

Purpose (of the Rule)

- To require employers to record and report work-related fatalities, injuries and illnesses
 - Note: Recording or reporting a work-related injury, illness, or fatality does not mean the the employer or employee was at fault, an OSHA rule has been violated, or that the employee is eligible for workers' compensation or other benefits.
- OSHA injury and illness recordkeeping and Workers' Compensation are independent of each other



1904.2 - Industry Exemption

- <u>All</u> industries in agriculture, construction, manufacturing, transportation, utilities and wholesale trade sectors <u>are covered</u>
- In the retail and service sectors, some industries are partially exempt
- Appendix A to Subpart B lists partially exempt industries



1904.1 – Size Exemption

- If your company had 10 or fewer employees at all times during the last calendar year, you do not need to keep the injury and illness records unless surveyed by OSHA or BLS
- The size exemption is based on the number of employees in the entire company
- Include temporary employees supervised on a day to day basis in the count

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Partial Exemption

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- Employers that are <u>partially</u> exempt from the recordkeeping requirements because of their size or industry must continue to comply with:
 - 1904.39, Reporting fatalities and multiple
 - hospitalization incidents
 - 1904.41, Annual OSHA injury and illness survey (if specifically requested to do so by OSHA)
 - 1904.42, BLS Annual Survey (if specifically requested to do so by BLS)

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1904.4 - Recording Criteria

- Covered employers must record each fatality, injury or illness that:
 - is work-related, and
 - is a new case, and
 - meets one or more of the criteria contained in sections 1904.7 through 1904.11.
 - The employer is ultimately the decision maker – Good faith recordkeeping determinations ______

Although controlling employers ultimately decide if and how a particular case should be recorded, their decision must not be an arbitrary one, but should be made in accordance with the requirements of the Act, regulation, and the instructions on the forms.

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1904.5 - Work-Relatedness

- Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the <u>work environment</u>
- A case is presumed work-related if, and only if, an event or exposure in the work environment is a discernable cause of the injury or illness or is a significant aggravation to a pre-existing condition. The work event or exposure need only be one of the discernable causes; it need not be the sole or predominant cause.



1904.5 – Work Environment

- The <u>work environment</u> is defined as the establishment and other locations where one or more employees are working or present as a condition of employment
- The work environment includes not only physical locations, but also the equipment or materials used by employees during the course of their work

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1904.5 - Significant Aggravation

- A pre-existing injury or illness is <u>significantly</u> aggravated when an event or exposure in the work environment results in any of the following (which otherwise would not have occurred):
 - Death
 - Loss of consciousness
 - Days away, days restricted or job transfer
 - Medical treatment



1904.5 – 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 (Regardless of where signs or symptoms surface, a case is work-related only if a work event or exposure is a discernable cause of the injury or illness or of a significant aggravation to a pre-existing condition.)
- Voluntary participation in wellness program, medical, fitness or recreational activity
- Eating, drinking or preparing food or drink for personal consumption



1904.5 - Exceptions

- · 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 (PLHCP) having appropriate qualifications and experience that affirms work-relatedness

Parking Log Exception

 In order for the exception in Section 1904.5(b)(2)(vii) to apply, the case must meet all three of the following conditions. First, the injury must occur when the employee is commuting to or from work, and not when the employee is traveling in the interest of the employer. Second, the injury must take place in the company parking lot or company access road (the work establishment).

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Parking Log Exception

 Finally, the injury must result from a motor vehicle accident. OSHA's intention is to interpret the exemption in Section 1904.5(b)(2)(vii) narrowly to include only those "motor vehicle accidents" involving moving vehicles which are solely being used for commuting at the time of the accident; i.e., vehicles which have not been parked and which are not being used for work.

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1904.5 - Travel Status 1904.5 - Work at Home • An injury or illness that occurs while • Injuries and illnesses that occur while an employee is working at home are workan employee is on travel status is work-related if it occurred while the related if they: · occur while the employee is employee was engaged in work performing work for pay or activities in the interest of the compensation in the home, and employer are directly related to the • Home away from home performance of work rather than the • Detour for personal reasons is not general home environment work-related WCF WCF

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1904.6 - New Case

- If there is a medical opinion regarding resolution of a case, the employer must follow that opinion
- If an exposure triggers the recurrence, it is a new case (e.g., asthma, rashes)
- If signs and symptoms recur even in the absence of exposure, it is not a new case (e.g., silicosis, tuberculosis, asbestosis)



1904.7 - General Recording Criteria

- An injury or illness is recordable if it results in one or more of the following:
 - 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 PLHCP

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1904.7(b)(3) - Days Away Cases

- Record if the case involves one or more days away from work
- Check the box for days away cases and count the number of days



 Do not include the day of injury/illness



1904.7(b)(3) - Days Away Cases

- Day counts (days away or days restricted)
 - Count the number of calendar days the employee was unable to work (include weekend days, holidays, vacation days, etc.)
 - You may stop counting days of restricted work or days away once the total of either or the combination of both reaches 180 days
 - 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

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1904.7(b)(4) - Restricted Work Cases

- Record if the case involves one or more days of restricted work or job transfer
- Check the box for restricted/transfer cases and count the number of days
- Do not include the day of injury/illness

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1904.7(b)(4) - Restricted Work Cases

- Restricted work activity exists if the employee is:
 - Unable to work the full workday he or she would otherwise have been scheduled to work; or
 - Unable to perform one or more routine job functions
- An employee's routine job functions are those activities the employee regularly performs at least once per week

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1904.7(b)(4) - Restricted Work

- A case is not recordable under 1904.7(b)(4) as a restricted work case if:
- the employee experiences minor musculoskeletal discomfort,
- a health care professional determines that the employee is fully able to perform all of his or her routine job functions, and
- the employer assigns a work restriction to that employee for the purpose of preventing a more serious condition from developing.



1904.7(b)(4) – Job Transfer

- Job transfer
 - An injured or ill employee is assigned to a job other than his or her regular job for part of the day
 - A case is recordable if the injured or ill employee performs his or her routine job duties for part of a day and is assigned to another job for the rest of the day



Medical treatment is the management and care of a patient to combat disease or disorder.
 It does not include:

 Visits to a PLHCP solely f observation or counseling
 Diagnostic procedures
 First aid



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1904.7(b)(5) - First Aid
Using nonprescription medication
at nonprescription strength

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- 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

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Prescription Strength

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- The single dosages that are considered prescription strength for four common overthe-counter drugs are:
 - Ibuprofen (such as Advil™) Greater than 467 mg
 - Diphenhydramine (such as Benadryl[™]) Greater than 50 mg
 - Naproxen Sodium (such as Aleve™) Greater than 220 mg
 - Ketoprofen (such as Orudus KT[™]) Greater than 25mg



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1904.7(b)(6) – Loss of Consciousness • All work-related cases involving loss of consciousness must be recorded

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1904.7(b)(7) – Significant Diagnosed Injury or Illness

- The following work-related conditions must always be recorded at the time of diagnosis by a PLHCP:
 - Cancer
 - Chronic irreversible disease
 - Punctured eardrum
 - Fractured or cracked bone or tooth

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1904.8 – Bloodborne Pathogens

 Record 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)

disease or meets the general recording

criteria

(includes human bodily fluids, tissues and organs; other materials infected with HIV or HBV such as laboratory cultures) Record splashes or other exposures to blood or other potentially infectious material if it results in diagnosis of a bloodborne

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1904.10 – Hearing Loss

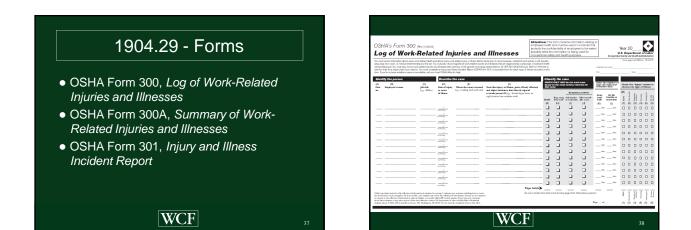
- Must record all work-related hearing loss cases where:
 Employee has experienced a Standard Threshold Shift (STS)¹, and
 - Employee's hearing level is 25 decibels (dB) or more above audiometric zero [averaged at 2000, 3000, and 4000 hertz (Hz)] in the same ears as the STS

 1 An STS is defined in OSHA's noise standard at 29 CFR 1910.95(g)(10)(i) as a change in hearing threshold, relative to the baseline audiogram, of an average of 10 dB or more at 2000, 3000, and 4000 Hz in one or both ears.

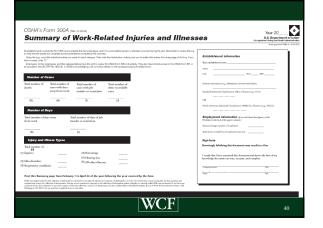
1904.10 - Hearing Loss (cont'd) Must compute the STS in accordance with OSHA's noise standard, 1910.95

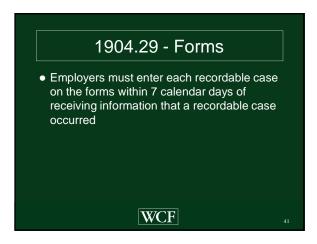
- noise standard, 1910.95Compare employee's current audiogram to the
- original baseline audiogram or the revised baseline audiogram allowed by 1910.95(g)(9)
- May adjust for aging to determine whether an STS has occurred using tables in Appendix F of 1910.95
- May not adjust for aging to determine whether or not hearing level is 25 dB or more above audiometric zero

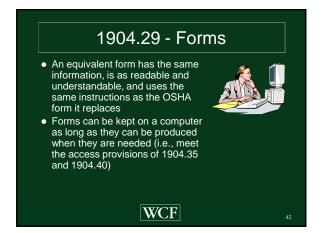




OSHA's Form 301 Injury and Illness		Attention: This form contains information reliating to employee health and must be used in a manner that protects the confidentiality of employees to the eatent possible while the information is being used for occupational tablety and health purpose.	U.S. Department of Labo Occupations heavy and features descent
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1904.29 - Privacy Protection

 Do not enter the name of an employee on the OSHA Form 300 for "privacy concern cases"



- Enter "privacy case" in the name column
- Keep a separate confidential list of the case numbers and employee names



1904.29 – Privacy Protection Privacy concern cases are: An injury or illness to an intimate body part or reproductive system An injury or illness resulting from sexual assault Mental illness HIV infection, hepatitis, tuberculosis Needlestick and sharps injuries that are contaminated with another person's blood or other

potentially infectious material
Employee voluntarily requests to keep name off for other illness cases

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1904.29 – Privacy Protection

- Employer may use discretion in describing the case if employee can be identified
- If you give the forms to people not authorized by the rule, you must remove the names first
 - Exceptions for:
 - Auditor/consultant,
 - Workers' compensation or other insurance
 - Public health authority or law enforcement agency

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1904.30 – Multiple Business Establishments

 Keep a separate OSHA Form 300 for each establishment that is expected to be in operation for more than a year



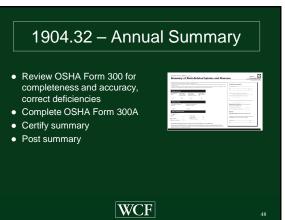
- May keep one OSHA Form 300 for all short-term establishments
- Each employee must be linked with one establishment
 - Enter on the log where the injury occurred



1904.31 – Covered Employees

- Employees on payroll
- Employees not on payroll who are supervised on a day-to-day basis
- Exclude self-employed and partners
- Temporary help agencies should not record the cases experienced by temp workers who are supervised by the using firm

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1904.32 - Annual Summary

- A company executive must certify the summary:
 - An owner of the company
 - An officer of the corporation
 - The highest ranking company official working at the establishment, or
 - His or her supervisor
- Must post for 3-month period from February 1 to April 30 of the year following the year covered by the summary
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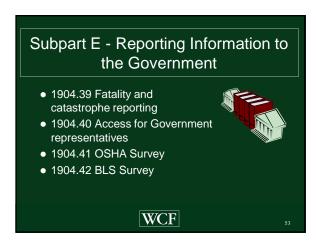
1904.33 – Retention and Updating

- Retain forms for 5 years following the year that they cover
- Update the OSHA Form 300 during that period
- Need not update the OSHA Form 300A or OSHA Form 301

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1904.35 - Employee 1904.37 – State Plans Involvement • State Plan States must have the same You must inform each employee of requirements as Federal OSHA for determining how to report an injury or illness which injuries and illnesses are recordable and • Must set up a way for how they are recorded employees to report work-• For other Part 1904 requirements, State Plan related injuries and illnesses promptly; and requirements may be more stringent • Must tell each employee how to 1952.4 has been modified to reflect these report work-related injuries and concepts illnesses to you WCF WCF

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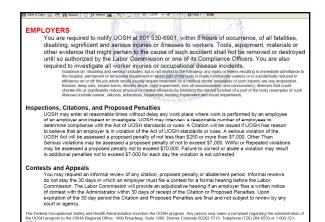
1904.39 – Fatality/Catastrophe Reporting

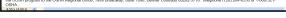
- Report orally within 8 hours any work-related fatality or incident involving 3 or more inpatient hospitalizations
- Do not need to report highway or public street motor vehicle accidents (outside of a construction work zone)
- Do not need to report commercial airplane, train, subway or bus accidents



R614-1-5 Utah Fatality/Catastrophe Reporting

- A.1. The provisions of this rule adopt and extend the applicability of: (1) established Federal Safety Standards.
- C. 2. Each employer shall within 8 hours of occurrence, notify the Division of Utah Occupational Safety and Health of the Commission of any workrelated fatalities, of any disabling, serious, or significant injury and of any occupational disease incident. Call (801) 530-6901.

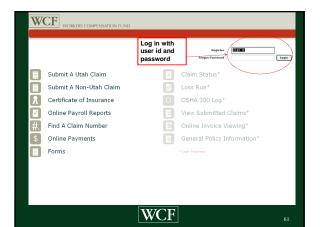






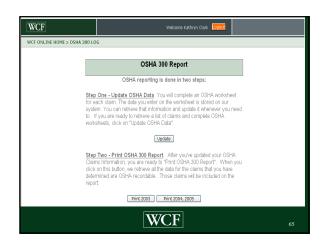






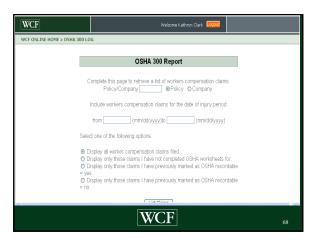




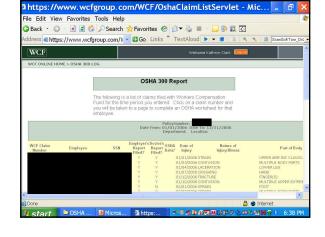


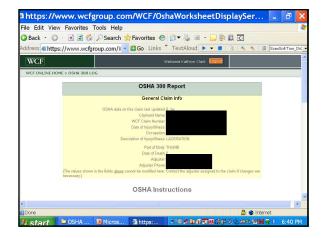


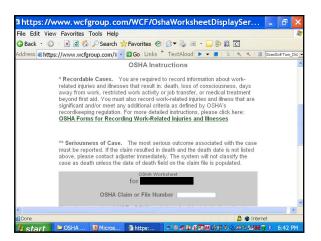


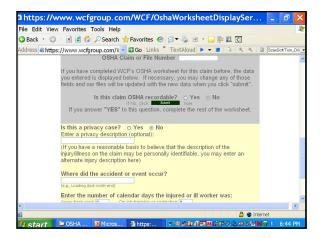


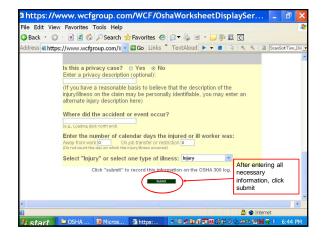






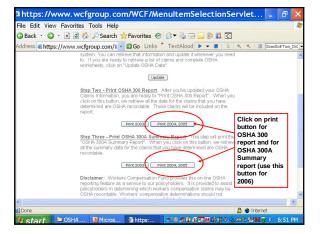


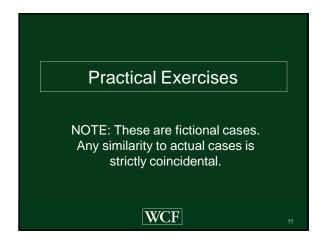




WCF OSHA Log (continued) Click back button as instructed on the screen to return and enter OSHA worksheet information for other remaining claims. After entering all OSHA worksheet

information for all claims, return to print page and click the print button.

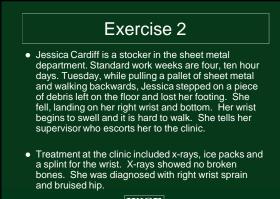




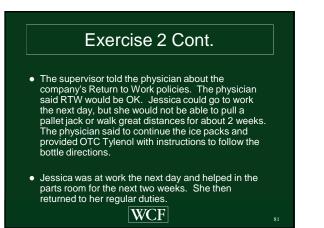
Exercise 1

- John Sawer, a laborer working at the hospital site, was injured on Tuesday. He stepped on a nail protruding from a discarded piece of lumber. The nail penetrated through the skin of the sole of his right foot. The foreman John to go to the clinic.
- The treatment John received included cleaning the wound, a tetanus shot and a band aid.
- John returned to work the following day.

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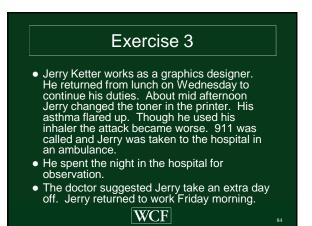








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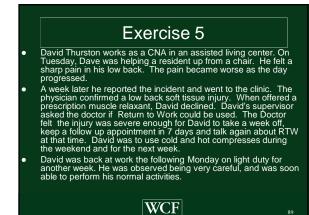
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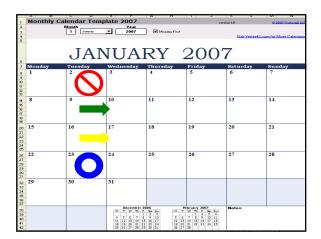
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Exercise 4

- Julie Hardson delivers auto parts to the service departments of new car dealerships. While at a dealership, Julie slipped on some ice. She fell, hitting her head. She hit hard enough that witnesses say she didn't move for several seconds. Julie couldn't remember hitting her head.
 She was taken to the hearing in an ambulance.
- She was taken to the hospital in an ambulance. A CAT-scan was performed and showed negative results. Julie was released from the hospital later that evening and given OTC medication for a headache.
- She returned to work the next day and resumed her normal duties.

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- State of Utah
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