29 CFR Part 1904

Recording and reporting occupational injuries and illnesses

OSHA Form 300 Log of Work-related Injuries and Illnesses
OSHA Form 300A Summary of Work-related Injuries and Illnesses
OSHA Form 301 Injury and Illness Incident Report

Reporting Work-related incidents

December 2015
Purpose – Subpart A

• Requires employers to record and report work-related fatalities, injuries and illnesses

  – 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 the employee is eligible for workers’ compensation or other benefits.
Coverage of the 1904 rule

- Subpart B scope
  - 1904.1 Small employers
  - 1904.2 Exemption of certain industries
  - 1904.3 Keeping records for other federal agencies
1904.1 Partial exemption for smaller employers

- If the company had 10 or fewer employees at all times during the past calendar-year, do not keep records.
  - Include employment for the whole company.
  - Include peak employment for the past calendar-year.
  - Include temporary employees you supervise on a day-to-day basis.
1904.4 – Recording criteria

• Covered employers must record each fatality, injury or illness that:
  – is work-related;
  – is a new case; and
  – meets one or more of the criteria contained in sections 1904.7 through 1904.12.
1904.5 – Work-relatedness

- A case is work-related if an event or exposure in the work environment:
  - either caused or contributed to the resulting condition; or
  - significantly aggravated a pre-existing injury or illness.

Presumed for injuries and illnesses resulting from an event or exposure occurring in the work environment.
OSHA vs. workers' compensation

Requirements for OSHA injury and illness recordkeeping and worker’s compensation are totally independent of each other.

• OSHA recordkeeping is based on a "positional risk" standard:
  – presumption that an injury/illness from an unexplained accident arises out of the employment if it occurs “in the course of employment.” (If it happened at work, it’s work-related.)
OSHA vs. workers' compensation

Continued ...

• Workers' compensation is based on an "increased risk" standard:
  - benefits are awarded when there is evidence the conditions or nature of the worker’s employment increased the risk of injury to that worker, beyond that to which the general public is exposed.
1904.5(b)(4) – Significant aggravation

- A pre-existing injury or illness is *significantly aggravated* if an event or exposure in the workplace results in any of the following:
  - death;
  - loss of consciousness;
  - days away, days restricted or job transfer; or
  - medical treatment.
1904.5(b)(2) – Work-relatedness exceptions

- Present as a member of the general public
- Symptoms arising in work environment that are solely due to non-work-related event or exposure
- Voluntary participation in wellness program, medical, fitness or recreational activity
- Eating, drinking or preparing food or drink for personal consumption
1904.5(b)(2) – Work-relatedness exceptions

Continued ...

- 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 a commute to work
Continued ...

- Common cold or flu

- Mental illness, unless the employee voluntarily provides an opinion from a health care provider stating the employee has a mental illness that is work-related
1904.5(b)(6) – Travel status

• An injury or illness that occurs while an employee is on travel status is work-related if:
  – it occurred while the employee was engaged in work activities in the interest of the employer.

• An injury or illness is not recorded if:
  – the employee checks into a hotel, motel or other temporary residence for one or more days; or
  – the employee takes a detour for personal reasons.
Injuries and illnesses that occur while an employee is working at home are work-related if:

- they occur while the employee is performing work for pay or compensation in the home; or
- they are directly related to the performance of work rather than the general home environment.
1904.6 – New case

- A case is new if:
  - there was no previously recorded injury or illness of the same part of the body; or
  - symptoms of a previously recorded injury or illness of the same part of the body had disappeared and a new exposure in the work environment caused the symptoms to reappear.
1904.6 – New case

• Recurring symptoms of chronic illness in the absence of work exposure are not new cases:
  – cancer, asbestosis, silicosis, etc.

• Each episode caused by a new event or exposure in the work environment is a new case:
  – occupational asthma, skin disorders, etc.

• If a medical opinion is provided regarding resolution of a case, the employer must follow that opinion.
1904.7 – General recording criteria

• An injury or illness is recordable if it results in one or more of the following:
  – death (all deaths);
  – days away from work;
  – restricted work activity;
  – medical treatment beyond first aid;
  – loss of consciousness; or
  – significant injury or illness diagnosed by a physician or other licensed health care professional.
1904.7 – Days-away cases

- Check the days-away box (H) and enter calendar-days away from work (K)
  - Do not include day of injury or illness.
  - Count the number of calendar-days the employee was unable to work (include weekend days, holidays, vacation days, etc.).
    - If a medical opinion exists, the employer must follow that opinion.
  - Cap the day count at 180 days.

The employer can stop the day count if the employee leaves the company for a reason unrelated to the injury or illness.
1904.7 – Restricted work/job transfer

• Restricted work activity occurs when:

1. an employee is kept from performing one or more routine functions of his or her job (routine functions are work activities the employee regularly performs at least once a week)
   • restrictions may be imposed by either the employer or a health care provider; or
2. an employee is kept from working a full workday.
1904.7 – General recording criteria

• A case is not considered restricted work if:
  – it is limited to the day of the injury or illness;
  – it only results in production of fewer goods or services; or
  – a health care professional determines an employee can perform all routine work functions (even if an employer prescribes restricted work to avoid worsening of employee-reported musculoskeletal discomfort).

• Vague restrictions (for example, "take it easy for a week") from a licensed health care professional is considered restricted work activity if additional information is not available.
Job transfer occurs when:

- an injured or ill employee is assigned to a job other than his or her regular job for part of the day.
• Check the job transfer or restriction box (I) and enter days of restriction/transfer (L).
  – Count the same as days away from work.
    • Don’t count the day of injury/illness; if restriction or transfer only applies to the day the injury/illness occurred.
  – If the employer makes permanent changes to the job, stop counting, but always count at least one day.

The employer can stop the day count if the employee leaves the company for a reason unrelated to the injury or illness.
1904.7 Classifying a case

• To classify a case with both days-away and job transfer/restriction days:
  – check the box for the most severe consequence
    • days away box (H); and
  – enter the number of days away and days of job transfer/restriction (K) and (L).

Never double-classify a case.
1904.7 General recording criteria

- *Medical treatment* is the management and care of a patient to combat disease or disorder.
- Record if medical treatment is administered.
  - Check the "other recordable cases" box (J).
- It *does not* include:
  - visits to licensed health care professionals solely for observation or counseling;
  - diagnostic procedures; or
  - first aid.
First aid

- Using nonprescription medication at nonprescription strength
- Tetanus immunizations
- Wound coverings, butterfly bandages, Steri-Strips
- Hot or cold therapy
- Nonrigid means of support
- Drilling of fingernail or toenail, draining fluid from blister
First aid

Continued ...

• Removing splinters or foreign material from areas other than the eye
• Massage (physical therapy, occupational therapy and chiropractic therapy are considered medical treatment)
• Drinking fluids for relief of heat stress
1904.7 – General recording criteria

• Record significant diagnosed injuries and illnesses as ‘other recordable cases (J):
  – cancer;
  – chronic irreversible disease;
  – fractured or cracked/chipped bone;
  – cracked or chipped tooth; or
  – punctured eardrum.
1904.8 – Needlestick, sharps injuries

- Record all work-related injuries from needle sticks and sharps that are contaminated with another person’s blood or other potentially infectious material.
  - Record the case as an injury.
  - Update the case if the incident results in an infectious bloodborne disease.
    - Classify it as an illness.
    - Update the description to include the illness.
1904.8 – Needlestick, sharps injuries

- Record splashes or other exposures to blood or other potentially infectious material if it results in the diagnosis of a bloodborne illness or meets the general recording criteria.
If an employee is medically removed under the medical surveillance requirements of an OSHA standard, you must record the case on the OSHA Form 300 (for example, lead, cadmium).

The case is recorded as either one involving days away from work or days of restricted work activity.

If the case involves voluntary removal below the removal levels required by the standard, the case need not be recorded.
1910.10 Hearing loss

- Record when all apply:
  1. work related;
  2. there is a standard threshold shift (STS); and
  3. the total hearing loss is 25 dB or more below audiometric zero averaged at 2000, 3000 and 4000 Hz.
1904.11 – Tuberculosis

- Record a case where there is an occupational exposure to someone with a known case of active tuberculosis and that employee subsequently develops a tuberculosis infection.
- A case is not recordable when:
  - the worker is living in a household with a person who is diagnosed with active tuberculosis;
  - the public health department has identified the worker as a contact of an individual with active tuberculosis; or
  - a medical investigation shows the employee’s infection was caused by exposure away from work.
Musculoskeletal disorders

• Employers record these cases just as they would record any other injury or illness.
OSHA Form 300

• Forms can be kept on a computer or at another location as long as they can be produced when they are needed.
• Enter each recordable case on the OSHA Form 300 log within seven calendar-days of receiving information that a recordable case has occurred.
Privacy case

• Do not enter the name of an employee on the OSHA Form 300 for “privacy concern cases.”
• Write “privacy case” in the name column.
• Keep a separate confidential list of the case numbers and employee names.
Privacy cases include:

- an injury or illness to an intimate body part or reproductive system;
- an injury or illness resulting from sexual assault;
- a mental illness;
- an HIV, hepatitis or tuberculosis infection;
- needlestick injuries and cuts from sharps contaminated with a person’s blood or OPIM; and
- illness cases where the employee voluntarily requests their name not be entered on the log.
OSHA Form 300 disclosure

• If you give the forms to people not authorized by the rule, you must remove the names first.
• Exceptions include when requested by:
  – an employee;
  – an authorized employee representative;
  – a personal employee representative; or
  – a government representative.
1904.30 Multiple business establishments

- Keep a separate OSHA Form 300 for each establishment that is expected to be in operation for a year or longer.
- You may keep one OSHA Form 300 for all short-term establishments that exist for less than one year.
- Each employee on the form must be linked to an establishment.
  - Record cases at the establishment where the injury or illness occurred.
1904.31 Covered employees

- Employees on payroll
- Employees not on payroll who are supervised on a day-to-day basis
  - Temporary-worker employers need not record injuries or illnesses of those employees who are supervised day to day by another employer.

- Exception under sole proprietorship
  - The owner or partners are not considered employees for recordkeeping purposes.
OSHA Form 300

**Log of Work-Related Injuries and Illnesses**

You must record information about every work-related injury and illness that involves days away from work or work-related medical or first aid treatment. This form must also be used to record work-related illnesses that are diagnosed by a licensed health care professional. You must also record work-related illnesses that result in temporary or permanent impairment of hearing or vision for any job classification.

### Identity the person

<table>
<thead>
<tr>
<th>Case no.</th>
<th>Employee's name</th>
<th>Job title</th>
<th>Age</th>
<th>Sex</th>
<th>Race</th>
<th>Rate of injury or rate of illness</th>
<th>Where the event occurred</th>
<th>Event(s) that are the cause of injury or illness</th>
<th>Description of injury or illness, parts of body affected, and substances that directly injured the body or caused the illness</th>
<th>Treatment of work</th>
<th>Days away from work</th>
<th>Work restriction or modification</th>
<th>Disability or limitation of use of work-related function</th>
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**Attention:** This form contains information relating to employees' health and must be used in a manner that protects the confidentiality of employees to the extent possible, which includes the use of the form for occupational safety and health purposes.

**Year 2022**

U.S. Department of Labor
Occupational Safety and Health Administration

**Public inspection copies for the collection of information are made available 31 minutes per response, including time to review documentation, search and gather the data needed, and complete and send the collection of information.**

**Page Totals:**

Be sure to total the data in the Summary page (Form 300A) before you submit it.
• Complete for each recordable case within seven days.

An equivalent form can be used if it has the same information, as is readable and understandable, and uses the same instructions as the OSHA form it replaces.
OSHA Form 300A annual summary

• Review OSHA Form 300 for completeness and accuracy, and correct deficiencies.
• Complete the OSHA Form 300A.
• Certify the summary (300A) as accurate and complete.
  – The summary must be certified by a company executive, owner or the highest-ranking official.
• Post the summary from Feb. 1 through April 30 annually.
OSHA Form 300A

Summary of Work-Related Injuries and Illnesses

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to refer to the Log (B) to verify that the entries are complete and accurate before completing this summary.

Using the Log (B), record the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0".

Employees, their employers, their representatives, have the right to review the OSHA Form 300A in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Sec. 1904.7(a)(3), in OSHA's code of Federal Regulations, for further details on the access conditions for these forms.

<table>
<thead>
<tr>
<th>Number of Cases</th>
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<td>Total number of cases with job transfer or restriction</td>
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<td>Total number of other recordable cases</td>
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<th>Number of Days</th>
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<td>Total number of days of job transfer or restriction</td>
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<tr>
<th>Injury and Illness Types</th>
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<td>(3) Respiratory conditions</td>
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Post this Summary page from February 1 to April 20 of the year following the year covered by the form.

Establishment Information

Year 20__

[Form fields for establishment name, city, state, zip, industry description, Standard Industrial Classification (SIC), OSHA number, establishment number, annual average number of employees, total hours worked by all employees last year, and sign here]

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

[Signature]

[Date]
1904.33 Retention and updating

• Retain the OSHA Form 300 for five years following the year documented on the form.
• Update the OSHA Form 300 during that period.
• There’s no need to update the OSHA Form 300A or OSHA Form 301.
1904.34 Change of ownership

• Each employer is responsible for recording and reporting only for the period of the year during which he or she owned the establishment.
• The former owner must transfer records to the new owner.
• The new owner must retain the records.
1904.35 – Employee involvement

- The employer must inform each employee about how to report a work-related injury or illness.
  - Set up a system for reporting.
  - Inform each employee of the system.
Continued ...

- The employer must provide limited access to injury and illness records to employees, former employees and their personal and authorized representatives.
  
  - The employer must provide a copy of the OSHA Form 300 by the end of the next business day.
  - The employer may not remove names from the OSHA Form 300.
1904.35 – Employee involvement

Continued ...

• The employer must provide a copy of the OSHA Form 301 to an injured or ill employee, former employee or personal representative by the end of the next business day.

• The employer must provide copies of all OSHA Form 301s to authorized representative within seven calendar-days; the employer provides only the right side of the form.
1904.36 – Prohibition against discrimination

- Section 11(c) of the OSH Act
- The employer cannot discriminate against an employee for: reporting a work-related fatality, injury or illness; filing a safety and health complaint; or asking for access to the records.
Reporting fatality, injury and illness information to the government

• Subpart E:
  – 1904.39 Reporting fatalities, inpatient hospitalizations, amputations and loss of an eye
  – 1904.40 Providing records to government representatives
  – 1904.41 Annual OSHA survey
  – 1904.42 Requests from the Bureau of Labor Statistics for data
1904.39 – Reporting work-related incidents to Minnesota OSHA

- Report to MNOSHA Compliance all fatalities that occur within 30 days of a work-related incident.
  - Excluded: Highway or street accidents outside a construction work zone; and accidents on public or commercial transportation systems.

Report to MNOSHA Compliance within 24 hours of a work-related incident all: inpatient hospitalizations; amputations; or eye losses.
Inpatient hospitalization

- A formal admission to the inpatient service of the hospital or clinic for care or treatment.
- Excludes:
  - an inpatient hospitalization that involves only observations or diagnostic testing.
Amputation
– traumatic loss of limb or other external body part –

• Includes:
  – a body part, such as a limb or appendage, that has been severed, cut off or amputated (either completely or partially);
  – fingertip amputations with or without bone loss;
  – medical amputations resulting from irreparable damage; and
  – body parts that have since been re-attached.

• Does not include:
  – avulsions (tissue torn away from the body);
  – enucleations (removal of an eyeball);
  – de-glovings (skin torn away from underlying tissue);
  – scalpings;
  – severed ears; or
  – broken or chipped teeth.
Loss of an eye

- Defined as the physical removal of the eye (includes enucleation and evisceration).
- Loss of sight without the physical removal of the eye is not reportable.

  - However, if the case involves loss of sight that results in the inpatient hospitalization of the worker within 24 hours of the work-related incident, then the case is reportable.
1904.39 – Reporting work-related incidents to Minnesota OSHA

- Fatality – report within eight hours of finding out about it.
- Inpatient hospitalization, amputation, loss of eye – report within 24 hours of learning about it.
- Report by phone:
  - call (651) 284-5050 or 1-877-470-6742 during normal business hours; or
  - call 1-800-321-6742 outside of normal business hours.
1904.40 – Providing records to government representatives

- The employer must provide copies of the records within four business hours.
- Use the business hours of the establishment where the records are located.
OSHA Recorderkeeping and Reporting Requirements

Under the OSHA Recorderkeeping regulation (29 CFR 1904), covered employers are required to prepare and maintain records of serious occupational injuries and illnesses, using the OSHA 300 Log. This information is important for employers, workers, and OSHA in evaluating the safety of a workplace, understanding industry hazards, and implementing worker protections to reduce and eliminate hazards.

ON THE RECORD: OSHA announced changes to the list of industries that are exempt from the requirement to routinely keep OSHA injury and illness records, and to the list of severe work-related injuries and illnesses that all covered employers must report to OSHA. These new requirements will go into effect on January 1, 2015 for workplaces under Federal OSHA jurisdiction. The guidance materials found on this page have been updated to reflect the new requirements.

For complete information on these changes, please visit:
OSHA's Recorderkeeping Rule

OSHA QuickTake: Recorderkeeping Requirements

Search Q&As on OSHA's Recorderkeeping Requirements

What's New

Proposed rule clarifying employers' continuing obligation to make and maintain accurate records of each recordable injury and illness.
OSHA updates recorderkeeping rule.
September 11, 2014
OSHA issues a proposed rule to improve workplace safety and health through improved tracking of workplace injuries and illnesses.
OSHA Injury and Illness forms are now available in a PDF fillable format.

In Focus

4 ways to get an answer to your recorderkeeping scenario:

- Use the Search Q&A function to look for scenarios similar to your own.
- Use the Recorderkeeping Advisor to step through the logic process of the recorderkeeping rule.
- Read the Frequently Asked Questions using the Additional Guidance links for the various sections of the rule.
- Send your scenario to OSHA using our e-correspondence form.

The OSHA Recorderkeeping Handbook

With recent changes to OSHA's injury and illness recording and reporting regulation, the OSHA Recorderkeeping Handbook is no longer current. The Handbook is replaced with Detailed Guidance for OSHA's Injury and Illness Recorderkeeping Rule. This page follows the same format as the Handbook.
More resources

- CPL 2-0.135 Recordkeeping
- Minnesota OSHA Workplace Safety Consultation presentation:
  - www.dli.mn.gov/Wsc/Pdf/recordkeeping1904-1215.pdf
- Minnesota OSHA Compliance recordkeeping page:
  - www.dli.mn.gov/OSHA/Recordkeeping.asp