSHA published a new, completely revised recordkeeping regulation. The new rule is designed to improve the system employers use to track and record workplace injuries and illnesses by combining previous regulatory requirements and interpretations and simpler forms into one document.

The new recordkeeping regulation is effective on January 1, 2002 and affects approximately 1.3 million establishments. During the transition period, (through December 31, 2001), employers must follow the requirements of the original rule.

Recording an injury or illness under the OSHA system does not necessarily imply that management was at fault, that the worker was at fault, that a violation of an OSHA standard has occurred, or that the injury or illness is compensable under workers’ compensation or other systems.

**Covered employers**

The recordkeeping requirements of the Occupational Safety and Health Act of 1970 apply to most private sector employers.

Employers with 10 or fewer employees are exempt from most requirements of the regulation, as are a number of industries classified as low-hazard retail, service, finance, insurance, and real estate sectors.

However, as required by Section 1904.39, all employers covered by the OSH Act must report to OSHA any workplace incident that results in a fatality or the in-patient hospitalization of three or more employees.

**What is recordable?**

The new rule eliminates different criteria for recording work-related injuries and work-related illnesses — one set of criteria is used for both. (The former rule requires employers to record all illnesses, regardless of severity).

Covered employers must record any work-related injury or illness resulting in one of the following:

- Death;
- Days away from work;
- Restricted work or transfer to another job;

Continued on next page
Medical treatment beyond first aid;
Loss of consciousness; or
Diagnosis of a significant injury/illness by a physician
or other licensed health care professional.

The decision-making process consists of four steps:

1. Did the employee experience an injury or illness?
2. Is the injury or illness work-related?
3. Is the injury or illness a new case?
4. Does the injury or illness meet the general recording
   criteria or the application to specific cases?

If the answers to these four questions are “yes” the employ-
er is to record the injury or illness.

OSHA forms

Three forms are used for OSHA recordkeeping.

**OSHA Form 300** — Log of work-related injuries and ill-
esses: simplified and printed on smaller legal sized paper
(replaces the OSHA 200 Log).

**OSHA Form 301** — Injury and illness incident report:
includes more data about how the injury or illness occurred
(replaces the OSHA 101 Log).

**OSHA Form 300-A** — Summary of work-related injuries
and illnesses: a separate form for the annual posting. The
Summary must be posted from February 1 through April 30
in a visible location so that employees are aware of the inju-
ries and illnesses occurring in their workplace. A company
executive is required to certify the summary.

Location of records

Employers must keep a separate OSHA 300 Log for each
establishment that is expected to be in operation for one
year or longer. The records for all of an employer’s estab-
ishments can be kept at a headquarters or other central
location if information on injuries and illnesses can be trans-
ferred from the establishment to the central location within
seven calendar days and if records at the central location
can be sent to establishments within acceptable time frames
(i.e., records for an establishment that are requested by a
government representative, employees, former employees,
or employee representatives.)

Retention of records

Employers must save the OSHA 300 Log, annual Summary,
and the OSHA 301 Incident Report forms for five years fol-
lowing the end of the calendar year that these records cover.

Maintenance of the log (OSHA 300 Log)

If, during the 5-year retention period, there is a change in
the extent or outcome of an injury or illness which affects
an entry on a previous year’s OSHA 300 Log, then the first
entry should be lined out and a corrected entry made on that
log. Also, new entries should be made for previously unre-
corded cases that are discovered or for cases that initially
weren’t recorded but were found to be recordable after the
end of the year in which the case occurred. The entire entry
should be lined out for recorded cases that are later found
nonrecordable.

Employee training

Employers must tell employees how to report injuries and
illnesses, and employees have limited access to injury and
illness records.

Employees must also be informed annually that they have
a right to access their exposure and medical records (under
the requirements of 29 CFR 1910.1020).

Training tips

Discuss the procedures that employees are to follow to:

- Report illness and injury.
- Obtain access their exposure and medical records.

Indicate the specific location where your OSHA 300-A
Summary is posted each year.

Where to go for more information

OSHA regulations at 29 CFR 1904, Recording and reporting
occupational injuries and illnesses and 29 CFR 1910.1020,
Access to employee exposure and medical records.

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These talks are a valuable part of your
membership to the NDSC. Only members have
access to them. If you have questions or need
specific consultation about your safety plan,
contact our Safety Consultants at 701-751-6100.