



OSHA Recordkeeping Guidelines

Incident rates are a reflection of your company's safety performance. It is used to compare your company safety record to other similar businesses with a work force of similar size. It is often requested in the bidding process and is used by OSHA to identify poor performing employers.

The incident rate is based on your OSHA logs and many employers confuse OSHA logs with their Workers Compensation claims. They are not the same; they follow different guidelines and rules.

If you list all your Workers Compensation losses on your OSHA logs you could result in over reporting and essentially raising your incident rate.

Understanding OSHA recordkeeping rules will help you calculate an accurate incident rate.

Who's required to maintain OSHA logs?

First determine if your organization is required to maintain OSHA recordkeeping records. Failing to do so could result in penalties. Some employers are partially exempt from maintaining the OSHA 300 logs. You are **not** required:

1. If the company had 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 are supervised on a day to day basis in the count
2. If you are on the Partially Exempt Industry List www.osha.gov/recordkeeping

However, even if you are Partially Exempt you are still required to report fatalities and/or accidents that result in three or more in-patient hospitalization of your employees. Notice must be give within 8 hours by calling 1-800-321-OSHA.

You may also be required to keep OSHA logs if specifically directed to by OSHA or the Bureau of Labor Statistics. If you need to find out more information or download the necessary forms please visit www.osha.gov/recordkeeping or contact our office.

Is your Incident Rate Accurate?

Non-Recordable OSHA Injuries & Illnesses

The main difference between Workers Compensation and OSHA recordkeeping is how a non-recordable First Aid accident/illness is determined. Workers Compensation does not look at the treatment to determine if a claim is first aid, OSHA does. OSHA categorizes a first aid claim as a loss that does not incur more than one day of lost time AND the treatment is listed on the **all inclusive** First Aid List:

- Using nonprescription medication at nonprescription strength
- Tetanus immunizations
- Cleaning, flushing, or soaking surface wounds
- Wound coverings, butterfly bandages, Steri-Strips
- Hot or cold therapy
- Non-rigid means of support
- Temporary immobilization device used to transport accident victims
- Drilling of fingernail or toenail, draining fluid from blister
- Eye patches
- Removing foreign bodies from eye using irrigation or cotton swab
- Removing splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means
- Finger guards
- Massages
- Drinking fluids for relief of heat stress

If any treatment received is NOT listed on the First Aid list or the injured worker incurred more than one day of lost time, the loss is recordable.

Keep in mind that you may have injuries and illnesses that you report to your Workers Compensation Carrier but they may not be OSHA recordable.

There are also some additional types of situations that may or may not result in a Workers Compensation claim but would NOT be OSHA recordable. Below are additional circumstances that would **NOT** be OSHA recordable:

- Employee presented as a member of the general public
- Voluntary participation in wellness program, medical, fitness or recreational activity
- Eating, drinking or preparing food or drink for personal consumption
- Personal tasks outside assigned working hours
- Personal grooming, self medication for non-work-related condition, or intentionally self-inflicted
- Motor vehicle accident in parking lot/access road during commute
- Common cold or flu
- Mental illness, unless employee voluntarily provides a medical opinion from a physician or licensed health care professional having appropriate qualifications and experience that affirms work-relatedness
- Visits to a licensed physician solely for observation or counseling
- Diagnostic procedures including x-rays, MRIs, CT scan

OSHA Recordable Injuries and Illnesses

The following incidents **ARE** OSHA recordable.

- 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 licensed physician
 - Cancer
 - Chronic irreversible disease
 - Punctured eardrum
 - Fractured or cracked bone or tooth
- A pre-existing injury or illness which is significantly aggravated when an event or exposure in the work environment results in any of the following (which otherwise would not have occurred):
 - Loss of consciousness,
 - Days away, days restricted or job transfer,
 - Medical treatment
- 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

Continued OSHA Recordable Injuries & Illness

- 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)

Lost Time Count

When counting the lost days or restricted duty days there are also some things to keep in mind.

- Do not count day of injury/illness
- 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 (only after 1/2002 injuries. Prior years are updated for 5 years). Count starts on day of lost time or restricted duty
- 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
- Logs are to be completed within 7 days of the injury/illness

Calculating Your Incident Rate and Comparing it to the New York Average

Once you have the correct losses on your OSHA 300 log you can calculate your Incident or DART rate and compare it to others within your industry.

There is a free tool on the Bureau of Labor Statistics website that will calculate your rates and compare them to others similar business.

<http://data.bls.gov/IIRC/>

Posting Requirements

As part of the OSHA recordkeeping requirement, employers are required to post an annual summary of occupational injuries and illnesses (OSHA 300A) for the previous calendar year. The summary must be posted no later than February 1st and must remain in place until April 30th. To download the OSHA recordkeeping forms and complete guidelines please visit OSHA's website:

<http://www.osha.gov/recordkeeping/index.html>

For more information or assistance with your OSHA recordkeeping please contact our office.