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OSHA Recordkeeping

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Agenda

- Recordkeeping Importance
- 2023 Final Rule
- Organizations that will be impacted
- Big Change
- Resources
- Recordkeeping Game!



Recordkeeping Importance

- For Employers and Employees
 - Identify and mitigate hazards
 - Maintain effective health and safety programs
- For Compliance Officers
 - Analyze facility safety and health
- Bureau of Labor Statistics (BLS)
- Changes over the last several years



2023 Final Rule

- Updated/expanded electronic reporting requirements
- Publication of electronic injury and illness data
- Reporting Categories
 - Establishment size
 - Number of employees at any one time



Staying the Same

- Less than 20 employees
 - No electronic injury and illness reporting
 - Just document employee headcount
- 20-249 employees in certain designated industries
 - Appendix A to Subpart E (OSHA updating NAICS codes)
 - Continue to submit information from 300A electronically
 - Once a year
- 250+ employees
 - Continue to submit information from 300A electronically
 - Once a year



The Big Change

- 100+ employee establishments in high hazard Industries
 - **NAICS code in Appendix B to Subpart E**
 - Proposed with six additional NAICS
 - **Electronically submit Form 300, 301 and 300A**
 - **As of right now, due March 2, 2024 for 2023 reporting year**
 - **Must provide legal company name**
 - **Requirements apply to Fed OSHA and State Plans**



High Hazard Industries

2017 NAICS code	2017 NAICS title
1111	Oilseed and grain farming.
1112	Vegetable and melon farming.
1113	Fruit and tree nut farming.
1114	Greenhouse, nursery, and floriculture production.
1119	Other crop farming.
1121	Cattle ranching and farming.
1122	Hog and pig farming.
1123	Poultry and egg production.
1129	Other animal production.
1141	Fishing.
1151	Support activities for crop production.
1152	Support activities for animal production.
1153	Support activities for forestry.
2213	Water, sewage and other systems.
2381	Foundation, structure, and building exterior contractors.
3111	Animal food manufacturing.
3113	Sugar and confectionery product manufacturing.
3114	Fruit and vegetable preserving and specialty food manufacturing.
3115	Dairy product manufacturing.
3116	Animal slaughtering and processing.

2017 NAICS code	2017 NAICS title
3116	Animal slaughtering and processing.
3117	Seafood product preparation and packaging.
3118	Bakeries and tortilla manufacturing.
3119	Other food manufacturing.
3121	Beverage manufacturing.
3161	Leather and hide tanning and finishing.
3162	Footwear manufacturing.
3211	Sawmills and wood preservation.
3212	Veneer, plywood, and engineered wood product manufacturing.
3219	Other wood product manufacturing.
3261	Plastics product manufacturing.
3262	Rubber product manufacturing.
3271	Clay product and refractory manufacturing.
3272	Glass and glass product manufacturing.
3273	Cement and concrete product manufacturing.
3279	Other nonmetallic mineral product manufacturing.
3312	Steel product manufacturing from purchased steel.
3314	Nonferrous metal production and processing.
3315	Foundries.
3321	Forging and stamping.
3323	Architectural and structural metals manufacturing.
3324	Boiler, tank, and shipping container manufacturing.



High Hazard Industries

2017 NAICS code	2017 NAICS title
3324	Boiler, tank, and shipping container manufacturing.
3325	Hardware manufacturing.
3326	Spring and wire product manufacturing.
3327	Machine shops; turned product; and screw, nut, and bolt manufacturing.
3328	Coating, engraving, heat treating, and allied activities.
3331	Agriculture, construction, and mining machinery manufacturing.
3335	Metalworking machinery manufacturing.
3361	Motor vehicle manufacturing.
3362	Motor vehicle body and trailer manufacturing.
3363	Motor vehicle parts manufacturing.
3366	Ship and boat building.
3371	Household and institutional furniture and kitchen cabinet manufacturing.
3372	Office furniture manufacturing.
4231	Motor vehicle and motor vehicle parts and supplies merchant wholesalers.
4233	Lumber and other construction materials merchant wholesalers.
4235	Metal and mineral merchant wholesalers.
4244	Grocery and related product merchant wholesalers.
4248	Beer, wine, and distilled alcoholic beverage merchant wholesalers.
4413	Automotive parts, accessories, and tire stores.
4422	Home furnishings stores.
4441	Building material and supplies dealers.
4442	Lawn and garden equipment and supplies stores.

2017 NAICS code	2017 NAICS title
4442	Lawn and garden equipment and supplies stores.
4451	Grocery stores.
4522	Department stores.
4523	General merchandise stores, including warehouse clubs and supercenters.
4533	Used merchandise stores.
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.
4854	School and employee bus transportation.
4859	Other transit and ground passenger transportation.
4871	Scenic and sightseeing transportation, land.
4881	Support activities for air transportation.
4883	Support activities for water transportation.
4911	Postal Service.
4921	Couriers and express delivery services.
4931	Warehousing and storage.
5322	Consumer goods rental.
5621	Waste collection.
5622	Waste treatment and disposal.
6219	Other ambulatory health care services.



High Hazard Industries

2017 NAICS code	2017 NAICS title
6223	Specialty hospitals.
6231	Nursing care facilities.
6232	Residential intellectual and developmental disability, mental health, and substance abuse facilities.
6233	Continuing care retirement communities and assisted living facilities for the elderly.
6239	Other residential care facilities.
6243	Vocational rehabilitation services.
7111	Performing arts companies.
7112	Spectator sports.
7131	Amusement parks and arcades.
7211	Traveler accommodation.
7212	RV parks and recreational camps.
7223	Special food services.
6239	Other residential care facilities.
6243	Vocational rehabilitation services
7111	Performing arts companies.
7112	Spectator sports.
7131	Amusement parks and arcades.
7211	Traveler accommodation.
7212	RV parks and recreational camps.
7223	Special food services.



OSHA

- Use the information to improve enforcement & outreach
- Better analyze injury trends
- Believes access to all data will ultimately result in the reduction of occupational injuries and illnesses



Injury Tracking Tool

/ Injury Tracking Application Login



Injury Tracking Application

[Sign in with](#)  LOGIN.GOV

Create an ITA Account

FAQs

Go to login page at <https://www.osha.gov/injuryreporting/ita/>
Click "create an account" if it's your first time there.



Coded Data

OSHA's new data publication provisions

- OSHA intends to publish information from the Forms 300 and 301 as both text-based and coded data.
- An example of text-based data : “Second degree burns on right forearm from acetylene torch” in Field F (“Describe injury or illness, parts of body affected, and object/substance that directly injured or made person ill”) on the Form 300.
- An example of coded data for this case, using the Occupational Injury and Illness Classification System (OIICS) Manual:
 - » Nature of injury: 1,520 (heat (thermal) burns, unspecified)
 - » Part of body affected: 423 (forearm)
 - » Source of injury or illness: 7,261 (welding, cutting, and blow torches)
 - » Event or exposure: 533 (contact with hot objects or substances)





Compliance Resource


- Regulation
- **Letters of (Standard) Interpretations (LOI)**
 - <https://www.osha.gov/laws-regs/standardinterpretations/publicationdate>
- **Frequently Asked Questions**
 - <https://www.osha.gov/recordkeeping/faq-search>
- Preamble



Letters of Interpretations

OSHA ▾ STANDARDS ▾ ENFORCEMENT ▾ TOPICS ▾ HELP AND RESOURCES ▾ NEWS ▾

Directorate of Technical Support and Emergency Management > Recordkeeping

 Forms ▾ Requirements ▾ Related Documents and Information ▾ Training ▾

Recordkeeping Related Letters of Interpretation

OSHA
Forms for Recording
Work-Related Injuries and Illnesses

Dear Employer:

This booklet includes the forms needed for maintaining occupational injury and illness records. Many but not all employers must complete the OSHA injury and

- [05/17/2023](#) - Determining if injuries or illnesses are work-related as a result of an act of violence
- [01/04/2022](#) - Determining if injuries or illnesses are work-related when involved in a motor vehicle accident. 1904.5, 1904.5(b)(6)
- [03/17/2021](#) - Determining if Injuries and Illnesses are work-related when employees commute from home to work and from a hotel to a worksite. 1904.5
- [03/17/2021](#) - Determining the recordability of an illness when an employee uses a rescue inhaler following an exposure in the work place. 1904.5, 1904.7
- [03/17/2021](#) - Determining whether to record an employee's injury that involved both work-related and non-work-related incidents. 1904.5
- [03/17/2021](#) - Determining who is responsible for recording an Injury or illness of police officer candidates when they attend training at a police academy. 1904.31
- [01/08/2021](#) - Reporting two related reportable events. 1904.39.
- [10/05/2020](#) - Determining if injuries and illnesses are work-related when employees participate in off-site voluntary charitable activity. 1904.5
- [10/09/2019](#) - Use of Zipstitch and Clozex to close a wound is medical treatment beyond first-aid. 1904.7(b)(5)(ii)
- [07/29/2019](#) - Determining whether the injury would apply to the work-related exception personal task and outside the assigned working hours. 1904.5(b)(2)(v)
- [05/23/2019](#) - Clarification of soft tissue massage. 1904.7(b)(5)(ii)
- [04/03/2019](#) - Clarification on how to count calendar days resulting in days away from work. 1904.7(b)(3)
- [03/06/2019](#) - Foreign-Flag Vessels. 1904.3
- [11/14/2018](#) - Clarification on the use of cold therapy. 1904.7(b)(5)(ii)



FAQ

Use key words to search Q & As on OSHA's injury and illness recordkeeping requirements for employers. From this page you can search a repository of questions and answers from the regulation rule itself as well as from requests for information submitted to the Agency. Simply type any key word(s) into the input field below, then select the Search button to view a list of resulting questions that link to answers. If a search on this page does not answer your question, you can submit your question using [OSHA's e-correspondence form](#).

Keyword Search

Search

[Search Basics and Hints](#)

Note: Unless the search results indicate that the source for the Q & A is the recordkeeping rule (29 CFR 1904), the Q & As presented do not themselves impose enforceable recordkeeping or reporting obligations, since such obligations are imposed only by the regulation.

Results: **622 records found**

Q: A 64 yr. old male twists his knee and is treated with a Non-prescription medication, and is sent for further diagnostic purposes (MRI). Upon completion of the MRI it is determined that there was no injury to the knee but the patient was diagnosed with arthritis and treated with a prescription strength medication for the arthritis. Is this a recordable case?



Question-First Aid

- Section 1904.7(b)(5)(ii) of the rule defines first aid, in part, as "removing splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means." What are "other simple means" of removing splinters that are considered first aid?



Answer

- "Other simple means" of removing splinters, for purposes of the first-aid definition, means methods that are reasonably comparable to the listed methods. Using needles, pins or small tools to extract splinters would generally be included.
- FAQ ID: 364
- Source: FAQs



Question-Eyes

- If an employee has an object in his eye that is NOT embedded, but the medic chooses to remove it with a magnet instead of a cotton swab. Is this injury recordable?



Answer-Eyes

- **Yes**, the injury is recordable. Use of a magnet to remove an object from the eye is medical treatment, it is not included on the first aid list.
- FAQ ID: 308
- Source: OSHA e-correspondence



Restricted Days

- Q: When an employee is terminated for reasons not relating to the work-related injury, but is still under medical restrictions from work and continues to receive treatment, can we stop recording days at the date of separation from the employer?



Answer

- A: **Yes.** The employer may stop counting the number of calendar days of days away from work or restricted/job transfer when an employee leaves the company unrelated to the injury and illness. If the employee leaves the company on the same day as the injury and the injury would have resulted in days away from work or restricted/job transfer, then the employer would count and record one calendar day. In order to stop a count you must have a count.
- FAQ ID: 89
- Source: OSHA e-correspondence



Brace/Splint

- Scenario: A worker began to experience wrist pain after spending most of his workday at a computer. Arrangements were made for him to visit the occupational health clinic. Prior to going to the clinic, the employee purchased and used a rigid wrist brace. The doctor at the clinic stated that while the brace was not necessary, if the worker felt he was getting pain relief by using the brace, he should continue to wear it.
- Question: Does this constitute medical treatment beyond first aid for recordkeeping purposes?



Answer

- Response: **Yes**. OSHA's regulation at Section 1904.7(b)(5)(ii)(F) provides that orthopedic devices with rigid stays or other systems designed to immobilize parts of the body are considered medical treatment beyond first aid for recordkeeping purposes. Generally, OSHA does not consider self-treatment or self-medication by the employee to constitute medical treatment beyond first aid. The treatment must be directed or recommended by the employer or a health care professional to be considered medical treatment beyond first aid. In the scenario above, a physician recommended to the employee to use the rigid brace for pain relief. Once this recommendation was made, the case involved medical treatment beyond first aid, and the work-related injury must be recorded.
- LOI September 13, 2018 (removing rigid)



Job Rotation

- Q: One of our employees sustained an injury and received restrictions from our medical provider. Her work group rotates assignments monthly. She is able to fulfill all the job functions of her current assignment, and her restrictions will be lifted before a rotation is due. If she was at a different place in the job rotation she would not be able to perform all essential job functions. Her injury is recorded on our OSHA 300 Log. Should we also be logging the restricted days on the 300 log, even though she performs all essential functions of her current assignment?



Answer

- A: **Yes.** You must count all of the days the employee is restricted from performing her routine job functions, even if she is not currently scheduled to perform those functions.
- FAQ ID: 155
- Source: OSHA e-correspondence



Multiple Injury DART

- Q: We have an employee that was injured on the job 2/23 and has been working light duty, within his restrictions ever since. While working light duty, he was injured on the job again (different injury and body part) on 4/08. We have light duty within the restrictions for the initial injury, but we cannot provide light duty within the restriction of the second injury, resulting in days away from work. How should we record the time for the initial injury and the second injury in accordance with OSHA recording regulations?



Answer

- A: Stop the count of the days of restricted work activity for the first case and enter the second injury as a new case and record the number of days away from work.
- FAQ ID: 658
- Source: OSHA e-correspondence



Lost Time Recordkeeping

- Q: We have an employee who was injured on the job, and returned to 'restricted' duty. We no longer have work available that meets his restrictions and we will have to lay him off. Will he now be considered as being on 'lost time' due to the fact that we are laying him off because we no longer have restricted work available?



Answer

- A: Yes, because you cannot meet the restrictions, the case involves days away from work. You must estimate the total number of days away the employee would need to recuperate and enter the day count on the 300 Log.
- FAQ ID: 203
- Source: OSHA e-correspondence



Rescue Inhaler

- Background: In your letter, you state that an employee with non-occupational asthma and rhinitis has developed a fragrance sensitivity. This fragrance sensitivity is a symptom of the employee's non-occupational asthma. The employee takes medication on a daily basis to treat the asthma and self-medicates with a rescue inhaler prescribed by his personal physician. Since developing the fragrance sensitivity in June 2018, the employee has reported exposure to fragrance in the workplace, which resulted in symptoms associated with his asthma. The employee, who has been exposed to fragrance both in and out of the workplace, has missed work on one or two occasions after experiencing a more significant reaction to fragrance exposure in the workplace.



Rescue Inhaler

- Question 1: Is the employee's use of a rescue inhaler after exposure to fragrances at work a recordable illness or injury where (1) the employee did not previously experience a recorded injury or illness of the same type (e.g., the employee's respiratory illness is not work-related), (2) the employee is self-medicating due to a non-work related condition (e.g., asthma), and(3) medical treatment was required prior to the June 2018 incident at work for the condition(e.g., asthma)?



Answer

- **Yes**, Recordable due to aggravation of pre-existing condition
- Using inhaler to treat a (now) work-related illness is medical treatment beyond first aid



Additional Question

- Q: Is every use of the rescue inhaler a new recordable case?



Answer

- A: **No**, as long as there is no change in medical treatment to treat the work-related exposure.
- LOI March 17, 2021



DART

- 1. An employee who performs office clerical work injures her knee in a work-related accident. She has out-patient surgery one month after the knee injury and is released by her doctor with the only restriction being: "May work at home." The company sets up a computer and forwards her business phone to the employee's house so she can work while recovering from surgery. The employee works from home, but does not work the full 8 hours during the work day. The employee was able to perform all of her routine job functions from home during this time.
- Question 1: Should the days that the employee is performing clerical services for the company from her home be treated as restricted work activity or days-away-from work?



Answer

- Yes, the employer has made a decision that the employee needs days away from the office in order to recover from a work-related injury.
- Letter of Interpretation August 26, 2008.



Drug Testing

- Q: We have an employee who had a job-related injury, which resulted in work restrictions. As is required by our Company, he had to submit to a post injury drug test, and the drug test came back positive. Do we still need to record this on our 301 log, even though it did result in a positive drug test?



Answer

- A: Yes. You must consider an injury or illness to be 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. Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the work environment, unless an exception in § 1904.5(b)(2) specifically applies. There is no exception for alcohol or drug impairment under 1904.5(b)(2).
- FAQ ID: 216
- Source: OSHA e-correspondence

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