

NEW: OSHA Injury Tracking Rules

In keeping with our mission to provide our clients timely and value-added advice, we wanted to make you aware of the new OSHA reporting rules as it pertains to OSHA Injury and Illness Recordkeeping aka "The OSHA Logs."

If you're non-compliant with these rules, you can end up with fines.

- Why is OSHA collecting the data and how will it be used?

The new rule requires certain employers to electronically submit injury and illness data that they are already required to record on their onsite OSHA Injury and Illness Forms.

The electronic submission of establishment-specific injury and illness data will enable OSHA to use its enforcement and compliance assistance resources more efficiently. Analysis of the data will improve OSHA's ability to identify, target and remove safety and health hazards, thereby preventing workplace injuries, illnesses and deaths.

- When do I have to submit data electronically to OSHA?

The final rule became effective January 1, 2017, and reporting requirements will be phased in over two years, as follows:

Establishments* with 250 or more employees must begin electronically submitting required injury and illness data from their completed 2016 OSHA Form 300-A by December 1, 2017 (this date was extended from July 1, 2017) and must submit information for all forms (300A, 300, and 301) by July 1, 2018 for 2017 data. Beginning in 2019 and every year thereafter, the information must be submitted by March 2.

Establishments* 20-249 employees in certain high-risk industries (See Back) must begin electronically submitting required injury and illness data from their completed 2016 OSHA Form 300-A by December 1, 2017 (this date was extended from July 1, 2017) and again by July 1, 2018 for 2017 data. Beginning in 2019 and every year thereafter, the information must be submitted by March 2.

*Are the electronic reporting requirements based on the size of the establishment or the size of the firm?

The electronic reporting requirements are based on the size of the establishment, not the firm. The OSHA injury and illness records are maintained at the establishment level. An establishment is defined as a single physical location where business is conducted or where services or industrial operations are performed. A firm may be comprised of one or more establishments. To determine if you need to provide OSHA with the required data for an establishment, you need to determine the establishment's peak employment during the last calendar year. Each individual employed in the establishment at any time during the calendar year counts as one employee, including full-time, part-time, seasonal, and temporary workers.



OSHA Job Safety Health – It's the Law poster must be posted to inform employees of their right to report work-related injuries and illnesses without fear of retaliation.

An employer procedure for reporting work-related injuries and illnesses must be reasonable and must not deter or discourage employees from reporting.

An employer may not retaliate against employees for reporting work-related injuries or illnesses.

For complete details pertaining to these changes, please visit www.osha.gov.

Establishments in the following industries with 20 to 249 employees must submit injury and illness summary (Form 300A) data to OSHA electronically.

NAICS	Industry
11	Agriculture, forestry, fishing and hunting
22	Utilities
23	Construction
31-33	Manufacturing
42	Wholesale trade
4413	Automotive parts, accessories, and tire stores
4421	Furniture stores
4422	Home furnishings stores
4441	Building material and supplies dealers
4442	Lawn and garden equipment and supplies stores
4451	Grocery stores
4452	Specialty food stores
4521	Department stores
4529	Other general merchandise stores
4533	Used merchandise stores
4542	Vending machine operators
4543	Direct selling establishments
4811	Scheduled air transportation
4841	General freight trucking
4842	Specialized freight trucking
4851	Urban transit systems
4852	Interurban and rural bus transportation
4853	Taxi and limousine service
4854	School and employee bus transportation
4855	Charter bus industry
4859	Other transit and ground passenger transportation
4871	Scenic and sightseeing transportation, land
4881	Support activities for air transportation
4882	Support activities for rail transportation
4883	Support activities for water transportation
4884	Support activities for road transportation
4889	Other support activities for transportation
4911	Postal service

NAICS	Industry
4921	Couriers and express delivery services
4922	Local messengers and local delivery
4931	Warehousing and storage
5152	Cable and other subscription programming
5311	Lessors of real estate
5321	Automotive equipment rental and leasing
5322	Consumer goods rental
5323	General rental centers
5617	Services to buildings and dwellings
5621	Waste collection
5622	Waste treatment and disposal
5629	Remediation and other waste management services
6219	Other ambulatory health care services
6221	General medical and surgical hospitals
6222	Psychiatric and substance abuse hospitals
6223	Specialty (except psychiatric and substance abuse) hospitals
6231	Nursing care facilities
6232	Residential mental retardation, mental health and substance abuse facilities
6233	Community care facilities for the elderly
6239	Other residential care facilities
6242	Community food and housing, and emergency and other relief services
6243	Vocational rehabilitation services
7111	Performing arts companies
7112	Spectator sports
7121	Museums, historical sites, and similar institutions
7121	Amusement parks and arcades
7132	Gambling industries
7211	Traveler accommodation
7212	RV (recreational vehicle) parks and recreational camps
7213	Rooming and boarding houses
7223	Special food services
8113	Commercial and industrial machinery and equipment (except automotive and electronic) repair and maintenance
8123	Dry-cleaning and laundry services